NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

CLOSED SESSION MEETING AGENDA

Wednesday, May 17, 2023, 5:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

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

PLEASE NOTE THE MEETING WILL PROCEED AS NORMAL EVEN IF THERE ARE TECHNICAL DIFFICULTIES ACCESSING ZOOM.
THE CITY WILL DO ITS BEST TO RESOLVE ANY TECHNICAL ISSUES AS QUICKLY AS POSSIBLE.

THE PUBLIC MAY ALSO VIEW THE MEETING ON PENINSULA CHANNEL 25.

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AGENDA

CALL TO ORDER

APPROVAL OF AGENDA

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS

Comments from the public will not receive Council action. Comments must deal with matters on the Closed Session agenda and will be limited to three minutes

A. Conference with Labor Negotiators (Government Code Section 54957.6)
City Negotiators: Ben Harvey, City Manager, Tori Hannah, Administrative Services Director, Leticia Livian, Human Resources Director, and Katy Suttorp, City Attorney's Office
Employees: General Employees Association

ADJOURNMENT

NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING AGENDA

Wednesday, May 17, 2023, 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 close of business on the day prior to the City Council meeting. Public comment will be posted to the relative agenda item through noon on the day of the City Council meeting. Public comment received after the noon deadline will be posted as soon thereafter as possible.

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

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MEETING INSTRUCTIONS

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Smith

1. **APPROVAL OF AGENDA**

2. **PRESENTATIONS**

A. Mayor's Proclamation: Public Works Week May 21 - 27, 2023 PAGE 11
Reference: Bill Peake, Mayor
Recommended Action: Receive presentation.
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 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.

A. General Public Comment
Reference: Sandra Kandell, City Clerk
Recommended Action: Receive written general public comment if applicable.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

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 3, 2023 and May 10, 2023 Adjourned City Council Meetings
Reference: Sandra Kandell, City Clerk PAGE 14
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. Resolution Setting the Appropriations Limit for FY 2023-2024 PAGE 28
Reference: Jennifer Pope, Management Analyst
Recommended Action: 1. Approve a resolution setting the Appropriations Limit for Fiscal Year 2023-2024; or
2. Alternatively, discuss and take other action related to this item.

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

B. Pride Month 2023 PAGE 38
Reference: Sandra Kandell, City Clerk/DEI Coordinator
Recommended Action: Adopt 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

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

8. **REPORTS – INFORMATION ONLY**
Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

A. April 2023 Check Register PAGE 43
Reference: Audrey Cray, Finance & Risk Manager
Recommended Action: 1. Receive the Check Register.
2. Alternatively, discuss and take other action related to this item.

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

B. Core Revenue Report - April 2023 PAGE 86

Reference: Audrey Cray, Finance & Risk Manager

Recommended Action: 1. Receive the report.

2. Alternatively, discuss and take other action related to this item.

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

C. Monterey-Salinas Transit Meeting Minutes of April 10, 2023 PAGE 89

Reference: Joe Amelio, Councilmember

Recommended Action: Receive minutes.

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. Agreement with Chavan & Associates, LLP for Independent Financial Audit Services ***Action required by May 17, 2023.*** PAGE 96

Reference: Jennifer Pope, Management Analyst

Recommended Action: 1. Authorize the Mayor to execute a three-year agreement with Chavan and Associates, LLP for independent financial audit services for an amount not to exceed $138,000, with two one-year extensions; or

2. Alternatively, discuss and take other action related to this item.

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

B. PGUSD & City of Pacific Grove - Expanded Learning Opportunities Program (ELOP) Summer Camp PAGE 149

Reference: Katie Clark, Recreation Manager

Recommended Action:

1. Approve the City of Pacific Grove to enter a Memorandum of Understanding with Pacific Grove Unified School District for the purpose of creating a partnership to offer a free summer recreation camp through the Expanded Learning Opportunities Program grant
2. Alternatively, discuss and take other action related to this item

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

C. Council Policy by Resolution PAGE 156

Reference: Luke Coletti, Councilmember and Bill Peake, Mayor

Recommended Action: Direct the City Attorney to return with a draft ordinance to amend Chapter 2.04 of the Pacific Grove Municipal Code codifying that Council policies shall be created, amended, or deleted only by Council Resolution.

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

D. Appointment to Traffic Safety Commission PAGE 158

Reference: Bill Peake, Mayor

Recommended Action: Approve appointment of B. Shammas to Traffic Safety Commission ending January 31. 2025.

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. DEI Task Force Meeting Minutes: April 8, 2023 PAGE 160

Reference: Sandra Kandell, City Clerk/DEI Coordinator

Recommended Action: Receive minutes.

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

B. Historic Resources Committee Meeting Minutes: February 22, 2023, March 2, 2023, March 22, 2023, December 28, 2022 PAGE 163

Reference: Annie Allenbaugh, Office Assistant

Recommended Action: Receive minutes.

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

C. Library Board Minutes: March 13, 2023 PAGE 182

Reference: Diana Godwin, Library Director

Recommended Action: Receive 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.

A. Hospitality Improvement District (HID) program for Fiscal Year 2023-24 PAGE 186

Reference: Lori Frati, Management Analyst

Recommended Action:

1. Hold a public hearing to determine whether a majority written protest to the proposed annual district assessment is received.
2. If no majority protest is determined, adopt the resolution to approve the annual report, levy the annual assessment, approve the program for Fiscal Year 2023-24, 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.Hospitality Improvement District (HID) program for Fiscal Year 2023-24
3. Alternatively, discuss and take other actions related to this item.

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

B. Downtown Business Improvement District (BID) program for FY 2023-24 PAGE 209

Reference: Lori Frati, Management Analyst

Recommended Action:

1. Hold a public hearing to determine majority protest to the annual assessment were not received, and Adopt resolution to approve annual report, levy annual assessment, approve the recommended Fiscal Year 2023-24 program, appoint the BID Advisory Board for Fiscal Year 2023-24, and authorize the City Manager to execute an agreement allowing the Pacific Grove Chamber of Commerce to administer the BID budget.
2. Alternatively, discuss and take other actions related to this item.

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

C. State Community Development Block Grant (CDBG) Grant Close (2017) out and Grant Amendment (2021) ***Action required by May 17, 2023.***

Reference: Alyssa Kroeger, Housing Program Manager

Recommended Action: PAGE 229

1. Conduct a Public Hearing required by the California Department of Housing and Community Development (HCD) on the Community Development Block Grant (CDBG) Program to close out the 2017 CDBG Housing Rehabilitation Loan Program (HRLP); and
2. Approve a resolution reprogramming a 2021 CDBG Program Income (PI) Funding Application from Multi-Family rehabilitation to Single-Family rehabilitation to continue the City's ongoing Housing Rehabilitation Loan Program (HRLP).

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

12. UNFINISHED AND ONGOING BUSINESS

A. Formal Selection of Focused General Plan Update Consultant

Reference: Anastacia Wyatt, Community Development Director

Recommended Action: PAGE 233

1. Authorize an Agreement with Rincon Consultants, Inc. to complete the focused General Plan update, associated zoning ordinance and map amendments, and objective design and development standards, economic analysis, market assessment, parking data, and a climate action and adaptation plan in an amount not to exceed $2,193,070 beginning in FY 22/23 and terminating in FY 27/28.
2. Alternatively, discuss and take other action related to this item.

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

B. CONCEPT REVIEW: Draft Cannabis Regulations PAGE 323

Reference: City Attorney Brian Pierik, Erica Vega, Esq., City Manager Ben Harvey, Administrative Services Director/Assistant City Manager Tori Hannah

Recommended Action: Discuss the draft cannabis licensing and zoning ordinances and provide direction to staff.

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

C. Pints on the Peninsula Special Event PAGE 384

Reference: Katie Clark, Recreation Manager

Recommended Action:

1. Approve Pints on the Peninsula as a Full Cost Recovery Special Event for inclusion in the FY 2023-2024 Special Events Calendar.
2. Allow alcohol to be served in the confines of the fenced special event area attached to California Seltzer Company store front location of 631 Ocean Ave per Municipal Code Section 11.04.020, Consumption in Public Spaces.
3. Alternatively, discuss and take other action related to this item.

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

D. Lover's Point Pier Repair Project PAGE 392

Reference: Joyce Halabi, Deputy Public Works Director

Recommended Action:

1. Receive Report
2. Provide staff with direction on pursuing the interim repair design solution
3. Alternatively, discuss and take other action related to this item

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

E. Local Water Project Operations and Maintenance Contract PAGE 514

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

Recommended Action:

1. Authorize an amendment to the Asset Management Agreement with PERC Water for the Operations & Maintenance of the Pacific Grove Local Water Project for a 5-year term (November 1, 2023 –October 31, 2028) at a monthly fixed cost of $32,896 and a variable cost of $247.24 per acre foot of influent flow to the plant.
2. Alternatively, discuss and take other action related to this item

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

F. Agreement with Bowman for the Design and Environmental for Replacement of Pump Station 15.5 PAGE 539

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

Recommended Action:

1. Authorize an agreement with Bowman for the Design and Environmental for Replacement of Pump Station 15.5 in an amount not to exceed $109,174.
2. Alternatively, discuss and take other action related to this item.

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

13. **NEW BUSINESS**

14. **FULL PRESENTATIONS**

15. **CLOSED SESSION**

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: Bill Peake, Mayor

MEETING DATE: May 17, 2023

SUBJECT: Mayor's Proclamation: Public Works Week May 21 - 27, 2023

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

RECOMMENDATION

Receive proclamation.

Attachments

PW Proclamation

Proclamation in Recognition of
National Public Works Week

May 21–27, 2023

"Connecting the World Through Public Works"

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Pacific Grove and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Pacific Grove to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association, be it now,

RESOLVED, I, Bill Peake, Mayor of Pacific Grove, do hereby designate the week May 21–27, 2023 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Bill Peake

_____

Bill Peake, Mayor

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/DEI Coordinator

MEETING DATE: May 17, 2023

SUBJECT: General Public Comment

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

RECOMMENDATION

Receive written general public comment if applicable.

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/DEI Coordinator

MEETING DATE: May 17, 2023

SUBJECT: Minutes of the May 3, 2023 and May 10, 2023 Adjourned City Council Meetings

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

RECOMMENDATION

Approve minutes.

Attachments

Draft Minutes 5-3-23

Draft Minutes 5-10-23

DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

CLOSED SESSION MEETING

Wednesday, May 3, 2023, 5:00 P.M. - ***ADJOURNED TO MAY 10, 2023***
DUE TO HARDWARE FAILURE AND INTERNET CONNECTIVITY
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

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

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

DRAFT

CALL TO ORDER
Mayor Peake called the meeting to order at 5:00 p.m. City Clerk Kandell conducted roll call with the following Council present in Chamber: Mayor Peake, Councilmembers Beck and Coletti. Absent: Mayor Pro Tem Smith, Councilmembers Amelio, McDonnell, and Poduri.

ACTION: Mayor Peake immediately adjourned the meeting to 6:00 PM due to internet connectivity.

APPROVAL OF AGENDA

CLOSED SESSION
PUBLIC COMMENT ON CLOSED SESSION MATTERS

A. Conference with Legal Counsel – Pending Litigation (Gov. C. §54956.9) Enayati v. City of Pacific Grove, Case No. 21CV002786 (Enayati I) AND Mark A. Enayati v. City of Pacific Grove, Case No. 22CV001017 (Enayati II)

B. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) One potential case (Complaint by Employee of discrimination)

ADJOURNMENT

DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING

Wednesday, May 3, 2023, 6:00 P.M. - ***ADJOURNED TO MAY 10, 2023***
DUE TO HARDWARE FAILURE AND INTERNET CONNECTIVITY
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

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

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DRAFT

CALL TO ORDER
Mayor Peake called the closed session and regular meetings to order simultaneously at 6:00 p.m. City Clerk Kandell conducted roll call with the following Council present in Chamber: Mayor Peake, Councilmembers Beck and Coletti. Absent: Mayor Pro Tem Smith, Councilmembers Amelio, McDonnell, and Poduri.

ACTION: Mayor Peake immediately adjourned the closed session and regular meetings to May 10, 2023 due to hardware failure and internet connectivity.

PLEDGE OF ALLEGIANCE: Mayor Peake

1. APPROVAL OF AGENDA

2. PRESENTATIONS

A. Mayor's Proclamation: Affordable Housing Month
Reference: Bill Peake, Mayor
Recommended Action: Receive the presentation.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Mayor's Proclamation: Gateway Center's 60th Anniversary
Reference: Bill Peake, Mayor
Recommended Action: Receive the presentation.
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 by City Attorney

B. Other.

4. GENERAL PUBLIC COMMENT

A. General Public Comment
Reference: Sandra Kandell, City Clerk
Recommended Action: Received written general public comment if applicable.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

CONSENT AGENDA

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

A. Minutes of the City Council Adjourned meeting of April 12, 2023 and City Council Regular meeting of April 19, 2023
Reference: Sandra Kandell, City Clerk
Recommended Action: Approve the minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

6. RESOLUTIONS

A. Resolution Amending Council Policy 000-9 (Council Guidelines) Regarding Public Hearing and Appeal Procedures
Reference: Brian A. Pierik, City Attorney
Recommended Action:
1. Motion to adopt Resolution Amending Council Policy 000-9 (Council Guidelines) Regarding Public Hearing and Appeal Procedures.
2. Alternative action based on direction of City Council related to this subject matter.

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

7. ORDINANCES

A. Fiscal Year 2022/23 Mid-Year Budget Modifications and Ordinance Amending the Fiscal Year 2022/23 Budget
Reference: Tori Hannah, Administrative Services Director/Assistant City Manager
Recommended Action: Hold second reading and adopt an ordinance amending the Fiscal Year 22/23 Operating and Capital Improvement Budget.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

8. REPORTS – INFORMATION ONLY

A. Third Quarter Treasurer's Quarterly Report – Fiscal Year 2022-23
Reference: Tori Hannah, Administrative Services Director/Assistant City Manager
Recommended Action:
1. Receive the report.
2. Alternatively, discuss and take other action related to this subject matter.

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

B. Third Quarter Budget Report
Reference: Tori Hannah, Administrative Services Director/Assistant City Manager
Recommended Action:
1. Receive the report.
2. Alternatively, discuss and take other action related to this subject matter.

DRAFT

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

C. Third Quarter Purchase Order Report
Reference: Jennifer Pope, Management Analyst
Recommended Action:
1. Receive the Third Quarter Purchase Order Report.
2. Alternatively, discuss and take other action related to this subject matter.

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

D. Third Quarter 22/23 Workers' Compensation Report
Reference: Audrey Cray, Finance and Risk Manager
Recommended Action: Receive the report.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

E. Third Quarter Capital Project Budget Report & Update
Reference: Tori Hannah, Administrative Services Director/Assistant City Manager
Recommended Action:
1. Receive the report.
2. Alternatively, discuss and take action related to this item.

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

9. REPORTS – REQUIRING ACTION

A. FY22/23 Crack & Slurry Seal
Reference: Joyce Halabi, Deputy Public Works Director
Recommended Action:
1. Authorize an agreement with Graham Contractors for the FY22/23 Crack and Slurry Seal Project in an amount not to exceed $319,139 plus a 5% contingency.
2. Alternative, discuss and take other action related to this item.

CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

B. Microsoft Enterprise Software License Agreement
Reference: Mohammed, Khasimi, Chief Information Officer
Recommended Action:
1. Authorize the Mayor to execute a 3-year agreement with Dell / Microsoft for Microsoft Enterprise Software Licensing through Riverside County Master Agreement, in the amount of approximately $25,000 annually.
2. Alternatively, discuss and take other action related to this item.

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

C. FY22/23 Street Rehabilitation Project – Bid Additive 2
Reference: Joyce Halabi, Deputy Public Works Director
Recommended Action:
1. Authorize an agreement with Monterey Peninsula Engineering for the FY22/23 Street Rehabilitation Project, bid additive 2 in an amount not to exceed $180,935 plus a 5% contingency.

DRAFT

2. Alternatively, discuss and take other action related to this item.

CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

10. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

A. Architectural Review Board Minutes: February 14, 2023

Reference: Laurel O'Halloran, Planner & Economic Development Coordinator

Recommended Action: Receive minutes.

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

B. Planning Commission Meeting Minutes: March 9, 2023

Reference: Joe Sidor, Contract Planner

Recommended Action: Receive the minutes.

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

REGULAR AGENDA

11. PUBLIC HEARINGS

12. UNFINISHED AND ONGOING BUSINESS

A. FY23/24 Capital Improvement Plan & SB1 Project List

Reference: Joyce Halabi, Deputy Public Works Director

Recommended Action:

1. Receive and approve the FY 23/24 Capital Improvement Plan (CIP) to include in the Operating Budget.
2. Approve a resolution adopting the FY23/24 SB1 Project List.
3. Alternatively, discuss and take other action related to this item.

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

B. Recreation Department Update and Increased Programming Plan

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

Recommended Action:

1. Receive the report and provide direction.
2. Alternatively, discuss and take other action related to this item.

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

C. Formal Selection of Focused General Plan Update Consultant

Reference: Anastacia Wyatt, Community Development Director

Recommended Action:

1. Authorize an Agreement with Rincon Consultants, Inc. to complete the focused General Plan update, associated zoning ordinance and map amendments, and objective design and development standards, economic analysis, market assessment, parking data, and a climate action and adaptation plan in an amount not to exceed $2,193,070 beginning in FY 22/23 and terminating in FY 27/28.
2. Alternatively, discuss and take other action related to this item.

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

DRAFT

13. NEW BUSINESS

14. FULL PRESENTATIONS

15. CLOSED SESSION

ADJOURNMENT
Council adjourned both meetings to May 10, 2023 respectively at approximately 6:07 p.m.

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 10, 2023, 5:00 P.M. - ***ADJOURNED FROM TO MAY 3, 2023***
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

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

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

DRAFT

CALL TO ORDER

Mayor Peake called the meeting to order at 5:00 p.m. City Clerk Kandell conducted roll call with the following Council present in Chamber: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Beck, Coletti, and McDonnell. Absent: Councilmembers Amelio and Poduri. Councilmember Poduri arrived at the meeting at approximately 5:15 p.m.

APPROVAL OF AGENDA

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Coletti, Council voted to approve the agenda.

Motion carried 5-0-2, by the following roll call vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Beck, Coletti, and McDonnell.
NOES: None.
ABSENT: Councilmembers Amelio and Poduri.

Action: Mayor Pro Tem Smith and Councilmember Beck, both recused themselves from Closed Session Agenda item A.

Action: Due to no quorum, Mayor Peake recessed the meeting until a quorum was established at approximately 5:15 p.m.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS

No public comment received.

A. Conference with Legal Counsel – Pending Litigation (Gov. C. §54956.9) Enayati v. City of Pacific Grove, Case No. 21CV002786 (Enayati I) AND Mark A. Enayati v. City of Pacific Grove, Case No. 22CV001017 (Enayati II)

B. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) One potential case (Complaint by Employee of discrimination)

DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING

Wednesday, May 3, 2023, 6:00 P.M. - ***ADJOURNED FROM MAY 3, 2023 DUE***
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

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

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:
https://us02web.zoom.us/j/209579290

DRAFT

CALL TO ORDER
Mayor Peake called the meeting to order at 6:00 p.m. City Clerk Kandell conducted roll call with the following Council present in Chamber: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Beck, Coletti, McDonnell, and Poduri. Absent: Councilmember Amelio.

PLEDGE OF ALLEGIANCE
Mayor Peake led the pledge of allegiance.

1. APPROVAL OF AGENDA

Action: At staff's request, Regular Agenda item 12C was continued to the Council's May 17, 2023 Regular Meeting. Mayor Peake announced that no new items would be considered after 8:45 so the Council may hear Closed Session Agenda item B.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Coletti, Council voted to approve the agenda, as amended.

Motion carried 6-0-1, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Beck, Coletti, McDonnell, and Poduri.
NOES:	None.
ABSENT:	Councilmember Amelio.

2. PRESENTATIONS

A. Mayor's Proclamation: Affordable Housing Month
Action: Received the presentation.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Mayor's Proclamation: Gateway Center's 60th Anniversary
Action: Received the presentation.
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 by City Attorney

Conference with Legal Counsel – Pending Litigation (Gov. C. §54956.9) Enayati v. City of Pacific Grove, Case No. 21CV002786 (Enayati I) AND Mark A. Enayati v. City of Pacific Grove, Case No. 22CV001017 (Enayati II)

Assistant City Attorney Greg Rubens had no report on this item.

Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) One potential case (Complaint by Employee of discrimination)

Due to time constraints, this item was continued to 8:45 p.m.

B. Council and staff made general announcements.

4. GENERAL PUBLIC COMMENT

General public comment received from Colette Queen, Carmelita Garcia, Lisa Ciani, Marsha, Inge Lorentzen Daumer, Jenny MacMurdo, Jane Haines, Mike Gibbs, and Vince Tuminello.

A. General Public Comment
Action: Received written general public comment if applicable.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

CONSENT AGENDA

Action: Consent Agenda item 8E was pulled and considered as Regular Agenda item 12A.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Beck, Council voted to approve the agenda as amended.

Motion carried 6-0-1, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Beck, Coletti, McDonnell, and Poduri.
NOES:	None.
ABSENT:	Councilmember Amelio.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

A. Minutes of the City Council Adjourned meeting of April 12, 2023 and City Council Regular meeting of April 19, 2023
Action: Approved the minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

DRAFT

6. RESOLUTIONS

A. Resolution Amending Council Policy 000-9 (Council Guidelines) Regarding Public Hearing and Appeal Procedures
Action: Adopted Resolution No. 23-012 Amending Council Policy 000-9 (Council Guidelines) Regarding Public Hearing and Appeal Procedures.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

7. ORDINANCES

A. Fiscal Year 2022/23 Mid-Year Budget Modifications and Ordinance Amending the Fiscal Year 2022/23 Budget
Action: Held second reading and adopted Ordinance No. 23-006 amending the Fiscal Year 22/23 Operating and Capital Improvement Budget
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

8. REPORTS – INFORMATION ONLY

A. Third Quarter Treasurer's Quarterly Report – Fiscal Year 2022-23
Action: Received the report.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Third Quarter Budget Report
Action: Received the report.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

C. Third Quarter Purchase Order Report
Action: Received the Third Quarter Purchase Order Report.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

D. Third Quarter 22/23 Workers' Compensation Report
Action: Received the report as corrected via Errata.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

E. Third Quarter Capital Project Budget Report & Update ***This item was pulled and considered as Regular Agenda item 12A.***
Reference: Tori Hannah, Administrative Services Director/Assistant 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

A. FY22/23 Crack & Slurry Seal
Action: Authorized an agreement with Graham Contractors for the FY22/23 Crack and Slurry Seal Project in an amount not to exceed $319,139 plus a 5% contingency.
CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

DRAFT

B. Microsoft Enterprise Software License Agreement
Action: Approved a 3-year agreement with Dell / Microsoft for Microsoft Enterprise Software Licensing through Riverside County Master Agreement, in the amount of approximately $25,000 annually.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

C. FY22/23 Street Rehabilitation Project – Bid Additive 2
Action: Authorized an agreement with Monterey Peninsula Engineering for the FY22/23 Street Rehabilitation Project, bid additive 2 in an amount not to exceed $180,935 plus a 5% contingency.
CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

10. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

A. Architectural Review Board Minutes: February 14, 2023
Action: Received the minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Planning Commission Meeting Minutes: March 9, 2023
Action: Received the minutes.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

REGULAR AGENDA

11. PUBLIC HEARINGS

12. UNFINISHED AND ONGOING BUSINESS

A. Third Quarter Capital Project Budget Report & Update This item was pulled and considered ***as Regular Agenda item 12A.***
Public comment received from Lisa Ciani, Sally Moore, and Tony Ciani.

Action: Council received the report.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. FY23/24 Capital Improvement Plan & SB1 Project List
Public comment received from Tony Ciani and Lisa Ciani.

Action: A motion by Mayor Pro Tem Smith and seconded by Councilmember Poduri, to receive and approve the FY 23/24 Capital Improvement Plan (CIP) to include in the Operating Budget and approve a resolution adopting the FY23/24 SB1 Project List, was substituted by a motion made by Mayor Peake.

Action: Upon motion by Mayor Peake and seconded by Councilmember Beck, Council voted to receive and approve the FY 23/24 Capital Improvement Plan (CIP) to include in the Operating Budget and approve Resolution No. 23-013 adopting the FY23/24 SB1 Project List; excluding Project 24-05.

DRAFT

Motion carried 5-1-1, by the following roll call vote:

AYES:	Mayor Peake, Mayor Pro Tem Smith, Councilmembers Beck, Coletti, and McDonnell.
NOES:	Councilmember Poduri.
ABSENT:	Councilmember Amelio.

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

C. Recreation Department Update and Increased Programming Plan
Public comment received from

Action: Council received the report and provided direction.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

D. Formal Selection of Focused General Plan Update Consultant ***During the Approval of the Agenda, this item was continued to the Council's May 17, 2023 Regular Meeting.***
Reference: Anastacia Wyatt, Community Development Director
Recommended Action:

1. Authorize an Agreement with Rincon Consultants, Inc. to complete the focused General Plan update, associated zoning ordinance and map amendments, and objective design and development standards, economic analysis, market assessment, parking data, and a climate action and adaptation plan in an amount not to exceed $2,193,070 beginning in FY 22/23 and terminating in FY 27/28.
2. Alternatively, discuss and take other action related to this item.

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

13. NEW BUSINESS

14. FULL PRESENTATIONS

15. CLOSED SESSION

DRAFT

ADJOURNMENT
Council adjourned the regular meeting at approximately 8:42 p.m. to continue the Closed Session meeting and consider Closed Session agenda item B. A reportable action, if any, will occur at the next Regular Meeting.

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: Jennifer Pope, Management Analyst

MEETING DATE: May 17, 2023

SUBJECT: Resolution Setting the Appropriations Limit for FY 2023-2024.

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

RECOMMENDATION

1. Approve a resolution setting the Appropriations Limit for Fiscal Year 2023-2024; or
2. Alternatively, discuss and take other action related to this item.

DISCUSSION

Article XIII B of the California Constitution requires cities to adopt an annual Appropriations Limit, based on population and economic growth factors, as prescribed by State law. Staff has calculated the Appropriations Limit for FY 2023-2024 and recommends that Council adopt a resolution establishing the limit at $47,653,437. Estimated City tax revenue appropriations subject to the limit total $24,336,000, indicating that the City is not at risk of exceeding its limit.

California's State Appropriations Limit places a "ceiling" each year on the amount of monies that can be spent from local government tax proceeds. Most appropriations are subject to the Appropriations Limit, however, the law does allow exemptions for capital outlay, debt service, and subventions. Tax proceeds in excess of the Limit over a two-year period must be rebated to taxpayers.

The adoption of Proposition 4 in 1979 and amended by Proposition 98 in 1998 and Proposition 111 in 1990 established the requirement and procedure for establishing an Appropriations Limit for local agencies. In brief, the amount of revenue that the City is annually authorized to appropriate is limited by factors relating to changes in population and the economy. The population factor selected may either be the rate of change in population for the City or for the County. The economic factor selected may either be the change in California's per capita income or the change in non-residential assessed property valuation. In other words, the formula works as follows:

(% change in population (City or County) + 100) / 100

Multiplied by EITHER:

(% change in California per capita income + 100) / 100

OR

(% change in non-residential assessed valuation + 100) / 100

The value determined by the formula set forth above is then applied to the previous year's Limit to yield the new Appropriations Limit for the fiscal year.

Data on the change in California per capita income, county population, and city population for use in the calculation are provided by the State Department of Finance. Data on the change in value on assessed valuation from non-residential construction are provided by the Monterey County Assessor's Office. For the Fiscal Year 2023-2024 Appropriations Limit calculation, the data includes the following:

City of Pacific Grove population percentage change	-0.16%
Monterey County population percentage change	**0.08%**
California per capita income percentage change	**4.44%**
City of Pacific Grove percentage change in Assessed Value from Non-residential construction	N/A*

*Source: Monterey County Assessor's Office; information currently not available

For every year since 1990, the City has chosen to use the largest factors possible, which in all years except 1996, 2011 and 2022 was the California per capita income and County population growth. Using the factors that yield the highest possible appropriation limit preserves optimal control and flexibility at the local level for matching resources to desired service levels.

Staff recommends using the California per capita income factor (4.44%) and the population growth rate for Monterey County (0.08%) as highlighted in bold above as the population change for the County exceeds the population change for the City.

Using these factors, the Appropriations Limit will be calculated as follows:

(0.08% + 100) / 100 X (4.44% + 100) / 100 = 1.0444

Applying the FY 2023-2024 factor to the FY 2022-2023 Appropriations Limit, which was $45,591,100, the FY 2023-2024 limit would be $47,653,437.

The table below shows the amount of appropriated revenue subject to the Appropriations Limit:

CITY OF PACIFIC GROVE

APPROPRIATIONS SUBJECT TO LIMIT

BUDGETED TAX REVENUES	**Adopted Budget FY 2022/23**	**Proposed Budget FY 2023/24**
Property Tax	6,610,000	7,132,000
Utility User Tax	1,929,000	2,005,000
Sales & Use Tax	5,616,000	5,957,000
Transient Occupancy Tax	5,867,000	6,463,000
Business License Tax	322,000	370,000
Other Taxes	237,000	176,000
Interest on Taxes	32,000	34,000
Motor Vehicle in Lieu Fees	2,016,000	2,199,000
TOTAL BUDGETED TAX REVENUES	**22,629,000**	**24,336,000**
APPROPRIATIONS LIMIT	**45,591,100**	**47,653,437**
(OVER) UNDER LIMIT	**22,962,100**	**23,317,437**
PERCENTAGE OF REVENUES SUBJECT TO LIMIT	**49.63%**	**51.07%**

Based on the total amount of budgeted tax revenue estimated for FY 2023-24, which is $24,336,000, the City of Pacific Grove is not at risk of exceeding its limit.

Section 65009(b)(2) of the California Government Code provides that legal challenges to the City's action on this proposed matter shall be limited to issues raised in testimony during the public hearing process.

In the review of this matter, the City has followed those guidelines adopted by the State of California and published in the California Administrative Code, Title 14, Section 15000, et seq.

OPTIONS

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

FINANCIAL IMPACT:

There is no fiscal impact.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

CA Department of Finance Price and Population Information

Resolution

DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

Gavin Newsom ▪ Governor
1021 O Street, Suite 3110 ▪ Sacramento CA 95814 ▪ www.dof.ca.gov

May 2023

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit
California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2023, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2023-24. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2023-24 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts
Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: http://leginfo.legislature.ca.gov/faces/codes.xhtml.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification
The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2023.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

JOE SPEPHENSHAW
Director
By:

Erika Li
Chief Deputy Director

Attachment

A. **Price Factor**: Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2023-24 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2023-24	4.44

B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2023-24 appropriation limit.

2023-24:

Per Capita Cost of Living Change = 4.44 percent
Population Change = -0.35 percent

Per Capita Cost of Living converted to a ratio: $\frac{4.44 + 100}{100} = 1.0444$

Population converted to a ratio: $\frac{-0.35 + 100}{100} = 0.9965$

Calculation of factor for FY 2023-24: $1.0444 \times 0.9965 = 1.0407$

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2022 to January 1, 2023 and Total Population, January 1, 2023

County City	Percent Change 2022-2023	--- Population Minus Exclusions --- 1-1-22	 1-1-23	Total Population 1-1-2023
Monterey				
Carmel-By-The-Sea	-0.49	3,048	3,033	3,033
Del Rey Oaks	-0.32	1,545	1,540	1,540
Gonzales	-0.61	8,351	8,300	8,300
Greenfield	1.14	19,693	19,917	19,917
King City	3.71	13,323	13,817	13,817
Marina	2.51	21,527	22,068	22,068
Monterey	-0.49	23,869	23,753	26,845
Pacific Grove	-0.16	14,765	14,741	14,741
Salinas	-0.17	159,745	159,475	159,475
Sand City	0.80	373	376	376
Seaside	0.11	27,647	27,678	29,790
Soledad	0.37	19,262	19,333	26,230
Unincorporated	-0.52	104,324	103,785	104,236
County Total	0.08	417,472	417,816	430,368

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

Attachment C

Annual Percent Change in Population Minus Exclusions*
January 1, 2022 to January 1, 2023

County	Percent Change 2022-23	--- Population Minus Exclusions --- 1-1-22	1-1-23
Los Angeles			
Incorporated	-0.72	8,819,609	8,755,840
County Total	-0.75	9,826,563	9,753,247
Madera			
Incorporated	0.14	79,099	79,209
County Total	0.66	151,964	152,973
Marin			
Incorporated	-1.01	188,538	186,639
County Total	-1.06	252,012	249,348
Mariposa			
Incorporated	0.00	0	0
County Total	-0.26	16,923	16,879
Mendocino			
Incorporated	-0.85	28,482	28,240
County Total	-0.53	89,581	89,102
Merced			
Incorporated	0.82	193,147	194,723
County Total	0.40	283,103	284,225
Modoc			
Incorporated	-1.01	2,678	2,651
County Total	-0.54	8,573	8,527
Mono			
Incorporated	0.08	7,267	7,273
County Total	-0.03	13,028	13,024
Monterey			
Incorporated	0.28	313,148	314,031
County Total	0.08	417,472	417,816

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

RESOLUTION NO. 23-xxx

RESOLUTION OF THE CITY OF PACIFIC GROVE ESTABLISHING THE FISCAL YEAR 2023-24 APPROPRIATION LIMIT

FINDINGS

1. The City Council conducted a public hearing regarding the City's Fiscal Year 2023-2024 Appropriation limit on May 17, 2023.

2. The public hearing was noticed and advertised as required by law.

3. The Council received testimony and other evidence regarding the Appropriation Limit to be established for the City.

4. The Council elects to use the change in California per capita personal income and change in population for the County of Monterey as adjustment factors to calculate the City's Appropriation Limit for the Fiscal Year 2023-2024.

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

1. The foregoing Findings are adopted as findings of the City Council as though set forth in full.

2. The Appropriation Limit for Fiscal Year 2023-2024 shall be $47,653,437.

3. The Notice of Public Hearing and State of California Department of Finance calculation factors are hereby approved and by this reference are incorporated as set forth in its entirety.

4. This Resolution shall take effect immediately following passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 17th day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

_____
BILL PEAKE, Mayor

ATTEST:

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____
Brian Pierik, 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: Sandra Kandell, City Clerk/DEI Coordinator

MEETING DATE: May 17, 2023

SUBJECT: Pride Month 2023

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

RECOMMENDATION

Adopt a resolution recognizing June as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

DISCUSSION

At its May 8, 2023 meeting, the Diversity Equity and Inclusion Task Force recommended a resolution be forwarded to the City Council for adoption at its May 17, 2023 meeting.

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;
- 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 alternative direction.

FINANCIAL IMPACT:

There is no fiscal impact.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Proposed Resolution

RESOLUTION NO. 23-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 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 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, 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 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, which 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 and other City facilities 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 17th day of May, 2023, by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

_____
BILL PEAKE, Mayor

ATTEST:
DATED:_____

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____

BRIAN A. PIERIK, 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: Audrey Cray, Finance & Risk Manager

MEETING DATE: May 17, 2023

SUBJECT: April 2023 Check Register

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

RECOMMENDATION

1. Receive the Check Register.
2. Alternatively, discuss and take other action related to this item.

DISCUSSION

The check register is a detailed account of monthly expenditures. It provides budgetary insight and promotes transparency. It is an excellent counterpart to the City's monthly Core Revenue Report; and is a practice followed by many other local jurisdictions.

The check register is produced from the City's financial system. The report groups the checks by the respective city fund and vendor. The check register includes the check number, the check issue date, the name of the vendor, and a description of the purchase and the amount of the check.

Attached is the check register report for April 2023.The monthly total is provided on the last page of the report.

OPTIONS

N/A - This is informational only.

FINANCIAL IMPACT:

There is no fiscal impact. This is informational only.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

April 2023 Check Register

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105549	04/04/23	9837	FARIS NEMRI	130	5601	FACADE REPL CK 1049	0.00	1,211.00
101	105550	04/04/23	2946	PACIFIC GROVE CITY	01	202	RELACE CK# 105327	0.00	766.25
101	105551	04/04/23	632	VISION SERVICE PLAN	01	202	DED: 2502 VISION	0.00	93.51
101	105552	04/07/23	2952	AFLAC	01	202	DED:5200 AFLAC PREM	0.00	731.72
101	105552	04/07/23	2952	AFLAC	01	202	DED:5201 AFLAC P/T	0.00	1,817.23
TOTAL CHECK								0.00	2,548.95
101	105553	04/07/23	2935	CALIF LAW ENFORCMEN	01	202	DED:3200 LTD PD	0.00	567.00
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:531 HEALTH	0.00	350.62
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:121 HEALTH	0.00	444.47
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:120 HEALTH	0.00	564.42
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:116 HEALTH	0.00	825.62
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:105 HEALTH	0.00	1,073.30
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:110 HEALTH	0.00	1,128.83
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:126 HEALTH	0.00	1,155.62
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:125 HEALTH	0.00	1,155.62
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:0563 HEALTH FAM	0.00	1,187.86
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:108 HEALTH	0.00	1,560.16
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:103 HEALTH	0.00	1,651.24
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:124 HEALTH	0.00	2,311.24
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:107 HEALTH	0.00	2,400.24
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:104 HEALTH	0.00	2,476.83
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:2072 HEALTH	0.00	2,812.50
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:2071 HEALTH	0.00	2,887.50
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:123 HEALTH	0.00	3,555.76
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:533 HEALTH	0.00	4,293.20
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:106 HEALTH	0.00	4,800.48
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:122 HEALTH	0.00	4,889.17
101	105554	04/07/23	1	CALPERS HEALTH	01	202	DED:2073 HEALTH FAM	0.00	5,750.00
TOTAL CHECK								0.00	47,274.68
101	105555	04/07/23	3134	CITY OF PACIFIC GRO	01	202	DED:3300 AFLAC DEP	0.00	292.30
101	105555	04/07/23	3134	CITY OF PACIFIC GRO	01	202	DED:3301 AFLAC MED	0.00	2,258.65
TOTAL CHECK								0.00	2,550.95
101	105556	04/07/23	3393	EFT	01	202	DED:*FM MEDICARE	0.00	10,007.34
101	105556	04/07/23	3393	EFT	01	202	DED:*SCA STATE TAX	0.00	13,893.09
101	105556	04/07/23	3393	EFT	01	202	DED:*FT FEDERAL TX	0.00	37,602.64
TOTAL CHECK								0.00	61,503.07
101	105557	04/07/23	9589	FOREMAN FINANCIAL,	01	202	DED:7506 WAGE ORDER	0.00	555.29
101	105558	04/07/23	2946	PACIFIC GROVE CITY	01	202	DED:7000 ASSOC DUES	0.00	766.25
101	105559	04/07/23	2938	MASS MUTUAL (457 PL	01	202	DED:3999 ROTH IRA	0.00	565.00
101	105559	04/07/23	2938	MASS MUTUAL (457 PL	01	202	DED:4000 DEF COMP	0.00	12,781.57
TOTAL CHECK								0.00	13,346.57

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ACCOUNTING PERIOD: 11/23

FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105560	04/07/23	2936	MTRY COUNTY DEPT OF	01	202	DED:0023 GARNISH	0.00	236.30
101	105561	04/07/23	2949	PACIFIC GROVE MANAG	01	202	DED:7203 ASSOC DUES	0.00	30.00
101	105562	04/07/23	2051	CITY OF PACIFIC GRO	01	202	DED:1006 WORK COMP	0.00	20.30
101	105562	04/07/23	2051	CITY OF PACIFIC GRO	01	202	DED:1009 WORK COMP	0.00	75.11
101	105562	04/07/23	2051	CITY OF PACIFIC GRO	01	202	DED:1005 WORK COMP	0.00	1,207.33
101	105562	04/07/23	2051	CITY OF PACIFIC GRO	01	202	DED:1010 WORK COMP	0.00	2,993.79
101	105562	04/07/23	2051	CITY OF PACIFIC GRO	01	202	DED:1003 WORK COMP	0.00	6,160.88
TOTAL CHECK								0.00	10,457.41
101	105563	04/07/23	2052	CITY OF PACIFIC GRO	01	202	DED:7510 PERS REIMB	0.00	29.42
101	105564	04/07/23	2053	CITY OF PACIFIC GRO	01	202	DED:201 DENTAL	0.00	37.59
101	105564	04/07/23	2053	CITY OF PACIFIC GRO	01	202	DED:2101 DENTAL	0.00	227.40
101	105564	04/07/23	2053	CITY OF PACIFIC GRO	01	202	DED:200 DENTAL	0.00	435.85
101	105564	04/07/23	2053	CITY OF PACIFIC GRO	01	202	DED:2102 DENTAL	0.00	498.49
101	105564	04/07/23	2053	CITY OF PACIFIC GRO	01	202	DED:2103 DENTAL FAM	0.00	805.97
TOTAL CHECK								0.00	2,005.30
101	105565	04/07/23	2054	CITY OF PACIFIC GRO	01	202	DED:0005 SUTA	0.00	119.83
101	105566	04/07/23	2133	PERS	01	202	DED:0019 PERS RT SF	0.00	-3.25
101	105566	04/07/23	2133	PERS	01	202	DED:0004 SURV BEN	0.00	82.77
101	105566	04/07/23	2133	PERS	01	202	DED:0022 PERS SP MS	0.00	98.61
101	105566	04/07/23	2133	PERS	01	202	DED:08 PERS OTHER	0.00	372.90
101	105566	04/07/23	2133	PERS	01	202	DED:0018 PERS SP SF	0.00	688.13
101	105566	04/07/23	2133	PERS	01	202	DED:2001 PERS	0.00	880.32
101	105566	04/07/23	2133	PERS	01	202	DED:0009 PERS OTHER	0.00	1,027.95
101	105566	04/07/23	2133	PERS	01	202	DED:2000 PERS EMPLY	0.00	1,179.00
101	105566	04/07/23	2133	PERS	01	202	DED:07 PERS CITY	0.00	5,148.72
101	105566	04/07/23	2133	PERS	01	202	DED:0002 PERS	0.00	5,670.87
101	105566	04/07/23	2133	PERS	01	202	DED:0017 PERS RG SF	0.00	6,980.50
101	105566	04/07/23	2133	PERS	01	202	DED:0011 PERS ER SF	0.00	7,535.65
101	105566	04/07/23	2133	PERS	01	202	DED:0021 PERS REG M	0.00	8,905.56
101	105566	04/07/23	2133	PERS	01	202	DED:0020 PERS ER M3	0.00	9,964.65
101	105566	04/07/23	2133	PERS	01	202	DED:01 PERS	0.00	10,152.60
101	105566	04/07/23	2133	PERS	01	202	DED:0006 PERS CITY	0.00	11,583.39
TOTAL CHECK								0.00	70,268.37
101	105567	04/07/23	2943	POLICE OFFICERS ASS	01	202	DED:7204 ASSOC DUES	0.00	8.00
101	105567	04/07/23	2943	POLICE OFFICERS ASS	01	202	DED:7205 ASSOC DUES	0.00	931.24
TOTAL CHECK								0.00	939.24
101	105568	04/07/23	2940	LEGAL SHIELD	01	202	DED:6100 LEGAL SVC	0.00	14.95
101	105569	04/07/23	7956	STATE DISABILITY TA	01	202	DED:0026 SDI	0.00	3,165.56
101	105570	04/07/23	8211	STANDARD INSURANCE	01	202	DED:3500 LIFE INS	0.00	1,338.75
101	105571 V	04/07/23	8352	TRANSAMERICA EMPLOY	01	202	DED:5202 TRANSAMERI	0.00	-600.12
101	105571	04/07/23	8352	TRANSAMERICA EMPLOY	01	202	DED:5202 TRANSAMERI	0.00	600.12

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
TOTAL CHECK								0.00	0.00
101	105572	04/07/23	4177	UNION BANK OF CALIF	01	202	DED:4005 PARS-457	0.00	269.06
101	105573	04/07/23	632	VISION SERVICE PLAN	01	202	DED:301 VISION	0.00	30.00
101	105573	04/07/23	632	VISION SERVICE PLAN	01	202	DED:2502 VISION	0.00	62.82
101	105573	04/07/23	632	VISION SERVICE PLAN	01	202	DED:300 VISION	0.00	160.54
101	105573	04/07/23	632	VISION SERVICE PLAN	01	202	DED:2503 VISION FAM	0.00	450.00
TOTAL CHECK								0.00	703.36
101	105574	04/12/23	3393	EFT	01	202	DED:*FM MEDICARE	0.00	87.36
101	105574	04/12/23	3393	EFT	01	202	DED:*SCA STATE TAX	0.00	166.93
101	105574	04/12/23	3393	EFT	01	202	DED:*FT FEDERAL TX	0.00	365.07
TOTAL CHECK								0.00	619.36
101	105576	04/14/23	2993	CENTRALSQUARE TECHN	131	5201	FINANCE SOFTWARE	0.00	4,296.93
101	105576	04/14/23	2993	CENTRALSQUARE TECHN	131	5201	UPGRADE SOFTWARE, P	0.00	45.00
101	105576	04/14/23	2993	CENTRALSQUARE TECHN	131	5201	UPGRADE SOFTWARE, P	0.00	180.00
101	105576	04/14/23	2993	CENTRALSQUARE TECHN	131	5201	UPGRADE SOFTWARE, P	0.00	270.00
101	105576	04/14/23	2993	CENTRALSQUARE TECHN	131	5201	UPGRADE SOFTWARE, P	0.00	900.00
101	105576	04/14/23	2993	CENTRALSQUARE TECHN	131	5201	UPGRADE SOFTWARE, P	0.00	2,070.00
TOTAL CHECK								0.00	7,761.93
101	105577	04/14/23	623	COMMUNITY HUMAN SER	101	5261	PG ALLOCATION TO JP	0.00	21,800.00
101	105578	04/14/23	7433	IPS GROUP, INC	301	5224	IPS METER MAINTENAN	0.00	515.41
101	105578	04/14/23	7433	IPS GROUP, INC	301	5224	IPS METER MAINTENAN	0.00	673.92
TOTAL CHECK								0.00	1,189.33
101	105579	04/14/23	1750	MONTEREY COUNTY ELE	101	5201	ELECTION CONSOLIDAT	0.00	63,595.28
101	105580	04/14/23	1798	MONTEREY ONE WATER	421	5222	03/01-04/30 04-0028	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	421	5222	03/01-04/30 04-0039	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	503	5222	03/01-04/30 04-0041	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	501	5222	03/01-04/30 04-0052	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	421	5222	03/01-04/30 04-0061	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	421	5222	03/01-04/30 04-0010	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	401	5222	03/01-04/30 04-0011	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	421	5222	03/01-04/30 04-0011	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	421	5222	03/01-04/30 04-0008	0.00	98.96
101	105580	04/14/23	1798	MONTEREY ONE WATER	411	5222	03/01-04/30 04-0011	0.00	197.92
101	105580	04/14/23	1798	MONTEREY ONE WATER	131	5222	03/01-04/30 04-0022	0.00	692.72
101	105580	04/14/23	1798	MONTEREY ONE WATER	503	5222	03/01-04/30 04-0009	0.00	3,296.56
TOTAL CHECK								0.00	5,077.84
101	105581	04/14/23	2024	PACIFIC GAS & ELECT	505	5222	GOLF 3/01-3/29 3438	0.00	20.12
101	105581	04/14/23	2024	PACIFIC GAS & ELECT	421	5222	REC02/27-03/27 4030	0.00	272.25
101	105581	04/14/23	2024	PACIFIC GAS & ELECT	501	5222	PW 02/28-03/28 1212	0.00	1,210.80
TOTAL CHECK								0.00	1,503.17
101	105582	04/14/23	3828	SAME DAY SHRED	121	5291	SHRED SERVICES	0.00	45.00
101	105582	04/14/23	3828	SAME DAY SHRED	121	5291	SHRED SERVICES	0.00	45.00

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
TOTAL CHECK								0.00	90.00
101	105583	04/14/23	1768	STURDY OIL COMPANY	351	5311	FUEL DIST JAN 2023	0.00	38.36
101	105583	04/14/23	1768	STURDY OIL COMPANY	505	5311	FUEL DIST JAN 2023	0.00	506.09
101	105583	04/14/23	1768	STURDY OIL COMPANY	503	5311	FUEL DIST JAN 2023	0.00	1,012.17
101	105583	04/14/23	1768	STURDY OIL COMPANY	505	5311	FUEL DIST FEB 2023	0.00	1,618.36
101	105583	04/14/23	1768	STURDY OIL COMPANY	01	111	FUEL DIST FEB 2023	0.00	3,075.34
101	105583	04/14/23	1768	STURDY OIL COMPANY	301	5311	FUEL DIST JAN 2023	0.00	3,174.24
101	105583	04/14/23	1768	STURDY OIL COMPANY	503	5311	FUEL DIST FEB 2023	0.00	3,236.70
101	105583	04/14/23	1768	STURDY OIL COMPANY	301	5311	FUEL DIST FEB 2023	0.00	3,718.06
101	105583	04/14/23	1768	STURDY OIL COMPANY	01	111	FUEL DIST JAN 2023	0.00	2,191.17
TOTAL CHECK								0.00	18,570.49
101	105585	04/14/23	5664	ACCESS MONTEREY PEN	401	5201	CONTRACT SERVICES	0.00	450.00
101	105586	04/14/23	3970	ALHAMBRA & SIERRA S	421	5361	BOTTLED WATER SERVI	0.00	76.37
101	105587	04/14/23	9759	ALISON KITE	01	4469	REFUND	0.00	11.25
101	105588	04/14/23	8330	AMAZON CAPITAL SERV	502	5226	MECH EQUIPMENT REPA	0.00	152.94
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	90.02
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	184.63
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	201.02
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	205.88
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	487.58
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	542.86
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	676.91
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	386.80
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	1,758.38
101	105589	04/14/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	2,616.87
TOTAL CHECK								0.00	7,150.95
101	105590	04/14/23	9816	AMY TULLEY	01	4469	REFUND	0.00	12.50
101	105591	04/14/23	9752	ANNA NILSON	01	4469	REFUND	0.00	11.25
101	105592	04/14/23	9430	ARAMARK UNIFORM & C	301	5201	DEPARTMENT LINEN AN	0.00	127.68
101	105592	04/14/23	9430	ARAMARK UNIFORM & C	301	5201	DEPARTMENT LINEN AN	0.00	127.68
TOTAL CHECK								0.00	255.36
101	105593	04/14/23	213	BAKER & TAYLOR COMP	401	5201	CONTRACT SERVICES	0.00	3,410.00
101	105593	04/14/23	213	BAKER & TAYLOR COMP	401	5301	BOOKS & MATERIALS	0.00	19.63
101	105593	04/14/23	213	BAKER & TAYLOR COMP	401	5301	BOOKS & MATERIALS	0.00	25.03
101	105593	04/14/23	213	BAKER & TAYLOR COMP	401	5301	BOOKS & MATERIALS	0.00	82.02
101	105593	04/14/23	213	BAKER & TAYLOR COMP	401	5301	BOOKS & MATERIALS	0.00	176.99
TOTAL CHECK								0.00	3,713.67
101	105594	04/14/23	9240	BAY PHYSICAL THERAP	121	5236	FITNESS INCENTIVE	0.00	100.00
101	105594	04/14/23	9240	BAY PHYSICAL THERAP	121	5236	FINTNESS INCENTIVE	0.00	200.00
TOTAL CHECK								0.00	300.00

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105598	04/14/23	5303	VERIZON BUSINESS	301	5206	VERIZON PORT ACCESS	0.00	589.74
101	105600	04/14/23	5378	CA BUILDING STANDAR	01	231	CBSC JAN-MARCH 2023	0.00	273.60
101	105601	04/14/23	395	CA DEPT OF CONSERVA	01	219	SMIP JAN-MARCH 2023	0.00	607.43
101	105602	04/14/23	9763	CARLY ADAMS	01	4469	REFUND 3/28/23	0.00	22.50
101	105605	04/14/23	9284	ARCPOINT LABS OF MO	121	5236	PRE EPLOYMENT D.S	0.00	1,650.00
101	105606	04/14/23	649	CPS HR CONSULTING	301	5201	BILINGUAL TESTERS	0.00	564.50
101	105607	04/14/23	698	CSMFO	131	5261	MARCH CHAPTER MEETI	0.00	50.00
101	105609	04/14/23	7424	EDGES ELECTRICAL GR	503	5223	SEAL PUP FENCE	0.00	75.21
101	105609	04/14/23	7424	EDGES ELECTRICAL GR	503	5223	CITY HALL	0.00	492.76
101	105609	04/14/23	7424	EDGES ELECTRICAL GR	503	5223	SEAL PUP FENCE	0.00	37.60
TOTAL CHECK								0.00	605.57
101	105610	04/14/23	9652	ELISABETH CAUSOR	421	5361	REFUND	0.00	21.12
101	105611	04/14/23	9890	ERIKA LEDIN	01	4469	REFUND	0.00	37.50
101	105612	04/14/23	3342	EVA RASUL	301	5215	SLI 508 (4 OF 8)	0.00	258.75
101	105612	04/14/23	3342	EVA RASUL	301	5215	SLI 508	0.00	282.96
TOTAL CHECK								0.00	541.71
101	105613	04/14/23	952	FEDERAL EXPRESS COR	301	5211		0.00	36.33
101	105615	04/14/23	8446	FITZGERALD BROWN	301	5215	PENN ARMS ARMORER'S	0.00	203.50
101	105616	04/14/23	592	FOREST HILL ACE HAR	503	5322	SMALL TOLL	0.00	25.12
101	105617	04/14/23	7127	GACHINA LANDSCAPE M	503	5201	FY22/23 PARK MOWING	0.00	1,599.00
101	105618	04/14/23	1138	GROVE MARKET	421	5361	CAMP SUPPLIES MEDIC	0.00	4.35
101	105618	04/14/23	1138	GROVE MARKET	421	5361	PROGRAM SUPPLIES PR	0.00	65.86
101	105618	04/14/23	1138	GROVE MARKET	421	5361	PRESCHOOL	0.00	6.79
101	105618	04/14/23	1138	GROVE MARKET	421	5361	PROGRAM SUPPLIES PR	0.00	30.90
TOTAL CHECK								0.00	107.90
101	105619	04/14/23	8975	HEIHACHIRO TAKARABE	421	5208	CONTRATOR PAYMENT T	0.00	210.00
101	105620	04/14/23	9095	HERA BURNS	01	4469	REFUND	0.00	11.25
101	105621	04/14/23	7433	IPS GROUP, INC	301	5213	IPS PARKING METER B	0.00	1,448.03
101	105622	04/14/23	9695	JODY GARRY	01	4469	REFUND	0.00	12.50
101	105623	04/14/23	1368	JOHNSON ELECTRONICS	301	5201	LICENSE FEE	0.00	330.33
101	105624	04/14/23	9889	JULIE TUMMONDS	01	4469	REFUND	0.00	12.50

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105625	04/14/23	9888	KATIE SELFRIDGE	01	4469	REFUND	0.00	12.50
101	105625	04/14/23	9888	KATIE SELFRIDGE	01	4469	REFUND	0.00	12.50
TOTAL CHECK								0.00	25.00
101	105626	04/14/23	9738	KEVIN SHUM	301	5215	RADAR OPERATOR	0.00	222.00
101	105627	04/14/23	3521	KIMBALL MIDWEST	502	5309	MECH STOCK	0.00	258.93
101	105627	04/14/23	3521	KIMBALL MIDWEST	502	5309	MECH STOCK	0.00	267.67
101	105627	04/14/23	3521	KIMBALL MIDWEST	502	5309	MECH STOCK	0.00	293.89
TOTAL CHECK								0.00	820.49
101	105628	04/14/23	7084	KUSTOM SIGNALS, INC	301	5224	MOLDED ANTENNA	0.00	105.31
101	105629	04/14/23	9169	LAURIE HEILBRON	01	4469	REFUND	0.00	22.50
101	105630	04/14/23	1523	LIEBERT CASSIDY WHI	121	5205	LEGAL SERVICES	0.00	1,105.00
101	105631	04/14/23	9884	LILI VENTURA	01	4469	REFUND	0.00	22.50
101	105632	04/14/23	9791	LINDA BILECI	01	4469	REFUND	0.00	25.00
101	105633	04/14/23	9883	LISA TROYER	01	4469	REFUND	0.00	45.00
101	105635	04/14/23	9788	MANDI ACKERMAN	01	4469	REFUND 3/14/23	0.00	11.25
101	105636	04/14/23	9787	MARIA QUARTAROLO	01	4469	REFUND	0.00	22.50
101	105637	04/14/23	4325	NANCY MCDOWELL	501	5309	LIGHTHOUSE COPIES	0.00	25.67
101	105638	04/14/23	9892	MICHAEL WEISFUSS	513	5201	TREE REMOVAL	0.00	1,750.00
101	105639	04/14/23	9772	MICHELLE ERICKSEN	01	4469	REFUND	0.00	25.00
101	105641	04/14/23	9171	MOLLIE COLLYER	01	4469	REFUND	0.00	22.50
101	105642	04/14/23	6216	MONTEREY BAY TREEWO	513	5201	FY22/23 ARBORIST SE	0.00	4,700.00
101	105642	04/14/23	6216	MONTEREY BAY TREEWO	513	5201	FY22/23 ARBORIST SE	0.00	6,700.00
TOTAL CHECK								0.00	11,400.00
101	105643	04/14/23	9278	MONTEREY COUNTY DIS	301	5201	DUI COSTS	0.00	422.81
101	105644	04/14/23	3807	MONTEREY COUNTY WEE	201	5221	2ND READ AMEN TITLE	0.00	121.50
101	105645	04/14/23	1782	CITY OF MONTEREY LI	401	5201	CONTRACT SERVICES	0.00	198.00
101	105646	04/14/23	1797	MONTEREY REGIONAL W	505	5201	FY 22/23 SB1383 IMP	0.00	13,374.00
101	105648	04/14/23	4299	NOLAND, HAMERLY, ET	111	5205	CASE #22CV001017	0.00	2,583.18
101	105649	04/14/23	9239	NUTRIEN AG SOLUTION	503	5223	PERKINS PARK	0.00	985.60

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ACCOUNTING PERIOD: 11/23

FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105650	04/14/23	1958	ODP BUSINESS SOLUTI	121	5301	OFFICE SUPPLIES	0.00	57.48
101	105650	04/14/23	1958	ODP BUSINESS SOLUTI	201	5301	OFFICE SUPPLIES	0.00	59.03
101	105650	04/14/23	1958	ODP BUSINESS SOLUTI	401	5301	OFFICE SUPPLIES	0.00	66.59
TOTAL CHECK								0.00	183.10
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	502	5309	MECH STOCK	0.00	2.50
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	411	5223	MUSEUM SUPPLIES	0.00	2.83
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	3.70
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	3.77
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	505	5309	STREETS SUPPLIES	0.00	5.01
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	411	5223	MUSEUM SUPPLIES	0.00	52.40
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	301	5223	PD SUPPLIES	0.00	63.34
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	505	5309	STREETS SUPPLIES	0.00	71.27
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	88.47
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	301	5223	PD SUPPLIES	0.00	98.30
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	110.27
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	421	5361	REC SUPPLIES	0.00	117.94
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	502	5309	MECH STOCK	0.00	120.15
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	505	5309	STREETS SUPPLIES	0.00	196.52
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	411	5223	MUSEUM SUPPLIES	0.00	163.68
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	505	5309	STREETS SUPPLIES	0.00	594.24
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	131	5301	SUPPLIES	0.00	8.29
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	5.01
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	7.20
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	7.46
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPLIES	0.00	7.64
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	8.29
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	411	5223	MUSEUM SUPPLIES	0.00	9.44
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	10.47
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	10.48
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	10.93
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	12.10
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	421	5221	REC SUPPLIES	0.00	12.65
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	505	5309	STREETS SUPPLIES	0.00	13.19
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	14.19
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	505	5309	STREETS SUPPLIES	0.00	14.65
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	15.27
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	411	5223	MUSEUM SUPPLIES	0.00	17.68
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	18.77
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	19.65
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	19.65
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	20.75
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	24.02
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	301	5223	PD SUPPLIES	0.00	21.80
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	21.84
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	28.39
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	29.48
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	421	5361	REC SUPPLIES	0.00	29.90
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	30.57
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	30.58
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	36.24
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	503	5223	B&G SUPPLIES	0.00	36.64

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105654	04/14/23	2034	PACIFIC GROVE HARDW	401	5223	LIBRARY SUPPLIES	0.00	40.48
TOTAL CHECK								0.00	2,288.09
101	105655	04/14/23	2118	PENINSULA WELDING &	421	5361	HELIUM RENTAL TANK	0.00	25.80
101	105655	04/14/23	2118	PENINSULA WELDING &	421	5361	HELIUM RENTAL TANK	0.00	25.80
101	105655	04/14/23	2118	PENINSULA WELDING &	421	5361	HELIUM RENTAL TANK	0.00	25.80
101	105655	04/14/23	2118	PENINSULA WELDING &	421	5361	HELIUM RENTAL TANK	0.00	25.80
101	105655	04/14/23	2118	PENINSULA WELDING &	421	5361	HELIUM RENTAL TANK	0.00	25.80
101	105655	04/14/23	2118	PENINSULA WELDING &	421	5361	HELIUM RENTAL TANK	0.00	25.80
TOTAL CHECK								0.00	154.80
101	105656	04/14/23	5994	PTM DOCUMENT SYSTEM	131	5303	END OF YEAR TAX FOR	0.00	335.76
101	105657	04/14/23	2219	PURE WATER	501	5309	PURE WATER	0.00	21.50
101	105657	04/14/23	2219	PURE WATER	502	5309	PURE WATER	0.00	21.50
101	105657	04/14/23	2219	PURE WATER	503	5309	PURE WATER	0.00	21.50
101	105657	04/14/23	2219	PURE WATER	505	5309	PURE WATER	0.00	21.50
TOTAL CHECK								0.00	86.00
101	105658	04/14/23	6411	QUADIENT LEASING US	421	5225	FY 22/23 MAIL MACHI	0.00	15.00
101	105658	04/14/23	6411	QUADIENT LEASING US	101	5225	FY 22/23 MAIL MACHI	0.00	15.06
101	105658	04/14/23	6411	QUADIENT LEASING US	401	5225	FY 22/23 MAIL MACHI	0.00	25.00
101	105658	04/14/23	6411	QUADIENT LEASING US	131	5225	FY 22/23 MAIL MACHI	0.00	30.00
101	105658	04/14/23	6411	QUADIENT LEASING US	201	5225	FY 22/23 MAIL MACHI	0.00	45.02
101	105658	04/14/23	6411	QUADIENT LEASING US	121	5225	FY 22/23 MAIL MACHI	0.00	45.02
101	105658	04/14/23	6411	QUADIENT LEASING US	501	5225	FY 22/23 MAIL MACHI	0.00	115.05
101	105658	04/14/23	6411	QUADIENT LEASING US	301	5225	FY 22/23 MAIL MACHI	0.00	200.10
TOTAL CHECK								0.00	490.25
101	105659	04/14/23	9335	RACE FORWARD	101	5261	1 YEARS MEMBERSHIP	0.00	1,000.00
101	105660	04/14/23	7621	READY REFRESH	301	5291	WATRE SERVICE	0.00	207.66
101	105661	04/14/23	4468	RENTAL DEPOT MONTER	503	5223	PERKINS PARK	0.00	188.20
101	105661	04/14/23	4468	RENTAL DEPOT MONTER	401	5223	LIBRARY	0.00	310.50
101	105661	04/14/23	4468	RENTAL DEPOT MONTER	411	5223	FLOOR BLOWER	0.00	163.76
TOTAL CHECK								0.00	662.46
101	105662	04/14/23	7891	SIR SPEEDY	201	5301	GARRETT BUSINESS CA	0.00	96.11
101	105663	04/14/23	9886	SIRINA WARFEL	01	4469	REFUND	0.00	22.50
101	105664	04/14/23	2533	SOUTH BAY REG. PUBL	301	5215	TRAFFIC COLLISION R	0.00	235.00
101	105665	04/14/23	9887	STEVE RODOLF	01	4469	REFUND	0.00	12.50
101	105666	04/14/23	2598	SUBURBAN PROPANE	503	5309	RENTAL	0.00	25.00
101	105666	04/14/23	2598	SUBURBAN PROPANE	505	5309	RENTAL	0.00	25.00
TOTAL CHECK								0.00	50.00
101	105667	04/14/23	9773	SUSAN CORPUS	01	4469	REFUND	0.00	26.25

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105668	04/14/23	1758	THE MONTEREY COUNTY	201	5221	PH-236 CYPRESS HRC	0.00	296.12
101	105669	04/14/23	8379	TRANSUNION RISK AND	301	5201	4170041/TLO	0.00	75.00
101	105670	04/14/23	5252	ULINE	301	5301	BAGS	0.00	149.02
101	105672	04/14/23	2786	VERIZON WIRELESS	301	5206	WIRELESS MOBILE CON	0.00	517.92
101	105674	04/14/23	8136	WELLS FARGO VENDOR	501	5225	FY 22/23 KONIKA LEA	0.00	173.31
101	105674	04/14/23	8136	WELLS FARGO VENDOR	401	5225	FY 22/23 KONIKA LEA	0.00	215.19
101	105674	04/14/23	8136	WELLS FARGO VENDOR	121	5225	FY 22/23 KONIKA LEA	0.00	228.68
101	105674	04/14/23	8136	WELLS FARGO VENDOR	131	5225	FY 22/23 KONIKA LEA	0.00	228.79
101	105674	04/14/23	8136	WELLS FARGO VENDOR	301	5225	FY 22/23 KONIKA LEA	0.00	228.79
101	105674	04/14/23	8136	WELLS FARGO VENDOR	201	5225	FY 22/23 KONIKA LEA	0.00	269.31
TOTAL CHECK								0.00	1,344.07
101	105675	04/14/23	8989	WEX BANK	301	5311	FUEL	0.00	619.78
101	105676	04/14/23	9716	BRIAN WHITSON	503	5201	CH SUPPLEMENTAL CLE	0.00	345.00
101	105676	04/14/23	9716	BRIAN WHITSON	503	5201	FY22/23 JANITORIAL	0.00	2,100.00
TOTAL CHECK								0.00	2,445.00
101	105677	04/14/23	2894	WILSON'S PLUMBING &	503	5223	CRESPI POND RESTROO	0.00	878.60
101	105679	04/14/23	9753	ZOE ROACH	01	4469	REFUND	0.00	12.50
101	105679	04/14/23	9753	ZOE ROACH	01	4469	REFUND	0.00	25.00
TOTAL CHECK								0.00	37.50
101	105680	04/17/23	9891	JENNIFER PRESTON	01	4402	1199 FOREST REFUND	0.00	2,100.00
101	105681	04/17/23	2034	PACIFIC GROVE HARDW	505	5309	STREETS	0.00	0.08
101	105682	04/19/23	9649	CLEARGOV	131	5201	FISCAL TRANSPARENCY	0.00	8,750.00
101	105683	04/19/23	9702	RENNE PUBLIC LAW GR	111	5205	EMPLOYMENT RELATED	0.00	939.50
101	105683	04/19/23	9702	RENNE PUBLIC LAW GR	101	5205	EMPLOYMENT RELATED	0.00	1,336.50
101	105683	04/19/23	9702	RENNE PUBLIC LAW GR	101	5205	EMPLOYMENT RELATED	0.00	4,901.78
TOTAL CHECK								0.00	7,177.78
101	105684	04/19/23	9833	RENNE PUBLIC MANAGE	101	5202	CITY MANAGER PERFOR	0.00	8,831.35
101	105684	04/19/23	9833	RENNE PUBLIC MANAGE	101	5202	CITY MANAGER PERFOR	0.00	10,399.25
101	105684	04/19/23	9833	RENNE PUBLIC MANAGE	101	5202	CITY MANAGER PERFOR	0.00	11,027.09
101	105684	04/19/23	9833	RENNE PUBLIC MANAGE	101	5202	CITY MANAGER PERFOR	0.00	23,938.75
TOTAL CHECK								0.00	54,196.44
101	105685	04/19/23	1693	MISSION LINEN SUPPL	351	5291	LINEN SERVICES	0.00	74.33
101	105685	04/19/23	1693	MISSION LINEN SUPPL	131	5291	LATE CHARGES PAYMEN	0.00	3.14
101	105685	04/19/23	1693	MISSION LINEN SUPPL	351	5291	LINEN SERVICES	0.00	74.33
101	105685	04/19/23	1693	MISSION LINEN SUPPL	351	5291	LINEN SERVICES	0.00	74.33
101	105685	04/19/23	1693	MISSION LINEN SUPPL	351	5291	LINEN SERVICES	0.00	74.33
TOTAL CHECK								0.00	300.46

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	8.03
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	8.04
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	8.04
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	351	5291	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	351	5291	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	421	5201	LINEN & UNIFORM CLE	0.00	15.14
101	105688	04/19/23	1694	MISSION UNIFORM SER	421	5201	LINEN & UNIFORM CLE	0.00	15.14
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	51.56
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	51.56
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	51.56
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	77.92
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	77.92
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	77.92
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	78.36
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	78.36
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	78.36
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	78.80
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	78.80
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	78.80
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	80.80
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	80.80
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	80.80
101	105688	04/19/23	1694	MISSION UNIFORM SER	421	5201	LINEN & UNIFORM CLE	0.00	80.92
101	105688	04/19/23	1694	MISSION UNIFORM SER	421	5201	LINEN & UNIFORM CLE	0.00	80.92
101	105688	04/19/23	1694	MISSION UNIFORM SER	131	5291	LATE CHARGES PAYMEN	0.00	4.82
101	105688	04/19/23	1694	MISSION UNIFORM SER	131	5291	LATE CHARGES PAYMEN	0.00	54.46
101	105688	04/19/23	1694	MISSION UNIFORM SER	502	5309	LINEN & UNIFORM CLE	0.00	4.00
101	105688	04/19/23	1694	MISSION UNIFORM SER	503	5309	LINEN & UNIFORM CLE	0.00	4.00
101	105688	04/19/23	1694	MISSION UNIFORM SER	505	5309	LINEN & UNIFORM CLE	0.00	4.00
TOTAL CHECK								0.00	1,588.63
101	105689	04/19/23	8330	AMAZON CAPITAL SERV	501	5309	VOLUNTEER PROGRAM	0.00	67.71
101	105689	04/19/23	8330	AMAZON CAPITAL SERV	505	5309	TOOLS	0.00	111.07
TOTAL CHECK								0.00	178.78
101	105690	04/19/23	106	AMERICAN SUPPLY COM	503	5305	JANITORIAL SUPPLIES	0.00	83.58
101	105691	04/19/23	592	FOREST HILL ACE HAR	411	5223	TOOLS	0.00	26.20
101	105692	04/19/23	9878	INCA LANDSCAPE MANA	503	5223	PERKINS PARK LANDSC	0.00	1,918.48

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105693	04/19/23	3521	KIMBALL MIDWEST	502	5309	MECH STOCK	0.00	39.33
101	105694	04/19/23	9872	MITCHELL REPAIR INF	502	5309	MECH SOFTWARE	0.00	1,788.00
101	105695	04/19/23	9897	MONTANA JACK'S OUTP	01	220	USE TAX INV # D1039	0.00	130.38
101	105695 V	04/19/23	9897	MONTANA JACK'S OUTP	01	220	USE TAX INV # D1039	0.00	-130.38
TOTAL CHECK								0.00	0.00
101	105696	04/19/23	1801	MONTEREY TIRE SERVI	505	5227	UNIT 12	0.00	99.95
101	105696	04/19/23	1801	MONTEREY TIRE SERVI	505	5227	UNIT 12	0.00	275.75
TOTAL CHECK								0.00	375.70
101	105697	04/19/23	9576	O'REILLY AUTO ENTER	301	5227	UNIT PE 1	0.00	4.80
101	105697	04/19/23	9576	O'REILLY AUTO ENTER	502	5309	MECH STOCK	0.00	14.19
TOTAL CHECK								0.00	18.99
101	105698	04/19/23	7889	FASTRAK	351	5291	T712372973505	0.00	15.00
101	105699	04/21/23	2952	AFLAC	01	202	DED:5200 AFLAC PREM	0.00	731.72
101	105699	04/21/23	2952	AFLAC	01	202	DED:5201 AFLAC P/T	0.00	1,817.23
TOTAL CHECK								0.00	2,548.95
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:116 HEALTH	0.00	412.81
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:121 HEALTH	0.00	444.47
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:120 HEALTH	0.00	564.42
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:105 HEALTH	0.00	1,073.30
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:110 HEALTH	0.00	1,128.83
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:126 HEALTH	0.00	1,155.62
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:125 HEALTH	0.00	1,155.62
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:0563 HEALTH FAM	0.00	1,187.86
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:108 HEALTH	0.00	1,560.16
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:103 HEALTH	0.00	2,064.05
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:124 HEALTH	0.00	2,311.24
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:107 HEALTH	0.00	2,400.24
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:104 HEALTH	0.00	2,476.83
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:2072 HEALTH	0.00	2,812.50
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:2071 HEALTH	0.00	2,887.50
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:123 HEALTH	0.00	3,555.76
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:533 HEALTH	0.00	4,293.20
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:106 HEALTH	0.00	4,800.48
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:122 HEALTH	0.00	4,889.17
101	105700	04/21/23	1	CALPERS HEALTH	01	202	DED:2073 HEALTH FAM	0.00	5,750.00
TOTAL CHECK								0.00	46,924.06
101	105701	04/21/23	3134	CITY OF PACIFIC GRO	01	202	DED:3300 AFLAC DEP	0.00	292.30
101	105701	04/21/23	3134	CITY OF PACIFIC GRO	01	202	DED:3301 AFLAC MED	0.00	2,258.65
TOTAL CHECK								0.00	2,550.95
101	105702	04/21/23	3393	EFT	01	202	DED:*FM MEDICARE	0.00	9,905.48
101	105702	04/21/23	3393	EFT	01	202	DED:*SCA STATE TAX	0.00	13,776.96
101	105702	04/21/23	3393	EFT	01	202	DED:*FT FEDERAL TX	0.00	37,131.97

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
TOTAL CHECK								0.00	60,814.41
101	105703	04/21/23	9589	FOREMAN FINANCIAL,	01	202	DED:7506 WAGE ORDER	0.00	555.29
101	105704	04/21/23	2946	PACIFIC GROVE CITY	01	202	DED:7000 ASSOC DUES	0.00	741.50
101	105705	04/21/23	2938	MASS MUTUAL (457 PL	01	202	DED:3999 ROTH IRA	0.00	565.00
101	105705	04/21/23	2938	MASS MUTUAL (457 PL	01	202	DED:4000 DEF COMP	0.00	12,831.57
TOTAL CHECK								0.00	13,396.57
101	105706	04/21/23	2936	MTRY COUNTY DEPT OF	01	202	DED:0023 GARNISH	0.00	236.30
101	105707	04/21/23	2949	PACIFIC GROVE MANAG	01	202	DED:7203 ASSOC DUES	0.00	35.00
101	105708	04/21/23	2051	CITY OF PACIFIC GRO	01	202	DED:1006 WORK COMP	0.00	19.24
101	105708	04/21/23	2051	CITY OF PACIFIC GRO	01	202	DED:1009 WORK COMP	0.00	78.28
101	105708	04/21/23	2051	CITY OF PACIFIC GRO	01	202	DED:1005 WORK COMP	0.00	1,202.33
101	105708	04/21/23	2051	CITY OF PACIFIC GRO	01	202	DED:1010 WORK COMP	0.00	2,995.13
101	105708	04/21/23	2051	CITY OF PACIFIC GRO	01	202	DED:1003 WORK COMP	0.00	6,041.16
TOTAL CHECK								0.00	10,336.14
101	105709	04/21/23	2052	CITY OF PACIFIC GRO	01	202	DED:7510 PERS REIMB	0.00	29.42
101	105710	04/21/23	2053	CITY OF PACIFIC GRO	01	202	DED:201 DENTAL	0.00	37.59
101	105710	04/21/23	2053	CITY OF PACIFIC GRO	01	202	DED:2101 DENTAL	0.00	227.40
101	105710	04/21/23	2053	CITY OF PACIFIC GRO	01	202	DED:200 DENTAL	0.00	416.90
101	105710	04/21/23	2053	CITY OF PACIFIC GRO	01	202	DED:2102 DENTAL	0.00	498.49
101	105710	04/21/23	2053	CITY OF PACIFIC GRO	01	202	DED:2103 DENTAL FAM	0.00	805.97
TOTAL CHECK								0.00	1,986.35
101	105711	04/21/23	2054	CITY OF PACIFIC GRO	01	202	DED:0005 SUTA	0.00	118.93
101	105712	04/21/23	2133	PERS	01	202	DED:0019 PERS RT SF	0.00	-3.25
101	105712	04/21/23	2133	PERS	01	202	DED:0022 PERS SP MS	0.00	78.32
101	105712	04/21/23	2133	PERS	01	202	DED:0004 SURV BEN	0.00	81.84
101	105712	04/21/23	2133	PERS	01	202	DED:08 PERS OTHER	0.00	360.54
101	105712	04/21/23	2133	PERS	01	202	DED:0018 PERS SP SF	0.00	525.86
101	105712	04/21/23	2133	PERS	01	202	DED:0009 PERS OTHER	0.00	819.98
101	105712	04/21/23	2133	PERS	01	202	DED:2001 PERS	0.00	880.32
101	105712	04/21/23	2133	PERS	01	202	DED:2000 PERS EMPLY	0.00	1,179.00
101	105712	04/21/23	2133	PERS	01	202	DED:07 PERS CITY	0.00	4,943.01
101	105712	04/21/23	2133	PERS	01	202	DED:0002 PERS	0.00	5,670.87
101	105712	04/21/23	2133	PERS	01	202	DED:0017 PERS RG SF	0.00	6,980.50
101	105712	04/21/23	2133	PERS	01	202	DED:0011 PERS ER SF	0.00	7,376.11
101	105712	04/21/23	2133	PERS	01	202	DED:0021 PERS REG M	0.00	8,960.79
101	105712	04/21/23	2133	PERS	01	202	DED:01 PERS	0.00	9,744.41
101	105712	04/21/23	2133	PERS	01	202	DED:0020 PERS ER M3	0.00	10,003.33
101	105712	04/21/23	2133	PERS	01	202	DED:0006 PERS CITY	0.00	11,223.79
TOTAL CHECK								0.00	68,825.42
101	105713	04/21/23	2943	POLICE OFFICERS ASS	01	202	DED:7205 ASSOC DUES	0.00	931.24

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105714	04/21/23	8352	TRANSAMERICA EMPLOY	01	202	DED:5202 TRANSAMERI	0.00	600.12
101	105715	04/21/23	4177	UNION BANK OF CALIF	01	202	DED:4005 PARS-457	0.00	448.96
101	105716	04/21/23	632	VISION SERVICE PLAN	01	202	DED:301 VISION	0.00	30.00
101	105716	04/21/23	632	VISION SERVICE PLAN	01	202	DED:2502 VISION	0.00	62.82
101	105716	04/21/23	632	VISION SERVICE PLAN	01	202	DED:300 VISION	0.00	153.56
101	105716	04/21/23	632	VISION SERVICE PLAN	01	202	DED:2503 VISION FAM	0.00	450.00
TOTAL CHECK								0.00	696.38
101	105717	04/21/23	7956	STATE DISABILITY TA	01	202	DED:0026 SDI	0.00	3,121.79
101	105718	04/20/23	3393	EFT	01	202	DED:*FM MEDICARE	0.00	9.48
101	105720	04/21/23	4943	US BANK	401	5301	D GODWIN MAR 23 CC	0.00	18.92
101	105720	04/21/23	4943	US BANK	131	5291	LATE FEE	0.00	24.01
101	105720	04/21/23	4943	US BANK	301	5215	D SANTOS MAR 23 CC	0.00	25.00
101	105720	04/21/23	4943	US BANK	101	5301	S KANDELL MAR 23 CC	0.00	26.22
101	105720	04/21/23	4943	US BANK	201	5221	A WYATT MAR 23 CC	0.00	28.00
101	105720	04/21/23	4943	US BANK	121	5261	K LINDSTROM MAR 23	0.00	39.50
101	105720	04/21/23	4943	US BANK	501	5309	D GHO MAR 23 CC	0.00	50.00
101	105720	04/21/23	4943	US BANK	131	5215	T HANNAH MAR 23 CC	0.00	50.00
101	105720	04/21/23	4943	US BANK	201	5291	A WYATT MAR 23 CC	0.00	50.51
101	105720	04/21/23	4943	US BANK	121	5215	S KANDELL MAR 23 CC	0.00	52.57
101	105720	04/21/23	4943	US BANK	121	5261	L LIVIAN MAR 23 CC	0.00	57.06
101	105720	04/21/23	4943	US BANK	121	5309	L LIVIAN MAR 23 CC	0.00	94.09
101	105720	04/21/23	4943	US BANK	201	5301	A WYATT MAR 23 CC	0.00	103.30
101	105720	04/21/23	4943	US BANK	301	5301	S HOFFMAN MAR 23 CC	0.00	112.45
101	105720	04/21/23	4943	US BANK	101	5215	S KANDELL MAR 23 CC	0.00	113.95
101	105720	04/21/23	4943	US BANK	501	5261	D GHO MAR 23 CC	0.00	170.35
101	105720	04/21/23	4943	US BANK	121	5236	L LIVIAN MAR 23 CC	0.00	172.36
101	105720	04/21/23	4943	US BANK	501	5223	D GHO MAR 23 CC	0.00	175.01
101	105720	04/21/23	4943	US BANK	121	5261	B HARVEY MAR 23 CC	0.00	191.62
101	105720	04/21/23	4943	US BANK	421	5361	K CLARK MAR 23 CC	0.00	208.51
101	105720	04/21/23	4943	US BANK	301	5291	C MADALONE MAR 23 C	0.00	210.00
101	105720	04/21/23	4943	US BANK	121	5236	C MADALONE MAR 23 C	0.00	217.50
101	105720	04/21/23	4943	US BANK	101	5291	K LINDSTROM MAR 23	0.00	255.12
101	105720	04/21/23	4943	US BANK	121	5236	L LIVIAN MAR 23 CC	0.00	290.98
101	105720	04/21/23	4943	US BANK	301	5215	C MADALONE MAR 23 C	0.00	309.13
101	105720	04/21/23	4943	US BANK	301	5301	J FRANCIS MAR 23 CC	0.00	323.24
101	105720	04/21/23	4943	US BANK	301	5291	PD TRAVEL MAR 23 CC	0.00	351.65
101	105720	04/21/23	4943	US BANK	121	5215	B HARVEY MAR 23 CC	0.00	394.34
101	105720	04/21/23	4943	US BANK	301	5261	C MADALONE MAR 23 C	0.00	400.00
101	105720	04/21/23	4943	US BANK	401	5303	J WEIRICK MAR 23 CC	0.00	431.39
101	105720	04/21/23	4943	US BANK	133	5307	M KHASIMI MAR 23 CC	0.00	1,615.57
101	105720	04/21/23	4943	US BANK	133	5207	M KHASIMI MAR 23 CC	0.00	2,140.48
101	105720	04/21/23	4943	US BANK	301	5215	PD TRAVEL MAR 23 CC	0.00	2,387.51
101	105720	04/21/23	4943	US BANK	301	5306	J FRANCIS MAR 23 CC	0.00	2,583.72
101	105720	04/21/23	4943	US BANK	101	5303	K LINDSTROM MAR 23	0.00	550.62
101	105720	04/21/23	4943	US BANK	133	5224	M KHASIMI MAR 23 CC	0.00	559.54
101	105720	04/21/23	4943	US BANK	301	5306	S HOFFMAN MAR 23 CC	0.00	594.86
101	105720	04/21/23	4943	US BANK	133	5212	M KHASIMI MAR 23 CC	0.00	609.17

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105720	04/21/23	4943	US BANK	101	5215	B HARVEY MAR 23 CC	0.00	840.66
TOTAL CHECK								0.00	16,828.91
101	105721	04/21/23	9900	MICHAEL'S GRILL AND	501	5309	VOLUNTEER EVENT	0.00	2,112.50
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	707 OCEANVIEW-NAIAD	0.00	308.40
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	980 PIEDMONT BALL P	0.00	312.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	230 17-MILE DRIVE	0.00	312.19
101	105723	04/26/23	438	CALIFORNIA AMERICAN	201	5222	304 16TH ST BDOM-FI	0.00	323.81
101	105723	04/26/23	438	CALIFORNIA AMERICAN	301	5222	580 PINE	0.00	358.12
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	515 JUNIPERO	0.00	358.12
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	114 CALEDONIA PK	0.00	373.94
101	105723	04/26/23	438	CALIFORNIA AMERICAN	131	5222	300 FOREST	0.00	395.85
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	930 SINEX	0.00	401.03
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	165 FOREST-MUSEUM	0.00	462.00
101	105723	04/26/23	438	CALIFORNIA AMERICAN	401	5222	550 CENTRAL	0.00	579.59
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	391 OCEANVW-BERWICK	0.00	701.64
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	863 OCEANVIEW IRRG	0.00	820.71
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	616 OCEANVW-SWIM PL	0.00	1,160.79
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	620 OCEANVIEW/BATH	0.00	1,375.35
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	610 OCEANVW IRRIGPK	0.00	1,417.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	131	5222	300 FOREST FIRE-50%	0.00	23.70
101	105723	04/26/23	438	CALIFORNIA AMERICAN	201	5222	300 FOREST FIRE-50%	0.00	23.70
101	105723	04/26/23	438	CALIFORNIA AMERICAN	501	5222	MECH 5%	0.00	26.92
101	105723	04/26/23	438	CALIFORNIA AMERICAN	351	5222	643 HYDRANTS HYDT	0.00	36.47
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	106 7TH ST PARK	0.00	40.04
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	840 LIGHTHSE PLANTE	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	850 LIGHTHSE PLANTE	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	882 LIGHTHSE PLANTE	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	2100 SUNSET DRIVE	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	765 LIGHTHSE IRRIG	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	800 LIGHTHSE PLANTE	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	792 LIGHTHSE IRRIG	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	582 LIGHTHSE IRRIG	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	748 LIGHTHSE IRRG	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	131	5222	300 FOREST IRRIG	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	131	5222	308 16TH ST.	0.00	40.05
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	CENTRAL 4 IN FIRE	0.00	47.40
101	105723	04/26/23	438	CALIFORNIA AMERICAN	351	5222	600 PINE AVE FIRE	0.00	47.40
101	105723	04/26/23	438	CALIFORNIA AMERICAN	411	5222	165 FOREST AVE FIRE	0.00	47.40
101	105723	04/26/23	438	CALIFORNIA AMERICAN	201	5222	304 16TH ST FIRE	0.00	79.53
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	B & G 15%	0.00	80.75
101	105723	04/26/23	438	CALIFORNIA AMERICAN	501	5222	SUNSET-CORPYARD18%	0.00	96.90
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	263 GROVE ACRES	0.00	142.58
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	611 CENTRAL AVE	0.00	188.59
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	100 OCEANVW IRRIG	0.00	193.35
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	196 OCEANVW IRRIG	0.00	193.35
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	429 LIGHTHOUSE IRRG	0.00	193.38
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	150 FOREST-JEWELL P	0.00	193.38
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	619 OCEANVIEW IRRIG	0.00	193.41
101	105723	04/26/23	438	CALIFORNIA AMERICAN	131	5222	300 FOREST AVE	0.00	193.42
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	616 OCEANVIEW IRRG	0.00	197.18

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	711 OCEANVIEW IRRG	0.00	197.18
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	130 LIGHTHOUSE IRRI	0.00	97.52
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	1025 MORSE-PLATT PK	0.00	97.53
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	585 LAUREL	0.00	97.55
101	105723	04/26/23	438	CALIFORNIA AMERICAN	351	5222	600 PINE	0.00	302.88
101	105723	04/26/23	438	CALIFORNIA AMERICAN	503	5222	1051 OCEANVIEW IRRG	0.00	308.40
101	105723	04/26/23	438	CALIFORNIA AMERICAN	421	5222	139 GRAND AVE	0.00	63.15
TOTAL CHECK								0.00	13,504.25
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	17 MILE DRIVE	0.00	186.72
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	17TH ST & LAUREL	0.00	394.99
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	351	5222	FIRE DEPT	0.00	544.26
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	131	5222	300 FOREST AVE	0.00	613.84
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	411	5222	165 FOREST AVE	0.00	723.05
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	401	5222	PUBLIC LIBRARY	0.00	729.37
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	301	5222	POLICE DEPARTMENT -	0.00	834.62
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	301	5222	POLICE DEPT	0.00	1,000.93
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	301	5802	580 PINE AVE - LOAN	0.00	1,046.81
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	401	5222	PUBLIC LIBRARY	0.00	1,070.77
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	117 COMMUNITY CTR	0.00	1,241.78
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	301	5222	580 PINE AVE	0.00	1,262.26
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	351	5222	FIRE DEPARTMENT - 2	0.00	465.84
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	401	5222	550 CENTRAL AVE	0.00	487.79
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	ON 17 MILE DR	0.00	0.40
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	117 RECREATION ROOM	0.00	1.68
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	168 16TH ST	0.00	1.78
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	LOVERS POINT	0.00	5.66
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	PLATT PK SPRNKLR	0.00	5.99
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	17 MI DR BALLPARK	0.00	7.84
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	CALEDONIA PK LIGHTS	0.00	10.18
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	BERWICK PARK AT	0.00	10.29
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	ON 17 MILE DR	0.00	11.55
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	117 RECREATION ROOM	0.00	14.06
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	168 16TH ST	0.00	14.62
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	OCEANVIEW & 17TH	0.00	8.54
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	FOREST CENTRL SPR	0.00	10.18
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	PARKING LOT LIGHT	0.00	14.78
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	501	5222	1307 FORST SINEX SI	0.00	15.41
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	501	5222	CORP YARD DM & 5TH	0.00	15.49
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	501	5222	1307 FORST PINE SIG	0.00	16.79
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	PIEDMONT & MORELAND	0.00	19.45
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	LOVERS POINT	0.00	23.34
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	PLATT PK SPRNKLR	0.00	23.43
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	GRAND AV & PK PL	0.00	24.27
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	COR MELROSE	0.00	18.04
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	620 OCEAN VIEW POOL	0.00	29.07
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	BEACH BOAT STORAGE	0.00	30.40
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	501	5222	1307 FORST SINEX SI	0.00	38.02
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	501	5222	1307 FORST PINE SIG	0.00	40.13
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	162 16TH STREET	0.00	48.77
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	COR MELROSE	0.00	49.76
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	CONCESSION STAND	0.00	53.27

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	101	5222	CITY COUNCIL - 3%	0.00	58.23
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	RECREATION - 3%	0.00	58.23
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	17TH ST & LAUREL	0.00	67.94
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5222	PHONE BOOTH-BERWICK	0.00	32.81
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	201	5222	101 CITY HALL/CEDD	0.00	97.46
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	131	5222	101 CITY HALL/FIN -	0.00	97.47
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	CHAUTAUQUA HALL	0.00	101.52
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	117 COMMUNITY CTR	0.00	103.34
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	CHAUTAUQUA HALL	0.00	120.51
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	131	5222	FINANCE - 7%	0.00	135.87
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	501	5222	FOREST 40 FT E/O LH	0.00	140.42
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	501	5222	CORP YARD SUNSET DR	0.00	175.17
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	201	5222	CEDD - 9.5%	0.00	184.39
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	121	5222	CITY MANAGER - 9.5%	0.00	184.39
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	411	5222	FOREST & CENTRAL DR	0.00	229.90
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	117 COMMUNITY CTR	0.00	251.48
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	300 16TH ST.	0.00	257.43
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5802	14TH&JUNIPERO-LOAN	0.00	294.94
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	501	5222	FOREST 40 FT E/O LH	0.00	317.81
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	421	5222	17 MI DR BALLPARK	0.00	327.78
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	503	5802	SUNSET SR. - LOAN	0.00	338.81
TOTAL CHECK								0.00	14,742.12
101	105728	04/28/23	623	COMMUNITY HUMAN SER	101	5261	FY22/23 PG ALLOCATI	0.00	20,750.00
101	105729	04/28/23	6788	JONES AND MAYER	301	5205	LEGAL SERVICES	0.00	180.00
101	105730	04/28/23	8890	4LEAF	201	5201	BUILDING DEPARTMENT	0.00	70,224.50
101	105730	04/28/23	8890	4LEAF	201	5201	BUILDING DEPARTMENT	0.00	84,932.51
TOTAL CHECK								0.00	155,157.01
101	105731	04/28/23	5621	ACCENT CLEAN & SWEE	504	5201	FY22/23 STREET SWEE	0.00	17,100.00
101	105733	04/28/23	8330	AMAZON CAPITAL SERV	501	5309	VOLUNTEER PROGRAM	0.00	18.55
101	105733	04/28/23	8330	AMAZON CAPITAL SERV	401	5223	MOTION SENSOR LIGHT	0.00	42.57
101	105733	04/28/23	8330	AMAZON CAPITAL SERV	201	5309	OTHER SUPPLIES	0.00	46.40
TOTAL CHECK								0.00	107.52
101	105734	04/28/23	9430	ARAMARK UNIFORM & C	301	5201	DEPARTMENT LINEN AN	0.00	127.68
101	105734	04/28/23	9430	ARAMARK UNIFORM & C	301	5201	DEPARTMENT LINEN AN	0.00	127.68
TOTAL CHECK								0.00	255.36
101	105735	04/28/23	6154	AT&T	133	5212	ADMIN 2378411328253	0.00	-2.61
101	105735	04/28/23	6154	AT&T	421	5212	REC 23735162970960	0.00	100.94
101	105735	04/28/23	6154	AT&T	133	5206	LH INTERNET	0.00	90.24
TOTAL CHECK								0.00	188.57
101	105736	04/28/23	5363	AT&T CALNET 3	133	5206	LIB INTERNET	0.00	189.72
101	105736	04/28/23	5363	AT&T CALNET 3	133	5212	ADMIN	0.00	24.49
101	105736	04/28/23	5363	AT&T CALNET 3	133	5212	CH GENERATOR ALARM	0.00	25.05
TOTAL CHECK								0.00	239.26

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105737	04/28/23	8476	AT&T MOBILITY	301	5206	AT&T FIRSTNET DEPAR	0.00	1,744.79
101	105739	04/28/23	213	BAKER & TAYLOR COMP	401	5301	BOOKS & MATERIALS	0.00	24.26
101	105739	04/28/23	213	BAKER & TAYLOR COMP	401	5301	BOOKS & MATERIALS	0.00	28.04
101	105739	04/28/23	213	BAKER & TAYLOR COMP	401	5301	BOOKS & MATERIALS	0.00	35.89
101	105739	04/28/23	213	BAKER & TAYLOR COMP	401	5301	BOOKS & MATERIALS	0.00	180.55
TOTAL CHECK								0.00	268.74
101	105740	04/28/23	9240	BAY PHYSICAL THERAP	121	5236	FINTNESS INCENTIVE	0.00	100.00
101	105742	04/28/23	8848	BRYCE CONSULTING IN	121	5237	CLASS & COMPENSATIO	0.00	10,070.00
101	105743	04/28/23	402	CA DEPT OF JUSTICE	301	5201	DOJ LIVESCANS	0.00	288.00
101	105743	04/28/23	402	CA DEPT OF JUSTICE	121	5201	FINGERPRINT	0.00	64.00
101	105743	04/28/23	402	CA DEPT OF JUSTICE	121	5201	FINGERPRINT	0.00	96.00
TOTAL CHECK								0.00	448.00
101	105745	04/28/23	9740	CITIES DIGITAL, INC	133	5201	LASERFICHE	0.00	945.00
101	105746	04/28/23	6309	COLANTUONO, HIGHSMI	111	5205	PG&E UUT LEGAL SERV	0.00	80.12
101	105747	04/28/23	5171	COMCAST	133	5206	PW 8155100260194117	0.00	238.86
101	105747	04/28/23	5171	COMCAST	133	5206	CH TV APR 2023	0.00	14.10
101	105747	04/28/23	5171	COMCAST	133	5206	INTERNET-PW APR 202	0.00	110.98
101	105747	04/28/23	5171	COMCAST	133	5206	PD 7836 3127-04/26/	0.00	155.98
101	105747	04/28/23	5171	COMCAST	133	5206	CH INT APR 2023	0.00	163.23
101	105747	04/28/23	5171	COMCAST	133	5206	INTERNET-REC	0.00	93.75
TOTAL CHECK								0.00	776.90
101	105748	04/28/23	622	CHOMP	301	5291	BLOOD DRAW FEE	0.00	27.00
101	105749	04/28/23	9284	ARCPOINT LABS OF MO	121	5236	DOT COMPLIANCE	0.00	900.00
101	105749	04/28/23	9284	ARCPOINT LABS OF MO	121	5236	PRE EMPLOYMENT SCRE	0.00	140.00
TOTAL CHECK								0.00	1,040.00
101	105751	04/28/23	3451	DE LAY & LAREDO	121	5205	LEGAL SERVICES	0.00	955.87
101	105752	04/28/23	5118	DISASTER KLEENUP SP	503	5201	MOLD REMEDIATION AT	0.00	1,000.00
101	105752	04/28/23	5118	DISASTER KLEENUP SP	503	5201	MOLD REMEDIATION AT	0.00	3,797.63
101	105752	04/28/23	5118	DISASTER KLEENUP SP	503	5201	MOLD REMEDIATION AT	0.00	8,861.14
TOTAL CHECK								0.00	13,658.77
101	105754	04/28/23	7424	EDGES ELECTRICAL GR	411	5223	EXIT SIGNS	0.00	220.88
101	105755	04/28/23	9902	ELENA GISSI	01	4462	REFUND	0.00	42.00
101	105756	04/28/23	904	ENGINEERED FIRE SYS	351	5201	PLAN REVIEW MARCH 2	0.00	187.50
101	105757	04/28/23	982	FIRST ALARM INC.	301	5223	ALARM TEST	0.00	136.11
101	105757	04/28/23	982	FIRST ALARM INC.	301	5223	ALARM TEST	0.00	177.50
TOTAL CHECK								0.00	313.61

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105758	04/28/23	9574	MONTEREY HOMESCAPES	503	5223	REPLACE CARPET IN B	0.00	2,660.00
101	105759	04/28/23	7884	GARDAWORLD	131	5202	APR 2023	0.00	30.12
101	105759	04/28/23	7884	GARDAWORLD	131	5202	APR 2023	0.00	88.03
TOTAL CHECK								0.00	118.15
101	105760	04/28/23	9817	GEMMA PETERSON	421	5208	CONTRACTOR PAYMENT	0.00	470.40
101	105761	04/28/23	1138	GROVE MARKET	421	5361	PROGRAM SUPPLIES	0.00	5.29
101	105761	04/28/23	1138	GROVE MARKET	421	5361	PROGRAM SUPPLIES	0.00	21.81
TOTAL CHECK								0.00	27.10
101	105762	04/28/23	9903	HARUMI GUNN	01	4462	REFUND	0.00	63.00
101	105763	04/28/23	9904	HEIDI NELSOB	01	214	DAMAGE DEPOSIT REFU	0.00	196.00
101	105764	04/28/23	8066	HINDERLITER, DE LLA	131	5201	SALES TAX, BUSINESS	0.00	600.00
101	105766	04/28/23	9905	JAIA LIN	01	4462	REFUND	0.00	581.00
101	105767	04/28/23	9906	JANE THOMPSON	01	4462	REFUND	0.00	21.00
101	105768	04/28/23	9907	JESSICA THOMPSON	01	4462	REFUND	0.00	42.00
101	105769	04/28/23	4729	JR FENCING	503	5223	REPAIR FENCE	0.00	3,175.00
101	105770	04/28/23	9908	JULIANA HUAROC	01	214	DAMAGE DEPOSIT REFU	0.00	196.00
101	105771	04/28/23	9909	KAREN YU	01	214	DAMAGE DEPOSIT REFU	0.00	189.00
101	105772	04/28/23	3521	KIMBALL MIDWEST	502	5309	MECH STOCK	0.00	24.64
101	105772	04/28/23	3521	KIMBALL MIDWEST	502	5309	MECH STOCK	0.00	65.82
TOTAL CHECK								0.00	90.46
101	105773	04/28/23	9910	KIMBERLY SMITH	01	4462	REFUND	0.00	21.00
101	105774	04/28/23	9911	KRISTINA STILLWELL	01	4462	REFUND	0.00	42.00
101	105775	04/28/23	1467	LANGUAGE LINE SERVI	301	5201	TRANSLATION SERVICE	0.00	50.50
101	105776	04/28/23	8738	LIFTOFF LLC	133	5229	OFFICE 365 LICENSE	0.00	70.00
101	105777	04/28/23	9745	LINDSEY DOBRINSKI	01	4462	REFUND	0.00	21.00
101	105779	04/28/23	9912	MATTHEW COSGROVE	01	4462	REFUND	0.00	63.00
101	105780	04/28/23	9820	MAYTAL HELFONT	01	4462	REFUND	0.00	42.00
101	105782	04/28/23	6445	MONTEREY COUNTY MAY	101	5261	MEMBERSHIP DUES	0.00	1,575.83
101	105783	04/28/23	1771	MONTEREY COUNTY SHE	301	5201	CRIMINAL JUSTICE IN	0.00	19,217.27

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FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105784	04/28/23	3807	MONTEREY COUNTY WEE	131	5221	2ND READ BUDGET	0.00	350.00
101	105784	04/28/23	3807	MONTEREY COUNTY WEE	421	5221	AVERTISING WEDDING	0.00	575.00
101	105784	04/28/23	3807	MONTEREY COUNTY WEE	131	5221	2ND READ BUDGET	0.00	120.00
101	105784	04/28/23	3807	MONTEREY COUNTY WEE	121	5221	2ND READ POLICE PAR	0.00	121.50
101	105784	04/28/23	3807	MONTEREY COUNTY WEE	131	5221	2ND READ BUDGET	0.00	121.50
TOTAL CHECK								0.00	1,288.00
101	105785	04/28/23	1802	CITY OF MONTEREY	201	5201	FIRE PLAN CHECK	0.00	1,284.00
101	105785	04/28/23	1802	CITY OF MONTEREY	351	5201	FY 22/23 FIRE SERVI	0.00	235,786.16
TOTAL CHECK								0.00	237,070.16
101	105786	04/28/23	6431	QUADIENT FINANCE US	131	5211	POSTAGE FEE	0.00	1,000.00
101	105787	04/28/23	4299	NOLAND, HAMERLY, ET	111	5205	ENAYATI CASE #22CV0	0.00	9,169.86
101	105788	04/28/23	9239	NUTRIEN AG SOLUTION	503	5223	FERTILZER	0.00	8.89
101	105789	04/28/23	1958	ODP BUSINESS SOLUTI	201	5301	OFFICE SUPPLIES	0.00	38.23
101	105789	04/28/23	1958	ODP BUSINESS SOLUTI	201	5301	OFFICE SUPPLIES	0.00	45.10
101	105789	04/28/23	1958	ODP BUSINESS SOLUTI	131	5301	OFFICE SUPPLIES	0.00	56.57
101	105789	04/28/23	1958	ODP BUSINESS SOLUTI	201	5301	OFFICE SUPPLIES	0.00	81.98
TOTAL CHECK								0.00	221.88
101	105790	04/28/23	2110	ONE WORKPLACE L. FE	201	5306	OFFICE EQUIPMENT	0.00	1,835.40
101	105791	04/28/23	9576	O'REILLY AUTO ENTER	301	5227	PD PE1	0.00	20.41
101	105791	04/28/23	9576	O'REILLY AUTO ENTER	502	5309	MECH STOCK	0.00	49.10
TOTAL CHECK								0.00	69.51
101	105793	04/28/23	2024	PACIFIC GAS & ELECT	411	5802	MUSEUM19324144440-1	0.00	270.67
101	105795	04/28/23	2062	PACIFIC WEST WATER	301	5291	WATER SERVICE	0.00	520.15
101	105795	04/28/23	2062	PACIFIC WEST WATER	131	5301	WATER SERVICES	0.00	42.85
101	105795	04/28/23	2062	PACIFIC WEST WATER	201	5301	WATER SERVICES	0.00	42.85
TOTAL CHECK								0.00	605.85
101	105798	04/28/23	2139	P.F. PETTIBONE & CO	101	5301	RESOLUTION BINDER	0.00	162.95
101	105799	04/28/23	8394	RAYMOND GORDANO	301	5275	POA MOU	0.00	250.00
101	105800	04/28/23	9802	ROBERT HALF INTERNA	121	5201	TEMPORARY EMP SERVI	0.00	2,720.98
101	105800	04/28/23	9802	ROBERT HALF INTERNA	131	5201	CARRILLO TEMP EMP M	0.00	6,577.20
101	105800	04/28/23	9802	ROBERT HALF INTERNA	131	5201	CARRILLO TEMP EMP M	0.00	8,769.60
TOTAL CHECK								0.00	18,067.78
101	105801	04/28/23	9913	SARAH SAYEGH	01	214	DAMAGE DEPOSIT REFU	0.00	196.00
101	105803	04/28/23	9793	SIGNATURE GLASS & W	411	5223	MUSEUM REPAIR	0.00	2,890.00
101	105804	04/28/23	2541	SPCA OF MONTEREY CO	301	5201	ANIMAL SHELTER SERV	0.00	700.00
101	105805	04/28/23	9336	STAPHANY ARRIOLA	421	5361	PROGRAM SUPPLIES	0.00	47.75

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105806	04/28/23	1768	STURDY OIL COMPANY	301	5311	GAS	0.00	465.20
101	105806	04/28/23	1768	STURDY OIL COMPANY	505	5311	GAS	0.00	900.69
101	105806	04/28/23	1768	STURDY OIL COMPANY	01	111	GAS	0.00	1,450.82
101	105806	04/28/23	1768	STURDY OIL COMPANY	421	5311	GAS	0.00	98.30
101	105806	04/28/23	1768	STURDY OIL COMPANY	503	5311	GAS	0.00	-42.11
101	105806	04/28/23	1768	STURDY OIL COMPANY	351	5311	GAS	0.00	-25.13
101	105806	04/28/23	1768	STURDY OIL COMPANY	505	5311	GAS	0.00	-21.06
101	105806	04/28/23	1768	STURDY OIL COMPANY	351	5311	GAS	0.00	0.57
101	105806	04/28/23	1768	STURDY OIL COMPANY	421	5311	GAS	0.00	117.69
101	105806	04/28/23	1768	STURDY OIL COMPANY	503	5311	GAS	0.00	1,801.37
101	105806	04/28/23	1768	STURDY OIL COMPANY	301	5311	GAS	0.00	2,723.68
101	105806	04/28/23	1768	STURDY OIL COMPANY	01	111	GAS	0.00	4,360.74
TOTAL CHECK								0.00	11,830.76
101	105807	04/28/23	9898	SUSAN CARDINALE	01	4402	REFUND	0.00	1,052.85
101	105808	04/28/23	9914	SUSANNAH ASHTON	01	4462	REFUND	0.00	21.00
101	105809	04/28/23	9916	TAMAMI PISANO	01	4469	REFUND	0.00	12.50
101	105810	04/28/23	2635	TAMC	01	212	TAMC FEE JUN20-MAR2	0.00	100,479.04
101	105811	04/28/23	9107	TASHA STEVENS	01	4462	REFUND	0.00	42.00
101	105812	04/28/23	9865	THE COMPUTING TECHN	133	5215	GOVERNMENT CIO PROG	0.00	3,700.00
101	105813	04/28/23	2680	TOPE'S TREE SERVICE	513	5201	FY22/23 TREE MAINTE	0.00	14,369.10
101	105814	04/28/23	4650	TORO PETROLEUM CORP	351	5311	FIRE DEP 600 PINE A	0.00	1,403.66
101	105816	04/28/23	9873	TRIPEPI SMITH & ASS	121	5601	PIO/SOCIAL MEDIA SE	0.00	4,750.00
101	105818	04/28/23	9305	WATSONVILLE FORD	301	5227	PD UNIT 5	0.00	238.99
101	105818	04/28/23	9305	WATSONVILLE FORD	301	5227	PD UNIT 5	0.00	260.96
TOTAL CHECK								0.00	499.95
101	105819	04/28/23	8136	WELLS FARGO VENDOR	501	5225	FY 22/23 KONIKA LEA	0.00	163.64
101	105819	04/28/23	8136	WELLS FARGO VENDOR	401	5225	FY 22/23 KONIKA LEA	0.00	203.18
101	105819	04/28/23	8136	WELLS FARGO VENDOR	121	5225	FY 22/23 KONIKA LEA	0.00	215.91
101	105819	04/28/23	8136	WELLS FARGO VENDOR	131	5225	FY 22/23 KONIKA LEA	0.00	216.03
101	105819	04/28/23	8136	WELLS FARGO VENDOR	301	5225	FY 22/23 KONIKA LEA	0.00	216.03
101	105819	04/28/23	8136	WELLS FARGO VENDOR	201	5225	FY 22/23 KONIKA LEA	0.00	254.28
TOTAL CHECK								0.00	1,269.07
101	105820	04/28/23	9716	BRIAN WHITSON	503	5223	CITY HALL SUPPLEMEN	0.00	345.00
101	105821	04/28/23	9918	WILLIAM WALKER	01	4469	REFUND	0.00	170.00
101	V4142023	04/14/23	8974	ALENA RACHELLE WAGR	421	5208	CONTRACTOR	0.00	279.07
101	V4142024	04/14/23	9196	DIANNE LYLE	421	5208	CONTRACTOR PAYMENT	0.00	1,328.60

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 01 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	V4282024	04/28/23	2987	HARRIS & ASSOCIATES	201	5209	CEQA-6TH HOUSING EL	0.00	780.00
101	V4282024	04/28/23	2987	HARRIS & ASSOCIATES	201	5202	TEMPORARY JUNIOR PL	0.00	12,385.00
TOTAL CHECK								0.00	13,165.00
TOTAL CASH ACCOUNT								0.00	1,431,224.59
TOTAL FUND								0.00	1,431,224.59

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 04 - HYPERBARIC CHAMBER

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105815	04/28/23	2694	TRI AIR TESTING	352	5224	ALL SERVICES	0.00	431.00
TOTAL CASH ACCOUNT								0.00	431.00
TOTAL FUND								0.00	431.00

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 07 - LIBRARY BLDG & EQUIP FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105750	04/28/23	8532	CHRISTINE LEONORA C	402	5291	ART CURATION/INSTAL	0.00	1,470.00
101	105750	04/28/23	8532	CHRISTINE LEONORA C	402	5291	ART CURATION/INSTAL	0.00	1,540.00
TOTAL CHECK								0.00	3,010.00
TOTAL CASH ACCOUNT								0.00	3,010.00
TOTAL FUND								0.00	3,010.00

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 11 - LIBRARY BOOK FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105593	04/14/23	213	BAKER & TAYLOR COMP	403	5303	BOOKS & MATERIALS	0.00	231.14
101	105593	04/14/23	213	BAKER & TAYLOR COMP	403	5303	BOOKS & MATERIALS	0.00	320.50
101	105593	04/14/23	213	BAKER & TAYLOR COMP	403	5303	BOOKS & MATERIALS	0.00	1,171.86
101	105593	04/14/23	213	BAKER & TAYLOR COMP	403	5303	BOOKS & MATERIALS	0.00	1,974.98
TOTAL CHECK								0.00	3,698.48
101	105603	04/14/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS, MATS	0.00	33.20
101	105603	04/14/23	1040	CENGAGE LEARNING/GA	403	5303	MATS	0.00	30.59
101	105603	04/14/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS, MATS	0.00	27.09
101	105603	04/14/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS , MATS	0.00	27.96
101	105603	04/14/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS MATS	0.00	153.78
TOTAL CHECK								0.00	272.62
101	105640	04/14/23	3304	MIDWEST TAPE	403	5303	BOOK MATS	0.00	21.84
101	105640	04/14/23	3304	MIDWEST TAPE	403	5303	BOOKS, MATS	0.00	166.02
101	105640	04/14/23	3304	MIDWEST TAPE	403	5303	BOOKS, MATS	0.00	43.69
TOTAL CHECK								0.00	231.55
101	105720	04/21/23	4943	US BANK	403	5303	J WEIRICK MAR 23 CC	0.00	113.86
101	105720	04/21/23	4943	US BANK	403	5303	D GODWIN MAR 23 CC	0.00	442.65
TOTAL CHECK								0.00	556.51
101	105739	04/28/23	213	BAKER & TAYLOR COMP	403	5303	BOOKS & MATERIALS	0.00	396.11
101	105739	04/28/23	213	BAKER & TAYLOR COMP	403	5303	BOOKS & MATERIALS	0.00	402.46
TOTAL CHECK								0.00	798.57
101	105744	04/28/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS MATS	0.00	98.73
101	105744	04/28/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS MATS	0.00	51.55
101	105744	04/28/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS MATS	0.00	33.20
101	105744	04/28/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS MATS	0.00	30.58
101	105744	04/28/23	1040	CENGAGE LEARNING/GA	403	5303	BOOK MATS	0.00	31.45
101	105744	04/28/23	1040	CENGAGE LEARNING/GA	403	5303	BOOKS MATS	0.00	24.46
TOTAL CHECK								0.00	269.97
101	105781	04/28/23	3304	MIDWEST TAPE	403	5303	BOOKS MATS	0.00	80.82
101	105781	04/28/23	3304	MIDWEST TAPE	403	5303	BOOKS MATS	0.00	92.84
101	105781	04/28/23	3304	MIDWEST TAPE	403	5303	BOOKS MATS	0.00	49.15
TOTAL CHECK								0.00	222.81
101	105792	04/28/23	5567	OVERDRIVE, INC.	403	5303	BOOKS MATS	0.00	8.97
101	105822	04/28/23	2890	H.W. WILSON	403	5303	BOOKS MATS	0.00	432.50
TOTAL CASH ACCOUNT								0.00	6,491.98
TOTAL FUND								0.00	6,491.98

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 12 - FIRE EMERG EQUIP FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105596	04/14/23	3400	BOUND TREE MEDICAL,	355	5309	SURFACE WIPES	0.00	157.19
101	105596	04/14/23	3400	BOUND TREE MEDICAL,	355	5309	SURFACE WIPES	0.00	328.49
101	105596	04/14/23	3400	BOUND TREE MEDICAL,	355	5309	GLOVES	0.00	1,401.75
TOTAL CHECK								0.00	1,887.43
TOTAL CASH ACCOUNT								0.00	1,887.43
TOTAL FUND								0.00	1,887.43

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 14 - CIVIC CENTER FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105580	04/14/23	1798	MONTEREY ONE WATER	704	5207	03/01-04/30 04-0023	0.00	395.84
TOTAL CASH ACCOUNT								0.00	395.84
TOTAL FUND								0.00	395.84

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 15 - HOUSING FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105595	04/14/23	8016	BENCHMARK ENVIRONME	202	5424	PRE LOAN EXPENSE	0.00	1,262.60
101	105604	04/14/23	8961	CONTEMPORARY INFORM	202	5424	PRE LOAN EXPENSE	0.00	9.90
101	105614	04/14/23	9882	FIRST AMERICAN TITL	202	5424	PRE LOAN EXPENSE	0.00	395.00
TOTAL CASH ACCOUNT								0.00	1,667.50
TOTAL FUND								0.00	1,667.50

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 17 - LOCAL STREETS AND ROADS

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105647	04/14/23	1896	NEILL ENGINEERS COR	522	6041	DAVID AV STREET REH	0.00	5,462.00
TOTAL CASH ACCOUNT								0.00	5,462.00
TOTAL FUND								0.00	5,462.00

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 18 - GAS TAX FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105583	04/14/23	1768	STURDY OIL COMPANY	508	5311	FUEL DIST JAN 2023	0.00	506.09
101	105583	04/14/23	1768	STURDY OIL COMPANY	508	5311	FUEL DIST FEB 2023	0.00	1,618.36
TOTAL CHECK								0.00	2,124.45
101	105584	04/14/23	8890	4LEAF	508	5201	FY22/23 ON-CALL TRA	0.00	3,150.00
101	105634	04/14/23	8647	MAIN STREET SIGNS	508	5331	STREET SIGNS	0.00	349.92
101	105723	04/26/23	438	CALIFORNIA AMERICAN	508	5222	ST FUND 50%	0.00	269.15
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	508	5222	FOREST AV & SUNSET	0.00	43.12
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	508	5222	FOREST AVE & SUNSET	0.00	32.08
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	508	5222	19TH & SUNSET DR.	0.00	16.94
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	508	5222	FOREST AVE & SUNSET	0.00	15.13
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	508	5222	FOREST AV & SUNSET	0.00	14.71
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	508	5222	19TH & SUNSET DR.	0.00	0.58
TOTAL CHECK								0.00	122.56
101	105806	04/28/23	1768	STURDY OIL COMPANY	508	5311	GAS	0.00	-21.06
101	105806	04/28/23	1768	STURDY OIL COMPANY	508	5311	GAS	0.00	900.69
TOTAL CHECK								0.00	879.63
TOTAL CASH ACCOUNT								0.00	6,895.71
TOTAL FUND								0.00	6,895.71

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 27 - LIGHTHOUSE MAINT.& IMPV.

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105580	04/14/23	1798	MONTEREY ONE WATER	413	5222	03/01-04/30 04-0070	0.00	98.96
101	105723	04/26/23	438	CALIFORNIA AMERICAN	413	5222	90 ASILOMAR	0.00	104.19
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	413	5222	ASILOMAR BLVD PG LH	0.00	5.80
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	413	5222	ASILOMAR BLVD PG LH	0.00	24.51
TOTAL CHECK								0.00	30.31
101	105733	04/28/23	8330	AMAZON CAPITAL SERV	413	5223	LIGHTHOUSE GIFT SHO	0.00	229.05
101	105733	04/28/23	8330	AMAZON CAPITAL SERV	413	5223	LIGHTHOUSE GIFTSHOP	0.00	35.98
TOTAL CHECK								0.00	265.03
101	105753	04/28/23	846	DROUGHT RESISTANT N	413	5223	PLANT	0.00	1.40
101	105753	04/28/23	846	DROUGHT RESISTANT N	413	5223	PLANT	0.00	35.51
101	105753	04/28/23	846	DROUGHT RESISTANT N	413	5223	LIGHTHOUSE	0.00	42.26
TOTAL CHECK								0.00	79.17
TOTAL CASH ACCOUNT								0.00	577.66
TOTAL FUND								0.00	577.66

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 40 - POETRY PROMOTION FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105580	04/14/23	1798	MONTEREY ONE WATER	405	5291	03/01-04/30 04-0010	0.00	142.14
101	105671	04/14/23	2783	PATRICE VECCHIONE	405	5291	POETRY FESTIVAL PRO	0.00	1,500.00
101	105720	04/21/23	4943	US BANK	405	5291	D GODWIN MAR 23 CC	0.00	920.19
TOTAL CASH ACCOUNT								0.00	2,562.33
TOTAL FUND								0.00	2,562.33

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 41 - YOUNT INCOME FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105608	04/14/23	9506	DUDEK	510	6031	GWP MANAMGENET PLAN	0.00	60.00
TOTAL CASH ACCOUNT								0.00	60.00
TOTAL FUND								0.00	60.00

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 43 - SLESF FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	V4282023	04/28/23	9033	ENTERPRISE FM TRUST	304	5225	LEASED VEHICLES	0.00	2,135.37
TOTAL CASH ACCOUNT								0.00	2,135.37
TOTAL FUND								0.00	2,135.37

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 63 - CAPITAL IMPROV PROJ FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105647	04/14/23	1896	NEILL ENGINEERS COR	631	6041	CRACK SLURRY SEAL P	0.00	7,025.43
101	105647	04/14/23	1896	NEILL ENGINEERS COR	631	6041	STREETS & DRAINAGE	0.00	1,775.00
101	105647	04/14/23	1896	NEILL ENGINEERS COR	631	6054	STORM DRAIN IMPRO-P	0.00	2,538.00
TOTAL CHECK								0.00	11,338.43
101	105678	04/14/23	9325	ZANDER DESIGN	631	6031	POINT PINOS CONSTRU	0.00	990.63
101	105733	04/28/23	8330	AMAZON CAPITAL SERV	631	6021	TRC 21-02	0.00	578.03
101	105765	04/28/23	9553	JACOB CONSTRUCTION	631	6021	PW ELECTRICAL INFRA	0.00	5,126.36
101	105765	04/28/23	9553	JACOB CONSTRUCTION	631	6021	METAIL BUILDING & R	0.00	27,088.75
TOTAL CHECK								0.00	32,215.11
TOTAL CASH ACCOUNT								0.00	45,122.20
TOTAL FUND								0.00	45,122.20

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 70 - EMP BENEFIT FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105575	04/12/23	1	CALPERS HEALTH	703	5123	APRIL 2023	0.00	10,221.38
101	105724	04/26/23	8211	STANDARD INSURANCE	703	5123	APRIL 2023 PERMIUMS	0.00	2,172.13
101	105725	04/26/23	9360	STANDARD INSURANCE	703	5234	APRIL 2023	0.00	5,294.40
101	105726	04/26/23	632	VISION SERVICE PLAN	703	5123	MAY 2023 VISION	0.00	103.99
101	105796	04/28/23	4279	PARS	703	5141	FEBRUARY 2023	0.00	354.92
TOTAL CASH ACCOUNT								0.00	18,146.82
TOTAL FUND								0.00	18,146.82

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 71 - WORKERS COMP FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105741	04/28/23	9919	BAY PROMOS	701	5291	SAFETY INCENTIVE PR	0.00	541.84
TOTAL CASH ACCOUNT								0.00	541.84
TOTAL FUND								0.00	541.84

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 74 - LOCAL WATER PROJECT

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105580	04/14/23	1798	MONTEREY ONE WATER	741	5222	03/01-04/30 04-0070	0.00	12,888.46
101	105581	04/14/23	2024	PACIFIC GAS & ELECT	741	5222	LWP 03/01-3/29 0729	0.00	2,528.61
101	105722	04/24/23	7716	PERC WATER CORPORAT	741	5201	FY22/23 LWP O&M	0.00	24,570.36
101	105723	04/26/23	438	CALIFORNIA AMERICAN	741	5222	1313 OCEAN VIEW BLV	0.00	960.13
101	105797	04/28/23	7716	PERC WATER CORPORAT	741	5201	FY22/23 LWP O&M	0.00	26,046.72
TOTAL CASH ACCOUNT								0.00	66,994.28
TOTAL FUND								0.00	66,994.28

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 75 - CEMETERY FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105583	04/14/23	1768	STURDY OIL COMPANY	601	5311	FUEL DIST JAN 2023	0.00	-94.25
101	105583	04/14/23	1768	STURDY OIL COMPANY	601	5311	FUEL DIST FEB 2023	0.00	362.91
TOTAL CHECK								0.00	268.66
101	105599	04/14/23	7679	CA ASSOCIATION OF P	601	5291	2018 GUIDE TO PUBLI	0.00	20.00
101	105658	04/14/23	6411	QUADIENT LEASING US	601	5225	FY 22/23 MAIL MACHI	0.00	9.90
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	4.00
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	8.04
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	14.20
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	80.80
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	78.80
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	78.36
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	77.92
101	105688	04/19/23	1694	MISSION UNIFORM SER	601	5309	LINEN & UNIFORM CLE	0.00	51.56
TOTAL CHECK								0.00	436.28
101	105695	04/19/23	9897	MONTANA JACK'S OUTP	601	5309	WENCH	0.00	1,409.47
101	105695 V	04/19/23	9897	MONTANA JACK'S OUTP	601	5309	WENCH	0.00	-1,409.47
TOTAL CHECK								0.00	0.00
101	105723	04/26/23	438	CALIFORNIA AMERICAN	601	5222	CEM 4%	0.00	21.53
101	105723	04/26/23	438	CALIFORNIA AMERICAN	601	5222	1254 DELMONTECEM70%	0.00	226.42
TOTAL CHECK								0.00	247.95
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	601	5222	CREST & RIPPLE	0.00	27.11
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	601	5222	CEMETERY - 1%	0.00	19.41
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	601	5222	CEMETERY	0.00	74.67
TOTAL CHECK								0.00	121.19
101	105778	04/28/23	8118	LLORIN-VELASQUEZ CO	601	5201	CEMETERY MARKER TRI	0.00	2,650.00
101	105802	04/28/23	9754	SAVANNA SANDUSKY	601	5215	MILEAGE REIMBURSEME	0.00	34.85
101	105806	04/28/23	1768	STURDY OIL COMPANY	601	5311	GAS	0.00	-89.98
101	105806	04/28/23	1768	STURDY OIL COMPANY	601	5311	GAS	0.00	98.07
TOTAL CHECK								0.00	8.09
TOTAL CASH ACCOUNT								0.00	3,796.92
TOTAL FUND								0.00	3,796.92

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 76 - SEWER FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105581	04/14/23	2024	PACIFIC GAS & ELECT	611	5222	PW 03/01-03/29 4175	0.00	155.90
101	105581	04/14/23	2024	PACIFIC GAS & ELECT	611	5222	PW 02/27-03/27 5126	0.00	720.86
TOTAL CHECK								0.00	876.76
101	105583	04/14/23	1768	STURDY OIL COMPANY	611	5311	FUEL DIST JAN 2023	0.00	129.42
101	105583	04/14/23	1768	STURDY OIL COMPANY	611	5311	FUEL DIST FEB 2023	0.00	1,778.42
TOTAL CHECK								0.00	1,907.84
101	105647	04/14/23	1896	NEILL ENGINEERS COR	611	5201	ENGINEERING RETAINE	0.00	1,000.00
101	105651	04/14/23	9576	O'REILLY AUTO ENTER	611	5227	UNIT 13A	0.00	81.93
101	105651	04/14/23	9576	O'REILLY AUTO ENTER	611	5227	UNIT 13A	0.00	81.93
TOTAL CHECK								0.00	163.86
101	105657	04/14/23	2219	PURE WATER	611	5309	PURE WATER	0.00	21.50
101	105666	04/14/23	2598	SUBURBAN PROPANE	611	5309	RENTAL	0.00	25.00
101	105673	04/14/23	6777	WALLACE GROUP	611	5201	SSMP 5 YEAR UPDATE	0.00	2,800.00
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	51.57
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	77.94
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	78.37
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	78.81
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	80.81
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	8.04
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	14.19
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	14.19
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	14.19
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	14.19
101	105688	04/19/23	1694	MISSION UNIFORM SER	611	5309	LINEN & UNIFORM CLE	0.00	4.00
TOTAL CHECK								0.00	436.30
101	105689	04/19/23	8330	AMAZON CAPITAL SERV	611	5226	GENERATOR REPAIR	0.00	382.36
101	105723	04/26/23	438	CALIFORNIA AMERICAN	611	5222	1273 CRESPI POND 50	0.00	61.59
101	105723	04/26/23	438	CALIFORNIA AMERICAN	611	5222	100 OCEANVW IRRIG	0.00	40.04
101	105723	04/26/23	438	CALIFORNIA AMERICAN	611	5222	SEWER 8%	0.00	43.07
TOTAL CHECK								0.00	144.70
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	1996 SUNSET DR.	0.00	4.99
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	PUMP RUSSELL SVC CT	0.00	8.28
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	OCEANVIEW BLVD & 8T	0.00	10.18
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	17TH & OCNVW	0.00	84.71
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	520 OCEAN VIEW BLVD	0.00	92.60
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	PUMP STATION	0.00	33.73
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	1996 SUNSET DR.	0.00	37.58
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	360 OCEAN VIEW BLVD	0.00	151.71
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	EARDLEY PUMP #1	0.00	153.27
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	471 OCEAN VIEW BL.	0.00	113.19
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	PUMP RUSSELL SVC CT	0.00	45.43
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	EARDLEY PUMP #1	0.00	56.63

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 76 - SEWER FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	PUMP SUNSET ARENA	0.00	495.27
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	PUMP SUNSET ARENA	0.00	447.30
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	PUMP 17TH & OCNVW	0.00	214.81
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	520 OCEAN VIEW BLVD	0.00	220.35
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	O V 9TH PUMP #2	0.00	369.05
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	471 OCEAN VIEW BL.	0.00	266.89
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	611	5222	PUMP SUNSET ARENA	0.00	185.99
TOTAL CHECK								0.00	2,991.96
101	105733	04/28/23	8330	AMAZON CAPITAL SERV	611	5226	CREDIT GENERATOR RP	0.00	-376.14
101	105735	04/28/23	6154	AT&T	611	5212	PW-SWR 237841132313	0.00	31.62
101	105735	04/28/23	6154	AT&T	611	5212	PW-SWR 237841132412	0.00	31.62
101	105735	04/28/23	6154	AT&T	611	5212	PW-SWR 237841133029	0.00	31.62
101	105735	04/28/23	6154	AT&T	611	5212	PW-SWR	0.00	31.62
TOTAL CHECK								0.00	126.48
101	105791	04/28/23	9576	O'REILLY AUTO ENTER	611	5227	SEWER UNIT 47	0.00	76.60
101	105791	04/28/23	9576	O'REILLY AUTO ENTER	611	5227	SEWER UNIT 47	0.00	950.46
TOTAL CHECK								0.00	1,027.06
101	105806	04/28/23	1768	STURDY OIL COMPANY	611	5311	GAS	0.00	412.55
101	105806	04/28/23	1768	STURDY OIL COMPANY	611	5311	GAS	0.00	1,203.80
TOTAL CHECK								0.00	1,616.35
101	105817	04/28/23	9917	URIEL RODRIGUEZ	611	5215	CLASS B LICESNSE	0.00	89.00
101	V4142025	04/14/23	2987	HARRIS & ASSOCIATES	612	6051	IS/MND -PHASE 9 CIP	0.00	8,187.50
101	V4282024	04/28/23	2987	HARRIS & ASSOCIATES	612	6051	IS/MND -PHASE 9 CIP	0.00	225.00
TOTAL CASH ACCOUNT								0.00	21,645.53
TOTAL FUND								0.00	21,645.53

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 77 - GOLF FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105723	04/26/23	438	CALIFORNIA AMERICAN	625	5222	77 ASILOMAR GOLF HS	0.00	1,570.77
101	105723	04/26/23	438	CALIFORNIA AMERICAN	621	5222	77 ASILOMAR FIRE SV	0.00	79.53
101	105723	04/26/23	438	CALIFORNIA AMERICAN	621	5222	1273 CRESPI POND 50	0.00	61.60
101	105723	04/26/23	438	CALIFORNIA AMERICAN	621	5222	1254 DELMONTEGOLF30	0.00	97.04
TOTAL CHECK								0.00	1,808.94
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	621	5222	1313 OCEAN VIEW BLV	0.00	27.38
101	105727	04/27/23	2024	PACIFIC GAS & ELECT	621	5222	1313 OCEAN VIEW BLV	0.00	73.42
TOTAL CHECK								0.00	100.80
101	105794	04/28/23	7474	PACIFIC GROVE CAPIT	622	6061	2023 Q1 COURSE CO	0.00	8,526.03
TOTAL CASH ACCOUNT								0.00	10,435.77
TOTAL FUND								0.00	10,435.77

SELECTION CRITERIA: transact.ck_date between '20230401 00:00:00.000' and '20230430 00:00:00.000'
ACCOUNTING PERIOD: 11/23

FUND - 84 - AMERICAN RESCUE PLAN-ARPA

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	DIVISION	ACCNT	----DESCRIPTION----	SALES TAX	AMOUNT
101	105597	04/14/23	9704	BOWMAN CONSULTING G	841	6031	PURPLE PIPE FEASIBI	0.00	5,538.80
101	105732	04/28/23	5931	ALLSTAR PAINTING &	841	6021	CIP23-10	0.00	8,800.00
101	105738	04/28/23	9849	AUGUST DESIGN & BUI	841	6021	CIP 23-12	0.00	1,700.00
TOTAL CASH ACCOUNT								0.00	16,038.80
TOTAL FUND								0.00	16,038.80
TOTAL REPORT								0.00	1,645,523.57

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Audrey Cray, Finance & Risk Manager

MEETING DATE: May 17, 2023

SUBJECT: Core Revenue Report - April 2023

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

RECOMMENDATION

1. Receive the report.
2. Alternatively, discuss and take other action related to this item.

DISCUSSION

The City of Pacific Grove's General Fund revenues are primarily derived from Property Tax, Transient Occupancy Tax, and Sales and Use Tax revenues. In the Fiscal Year 22/23 Adopted Budget, these three revenue sources were estimated to generate $21.1 million. These revenues account for approximately 70% of the General Fund's on-going revenues.

Details on the budgeted amounts and revenues to date are included in Attachments 1.

OPTIONS

N/A - This is informational only.

FINANCIAL IMPACT:

There is no fiscal impact associated with receiving this report.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Core Revenue Report - April

Core Revenue Report
Fiscal Year 2022/23 – April 2023

The following tables include the FY22/23 budget and year to date revenues. The receipts represent funds received to date.

PROPERTY TAX

Property Tax is the first largest source of the General Fund revenue. The City typically receives property tax payments in December, April, and June. Unlike other tax revenues, property taxes were not impacted by COVID-19. The following table presents Fiscal Year 2022/23 budget, and revenues received to date.

Property Tax	Amended Budget	YTD Receipts	% of Amended Budget
FY22/23	9,102,000	9,190,940	101%

TRANSIENT OCCUPANCY TAX (TOT)

Transient Occupancy Tax (TOT) is the General Fund's second-largest source of revenue which the City receives on a monthly basis. Unlike property taxes, TOT was significantly impacted by COVID-19 in Fiscal Years 2019/20 and 2020/21. The following table presents Fiscal Year 2022/23 budget and revenues received to date.

Transient Occupancy Tax	Amended Budget	YTD Receipts	% of Amended Budget
FY22/23	6,387,000	4,781,972	74.9%

The City receives transient occupancy tax in the month following the stay. The revenues received in April are for the March lodging period.

The following table shows a monthly breakdown of TOT revenues when compared to the same month last year. The 2020/21 TOT reduction in December and January primarily resulted from temporary COVID-19 restrictions.

Lodging Period	2020/21	2021/22	2022/23	Net Difference
July	289,435	673,475	797,756	124,281
August	340,019	730,578	818,939	88,361
September	327,958	578,129	639,644	61,515
October	347,103	475,290	589,714	114,424
November	216,516	431,862	411,136	-20,726
December	90,066	378,655	371,160	-7,495
January	109,118	314,248	370,713	56,465
February [1,2]	205,512	412,711	336,277	-76,434
March [2]	334,004	476,041	446,634	-29,407
April	379,613	568,275	-	-
May	428,612	612,496	-	-
June	518,002	621,212	-	-
Total	3,585,958	6,272,972	4,781,972	310,984
April 2023 revenues are anticipated to be received in late May.				

[1] Totals restated for February 2023 due to allocation adjustment.

[2] The reduction in TOT revenues for the February and March 2023 lodging periods could be partially attributed to the impact of the winter storms·

SALES AND USE TAX

Sales and Use tax are the third largest source of the City's General Fund revenues. The City receives a 1% Bradley Burns Tax and a 1% Measure U Transactions and Use Tax.

The Fiscal Year 22/23 Adopted Budget reflects the addition of Measure A revenues, a 0.50% Transactions and Use Tax. This tax became effective on October 1, 2022. Three-quarters of Measure A funds have been incorporated into the annual projections.

The impact of COVID-19 on the Sales and Use tax revenues was less significant when compared to TOT. The following table presents the Fiscal Year 22/23 budget and revenues received to date.

Sales and Use Tax	Amended Budget	YTD Receipts	% of Amended Budget
FY22/23	5,564,000	3,444,339	61.3%

The following table presents Fiscal Year 2022/23 revenues received to date.

Remittance Period	2020/21	2021/22	2022/23	Net Difference
July Advance	358,945	303,144	350,801	47,657
August Advance	427,105	507,200	364,694	-142,506
September True-up	243,269	287,224	475,273	188,049
October Advance	343,188	311,118	411,967	100,849
November Advance	333,869	324,181	424,467	100,286
December True-up	302,359	479,810	658,665	178,855
January Advance	281,830	260,937	368,119	107,182
February Advance	339,550	316,738	390,353	73,615
March True-up	239,864	471,617	-	-
April Advance	314,606	329,326	-	-
May Advance	395,212	436,035	-	-
June True-Up	481,058	513,452	-	-
Total	4,060,855	4,540,782	3,444,339	653,987
March 2023 payments are anticipated to be received in late May as the State pays the city two months in arrears				

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Joe Amelio, Councilmember

MEETING DATE: May 17, 2023

SUBJECT: Monterey-Salinas Transit Meeting Minutes of April 10, 2023

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

RECOMMENDATION

Receive minutes.

Attachments

MST Minutes

MEETING OF THE MST BOARD OF DIRECTORS

MEETING MINUTES

April 10, 2023
10:00 am (Pacific)

Present:	Anna Velazquez, Chair	City of Soledad
	Kim Shirley	City of Del Rey Oaks
	Lorraine Worthy	City of Gonzales
	Angela Untalon	City of Greenfield
	Mike LeBarre	City of King
	Liesbeth Visscher	City of Marina
	Ed Smith	City of Monterey
	Joe Amelio	City of Pacific Grove
	Tony Barrera	City of Salinas
	Dave Pacheco	City of Seaside
	Luis Alejo	County of Monterey
Absent:	Jeff Baron	City of Carmel-by-the-Sea
	Mary Ann Carbone, Vice Chair	City of Sand City
Counsel:	Michael D Laredo	De Lay & Laredo
	David C. Laredo	De Lay & Laredo
Staff:	Carl Sedoryk	General Manager/CEO
	Lisa Rheinheimer	Assistant General Manager
	Michael Kohlman	Chief Information Officer
	Norman Tuitavuki	Chief Operating Officer
	Kelly Halcon	Director of HR & Risk Management
	Michelle Overmeyer	Director of Planning and Innovation
	Jeanette Alegar-Rocha	Deputy Secretary/Clerk to the Board
	Andrea Williams	Finance Manager
	Beronica Carriedo	C/S & Community Relations Supervisor
	Cristy Sugabo	Mobility Services Supervisor
	Daniel Bruno	Scheduling Assistant
	Deanna Smith	Civil Rights Officer
	Elena Grigorichina	Operations Analyst
	Emma Patel	Associate Planner
	Ezequiel Rebollar	IT Technician
	Ikuyo Yoneda-Lopez	Marketing & Communications Manager

	Jacqueline Munoz	C/S Representative
	Jaime Molina	Communications Systems Specialist
	Kaleb Aquino-Lopez	Mobility Specialist
	Matthew Deal	Grants Analyst
	Marzette Henderson	Transportation Manager
	Natalie Flores	Assistant Planner
	Paul Lopez	Facilities Manager
	Scott Taylor	IT Manager
	Tiziano Minelli	Operations Superintendent
	Ursulla Scardina	Marketing Assistant
	Vince Dang	Project Management Coordinator
Public:	Jasmine Mejia-Cortez	Office of County Supervisor Luis Alejo
	Christine Watson	TAMC
	Chris Duymich	AMBAG
	Tate Baugh	Member of the Public

1. CALL TO ORDER

1-1. Roll Call.

1-2. Pledge of Allegiance.

Chair Velazquez called the meeting to order at 10:00 a.m. Roll call was taken, and a quorum was established. Director Angela Untalon (City of Greenfield) led the pledge of allegiance.

1-3. Review Highlights of the agenda. (Carl Sedoryk)

Carl Sedoryk reviewed the highlights of the agenda.

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

3. CONSENT AGENDA

These items will be approved by a single motion. Anyone may request that an item be discussed and considered separately.

3-1. Adopt Resolution 2023-32 Recognizing Matthew Deal, Grants Analyst as Employee of the Month for April 2023. (Michelle Overmeyer)

3-2. Approve Minutes of the MST Board Meeting on March 13, 2023. (Jeanette Alegar-Rocha)

3-3. Reappoint Measure Q Oversight Committee Members Bobby Merritt and Steven Macias to a New 3-Year Term. (Lisa Rheinheimer)

3-4. Receive Report on Lost and Found Items Left on MST Property for the Month of November 2022. (Beronica Carriedo)

3-5. Financial Reports – February 2023. (Lori Lee)
a) Accept Report of February 2023 Cash Flow Presented in Attachment #1
b) Approve February 2023 Disbursements Listed in Attachment #2
c) Accept report of February 2023 Treasury Transactions Listed in Attachment #3

3-6. Reject Claim by the Claimant Stephanie Jimenez-Garcia. (Lisa Cox)

3-7. Authorize the Disposal of Thirteen (13) MST-Owned Vehicles that Have Reached or Exceeded Their Useful Life. (Norman K. Tuitavuki)

3-8. Ratify Final Settlement Agreement Between MST and SNG Evariste, Concluding the SNG Evariste, LLC v. Monterey-Salinas Transit, Monterey County Superior Court, Case No. 21CV002572. (Carl Sedoryk/David Laredo)

There were no public comments on the consent agenda.

Director Alejo made a motion to approve the Consent Agenda, including revised item 3-3 for the Measure Q Oversight Committee reappointments and terms of office, and was seconded by Director LeBarre. The motion passed unanimously.

4. RECOGNITIONS AND SPECIAL PRESENTATIONS

4-1. March 2023 Employee of the Month – Marzette Henderson (Norman Tuitavuki)

4-2. April 2023 Employee of the Month – Matthew Deal (Michelle Overmeyer)

4-3. 30 Year Service Anniversary – George Alvarez (Norman Tuitavuki)

4-4. 35 Year Service Anniversary – Tiziano Minelli (Norman Tuitavuki)

4-5. 40 Year Service Anniversary – Janet Madler (Norman Tuitavuki)

5. PUBLIC HEARINGS

5-1. FY 2023 Program of Projects. (Matthew Deal)
a) Conduct Public Hearing for FY 2023 Program of Projects,
b) Adopt the FY 2023 Program of Projects, and
c) Authorize the Filing of the Appropriate Grant Applications with the Federal Transit Administration and Caltrans.

Chair Velazquez opened the public hearing for the FY 2023 Program of Projects.

There were no public comments on item 5-1.

Chair Velazquez closed the public hearing.

Director LeBarre made a motion to adopt the FY 2023 Program of Projects and authorize the filing of the appropriate grant applications with the Federal Transit Administration and Caltrans, which was seconded by Director Smith. The motion passed unanimously.

6. ACTION ITEMS

6-1. Approve Resolution 2023-33 Authorizing the Certifications and Assurances, Authorized Agent Forms, and Execution of the LCTOP Projects for FY 22/23. (Matthew Deal)

There were no public comments on item 6-1.

Director Barrera made a motion to approve Resolution 2023-33 authorizing the certifications and assurances, authorized agent forms, and execution of the LCTOP projects for FY22/23, which was seconded by Director Amelio. The motion passed unanimously.

6-2. Approve a Free Fare Zone in the Community of Pajaro through June 30, 2023. (Lisa Rheinheimer)

There were no public comments on item 6-2.

Director Alejo made a motion to approve a Free Fare Zone in the community of Pajaro through June 30, 2023, which was seconded by Director Pacheco. The motion passed unanimously.

7. REPORTS & INFORMATION ITEMS

The Board will receive and file these reports, which do not require action by the Board.

7-1. General Manager/CEO Monthly Report – February 2023

7-2. Federal Legislative Advocacy Report

7-3. State Legislative Advocacy Update

7-4. Staff Trip Reports

7-5. Correspondence

8. BOARD REPORTS, COMMENTS, AND REFERRALS

8-1. Reports on Meetings Attended by Board Members at MST Expense. (AB 1234)

8-2. Board Member Comments and Announcements.

a) CTA Spring Legislative Conference, May 15-16, 2023, Sacramento, CA, early registration due date April 14.

Director LeBarre commented that he has attended CTA Legislative Conferences in the past and encouraged fellow Board members to attend. Chair Velazquez asked that interested Board members contact her if they wish to attend.

Alternate Angela Untalon, City of Greenfield, announced that Yanely Martinez is no longer serving on the MST Board. The Greenfield City Council will meet on Tuesday, April 11, 2023 to appoint a new council member to the MST Board.

Director Barrera announced an event on Saturday, April 15 from 12:00 pm - 2:00 pm at the Oscar Martin Luther King Academy showcasing a former MST Bus that was transformed into a Salinas Science Workshop on Wheels.

Carl Sedoryk commented on the representative vacancy for South County cities on the Measure Q Oversight Committee as noted on the revised agenda item 3-3 and asked the Board for any recommendations.

8-3. Board Member Referrals for Future Agendas.

9. ATTACHMENTS

9-1. The Detailed Monthly Performance Statistics and Disbursement Journal for February 2023 can be viewed online within the GM Report at http://mst.org/about-mst/board-of-directors/board-meetings/

10. CLOSED SESSION

Members of the public may address the Board on any matter related to Closed Session. There is a time limit of not more than three minutes for each speaker. The Board will not take action or respond immediately to any public comments presented, but may choose to follow-up at a later time individually, through staff, or on a subsequent agenda. ***(Please refer to page 1 of the agenda for instructions)***

10-1. Conference with Labor Negotiators, Gov. Code § 54957.6: ATU, MSTEA, Confidential Unit, General Manager/CEO and MST. (Kelly Halcon/Michael D. Laredo)

Michael Laredo, MST General Counsel, reported that the Board received an update but no reportable action was taken.

11. ADJOURN

With no further business to discuss, Chair Velazquez adjourned the meeting at 11:20 a.m. (Pacific).

Prepared by: _____ Reviewed by: _____
Jeanette Alegar-Rocha Carl G. Sedoryk

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 & Jennifer Pope, Management Analyst
MEETING DATE:	May 17, 2023
SUBJECT:	Agreement with Chavan & Associates, LLP for Independent Financial Audit Services ***Action required by May 17, 2023.***
CEQA:	Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

1. Authorize the Mayor to execute a three-year agreement with Chavan and Associates, LLP for independent financial audit services for an amount not to exceed $138,000, with an option for two one-year extensions (with an 8% increase in 2026); or
2. Alternatively, discuss and take other action related to this item.

DISCUSSION

The City is required to conduct an annual independent financial audit in accordance with generally accepted auditing standards.

To ensure that the City continues to receive the best audit services at the most competitive price, a Request for Proposal was issued on March 21, 2023, soliciting proposals for a three-year agreement. The City's RFP was circulated to fourteen audit firms and posted to the City website. The scope of services for the City Audit Services RFP included:

- City Audit, ACFR, and Management Letters
- State Controller's Annual Street Report & Financial Transactions Report
- Measure X
- Single Audit
- GANN Limit Review

The City received three proposals in response to the RFP. A five-person panel independently evaluated the proposals and together interviewed the three firms (with one person absent for one of the interviews).

The audit firms were evaluated on the following criteria:

- Understanding of the audit scope of services
- Experience in conducting audits with similar local government agencies
- Education, work experience, and directly related audit experience
- Price

- References

Shortly after the interviews, one firm withdrew its proposal due to newly awarded contracts. Of the two remaining audit firms that were interviewed, Chavan and Associates (C &A), LLP, the City's current auditor, ranked first in the overall ranking system. This firm was placed first due to qualifications, experience with similar size organizations, response time, and knowledge of the scope of services. This includes the availability of audit partners in the field for potential questions, a flexible schedule, and the ability to assist staff with the implementation of new accounting pronouncements. C &A also offered the required audit services for the lowest price. A copy of their proposal is included in Attachments 1 and 2.

C & A also participates in the American Institute of Certified Public Accountants (AICPA) Peer Review Program for System Reviews. This independent evaluation focuses on a firm's system of quality control to perform accounting and audit work. C & A successfully completed a peer review in February 2022. A copy of the CalCPA Peer Review letter is included in the last section of Attachment 1.

While the City has used Chavan and Associates in the prior years, there are sufficient staff members to provide compliance with Government Code Section 12410.6 (b). This code requires a local government to not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner have primarily responsibilities for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency for six consecutive years (Attachment 3). This requirement can be fulfilled by the following C & A staff: Sheldon Chavan, Managing Partner; Paul Pham, Associate Partner; and Jeff Ira, Independent Reviewer. A new audit supervisor and on-site team can also be assigned, as well.

C & A has also previously provided the City with value-added services at no additional cost. This included providing up to eight hours of City staff training related to the Single Audit Requirements; assistance with a new accounting pronouncement GASB 87 - Leases; and audits of the Golf Course agreement revenues and Airbnb.

A copy of the proposed contract is not included with this staff report. The language does not deviate from City's standard contract template that has been approved by the City Attorney and the City's Risk Management Joint Powers Authority (JPA).

To be placed on an audit schedule, time is of the essence in approving a contract for audit services. Due to Council's concern expressed with the audit rotation requirement, the alternate firm submitting a proposal is the Pun Group. The proposed annual amount for audit services is $60,500 for the first year, with a 3% increase in each subsequent year. The Pun Group is proposing using their standard contract. Should the Council choose to select the alternate firm, staff is recommending that the Council authorize the Mayor to sign an agreement with the Pun Group in a form approved by the City Attorney.

OPTIONS

1. Do not authorize the agreement. Failure to authorize an agreement will delay the annual financial audit and production of the Annual Comprehensive Financial Report.
2. Provide alternate directions.

FINANCIAL IMPACT:

The previous audit services contract was $47,000 for FY 2022/2023. The proposed agreement with Chavan and Associates, LLP is for $46,000 per year for three years for a total of $138,000. Funds have been allocated for audit services in the FY 2023/2024 operating budget for the first year of services.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Chavan & Associates, LLP Proposal

Chavan & Associates, LLP Fees

Government Code 12410.6 - Auditor Rotation Requirements of Local Governments

PROPOSAL FOR CONDUCTING

THE ANNUAL INDEPENDENT AUDIT
OF THE

CITY OF PACIFIC GROVE

Submitted April 19, 2023

Chavan & Associates, LLP
Certified Public Accountants
15105 Concord Circle, Suite 130
Morgan Hill, CA 95037
Phone: (650) 346-1329
Fax: (408) 872-4159
E-mail: sheldon@cnallp.com
Contact: Sheldon Chavan, Partner

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Chavan and Associates, llp
Certified Public Accountants

April 19, 2023

City of Pacific Grove
Administrative Services Department
Attn: Jennifer Pope, Management Analyst
300 Forest Avenue
Pacific Grove, CA 93950

We are pleased to have this opportunity to submit our proposal to provide auditing services for the City of Pacific Grove (the "City"). Our understanding of the work outlined in the request for proposal is that we will audit the financial statements of the City for fiscal years ending June 30, 2023, 2024 and 2025, with two option years.

Our audits will be performed in accordance with auditing standards generally accepted in the United States of America, the standards set forth for financial audits in the United States General Accounting Office's (GAO) *Government Auditing Standards*, the provisions of the Federal Single Audit Act of 1984 and the Single Audit Act Amendments of 1996; the U. S. Office of Management and Budget's (OMB) guidance for federal awards and agreements as provided in the Code of Federal Regulation (CFR) 2 Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards and relevant Governmental Accounting Standards Board (GASB) Statements. We will also apply the necessary procedures to prepare the reports as requested in the RFP and noted in our cost proposal.

As a result of our audit, we will express an opinion on the fair presentation of the basic financial statements, as listed in the RFP, in accordance with GAAP. We will also issue a report on internal controls over financial reporting and on compliance with applicable laws and regulations in accordance with *Government Auditing Standards*.

Throughout the contract period, we will provide consultation on accounting and compliance issues and attend meetings to discuss the audit and management comments. It is our commitment to the City that we will complete the work within the agreed time frame and that we have the resources, time and personnel to dedicate to this engagement for the entirety of the contact. We are confident Chavan & Associates LLP ("C&A") is the best-qualified firm to serve as your independent auditors. A brief list of reasons includes:

- We specialize in the audits of local governments and not for profit entities.
- Our partners/reviewers have 79 years of combined experience auditing local governments.
- Our firm and key professionals are properly licensed to practice in the state of California.
- Our service will be dependable, reliable and timely.
- We will be sensitive to your workload. We understand you and your staff must keep up with your current work as well as deal with the audit.

15105 Concord Circle, Ste. 130, Morgan Hill, CA 95037
Tel: 408-217-8749 • E-Fax: 408-872-4159
info@cnallp.com • www.cnallp.com

- Our staff and partners are available twelve months of the year to serve our audit clients. You are important to our firm and we promise a high level of involvement and enthusiasm at all levels.
- The engagement partner will attend all conferences and meetings and will supervise the audit directly during each year and phase of the engagement.
- We offer flexible staffing and scheduling. We can send a full team onsite, work 100% remotely, or send a small team on site to minimize COVID-19 exposure. All of our team members are vaccinated and will follow your policies in regard to COVID-19.
- To improve the efficiency of the audit process, we use an online software, Engagement Organizer (EO), to provide a list of information and monitor the workflow during the audit. The link to EO is provided early during the planning process and includes items for both interim and year-end work, such that we can edit the list as needed moving forward. All documents can be uploaded here and notes, status updates and comments are done through EO. We also have a secure portal as an additional way to share information.

We have a full-time IT manager on staff that is available to assist throughout the audit. All of our partners and staff are familiar with software utilization and data extraction. We also focus on the management of user ID's, passwords, and password authentication tools. Finally, when performing test of controls, we look for controls that will prevent email scams, such as requests to change remittance advice for a vendor's invoice.

While most of our clients prefer digitally published reports in pdf format, we have invested in HP color printers, binding machines and binding supplies, to provide professional bound reports to clients whom still appreciate a printed report. Our team has been printing, binding and publishing ACFR's and similar reports for over forty years; beginning with Jeff Ira back in the 1980's.

Staffing for the audit will include one Engagement Partner, one Associate Partner, one Senior Auditor, two Professional Staff and one Administrative Staff. The Engagement Partner, one Senior and two Staff will be assigned to visit your offices, as feasible with regard to COVID-19 circumstances.

Sheldon Chavan and Paul Pham are the partners authorized to sign and obligate the firm contractually and represent the firm. He is empowered to submit the bid and authorized to sign a contract. This proposal is a firm and irrevocable offer for 120 days. We accept the standard terms of the contract per Exhibit A of the RFP. We look forward to being of service to you.

Very truly yours,

C & A LLP

Sheldon Chavan, C.P.A., Partner
Chavan & Associates, LLP

15105 Concord Circle, Ste. 130, Morgan Hill, CA 95037
Tel: 408-217-8749 • E-Fax: 408-872-4159
info@cnallp.com • www.cnallp.com

Section A

Firm Qualifications & Experience

Independence

C&A is independent of the City and all of its component units as defined by generally accepted auditing standards and the **U.S. General Accountability Office's *Government Auditing Standards***. *In all matters relating to the audit work, the audit organization and individual auditors, whether government or public, should be free from personal and external impairments to independence, should be fiscally independent, and should maintain an independent attitude and appearance.*

C&A did not have any professional relationships involving the City of Pacific Grove, or any of its agencies and component units, for the past five (5) years that would cause a conflict of interest relative to the scope of services identified in the request for proposal.

License to Practice in the State of California

C&A and all key professionals are properly licensed to practice as certified public accountants in the State of California and do not have any record of substandard work or unsatisfactory performance pending with the State Board of Accountancy. C&A is registered with the California State Board of Accountancy and our stat number is PAR 7294.

Contractor Identification and Introduction

Company Name:	Chavan & Associates, LLP (C&A)
Address:	15105 Concord Circle, Suite 130, Morgan Hill, CA 95037
Office:	408-217-8749
Fax:	408-872-4159
E-mail:	Sheldon@cnallp.com
CA File Number:	202009218003
FEIN:	27-0630496
Authorized to Sign:	Sheldon Chavan, Partner; Paul Pham, Partner

Single Audit Experience

Our partners and reviewers have performed audits under Governmental Auditing Standards, the Single Audit Act and the State Controller's Office Minimum Audit Requirements for a combined 79 years; Sheldon for 24 years, Jeff Ira for 40 years, and Paul Pham for 15 years. In August of 2009, we established C&A as a limited liability partnership. C&A is a local audit firm in San Jose, CA specializing in local government auditing and consulting. We have audited and prepared Annual Comprehensive Financial Reports **(ACFRs)** and basic financial statements as required by the Government Finance Officers Association **(GFOA)** and the Governmental Accounting Standards Board **(GASB)** for cities, fire districts, water districts, sanitation districts, JPAs and other types of special districts. Our partners have been reviewers of ACFRs for the **GFOA and CSMFO**. Most recently, C&A **prepared ACFRs** of City of Saratoga, the City of Oroville, City of Suisun, City of Pacific Grove, and City of Carmel-by-the Sea for the year ending June 30, 2022. Our goal at C&A is to provide premium audit services at a reasonable fee. We believe that continuous partner involvement helps us achieve our goal, which is why our partners are constantly involved in every audit. Ultimately, minimizing on-the-job training allows us to focus exclusively on servicing our clients.

After starting the firm with only 9 clients in 2009, we currently have approximately **200 government**, nonprofit and grant **engagements** covering about 100 clients, 40 of which were required to have a single audit under uniform guidance in the last audit season. Our firm's experience includes numerous audits under state and federal compliance audit guides, including the Minimum Audit Requirements and Reporting Guidelines for Cities as required by the State Controller's Office. **What makes us unique from other audit firms** is that we eliminate "on-the-job" training through intensive in-house training, audit planning, and by having partners in the field throughout the entire engagement (not just "spot-checking"). The daily interaction with our Engagement Partner has been invaluable to our clients as it provides the opportunity for immediate feedback and the chance to ask questions related to accounting, account coding, grant requirements, ACFR requirements, budgeting, and much more. Auditing is the main focus of our practice and we are available to start as early as February 1st, however **our calendar is flexible**.

C&A is also a member of the **AICPA's Government Audit Quality Center** which promotes the importance of quality governmental audits and the value of such audits to purchasers of governmental audit services. GAQC is a voluntary membership center for CPA firms and state audit organizations that perform governmental audits.

Firm Size, Staff Size, Location and Staffing

We also have **fourteen** professional, full-time staff in addition to our partners and two administrative staff that will be available to assist as needed throughout the engagement. Our engagement partners are directly involved with the audits. Our central office is located in Morgan Hill, CA. Staffing for the City's audit will include the following professionals (audit experience):

Sheldon Chavan, CPA, Managing Partner (24 years)

Jeff Ira, Reviewer (40 Years)

Paul Pham, CPA, Associate Partner (15 years)

Niru Machiraju, Supervisor (6 years)

Andrew Quintero, Senior Auditor (5 years)

Matthew Ojeda, Senior Auditor (7 years)

One of the professional staff could change from year to year. The City will be notified of any staff changes prior to fieldwork. The Engagement Partner, manager, and supervisor will be the same during each year of the engagement.

Range of Services

The following summarizes the range of services we provide:

Entity Type	Number of Clients	Percent by Entity	Auditing	Management, Accounting & Other	Nonprofit Tax
Local Education Agencies	**33**	**30%**	100%	0%	0%
Charter Schools	**13**	**12%**	100%	0%	100%
Non-profit Organizations	**22**	**20%**	91%	0%	68%
Cities and Towns	**14**	**13%**	79%	0%	0%
Special Districts	**19**	**17%**	84%	16%	0%
Privately Held	**9**	**8%**	67%	22%	0%

	GAAS Audit	GAGAS Audit	Single Audit	Bond Audit	EAAP Audit
Percent by Service Type	92%	75%	39%	19%	41%

Contract Terminations and Affirmation Concerning Substandard Audit Work

C&A and all assigned personnel do not have any record of substandard work, contract failures, outstanding claims, litigation, investigations, or other unsatisfactory performance issues against us or pending with the State Board of Accountancy or any other entity. In addition, we have not had any federal or state desk review or field reviews of our audits. C&A has no record of lost clients or contract failures.

Equal Opportunity Employer

C&A is an equal opportunity employer and is in compliance with the Civil Rights Act of 1964, the State Fair Employment Practice Act, and all applicable federal and state laws and regulations relating to equality.

Subcontractor

C&A will not be engaged with any subcontractors during this engagement.

Business Licenses

C&A will obtain and maintain a valid business license throughout the duration of the contract, as applicable.

Quality Control Review

We are enrolled in the AICPA quality control peer review program. Our peer review was performed in compliance with AICPA and GAO requirements and included a selection of government audit engagements. Our audits complied with auditing standards generally accepted in the United States of America and Generally Accepted Governmental Auditing Standards.

Section B

Specific Audit Approach

The C&A audit approach begins with an entrance conference between Sheldon Chavan and management to gather information for risk assessment and audit planning. Upon the conclusion of the entrance conference, Sheldon will plan and schedule C&A's **three phase audit** approach and prepare a list of items to be provided for Phase I of the audit. Significant aspects of each phase are outlined below as augmented based on our review of the City's financial reports, RFP, Budget documents, and Council and Finance Commission agendas and minutes:

Three Phase Audit Approach

Phase I - Planning and Risk Assessment

This phase is designed to evaluate your operating and accounting procedures and will provide the basis for a significant portion of our letter to management. The results of our work during this phase will determine our audit approach for significant accounts and compliance. We plan to begin this phase by meeting with management and the Finance Commission to plan the audit and discuss any significant issues with the proposed audit plan and timeline.

At least six weeks prior to the beginning of this phase, we intend to provide the City with a link to Engagement Organize ("EO")r detailing the information and timing that will be needed in order to facilitate the completion of the audit in a timely manner. Having all items in EO uploaded prior to the beginning of the audit field work will allow us to complete the audit within the allotted time frame or earlier. We will also begin the testing of federal compliance for major programs during this phase, if applicable. The EO will include Phase I, II, and III items once uploaded and will updated during the year. The City will be able to leave notes on each item, upload attachments and message our team through EO.

Internal Controls Documentation

We plan the audit and obtain our **understanding of the internal control structure**, control environment, and accounting system through:

- Inquiries of appropriate management and staff personnel.
- Inspection of the City's documents, records, budget and related materials, organizational charts, manuals and programs.
- Observation of the City's activities and operations to corroborate the results of inquiries.
- Testing of the controls to determine they are operating as planned.
- Performance of preliminary analytical review on interim financials. The analytical review entails comparing similar information for the same time frame from the prior year and also comparing current year-to-date information to the budget to determine areas that may need additional attention during Phase II.
- Review and evaluation of the City's financial and other management **information system controls** and procedures. Our staff has gained invaluable experience with systems such as HTE, Multiple Operation Management (MOM), Springbrook, Pentamation**,** QuickBooks, Digital Schools, **SunGuard**, Escape, FUND$, CECC, SACS, Financial 2000, SASi and many others. It is our goal to maximize the usage of your computer system during the audit.

This phase constitutes approximately 40% of all non-clerical hours of the engagement and may be combined with Phase II if desired. At the completion of Phase I, an exit conference will be held to discuss findings and recommendations and prepare for Phase II.

Phase II - Substantive Audit Procedures and Compliance

This phase is designed to complete our substantive and compliance audit procedures on the accounts of the City. The approach for Phase II will be based on the results of Phase I. Audit programs will be tailored for your City's needs. This work will begin after the closing of your books.

Sample size and selection is based on our assessment of risk and planned or actual deviations. A typical **sample size will be 25 to 60** items and be randomly selected. Our sampling methods vary depending on the type of tests we perform. Sample selection for compliance work will be based on the respective compliance and audit guides, KC, our experience and judgment, and other various sources. We use Knowledge Coach (KC) audit programs by Commerce Clearing House (CCH) to assist in our risk determination and sampling selection. We also use **ProSystems fx Engagement** paperless audit, Microsoft Excel, and Microsoft Word on laptops to perform the audit. Generally, we prefer information provided in electronic format, however we use production scanners in the office and portable scanners in the field for information that is unavailable in electronic format.

Sampling Methods

Analytical procedures during Phase II involve comparing current data to prior year and budget data, calculating dollar and percentage variances and investigating differences. We also analyze trends and relationships of the various financial statement components and ratios.

Analytical Procedures & Laws and Regulations

Laws and regulations subject to audit will be determined based on inquiry and familiarity we gain with the City and with state and federal compliance requirements. We also attend seminars and webinars related to state and federal regulations to keep abreast of new requirements.

Phase II will take approximately 40% of the engagement hours. At this time, an exit conference will be held to discuss findings and recommendations, the status of new accounting principles and reporting requirements, and prepare for Phase III.

Phase III - Financial Statement Preparation and Review

This phase consists of preparing or assisting with the preparation of your financial statements, **as required in the RFP**, in conformity with accounting principles generally accepted in the United States of America. We will also prepare all other financial and compliance reports required of us as listed on the RFP. The required reports and management letter will be submitted to management as noted in the timeline in the RFP, unless otherwise agreed. We will also ensure that new GASB pronouncements identified in phase I and II have been appropriately accounted for and disclosed in the financial statements and that the impact of these statements is sufficiently presented in our audit reports. The most efficient way to ensure we meet the reporting deadlines is to have the audited trial balance and final adjustment completed by the last day of field work. This, in combination of the automation provided by **Prosystems Engagement** will reduce the lag time from the completion of field work and report issuance.

Our reporting process is automated through our audit software. Once we obtain the City's trial balance in electronic format, we can import that into our system, which will automatically code and update all financial statements and most note disclosures in the financial statements and notes. We can also auto

link tables, charts and other documents the City would like to generate. **All of this information can be shared through our online secure lockbox/fileshare website at www.cnallp.com** and through our **online engagement portal** which is linked to our list of items. All agreed upon adjustments will be linked in our audit software. This greatly reduces the report preparation time and involvement of City staff and creates more opportunity for review of information systems, internal controls and management recommendations. At the end of this phase we will provide a summary of audit adjustments and uncorrected misstatements (passed adjustments).

We anticipate that Phase III will comprise approximately 20% of the engagement hours, including the majority of the clerical hours. The timing of each phase of the audit is estimated based on the assumption that the City will meet their close schedule and responsibilities as noted in the request for proposal.

Please note that we generally hold entrance conferences at the beginning of Phase I and II and exit conferences at the end of Phase I, II and III. However, we are available to meet with the City at any time.

Compliance and Program Specific Auditing

Included in all phases are specific procedures required to complete individual compliance items. Analytic and sampling procedures generally follow those described in the preceding phase, but are modified, when needed, to meet specific guidelines of the programs audited.

Recommendations for Improved Operations

We feel we have accumulated valuable knowledge in accounting and auditing which has allowed us to offer a wide range of specific recommendations to increase the efficiency and effectiveness of our audit clients. With our background, we can provide services that may be very beneficial to you presently and in the future. As our client, you can look to us for informed support **year-round in all areas of interest or concern**. In the course of our engagement with the City, we will provide prompt, knowledgeable answers to your questions regarding all aspects of accounting, finance, management, and operations. It is our policy to discuss discrepancies and recommendations with City staff directly involved and then with management, as necessary. If an item warrants inclusion in the report as a finding, we will obtain management's responses to each finding. All responses will be reviewed with management and relevant committees before they are presented to the City Council.

Irregularities and Illegal Acts

We will make an immediate, written report of all irregularities and illegal acts or indications of illegal acts of which we become aware to the Audit Committee (or similar) and Attorney.

Control Risk Assessment

As part of our audit approach, we use KC forms, narratives, questionnaires and summary schedules to gain an understanding of the control environment and assess its overall effectiveness. This helps us identify the types of potential misstatements and factors that affect the risk of material misstatement and their impact on the audit plan.

Analytical Procedures

Analytical procedures are used at three points of time during our audit; planning, substantive testing, and final review of the completed financial statements. Analytical procedures are used to obtain

knowledge of conditions and events, to indicate the presence of possible misstatements, to provide substantive evidence of balances and to assess the financial condition of the City.

As we obtain knowledge about the City, we will be able to direct our attention to areas requiring greater audit emphasis as well as provide substantive evidence in support of recorded account balances.

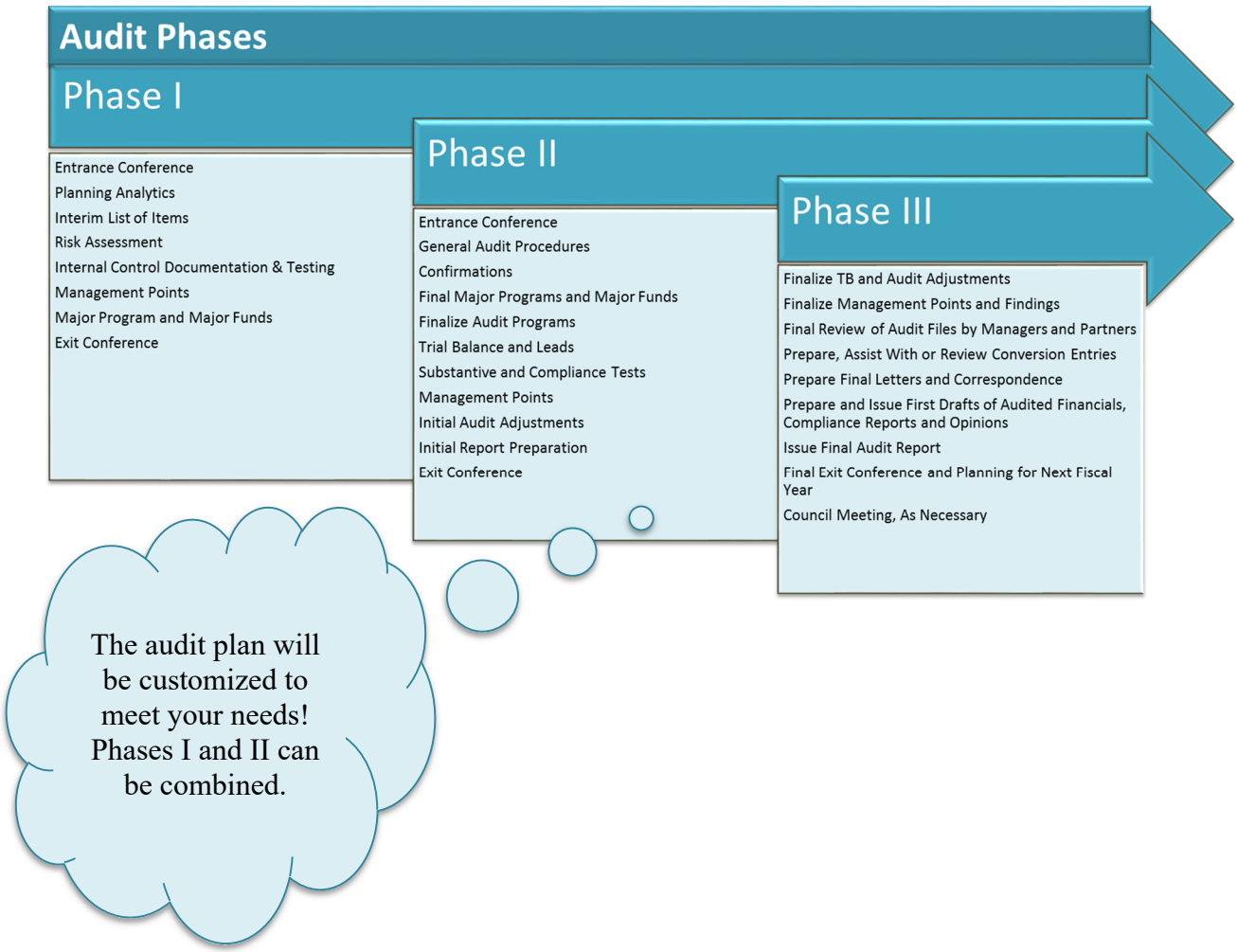
Identification of Potential Audit Problems

Each year we approach the audit objectively and use a risk-based approach to anticipate any potential audit problems. If anything were to come to our attention during the course of the audit, it would be reported to the proper management level depending on the nature of the problem and as noted in the RFP.

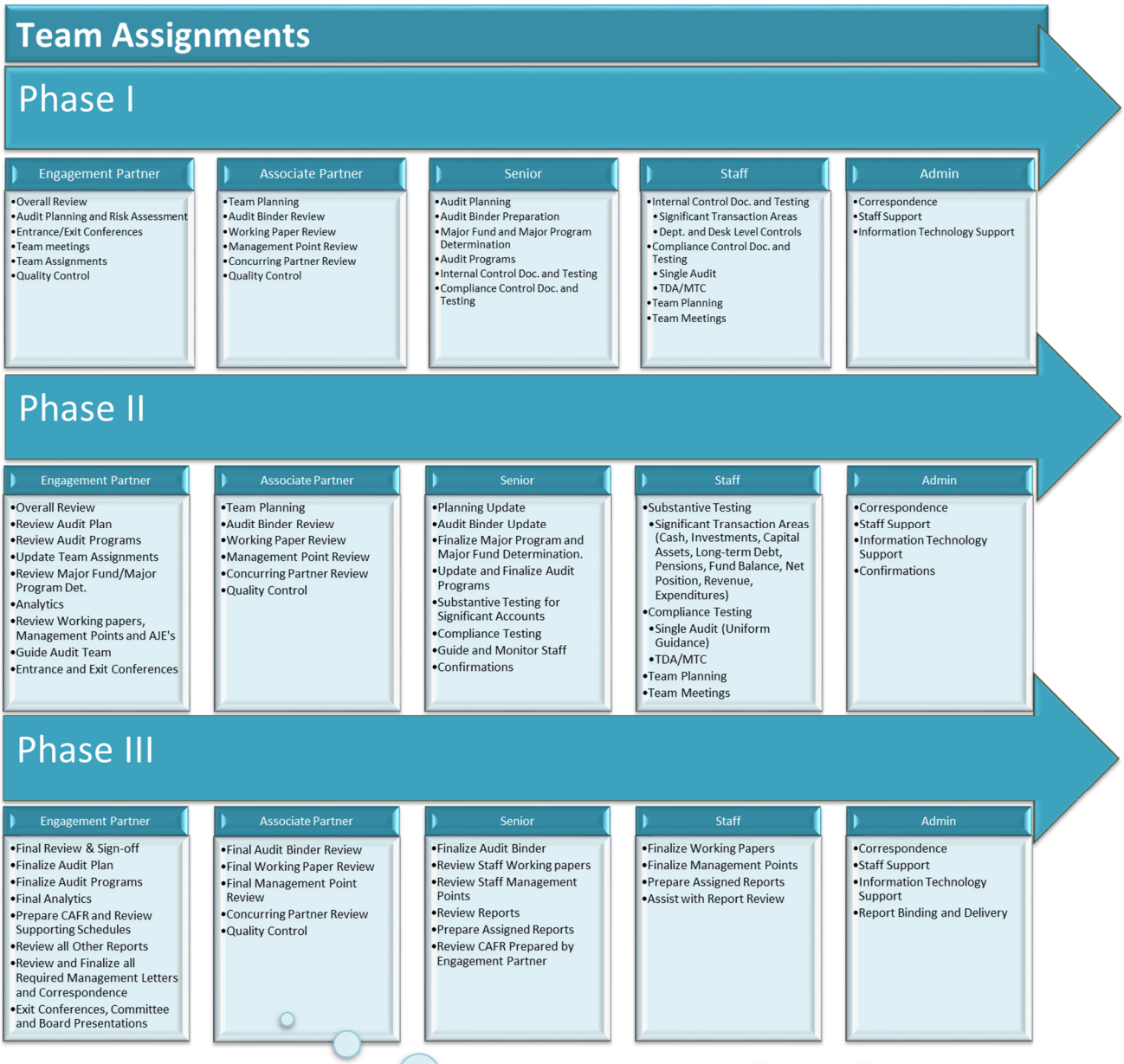
Resources Available for Standards Interpretations

In addition to the items published by GFOA, AICPA, FASB, and GASB, we use RIA checkpoint and Thompsons as our main online reference material. As our client, the City will have access to all our resources.

Summary of Audit Phases (Generalized, Not All-Inclusive)



Summary of Team Assignments (Generalized, All-Inclusive)



The above chart provides a general overview of typical team assignments.

Summary of Roles and Responsibilities (Not All-Inclusive)

General Roles and Responsibilities

Phase I

C&A LLP

The Engagement Partner will be responsible the overall planning, scheduling, review and coordination of Phase I.

The Associate Partner will provide fieldwork support when necessary and help maintain quality control.

The Senior/Manager will review workpapers, letters and reports and help maintain quality control.

The Senior Professional Staff will focus on the more complex areas of controls and support the Engagement Partner.

The Professional Staff will focus on detail of tests of controls over financial, federal compliance and other areas as needed.

City' Staff

During this phase, your staff will be expected to provide a preliminary balance sheet and revenues and expenditures by fund, policies and procedures for key controls, a preliminary summary of federal grants, the original budget, contact information for departments and confirmations, and generally provide the information included in the lists of items for interim. We also plan to interview various staff to document and test controls. Testing controls will include sampling for significant areas. Our documentation of internal controls will be done in person and via interviews, unless otherwise requested.

Phase II

C&A LLP

The Engagement Partner's focus will include finalizing the audit programs, substantive analytics, and overseeing the audit.

The Associate Partner will provide fieldwork support when necessary and help maintain quality control.

The Senior/Manager will review workpapers, letters and reports and help maintain quality control.

The Senior Professional Staff will focus on substantive tests for significant accounts.

The Professional Staff will focus on substantive tests for significant accounts, federal compliance, and other required audits.

City' Staff

During this Phase, your staff will be expected to provide the final balance sheet and revenue expenditures by fund and accounts from the GL. We will prepare leadsheets in our audit software, but the organization should have adequate support for significant accounts. We will perform a review of journal entries at this time and again before the final reports are issued, thus we will need access to journal entries. We will request reports for major grant programs, certain other programs, and business type activities. We will also perform a number of analytical procedures which will require staff responses, and this will be done in personin most cases.

Phase III

C&ALLP

The Engagement Partner's focus will be on overall reporting, guidance and working with City staff to complete the reporting phase.

The Associate Partner will assist in report prepartion and client communication.

The Senior/Manager will review workpapers, letters and reports, and help maintain quality control.

The Senior Professional Staff will focus on report preparation and assisting the engagement partner and guiding our staff.

The Professional Staff will act in a support role during this phase.

City's Staff

We expect the City' staff to review and respond to all reports required to complete the audit. We anticipate the City will provide or assist us in gathering information needed for the ACFR and note disclosures. Management will be required to sign a representation letter which will be provided by us. Management will be required to provide responses to any and all recommendations and findings included in the management letter. Report preparation will be completed as outlined in the RFP, unless otherwise agreed prior to Phase III of the audit.

Summary of Staff Hours by Phase

Level of Staff	Phases			Total Hours
	I	II	III	
Engagement Partner	24	24	32	80
Associate Partner/Reviewer	4	4	8	16
Senior Staff	48	48	36	132
Professional Staff	76	76	16	168
Administrative Staff	2	2	4	8
Totals	**154**	**154**	**96**	**404**

Summary Timeline

Segment	Estimated	Phase
Entrance Conference	May 19, 2023	I
Audit Planning C&A's Office	May 19, 2023	I
List of Items Required by Client	May 19, 2023	I
Interim Testing	June 12, 2023	I
Interim Exit Conference and Completion	June 16, 2023	I
Preparation and Mailing of Confirmation Letters to 3rd Parties	July 1, 2023	II
Year-end Field Work Planning Meeting	August 1, 2023	II
Progress Conference	August 1, 2023	II
Update List of Items Required by Client - Final (Initial Done at Interim)	August 1, 2023	II
Year-end Field Work and Compliance Testing	October 2, 2023	II
Exit Conference	October 6, 2023	II
Progress List of Management Point and Recommendations	October 20, 2023	II
Final List of Management Point and Recommendations	October 30, 2023	II/III
Audit Adjustments	October 30, 2023	II/III
Draft Reports, Financials, Management Letters	November 13, 2023	III
Final Reports, Financials, Management Letters	December 4, 2023	III
Council, Commission & Public Presentations	As Needed	III

Section C

Scope of Services

Audit Scope

We understand, accept and have included in our work plan the following scope of services:

1. Audit all funds of the City in accordance with auditing standards generally accepted in the United States of America and Government Auditing Standards, issued by the Comptroller of the United States.
2. Prepare the City's Annual Comprehensive Financial Report (ACFR) including accompanying schedules and notes no later than December 5 of each contract year. The form of the ACFR is to be compliant with the requirements of the Government Finance Officers Association (GFOA) Certificate Program.
3. Provide the City with draft financial statements in an excel and pdf format with sufficient time to allow for the preparation of the Statistical Section and supporting text for the MD&A.
4. Assist in the preparation of tables and charts related to the audited financial statements for incorporation into the City's Management's Discussion and Analysis (MD&A), apply limited audit procedures to the MDA, and provide any supplementary information pertaining to the City's financial documents as required by the City.
5. Issue a separate "management letter" that includes recommendations for improvements in internal control, accounting procedures, and other significant observations that are considered to be non-reportable conditions. Prior to the issuance of the final management letter, the auditor shall deliver a draft copy to the City of Pacific Grove's Administrative Services Director/Assistant City Manager for review and management's responses.
6. Render a report and opinion on each of the opinion units to be included in the City's basic financial statements.
7. Attend a minimum of one City Council meeting for the purpose of discussing the audit and its conclusions.
8. Provide one (1) electronic file of each auditor-prepared report with the search feature enabled and suitable for posting to the City's website.
9. Assist with the implementation of applicable Governmental Accounting Standards Board (GASB) pronouncements including, but not limited to, GASB 94, and 96.
10. Prepare and submit to the State Controllers' Office: The Financial Transactions Report, the Annual Street Report, and any additional reports as required by the State Controllers' Office on an annual basis in accordance with the time frames set by the State Controllers' Office.
11. Perform Agreed Upon Procedures Applied to the Appropriations Limit, as consistent with recommendations by the League of California Cities, and as presented in the League publication entitled Article XIIIB Appropriations Limitation Uniform Guidelines. Prepare and provide one (1) electronic and one (1) hard-copy report.
12. Audit the Measure X financial statements of the City for each fiscal year and provide a compliance audit report on the requirements noted TAMC Ordinance No. 2016-01 and in the Measure X Master Programs Funding Agreement. Provide one electronic copy of the compliance report and one (1) hard copy of the report.
13. If required pursuant to OMB Circular A-133, perform a Single Audit on the expenditures of federal grants and render the appropriate audit reports on Internal Control over Financial Reporting based upon the audit of the City's financial statements in accordance with Government Auditing Standards and the appropriate reports on compliance with Requirements Applicable to each Major Program, Internal Control over Compliance and on the Schedule of Expenditures of Federal Awards in Accordance with OMB Circular A- 133. The single audit report will include an appropriate schedule of expenditures of federal awards, footnotes, findings, and questioned costs, including reportable conditions and material weaknesses, and follow-up on prior audit findings where required.

Section D

Partner, Supervisory and Staff Resumes

We are aware of the need for continuity of personnel on the engagement and promise that the Engagement Partner will be directly involved in the audit **during each year** of the contract. We believe that extensive partner involvement provides continuity that could not be achieved in any other way. All staff committed in this proposal will be available for the entire June 30, 2023 audit and are available 12 months a year for questions, comments and implementation support. We understand that the Engagement Partners, managers and other supervisory staff and specialists may be changed only with the express prior written permission of the City. Other audit personnel may be changed at our discretion as long as the replacements have substantially the same or better qualifications or experience. The City retains the right to approve or reject replacements.

Sheldon Chavan, CPA

Managing Partner (Member CalCPA, AICPA, GFOA, CSMFO, GAQC)

Sheldon holds a B.S. in Accounting from San Jose State University. He began his career in public accounting in **1998** and has been auditing local governments and nonprofit organizations ever since. Sheldon is a CPA licensed in California and a member of AICPA, CalCPA, CSMFO, GAQC and GFOA. **He has also been a member of the GFOA Special Review Committee, with responsibility for reviewing ACFR's for award of the Certificate of Excellence in Financial Reporting.** Sheldon has prepared/reviewed ACFR's for the City of Berkeley, City of Sunnyvale, City of Pittsburg and many others over his career. Most recently, Sheldon prepared the ACFR of the City of Oroville, City of Saratoga and the City of Pacific Grove for the fiscal years ended June 30, 2022 (partial listing).

ACFR Preparation

Sheldon has managed governmental audits his entire career, which includes the technical review of all work papers, staffing, scheduling, reporting, state compliance, federal compliance, state controllers reports and much more. He is responsible for running the audit in the field and providing accounting and auditing technical support to other partners and staff, primarily in the areas of compliance with auditing standards generally accepted in the United States of America, the standards set forth for financial audits in the United States General Accounting Office's (GAO) *Government Auditing Standards*, and the provisions of the Federal Single Audit Act and the United States Office of Management and Title 2 CFR Part 200 (Uniform Guidance). Sheldon also ensures that each staff has met the continuing professional education requirements under these standards and teaches several in-house seminars a year. He also administers our firm's quality control system as required by GAAS and Yellow Book standards. Sheldon has been performing audits under the Single Audit Act his entire career. Understanding the complexities of the various federal programs is one of his specialties. Over the years, Sheldon has audited major programs such as ARPA, CARES Act, National School Lunch, Title II Education Technology, IDEA Special Education Local Assistance, Title I, Education Jobs Fund, Title IV Drug Free Schools, NCLB Title III, Title II Improving Teacher Quality, CDBG, Shelter Plus Care, Home Investment in Affordable Housing, HUD Section 8, Highway Planning and Construction, Medi-Cal, Low-income Low Energy Assistance, and many more.

Sheldon has extensive experience auditing government bond programs and can assist the City with bond covenant calculations, bond compliance, tax filings, bond arbitrage issues and any other general

reporting requirements. In addition, we currently have multiple clients for which we complete special bond performance audits each year. We also provide contractor prequalification services for some clients who use restricted bond funds for modernization and infrastructure improvements.

Sheldon's recent continuing professional education:

Description of Program/Training
Yellow Book:Revised Government Auditing Standards
Government Audting Standards - Yellow Book
Frequent Government and NPO Frauds: Misuse of Assets
Governmental and Nonprofit Annual Update: Federal Government Activities
Single Audit Lighting Round
Governmental Audit Quality Cetner Annual Update Webcast
Program-Specific Audits' plus 'Audit Tools and Guidance'
Applying Risk Assessment Standards: Understanding the Entity and Its Environment
GASB Updates
Governmental Accounting and Auditing Conference Webcast - 5121266C
Not-for-Profit Organizations Conference Webcast - 5121343C
Cases in NFP Acct. & Auditing: 'Financial Statement Requirements' plus 'Net Asset Classifications'
Governmental Auditing: Course Two Performance Audits
Governmental Auditing: Course Three Financial Audits, Attestation Engagements, and..
Governmental Accounting and Reporting
Ethics: AA&C LLP - Accounting Firm Practice Development Committee
State and Local Govt Planning Considerations
Cases in NFP Acct. & Auditing: Contributions
Field Work Documentation: Preparation, Maintenance, Types of Workpapers
School District Update Including LCFF and LCAP Compliance
School Districts Conference
Understanding the Changes to Yellow Book Independence
California Regulatory Review Course
Fraud Audit Techniques Using Excel
Applying the Uniform Guidance in Your Single Audits
Testing Compliance' plus 'Reporting Requirements
Fid Act Understanding impacts of GASB 84
Its Here! Fid Act Implementation Considerations
Accounting and Auditing Conference
Bernard Madoff Investment Securities' Auditor'
The Detection and Prevention of Fraud in Financial Statements
Governmental Auditing: Course One Fundamental Principles for Government Auditing

The following is a **partial list** of Sheldon's clients over the years:

Cities and Towns	Special Districts/JPA's	School Districts/COE's	Nonprofits and Other
City of Albany	Bay Area Water Services & Cons	Antelope Elementary	2006 Washington St.
City of Berkeley	Central Marin Sanitation Agency	Belmont Redwood Shores	Bay Area Special Education JPA
City of Carmel-by-the-Sea	East Bay Dischargers Authority	Burlingame	Bay Area Water Users Association
City of Del Rey Oaks	Fairfield-Suisan Sanitation	Cabrillo Unified	Black Adoption Placement
City of Marina	Half Moon Bay Fire Protection	Campbell Union	Boys and Girls Clubs of Sonoma
City of Novato	Hayward Area Parks and Rec	Cloverdale Unified	Center for Empowering Refugees
City of Oroville	Highland Recreation District	Cotati Rohnert Park	Children of Grace
City of Pacific Grove	Los Trancos Water District	Hillsborough City	Collective Roots
City of Pittsburg	Mckinney Water District	La Honda Pescadero	Credo High School
City of Point Arena	Menlo Park Fire Protection	Lakeside	Diagnostics for the Real World
City of Salinas	Midpen Regional Open Space	Las Lomitas Elementary	Hidaya Foundation
City of San Rafael	Pleasant Hill Parks and Rec	Lassen View Elementary	Livebooks
City of Saratoga	Point Montara Fire District	Los Altos Elementary	Mashery
City of Scotts Valley	Santa Clara Regional Open Space	Luther Burbank	Mission Charter
City of Sonoma	Saratoga Cemetery District	Manton Joint Union	Mission Language and Vocational
City of South San Francisco	South Bayside System Authority	Menlo Park City	Morgan Hill Charter Foundation
City of Suisun City	South San Francisco Conf. Ctr.	Millbrae Elementary	Morgan Hill Charter School
City of Sunnyvale	Sausalito-Marin City Sanitation	Mineral	Nob Hill Home Owners Assoc.
City of Tracy	Tahoe Reqional Planning Agency	Mountain View Whisman	O'Conner Water
Town of Los Gatos	The Cities Group	Orchard	One Million Lights
Town of Windsor	Valley of the Moon Fire	Pacifica	Orange County Charter School
	West Bay Sanitary District	Plum Valley	Pathway to Choices
	West County Wastewater District	Portola Valley Elementary	Pyramid Alternatives
	Westborough Water District	Red Bluff	Redwood City Education Foundation
	Woodside Fire Protection District	Salinas Union High	San Jose Conservation Charter
		San Bruno Park	San Jose Conservation Corps
		San Carlos Elementary	Singularity University
		San Mateo County Office	Sociometrics
		San Mateo Union High	South Tahoe Area Transit Authority
		Scotts Valley Unfied	Stone Bridge Charter School
		Sequoia Union High	Woodside Atherton Authority
		Sonoma Valley Unified	Work2future Foundation
		Union School District	
		West County Agency (LEA)	
		Windsor Unified	
		Woodside Elementary	

Jeffrey J. Ira, CPA

Independent Reviewer, (Member CalCPA, AICPA, GFOA, CSMFO, GAQC)

Jeffrey is a graduate of Humboldt State University with a B.S. in Business with a concentration in Accounting. He is a CPA licensed in California, a member of the AICPA, the California Society of CPAs, the GFOA and the CSMFO. Jeff joined our firm in 2017 and has been auditing local governments since 1981. Jeff is a member of the GFOA Special Review Committee, with responsibility for reviewing ACFRs for award of the Certificate of Excellence in Financial Reporting. **Jeff served as a Councilmember and the Mayor for Redwood City.** He has also served on various local governing boards and committees, which makes him acutely aware of both your financial and management needs. Jeff will be responsible for concurrent review of your audit, which is a quality control measure designed to ensure the audit is completed effectively and in compliance with governmental auditing standards, compliance requirements and uniform guidance requirements.

Jeff has forty years of professional experience and has participated in a variety of auditing and consulting engagements with cities, school districts, and special districts including the following (partial listing):

Cities and Towns	Special Districts	School Districts/COE's
City of Berkeley	Bay Area Water Supply Conserv. Agency	Antelope Elementary
City of Cloverdale	Central Marin Sanitation Agency	Cabrillo Unified
City of Oroville	East Bay Dischargers Authority	Cotati Rohnert Park
City of Point Arena	Half Moon Bay Fire Protection	La Honda Pescadero
City of Saratoga	Los Trancos Water District	Lassen View Elementary
City of Sonoma	Menlo Park Fire Protection	Las Lomitas Elementary
City of Tracy	Pleasant Hill Parks and Rec	Los Altos Elementary
Town of Los Gatos	Point Montara Fire Protection District	Luther Burbank
City of Pittsburg	Santa Clara Regional Open Space Auth	Redwood City Elementary
City of San Rafael	Saratoga Cemetery District	Menlo Park City
City of Concord	South Bayside Systems Authority	Millbrae Elementary
City od Salinas	South San Francisco Conf. Ctr.	Santa Cruz City
City of Sunnyvale	Tahoe Regional Planning Agency	Mountain View Whisman
City of San Carlos	The Cities Group	Orchard School District
City of South San Francisco	West Bay Sanitary District	Burlingame
City of Marina	West County Wastewater District	Jefferson Union High
City of San Bruno	Westborough Water District	Portola Valley Elementary
City of Campbell	Woodside Fire Protection District	Red Bluff
City of Novato	Highland Recreation	San Bruno Park
Town of Atherton	Coast side Water District	San Mateo County Office
City of Cupertino		Sequoia Union High
		Sonoma Valley Unified
		San Mateo Unified
		Ravenswood Elementary
		Windsor Unified
		Woodside Elementary

A summary of Jeff's recent professional education includes:

Description of Program/Training	
GAGAS - Ethical Principles In Government Auditing	Government Auditing
GAGAS - Field Work and Reporting Standards	Major Changes to Auditing Standards
GAGAS - Field Work Standards For Financial Audits	Limiting Auditor Liability
GAGAS - General Field Work And Reporting Standards	Auditor Communications: Critical New Requirements
GAGAS - General Standards	School Districts Conference
GAGAS - Reporting Standards For Financial Audits	Governmental Accounting, Reporting, and Auditing Update
GAGAS - Use and Application of GAGAS	GASB Basic Financial Statements for State and Local Governments

Paul Pham, CPA

Associate Partner (AICPA, CalCPA)

Paul received his Bachelor of Science from Pacific University and hopes to pursue a Master of Accountancy in the near future. Paul has been working in public and private accounting since 2007 and has completed Fourteen governmental audit seasons. He has completed financial and compliance audits for the entities listed below since 2007. Besides the standard control documentation and substantive testing required for GAAS audits, Paul has performed audits and prepared reports under OMB Subpart F and the Single Audit Act for most of the entities listed below. He has audited Federal grants from various agencies, including FEMA, HUD, FTA, the Department of Education (Title I, Special Education, Title II, Adult Ed) and much more.

Paul's recent continuing professional education:

Description of Program/Training	
GAGAS - Ethical Principles In Government Auditing	Government Auditing
GAGAS - Field Work and Reporting Standards	Major Changes to Auditing Standards
GAGAS - Field Work Standards For Financial Audits	Limiting Auditor Liability
GAGAS - General Field Work And Reporting Standards	Auditor Communications: Critical New Requirements
GAGAS - General Standards	School Districts Conference
GAGAS - Reporting Standards For Financial Audits	Governmental Accounting, Reporting, and Auditing Update
GAGAS - Use and Application of GAGAS	GASB Basic Financial Statements for State and Local Governments

The following is a partial list of Paul's clients over the years:

Cities and Towns	Special Districts	School Districts/COE's	Nonprofits and Charter Schools
City of Albany	Bay Area Water Services & Cons	Antelope Elementary	Bay Area Water Users Association
City of Berkeley	Central Marin Sanitation Agency	Burlingame	Black Adoption Placement
City of Carmel-by-the-Sea	Fairfield-Suisan Sanitation District	Cabrillo Unified	Boys and Girls Clubs of Sonoma
City of Del Rey Oaks	Menlo Park Fire Protection	Cotati Rohnert Park	Center for Empowering Refugees
City of Oroville	Midpen Regional Open Space	Hillsborough City	Children of Grace
City of Pacific Grove	Santa Clara Regional Open Space	La Honda Pescadero	Collective Roots
City of Point Arena	Saratoga Cemetery District	Las Lomitas Elementary	Credo High School
City of Rocklin	South Bayside System Authority	Lassen View Elementary	Hidaya Foundation
City of Saratoga	South San Francisco Conf. Ctr.	Los Altos Elementary	Livebooks
City of Sonoma	Suasalito-Marin City Sanitation District	Luther Burbank	Mashery
City of Suisun City	Tahoe Reqional Planning Agency	Manton Joint Union	Mission Charter
City of Tracy	The Cities Group	Millbrae Elementary	Mission Language and Vocational School
Town of Los Gatos	Valley of the Moon Fire	Mineral	NASA AMES Exchange
	West Bay Sanitary District	Mountain View Whisman	Orange County Charter School
	Westborough Water District	Orchard	Pathway to Choices
		Pacifica	Pyramid Alternatives
		Plum Valley	Redwood City Education Foundation
		Portola Valley Elementary	San Jose Conservation Charter
		Red Bluff	San Jose Conservation Corps
		San Bruno Park	Sociometrics
		San Carlos Elementary	South Tahoe Area Transit Authority
		San Lorenzo Valley Unified	Stone Bridge Charter School
		San Mateo County Office	Work2future Foundation
		Scotts Valley Unfied	
		Sequoia Union High	
		Sonoma Valley Unified	
		Soquel Elementary	
		Union School District	
		West County Agency (LEA)	
		Windsor Unified	
		Woodside Elementary	

Niru Machiraju

Audit Supervisor

Niru received her Bachelor and Master of Science in Accounting from the University of Saint Thomas. Niru has been working in public accounting since 2017 and has completed six audit seasons. During the 2022 audit season, she completed the financial and compliance audits for the entities listed below and has additional experience in the manufacturing, distribution. and non-profit industries. Niru has audited over sixty local governments and nonprofits since 2017. Besides the standard control documentation and substantive testing required for GAAS audits, Niru has performed audits and prepared reports under GAGAS and Uniform Guidance. She has also audited Federal grants from various agencies, including HUD and the Department of Education (Title I, Special Education) and much more.

Niru's recent continuing professional education*:*

Description of Program/Training	
GAGAS - Ethical Principles In Government Auditing	Government Auditing
GAGAS - Field Work and Reporting Standards	Major Changes to Auditing Standards
GAGAS - Field Work Standards For Financial Audits	Limiting Auditor Liability
GAGAS - General Field Work And Reporting Standards	Auditor Communications: Critical New Requirements
GAGAS - General Standards	School Districts Conference
GAGAS - Reporting Standards For Financial Audits	Governmental Accounting, Reporting, and Auditing Update
GAGAS - Use and Application of GAGAS	GASB Basic Financial Statements for State and Local Governments

The following is a list of Niru's clients over the past year:

Cities and Towns	Special Districts	School Districts/COE's	Nonprofits and Other
City of Albany	Bay Area Water Services & Cons	Antelope Elementary	Bay Area Water Users Association
City of Carmel-by-the-Sea	Chico Area Recreation and Park District	Burlingame	Boys and Girls Clubs of Sonoma
City of Del Rey Oaks	Lake Canyon Community Services District	Cabrillo Unified	Center for Empowering Refugees
City of Oroville	Midpen Regional Open Space	Cotati Rohnert Park	Children of Grace
City of Pacific Grove	Ross Valley Sanitary District	Hillsborough City	Credo High School
City of Point Arena	Santa Clara Regional Open Space	Las Lomitas Elementary	Hidaya Foundation
City of Rocklin	South San Francisco Conf. Ctr.	Lassen View Elementary	Mission Charter
City of Saratoga	Stege Sanitary District	Los Altos Elementary	NASA AMES Exchange
City of Marina	Suasalito-Marin City Sanitation District	Luther Burbank	Pathway to Choices
City of Suisun City	The Cities Group	Millbrae Elementary	Peninsula Conflict Resolution Center
	Valley of the Moon Fire	Orchard	Redwood City Education Foundation
	West Bay Sanitary District	Pacifica	Stone Bridge Charter School
	Westborough Water District	Red Bluff	Work2future Foundation
		San Bruno Park	Stone Bridge Charter School
		San Carlos Elementary	
		San Lorenzo Valley Unified	
		San Mateo County Office	
		Sequoia Union High	
		Sonoma Valley Unified	
		Soquel Elementary	
		Union School District	
		West County Agency (LEA)	
		Woodside Elementary	

Andrew Quintero

Senior Auditor

Andrew has successfully completed five seasons of governmental auditing. Andrew has performed tests of controls, substantive tests, state compliance testing and Federal compliance testing for various special districts and cities. He has been the Senior Auditor in-charge of clients such as the Town of Yountville, City of Suisun City, Fairfield-Suisun Sanitary District and many more. Besides the standard control documentation and substantive testing required for GAAS audits, Andrew has performed audits and prepared reports under OMB Subpart F and the Single Audit Act. He has audited Federal grants from various agencies, including Special Education, National School Lunch, Title I, Department of Education grants and others.

Andrew's recent continuing professional education:

Description of Program/Training	
GAGAS - Ethical Principles In Government Auditing	Government Auditing
GAGAS - Field Work and Reporting Standards	Major Changes to Auditing Standards
GAGAS - Field Work Standards For Financial Audits	Limiting Auditor Liability
GAGAS - General Field Work And Reporting Standards	Auditor Communications: Critical New Requirements
GAGAS - General Standards	School Districts Conference
GAGAS - Reporting Standards For Financial Audits	Governmental Accounting, Reporting, and Auditing Update
GAGAS - Use and Application of GAGAS	GASB Basic Financial Statements for State and Local Governments

The following is a list of Andrew's clients:

Cities and Towns	Special Districts	School Districts/COE's	Nonprofits and Other
City of Oroville	Bay Area Water Supply Conservation Agency	Jefferson Union High School District	Peninsula Conflict Resolution Center
City of Pacific Grove	Castro Valley Sanitary District	John Swett Unified School District	Redwood City Education Foundation
City of Point Arena	El Dorado Hills Community Services District	Las Lomitas School District	San Mateo County Exposition and Fair Association
City of Rocklin	Lake Canyon Community Services District	Lassen View Union Elementary School District	Sonoma Valley Hospital Foundation
City of Saratoga	Midpeninsula Regional Open Space District	Los Altos School District	The Moca Foundation
City of Suisun City	Purissima Hills Water District	Luther Burbank School District	The San Jose Library Foundation
Town of Yountville	Ross Valley Sanitary District	Menlo Park City School District	
	Santa Clara County Regional Open Space Auth	Millbrae School District	
	Sausalito-Marin City Sanitation District	Mountain View Whisman School District	
	Stege Sanitary District	Napa Valley Unified School District	
	Silicon Valley Clean Water	Orchard School District	
	South San Fancisco Conference Center	Pacifica School District	
	The Cities' Group	Red Bluff Joint Union High School District	
	Valley of the Moon Fire District	Red Bluff Union Elementary School District	
	West Bay Sanitary District	Roseland Elementary School District	
	West Valley Sanitation District	San Bruno Park School District	
	Westborough Water District	San Carlos School District	
		San Lorenzo Valley Unified School District	
		San Mateo Foster City School District	
		San Rafael City Schools	
		Santa Rosa City Schools	
		Woodside Elementary	

Matthew Ojeda

Senior Auditor

Matthew graduated from the San Jose State University, with a B.S. in Accounting. Starting in public accounting in 2014, he has successfully completed seven seasons of governmental auditing. Matthew has performed tests of controls, substantive tests, state compliance testing and Federal compliance testing for various special districts and school districts. Besides the standard control documentation and substantive testing required for GAAS audits, Matthew has performed audits and prepared reports under OMB Subpart F and the Single Audit Act. He has audited Federal grants from various agencies, including Special Education, National School Lunch, Title I, Department of Education grants and others.

Matthew's recent continuing professional education:

Description of Program/Training	
GAGAS - Ethical Principles In Government Auditing	Government Auditing
GAGAS - Field Work and Reporting Standards	Major Changes to Auditing Standards
GAGAS - Field Work Standards For Financial Audits	Limiting Auditor Liability
GAGAS - General Field Work And Reporting Standards	Auditor Communications: Critical New Requirements
GAGAS - General Standards	School Districts Conference
GAGAS - Reporting Standards For Financial Audits	Governmental Accounting, Reporting, and Auditing Update
GAGAS - Use and Application of GAGAS	GASB Basic Financial Statements for State and Local Governments

The following is a list of Matthew's clients over the years:

Cities and Towns	Special Districts	School Districts/COE's	Nonprofits and Other
City of Del Rey Oaks	Castro Valley Sanitary District	Antelope Elementary	Boys and Girls Club of Central Sonoma County
City of Oroville	Central Marin Sanitation Agency	Burlingame	Boys and Girls Clubs of Sonoma Valley
City of Pacific Grove	Fairfield-Suisan Sanitation District	Cabrillo Unified	Credo High School
City of Point Arena	Midpen Regional Open Space Auth	Cotati Rohnert Park	Diagnostics for the Real World
City of Rocklin	Oro Loma Sanitary District	Golden Valley Unified	Mission Language and Vocational School
City of Saratoga	Santa Clara Regional Open Space Auth	Hillsborough City	Morgan Hill Charter Foundation
City of Suisun City	Saratoga Cemetery District	Las Lomitas Elementary	Morgan Hill Charter School
Town of Los Gatos	Sausalito-Marin City Sanitation District	Lassen View Elementary	Orange County Charter School
	Silicon Valley Clean Water	Los Altos Elementary	Organic Farming Research Foundation
	The Cities Group	Luther Burbank	Proheatlh Homecare
	West Valley Sanitation District	Millbrae Elementary	Redwood City Education Foundation
		Mission Preparatory School	San Jose Conservation Charter
		Mountain View Whisman	San Jose Conservation Corps
		Napa Valley Unified	San Mateo County Exposition Fair Association
		Orchard	Sociometrics
		Pacifica	Work2future Foundation
		Palo Alto Unified	
		Portola Valley Elementary	
		Red Bluff	
		Roseland Charter	
		Roseland Elementary	
		San Bruno Park	
		San Carlos Elementary	
		San Lorenzo Valley Unified	
		San Mateo County Office	
		San Mateo Foster City	
		Santa Rosa City School	
		Scotts Valley Unfied	
		Sequoia Union High	
		Sonoma Valley Unified	
		Soquel Elementary	
		South San Francisco Unified	
		Union School District	
		Woodside Elementary	

Professional Education and Training

Our professionals complete 80 hours of continuing professional education every two years in auditing and accounting which includes at least 80 hours of governmental auditing and accounting training specific to local governments. We use a combination of in-house seminars, self-study and outside seminars sponsored by AICPA, GFOA, the California Education Foundation and other recognized groups.

All assigned staff meet the educational requirements for Governmental engagements as specified by the California Board of Accountancy, Federal General Accounting Office, Governmental Accounting Standards Board, and the AICPA as appropriate.

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Section E

Insurance Requirements

Insurance

C&A maintains the following insurance:

- Commercial General Liability Insurance (bodily injury and property damage) is $4,000,000 per occurrence. The carrier is Hartford Insurance Company.
- Automobile Bodily Injury and Property damage liability insurance is $2,000,000 per occurrence. The carrier is Hartford Insurance Company.
- Professional Liability Insurance carrier is Philadelphia Insurance Company. The per claim/aggregate limit of the liability is $3,000,000.
- Workers Compensation Insurance carrier is Twin City Insurance Company. The per claim/aggregate limit of the liability is $1,000,000.

Section F

References

Client References and Similar Engagements

Entity Name	City of Del Rey Oaks	City of Oroville	Town of Los Gatos
Contact Person	Roberto Moreno	Ruth Wright	Gitta ungvari
Title	Chief Business Officer	Director of Finance	Finance Director
Address	650 Canyon Del Rey Road, Del Rey Oaks, CA 93940	1735 Montgomery St, Oroville, CA	110 E. Main St, Los Gatos, CA 95030
Phone	831-394-8511	530-538-2413	408-354-685
E-mail	RobertoM@GovernmentFinancialSolutionsInc.com	wrightr@cityoforoville.org	gungvari@losgatosca.gov
First Audit Period	6/30/2019	6/30/2017	6/30/2022
Last Audit Period	6/30/2022	6/30/2022	6/30/2022
Fiscal Years Audited	4	6	1
Partner	Sheldon Chavan	Sheldon Chavan	Sheldon Chavan
GFOA Award	No	Yes	Yes
Scope of Work	Report Prep GAGAS Audit GANN Limit AUP SAS 114 Report Management Letter Measure X Audit Airport AUP Year Round Consultation	ACFR GAGAS Audit Single Audit/OMB GANN Limit AUP SAS 114 Report Management Letter Successor Agency SCO AFTR Year Round Consultation	ACFR Management Letter GANN Limit AUP TDA Audit Single Audit GANN Limit AUP TDA Audit Successor Agency Audit Year Round Consultation

Section G

Additional Information

Current Client List

Cities/Towns	ACFR	GAS	GAGAS	Single Audit	EAAP	Other	Bond (P39)
City of Albany	✓	✓	✓			✓	
City of Carmel-by-the-Sea	✓	✓	✓			✓	
City of Del Rey Oaks		✓	✓			✓	
City of El Cerrito	✓	✓	✓	✓		✓	
City of Lincoln	✓					✓	
City of Marina	✓	✓	✓	✓		✓	
City of Oroville	✓	✓	✓	✓		✓	
City of Pacific Grove	✓	✓	✓	✓		✓	
City of Point Arena		✓	✓				
City of Rocklin	✓	✓	✓	✓		✓	
City of Saratoga	✓	✓	✓	✓			
City of Suisun City	✓	✓	✓	✓		✓	
Town of Los Gatos	✓	✓	✓	✓			
Town of Yountville	✓	✓	✓			✓	

Local Education Agencies	ACFR	GAS	GAGAS	Single Audit	EAAP	Other	Bond (P39)
Antelope School District		✓	✓		✓		
Burlingame School District		✓	✓	✓	✓		✓
Cabrillo Unified School District		✓	✓	✓	✓		✓
Corning Union High School District		✓	✓	✓			
Cotati-Rohnert Park Unified School District		✓	✓	✓	✓		✓
Cottonwood Union School District		✓	✓		✓		
Golden Valley Unified School District		✓	✓	✓	✓		
Hillsborough City School District		✓	✓	✓	✓		
Jefferson Union High School District		✓	✓	✓	✓		✓
Las Lomitas School District		✓	✓		✓		✓
Lassen View Union Elementary School District		✓	✓		✓		
Los Altos School District	✓	✓	✓	✓	✓		✓
Luther Burbank School District		✓	✓	✓	✓		
Menlo Park City School District		✓	✓	✓	✓		
Millbrae School District		✓	✓		✓		✓
Mountain View Whisman School District		✓	✓	✓	✓		✓
Napa Valley Unified School District		✓	✓	✓	✓		✓
Orchard School District		✓	✓		✓		✓
Pacifica School District		✓	✓	✓	✓		
Red Bluff Joint Union High School District		✓	✓	✓	✓		✓
Red Bluff Union Elementary School District		✓	✓	✓	✓		
Roseland Elementary School District		✓	✓	✓	✓		✓
San Bruno Park School District		✓	✓	✓	✓		
San Carlos School District		✓	✓	✓	✓		✓
San Lorenzo Valley Unified School District		✓	✓	✓	✓		✓
San Mateo Foster City School District		✓	✓	✓	✓		✓
Santa Rosa City Schools		✓	✓	✓	✓		✓
Sequoia Union High School District		✓	✓	✓	✓		✓
Sonoma Valley Unified School District		✓	✓	✓	✓		✓
Soquel Union Elementary School District		✓	✓	✓	✓		✓
Union School District		✓	✓	✓	✓		✓
West County Transportation Agency		✓	✓		✓		
Woodside Elementary School District		✓	✓		✓		✓

Charter Schools	ACFR	GAS	GAGAS	Single Audit	EAAP	Other	Bond (P39)
Charter School of Morgan Hill		✓	✓		✓	✓	
Cottonwood Creek Charter School		✓	✓		✓	✓	
Credo High School		✓	✓		✓	✓	
Kid Street Charter School		✓	✓		✓	✓	
The Reach Charter School		✓	✓		✓	✓	
Mission Preparatory School		✓	✓		✓	✓	
Pathways Charter School		✓	✓		✓	✓	
Roseland Charter School		✓	✓	✓	✓	✓	
RSTEM Acadamy Charter School		✓	✓		✓	✓	
Stone Bridge Charter School		✓	✓		✓	✓	
Unity Schools		✓	✓		✓	✓	
University Preparatory Academy		✓	✓		✓	✓	
Woodland Star Charter School		✓	✓		✓	✓	

Special Districts	ACFR	GAS	GAGAS	Single Audit	EAAP	Other	Bond (P39)
Bay Area Water Supply Conservation Agency		✓	✓	✓			
Castro Valley Sanitary District		✓	✓				
El Dorado Hills Community Services District	✓	✓	✓				
Lake Canyon Community Services District		✓	✓				
Midpeninsula Regional Open Space District		✓	✓	✓			
Mid-Peninsula Water District						✓	
North County Library Authority		✓	✓				
Purissima Hills Water District						✓	
Ross Valley Sanitary District	✓	✓	✓				
Sausalito-Marin City Sanitation District		✓	✓	✓			
Stege Sanitary District		✓	✓				
South San Fancisco Conference Center		✓					
The Cities' Group		✓	✓				
Tres Pinos Water District		✓	✓				
Valley of the Moon Fire District		✓	✓	✓			
West Bay Sanitary District		✓	✓				
West Valley Sanitation District		✓	✓				
West Valley Clean Water Authority		✓	✓				
Westborough Water District						✓	

NonProfit Organizations	CAFR	GAS	GAGAS	Single Audit	EAAP	Other	Bond (P39)
Boys and Girls Clubs of Sonoma Valley		✓				✓	
Center for Empowering Refugees & Immigrants		✓				✓	
Children of Grace						✓	
Hidaya Foundation		✓				✓	
Mission Language and Vocational School		✓				✓	
Morgan Hill Charter School Foundation		✓				✓	
Mountain View Educational Foundation						✓	
NASA AMES Exchange		✓				✓	
New Ballet School		✓					
O'Connor Tract Co-Operative Water Co.		✓				✓	
Peninsula College Fund		✓					
Peninsula Conflict Resolution Center		✓				✓	
Redwood City Education Foundation		✓				✓	
River of Life Foundation		✓	✓	✓			
San Mateo County Exposition and Fair Association		✓				✓	
Sonoma Valley Hospital Foundation		✓				✓	
St. Andrew's Residential Programs for Youth		✓	✓				
Starting Arts, Inc.		✓	✓				
STARS Preschool		✓	✓				
The San Jose Library Foundation		✓	✓	✓		✓	
Work2future Foundation		✓				✓	
Young Women's Christian Assoc. of Sonoma		✓	✓	✓			

Privately Held Corporations	ACFR	GAS	GAGAS	Single Audit	EAAP	Other	Bond (P39)
Air Filter/Control						✓	
Dfusion, Inc.		✓	✓	✓			
Diagnostics for the Real World		✓	✓	✓			
FRTek US, LLC		✓					
Pathway to Choices		✓					
Roberts of Woodside						✓	
System Services International		✓					
Tri-Cities Community Development Center							
Tri-State Seminar, LLC		✓					

Technology in the Audit

C&A is a paperless firm and we use secure cloud servers for file sharing. We have Lenovo laptops and Fujitsu scanners that we use in the field. Our secured laptops are synchronized to our cloud server every day to avoid loss of data. The scanners allow for flexibility during the audit since it is not feasible to expect every document in electronic format.

Our secure online file share and engagement organizer provide for a better option over e-mailing electronic files. Each of our clients has an account login username and password through our website or an emailed link that allows them to upload files. This is especially helpful with sensitive information such as payroll data as it is much more secure than e-mail.

Our audit software is **ProSystems fx Engagement** which we compliment with Knowledge Coach (KC) audit programs and workpapers. These programs allow us to roll-forward audit information without having to replace the audit programs in the binder because they automatically update with changes in auditing and accounting standards every month. Finally, we have purchased data extraction software for each of our laptops that convert Adobe and other file types to Word and Excel.

All of the above-mentioned technological innovations make the audit more efficient and provides us the opportunity to spend time in areas that are more meaningful to the City. It also reduces the time and effort required by City staff to provide information and minimizes redundancy from year to year in the audit.

Proposal Exceptions

C&A did **not** have any exceptions or requested changes to the City's RFP conditions or requirements.

C&A's Responsibility for Detecting Fraud

While audits are not designed to root out every instance of fraud, we have a responsibility to detect material misstatements in the financial statements caused by either fraud or error. Accordingly, generally accepted auditing principles prescribe specific audit procedures to detect fraud that must be carried out during each audit. C&A must hold a fraud brainstorming session at the beginning of the audit. This session is designed to provide a time for the audit team to consider how the client could commit fraud. The brainstorming meeting is used to set a tone of professional skepticism in the audit. Because committing material financial statement fraud often requires adjustments to financial records, C&A will test journal entries for any signs of manipulation. Another likely place for fraud is in accounting estimates since management may be able to influence accounting estimates to manipulate the financial statements. Generally, we perform procedures to determine if the methodology for completing accounting estimates has changed from the prior year and examine the directionality of estimates as a whole. We also closely examine significant unusual transactions outside of normal operations. This examination requires organizations to explain the purpose and rationale for the transaction and we corroborate management's response with other information received during the audit.

Discussion of Relevant Accounting Issues

The Governmental Accounting Standards Board (GASB) continues to issue new statements in an effort to make financial information accounted for, and reported by, local governments more reliable. Often, the statements issued by GASB are confusing and difficult to apply. Therefore, it is our goal to keep our clients informed about upcoming standards and how they may affect their future. Our technical expertise and guidance in the implementation and interpretation of GASB statements will be available throughout the year. We offer inclusive consultation throughout the term of our contract. We also offer in-house training via internally developed seminars. For example, we have given presentations and training on compliance requirements for specific grants and the key controls needed to meet those requirements. Generally, these sessions provide about 8 to 16 hours of training, in addition to year-round consultation, and are included in the audit.

The following is a summary of upcoming accounting pronouncements that could have an impact on the City:

1. GASB Statement No. 94 – Public-Private and Public-Public Partnerships and Availability Payment Arrangements

   A public-private and public-public partnership arrangement (PPP) is an arrangement in which a government (the transferor) contracts with an operator (a governmental or nongovernmental entity) to provide public services by conveying control of the right to operate or use a nonfinancial asset, such as infrastructure or other capital asset (the underlying PPP asset), for a period of time in an exchange or exchange-like transaction. An availability payment arrangement (APA) is an arrangement in which a government compensates an operator for services that may include designing, constructing, financing, maintaining, or operating an underlying nonfinancial asset for a period of time in an exchange or exchange-like transaction. GASB 94 establishes financial reporting and accounting for PPPs and APAs. *GASB 94 is effective for fiscal years beginning after June 15, 2022.*

2. GASB Statement No. 96 – Subscription-Based Information Technology Arrangements

   GASB 96 provides guidance on accounting for Subscription-Based Information Technology Arrangements (SBITA) where the government contracts for the right to use another party's software. The standards for SBITAs are based on the standards established in GASB Statement No. 87, *Leases. GASB 96 is effective for fiscal years beginning after June 15, 2022.*

3. Financial Reporting Model:

   Reexamination of Statements Nos. 34, 35, 37, 41 and 46 and Interpretation 6: The objective of this project is to make improvements to the financial reporting model, including Statement No. 34, Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments, and other reporting model-related pronouncements (Statements No. 35, Basic Financial Statements—and Management's Discussion and Analysis—for Public Colleges and Universities, No. 37, Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments: Omnibus, No. 41, Budgetary Comparison Schedules—Perspective Differences, and No. 46, Net Assets Restricted by Enabling Legislation, and Interpretation No. 6, Recognition and Measurement of Certain Liabilities and Expenditures in Governmental Fund

Financial Statements). The objective of these improvements would be to enhance the effectiveness of the model in providing information that is essential for decision-making and enhance the ability to assess a government's accounting and to address certain application issues, based upon the results of the pre-agenda research on the financial reporting model. From Aug. through Oct. 2022, the project staff conducted user interviews. From Nov. to Dec. 2022, the project staff analyzed the results of the user interviews and began drafting the research memorandum. The memorandum was discussed at the January board meeting. Further discussions are being conducted on a variety of issues. The agenda for this project extends into 2024.

4. Revenue and Expense Recognition:

   The overall objective of this project is to develop a comprehensive, principles-based model that would establish categorization, recognition and measurement guidance applicable to a wide range of revenue and expense transactions. Achieving that objective will include: (1) development of guidance applicable to topics for which existing guidance is limited, (2) improvement of existing guidance that has been identified as challenging to apply, (3) consideration of a performance obligation approach to the GASB's authoritative literature and (4) assessment of existing and proposed guidance based on the conceptual framework. The expected outcome of the project is enhanced quality of information that users rely upon in making decisions and assessing accountability.

   On the heels of the Financial Accounting Standards Boards (FASB) roll out of the revenue recognition guidance, GASB has taken up a similar project reviewing the guidance for recognition of revenues and expenses. Deliberations are anticipated to be ongoing through 2023. While this project is not anticipated for completion until 2027, the broad application and impact will make it one to keep up to date with its progress.

Attachments

THE PUN GROUP
ACCOUNTANTS & ADVISORS

REPORT ON THE FIRM'S SYSTEM OF QUALITY CONTROL

June 18, 2021

To the Partners of Chavan & Associates, LLP
and the Peer Review Committee
of the California Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Chavan & Associates, LLP in effect for the year ended December 31, 2019. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements are identified as not having been performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards* including compliance audits under the Single Audit Act.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Chavan & Associates, LLP in effect for the year ended December 31, 2019, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass, pass with deficiency(ies) or fail.* Chavan & Associates, LLP has received a peer review rating of *pass*.

The Peer Group, LLP

Santa Ana, California

1710 Gilbreth Road
Burlingame, CA 94010
(650) 522-3094
Fax: (650) 522-3080
peerreview@calcpa.org

March 04, 2022

Sheldon Chavan
Chavan & Associates LLP
11135 Sunrise Ridge Cir
Auburn, CA 95603-6012

Dear Sheldon Chavan:

It is my pleasure to notify you that on February 22, 2022, the California Peer Review Committee accepted the report on the most recent System Review of your firm. The due date for your next review is June 30, 2023. This is the date by which all review documents should be completed and submitted to the administering entity.

As you know, the report had a peer review rating of pass. The Committee asked me to convey its congratulations to the firm.

Thank you for your cooperation.

Sincerely,

Peer Review Committee

Peer Review Program
The Peer Review Program Team
peerreview@calcpa.org
650-522-3094

cc: John Georger

Firm Number: 900005340457 Review Number: 577158

DOLLAR COST BID

FOR THE ANNUAL INDEPENDENT AUDIT OF THE

CITY OF PACIFIC GROVE

Submitted April 19, 2023

Chavan & Associates, LLP
Certified Public Accountants
15105 Concord Circle, Suite 130
Morgan Hill, CA 95037
Phone: (650) 346-1329
Fax: (408) 872-4159
E-mail: sheldon@cnallp.com
Contact: Sheldon Chavan, Partner

Dollar Cost Bid

City of Pacific Grove Proposal for Auditing Services

Date: April 19, 2023

Firm: Chavan & Associates, LLP (C&A)
15105 Concord Circle, Suite 130
Morgan Hill, CA 95037
Phone: (650) 346-1329

Contact Person: Sheldon Chavan, Managing Partner
Sheldon@cnallp.com
650-346-1329

Price per Year by Service Level:

Services	Hours	2023	2024	2025	2026	2027
City Audit, ACFR and Management Letters	292	$ 34,000	$ 34,000	$ 34,000	$ 38,000	$ 38,000
SCO Annual Fin. Transactions Report	24	2,500	2,500	2,500	2,500	2,500
SCO Annual Street Report	8	1,500	1,500	1,500	1,500	1,500
Measure X	30	3,000	3,000	3,000	3,000	3,000
Single Audit	40	4,000	4,000	4,000	4,000	4,000
GANN Limit Review Report	10	1,000	1,000	1,000	1,000	1,000
Additional Printed Copies of the ACFR	N/A	Included	Included	Included	Included	Included
GASB implementation and guidance	N/A	Included	Included	Included	Included	Included
Present Reports to Board and Committees	N/A	Included	Included	Included	Included	Included
Meals, Lodging and Transportation	N/A	Included	Included	Included	Included	Included
Total All-Inclusive Maximum Price	**404**	**$ 46,000**	**$ 46,000**	**$ 46,000**	**$ 50,000**	**$ 50,000**

Certification: I, the undersigned, certify I am duly authorized to represent C&A and I am empowered to submit this bid. In addition, I certify I am authorized to contract with the City of Pacific Grove on behalf of C&A.

Managing Partner	**April 19, 2023**
Signature	Title	Date

Sheldon Chavan
Name

Schedule of Professional Fees

Our professional fees are based on actual time devoted to an engagement, at hourly rates related to the experience levels of the individuals performing the work. The following is our standard fee schedule for our audit personnel:

	Standard & Quoted Hourly Rates	Hours	Fiscal Year Ending 2023	2024	2025	Optional 2026	Optional 2027
Engagement Partner	$ 200	80	$ 16,000	$ 16,000	$ 16,000	$ 17,600	$ 17,600
Associate Partner/Reviev	200	16	3,200	3,200	3,200	3,520	3,520
Senior Auditor	100	132	13,200	13,200	13,200	14,520	14,520
Professional Staff	85	168	14,280	14,280	14,280	15,708	15,708
Administrative Staff	85	8	680	680	680	748	748
Professional Discount	N/A	N/A	(1,360)	(1,360)	(1,360)	(2,096)	(2,096)
Total All-Inlcusive Maximum Price		**404**	**$ 46,000**	**$ 46,000**	**$ 46,000**	**$ 50,000**	**$ 50,000**

Manner of Payment

The City will be invoiced for our services as work progresses on the basis of hours of work completed, but not more often than once per month.

Rates for Additional Professional Services

In the event that extraordinary circumstances require additional services beyond the agreed upon scope, C&A will provide, in writing and in advance, the reasons for the additional services along with our estimated costs and a statement that no work will be performed prior to City approval. **Rates for additional services would be the same as those identified under the quoted hourly rates above.**

California Government Code

§ 12410.6

(a) An audit for any local agency, including those submitted to the Controller pursuant to subdivision (a) of Section 12410.5, shall be made by a certified public accountant or public accountant, licensed by, and in good standing with, the California Board of Accountancy.

(b) Commencing with the 2013–14 fiscal year, a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency for six consecutive fiscal years. For purposes of calculating the six consecutive fiscal years, the local agency shall not take into account any time that a public accounting firm was employed by that local agency prior to the 2013–14 fiscal year. The Controller may waive this requirement if he or she finds that another eligible public accounting firm is not available to perform the audit.

Location: https://california.public.law/codes/ca_gov't_code_section_12410.6

Original Source: Section 12410.6, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=12410.6. (last accessed May 15, 2018).

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

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Katie Clark, Recreation Manager

MEETING DATE: May 17, 2023

SUBJECT: PGUSD & City of Pacific Grove - Expanded Learning Opportunities Program (ELOP) Summer Camp

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

RECOMMENDATION

1. Approve the City of Pacific Grove to enter a Memorandum of Understanding with Pacific Grove Unified School District for the purpose of creating a partnership to offer a free summer recreation camp through the Expanded Learning Opportunities Program grant
2. Alternatively, discuss and take other action related to this item

DISCUSSION

Pacific Grove Unified School District (PGUSD) has approached the City of Pacific Grove with an opportunity to work together to provide a free recreation summer camp through the Expanded Learning Opportunities Program (ELOP) grant that has been awarded to the district. The Expanded Learning Opportunities Program grant from the state of California provides schools with funding to operate programs outside the instructional school day. PGUSD will partner with the City to provide a free camp for the District's unduplicated pupil population. PGUSD will provide facilities and funding to support the expansion of the City's current Summer Adventure Camp Program. The City of Pacific Grove Recreation Department will provide the programming, staff training, and staff oversight for this program. This camp will be located at Robert H. Down Elementary School and will run for a total of 8 weeks from June 5-July 28, 2023. Camp program hours will be Monday-Friday from 8:00 am-5:00 pm. Each week the program will serve up to 60 students. The final number of students will be dependent on total number of staff hired for this program. PGUSD is assisting the City of Pacific Grove with recruitment efforts. A Memorandum of Understanding between Pacific Grove Unified School District and the City of Pacific Grove has been drafted. See attachment 1.

OPTIONS

1. Take no action
2. Provide alternate direction

FINANCIAL IMPACT:

The proposed Memorandum of Understanding between PGUSD and the City of Pacific Grove presented in this report outlines the terms of the fiscal arrangement and other types of support to be provided by each entity. A short summary of the fees section has been included here for consideration The proposed MOU will be effective June 1-August 30, 2023. PGUSD will pay for all students recruited by the district for the Expanded Learning Opportunities Program (ELOP) Summer Camp at a rate $216/child per week, for up to 60 students, for the duration of the 8-week program. The total payment for all 60 students for 8 weeks of camp program will be $103,680 and will be paid directly to the City of Pacific Grove. The $216/child per week of camp reflects the City of Pacific Grove Fee to cover all staffing cost associated with the program. The Recreation Department will be fully reimbursed. PGUSD will also be billed for any additional materials and supplies required for the ELOP Summer Camp Program.

FOCUSED PRIORITY AREA: Recreation Services

Attachments

PGUSD & City of Pacific Grove MOU - Expanded Learning Opportunities Program

MEMORANDUM OF UNDERSTANDING

BETWEEN

PACIFIC GROVE UNIFIED SCHOOL DISTRICT AND THE CITY OF PACIFIC GROVE

This Memorandum of Understanding ("Agreement") is entered into between the Pacific Grove Unified School District ("District") and The City of Pacific Grove ("City") for the establishment of an Expanded Learning Opportunities Summer Camp Program located at the Pacific Grove Youth Center, 302 16th Street Pacific Grove, CA 93950 (the "Youth Center"), Robert Down Elementary School, 485 Pine Ave., Pacific Grove, CA 93950 (the "RHD"), and the Pacific Grove Community Center, 515 Junipero Ave, Pacific Grove, CA 93950 (the "Community Center"). Together, the sites listed in will be known as (the "Facilities"). Together, the District and the City are referred to herein as the "Parties."

WHEREAS, the Community Recreation Act (California Education Code sections 10900 through 10914.5) authorizes school districts and cities to organize, promote, and conduct community recreation programs and activities to promote the health and general welfare of the community; and

WHEREAS, the California Civic Center Law (California Education Code sections 38130-38138) establishes a civic center at every school for use by citizens for a variety of purposes, including recreation; and

WHEREAS, the District is the owner of real property, including facilities and Active Use Areas that are capable of being used for community recreational purposes; and

WHEREAS, the City is the owner of real property, including facilities and Active Use Areas that are capable of being used for community recreational purposes; and

WHEREAS, under appropriate circumstances, these publicly held lands and facilities should be used most efficiently to maximize use and increase recreational opportunities for the community; and

WHEREAS, California Education Code section 10905 authorizes the governing bodies of any two or more public authorities may cooperate with each other to enter into agreements to promote the health and general welfare of the community and to enhance the recreational opportunities afforded to the community.

A. Term: The Term of this MOU shall be for the period **June 1, 2023 through August 30, 2023.**

B. Fees: The District shall pay for all PGUSD students recruited by the District for the Expanded Learning Opportunities (ELOP) Summer Camp Program. All fees associated with District's ELOP City program will be paid at the rate of $216/child per week for up 60 students for the 8 week program. The District will set up payment directly to the City, totaling $103,680 for the Districts Expanded Learning Opportunities Summer Camp Program.

Any additional materials and supplies required to support the Districts Expanded Learning Opportunities Summer Camp Program will be billed to the District by its pro rata share of use.

The District payment per student per week shall constitute reimbursement to the City for the additional cost in overhead associated with the increased capacity of the City's Summer Camp Program to accommodate the Districts Expanded Learning Opportunities Summer Camp Program. The District has agreed to recruit additional Pacific Grove High School Students as chaperones, lifeguards, counselors etc. for the City's Summer Camp Program, and the District will work directly with the students to fill out the online application required by the City.

C. Use: The District shall have joint use of all Facilities associated with the City's Summer Camp Program for the District's expansion of the program known as Expanded Learning Opportunities Summer Camp Program.

The City shall have joint use of all Facilities associated with the District's Expanded Learning Opportunities Summer Camp Program.

The Facilities will be used to conduct both the City's Summer Camp Program and the District's expansion of the program known as Expanded Learning Opportunities Summer Camp Program.

The District will offer their program slots to the unduplicated pupil population in grades TK-6. The District will give the exact number of students enrolled in the program following the District's lottery to be held prior to May 1, 2023.

D. Termination: This Agreement will be in effect for the fiscal year 2022-2023 and 2023-24, expiring as specified above. Both Parties have a right to terminate the Agreement within (30) days written notice to either party without cause or for any reason.

E. Utilities Services: Gas, electricity and water usage will not be assessed by

either party associated with this Agreement.

F. Waste: All waste associated with the City's Summer Camp Program and the District's expansion of the program known as Expanded Learning Opportunities Summer Camp Program will be isolated to each of the defined Facilities. The District will provide custodial support staff to dispose of all waste at its real property location (RHD), and the City will provide custodial support staff to dispose of all waste at its real property location(s).

G. Nuisance: The District agrees that, in connection with its use of the Facilities, The District will not commit any public or private nuisance or any other act or thing which might or would reasonably be construed to disturb the quiet enjoyment of nearby property.

The City agrees that, in connection with its use of the Facilities, The City will not commit any public or private nuisance or any other act or thing which might or would reasonably be construed to disturb the quiet enjoyment of nearby property.

H. Fingerprinting/Background Checks: All PGUSD Staff from their BASRP Program will be required to be fingerprinted by the District via livescan at their sole expense. All City staff in direct contact with children will be required to be fingerprinted via livescan by the City at their sole expense.

I. Repairs: Outside of the normal Maintenance Obligations provided by the District, the District agrees to maintain all real property owned Facilities in good condition. All repairs and upgrades to the Facilities are at the expense of the District, unless otherwise agreed upon by both Parties.

Outside of the normal Maintenance Obligations provided by the City, the City agrees to maintain all real property owned Facilities in good condition. All repairs and upgrades to the Facilities are at the expense of the City, unless otherwise agreed upon by both Parties.

J. Insurance: The District and the City shall both carry and maintain, during the entire term hereof, at its own cost and expense, the following types of insurance:

1. Comprehensive General Liability Insurance covering bodily injury and property damage in an amount no less than $2,000,000 per occurrence, $2,000,000 aggregate.

2. Comprehensive general liability insurance policy shall be endorsed with the language that "District, its officers and employees", is named as additional insured for all liability arising out of the operations in the performance of this MOU agreement.

3. Comprehensive general liability insurance policy shall be endorsed with the language that "the City, its officers and employees", is named as additional insured for all liability arising out of the operations in the performance of this MOU agreement.

4. The additional insured endorsement must be noted on a separate form which accompanies the Certificate of Insurance (COI).

K. Hold Harmless: The City shall defend, indemnify, and hold harmless the District and its agents, representatives, officers, the District's, employees, Board of Trustees, members of the Board of Trustees (collectively, the "District Parties"), from and against any and all claims, demands, liabilities, damages, losses, suits and actions, and expenses (including, but not limited to attorney fees and costs including fees of the District) of any kind, nature and description (collectively, the "Claims") directly or indirectly arising out of, connected with, or resulting from any act, error, omission, negligence, or willful misconduct of the City, its agents, subcontractors, employees, material or equipment suppliers, invitees, or licensees (collectively, the "the City Parties") in the performance of or failure to perform the City's or the City Parties' obligations under this Agreement, including, but not limited to the City's or the City Parties' use of District sites, performance of the Services, breach of any of the representations or warranties contained in this Agreement, or for injury to or death of persons or damage to property or delay or damage to the District or the District Parties. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity, which would otherwise exist as to a party, person, or entity described in this paragraph. The indemnification provided for in this Section includes, without limitation to the foregoing, claims that may be made against District by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against District alleging civil rights violations by the City or the City Parties under the California Fair Employment and Housing Act ("FEHA").

The District shall defend, indemnify, and hold harmless the City and its agents, representatives, officers, the City's, employees, Mayor, City Council, members of the City Council (collectively, the "City Parties"), from and against any and all claims, demands, liabilities, damages, losses, suits and actions, and expenses

(including, but not limited to attorney fees and costs including fees of the City) of any kind, nature and description (collectively, the "Claims") directly or indirectly arising out of, connected with, or resulting from any act, error, omission, negligence, or willful misconduct of the District, its agents, subcontractors, employees, material or equipment suppliers, invitees, or licensees (collectively, the "the District Parties") in the performance of or failure to perform the District's or the District Parties' obligations under this Agreement, including, but not limited to the District's or the District Parties' use of City sites, performance of the Services, breach of any of the representations or warranties contained in this Agreement, or for injury to or death of persons or damage to property or delay or damage to the City or the City Parties. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity, which would otherwise exist as to a party, person, or entity described in this paragraph. The indemnification provided for in this Section includes, without limitation to the foregoing, claims that may be made against City by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against City alleging civil rights violations by the District or the District Parties under the California Fair Employment and Housing Act ("FEHA").

L. Parking: the City shall have access to the parking lots located at the real property Facilities owned by the District during the time the City is using the Facilities.

PACIFIC GROVE UNIFIED SCHOOL DISTRICT

By:_____ Date:_____

Title:_____

CITY OF PACIFIC GROVE

By:_____ Date:_____

Title:_____

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, Luke Coletti, Councilmember

MEETING DATE: May 17, 2023

SUBJECT: Council Policy by Resolution

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

RECOMMENDATION

Direct the City Attorney to return with a draft ordinance to amend Chapter 2.04 of the Pacific Grove Municipal Code codifying that Council policies shall be created, amended, or deleted only by Council Resolution.

DISCUSSION

Council policies are available online and can be found **here**.

1. Council policies are an important and integral part of city government.

2. Policies span a wide range of local government functions to establish important procedures and administrative actions.

3. Recent practice to create or amend Council policy has not been consistent, doing so either by resolution or motion (minute order).

4. Resolutions provide a permanent record that includes findings, Council votes, and is more readily located than minutes, thus strengthening the administrative record and ease of public access to the policy action.

5. The recommended action would require a Council Resolution to create, amend or delete a Council Policy.

Due to the above, the following ordinance is recommended:

2.04.100 Policy creation, amendment, or deletion.
Council policies shall be created, amended, or deleted only by Council Resolution.

OPTIONS

Provide alternate direction.

FINANCIAL IMPACT:
There is no fiscal impact.

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: Bill Peake, Mayor

MEETING DATE: May 17, 2023

SUBJECT: Appointment to Traffic Safety Commission

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

RECOMMENDATION

Approve appointment of B. Shammas to Traffic Safety Commission ending January 31. 2025.

DISCUSSION

The appointment of B. Shammas fills a vacancy on the Traffic Safety Commission.

City committees play a vital role in city government and provide opportunities for residents to become engaged in civic activities and work to improve local governance. We are very fortunate to have many highly qualified and talented residents willing to serve on City committees.

The term for TSC positions are 2 years as this is a non-Charter committee.

Mayoral appointments to City committees must be confirmed by Council (Charter Article 26). Further regulations and policy regarding appointments can be found in PGMC Chapter 3.02 and Policy 000-5.

OPTIONS

N/A

FINANCIAL IMPACT:

There is no fiscal impact.

GOAL ALIGNMENT: Not Applicable.

Attachments

Redacted B. Shammas Application

CITY OF PACIFIC GROVE
www.ci.pacific-grove.ca.us

Application for Appointment to a Public Board, Commission, or Committee

Persons interested in being appointed to serve on a board, commission, or committee of the City of Pacific Grove are invited to complete the following application.

Name:
Beth Shammas

Street Address:
[redacted]

City:	State:	ZIP Code:
Pacific Grove	ca	93950

Residence Telephone Number:	Work Telephone Number:	E-Mail Address:
[redacted]		[redacted]

Name of Board, Commission, or Committee on which you would like to serve:
Planning Commission, Traffic Commission or others

Brief Description of Background and Qualifications (Additional Information May Be Attached on Separate Sheets): ATTACHMENT OF A RESUME IS DESIRABLE.

I am a lifelong resident of Pacific Grove and served 12 years on the PGUSD Board of Trustees. I have four children and four grandchildren. I am married and my husband and I are both retired. I am a certificated teacher and have spent most of my teaching working with Teens on probation, teaching communication skills. I am an active member of Saint Angela's Catholic Church in PG. I am 72 years of age and in good health. My strengths are good communication skills, able to work collaboratively with groups and appreciating what others bring to a discussion, good analytical skills and a love of Pacific Grove.

RECEIVED
CITY MANAGER'S OFFICE
2022 DEC 27 A 11:44
CITY OF PACIFIC GROVE

I hereby certify that I am a registered voter of the City of Pacific Grove (not required for EDC appointees)

Signature of Applicant: Beth Shammas

Date: 12/26/22

FOR CITY USE ONLY

Appointed to: _____

Date of Appointment: _____ ***Expiration:*** _____

Date of Reappointment: _____ ***End of Term:*** _____

Date Certification of Appreciation Awarded: _____

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/DEI Coordinator

MEETING DATE: May 17, 2023

SUBJECT: DEI Task Force Meeting Minutes: April 8, 2023

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

RECOMMENDATION

Receive minutes.

Attachments

DEI Minutes

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DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

DIVERSITY, EQUITY, AND INCLUSION TASK FORCE

REGULAR MEETING

Monday, April 10, 2023, 6:00 P.M.

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

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

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:
https://us02web.zoom.us/j/89179208141

1. **CALL TO ORDER / ROLL CALL**
Vice Chair Nadja Mark called the meeting to order at 6:00 pm. City Manager Ben Harvey conducted roll call with the following Task Force members present: Task Force Members (Members) Nadja Mark, Donna Stevens, Juan Mosquera. Members, Kim Bui and Katie Hoops were absent.

2. **PRESENTATIONS**
Monterey-Salinas Transit Presentation: Civil Rights Officer, Deanna Smith

A. **Action:** Task Force received presentation.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

3. **APPROVAL OF AGENDA**
Action: Upon motion by Vice-Chair Mark and seconded by Secretary Stevens the Task Force voted to approve the Agenda.

Motion carried 3-0-2, by the following roll call vote:

AYES:	Members Mark, Stevens. and Mosquera.
NOES:	None.
ABSENT:	Members Bui and Hoops

4. **TASK FORCE AND STAFF ANNOUNCEMENTS (City-Related Items Only)**
Task Force Member Stevens made a general announcement. Staff announcement by City Manager Harvey.

A. Task Force Announcements Related Documents
Action: Receive related documents, if applicable.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

5. **COUNCIL LIAISON ANNOUNCEMENTS**
Council Member Poduri – absent.

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6. **GENERAL PUBLIC COMMENT**
Public comments were received from Vincent Tuminello, Carol Marquart, Mike Gibbs, Mari Adams, Andrew Gonzalez, Lisa Ciani, and Carmelita Garcia.

7. **CONSENT AGENDA**

8. **APPROVAL OF THE MINUTES**

A. Minutes of the March 13, 2023 DEI Task Force

Action: Upon motion by Secretary Stevens and seconded by Vice Chair Mark, the Task Force voted to approve the minutes.

Motion carried 3-0-2, by the following roll call vote:

AYES:	Members Mosquera, Mark, and Stevens.
NOES:	None.
ABSENT:	Members Bui and Hoops.

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

9. **REGULAR AGENDA**

A. Study Session
- Diversity, Equity, Inclusion, Racial Justice and Healing

10. **NEXT MEETING –** May 08, 2023 at 6:00 PM, in Council Chamber.

11. **ADJOURNMENT**
Vice Chair Mark adjourned the meeting at approximately 7:47 p.m.

Respectfully Submitted,

DocuSigned by:
Donna Stevens
8A3229213BCE4F1...

Donna Stevens
Secretary

DocuSigned by:
CCCFCF4BF8E44BD...

Approved by Chair: _____ Date 5/9/2023

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Annie Allenbaugh, Office Assistant

MEETING DATE: May 17, 2023

SUBJECT: Historic Resources Committee Meeting Minutes: February 22, 2023, March 2, 2023, March 22, 2023, December 28, 2022

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

RECOMMENDATION

Receive minutes.

Attachments

HRC Minutes

CITY OF PACIFIC GROVE

HISTORIC RESOURCES COMMITTEE

REGULAR MEETING MINUTES

Wednesday, February 22, 2023, 3:00 P.M.

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

1. **CALL TO ORDER & ROLL CALL**

Members Present: Anton, Bicket, Greening, Grannis

Members Absent: Steres, Kleiss

2. **ELECTION OF OFFICERS**

On a motion by Member Greening, seconded by Member Bicket, the Committee voted 4-0-2-1 (Steres and Kleiss absent, one vacancy) to renominate Chair Anton as Chair. Motion passed.

On a motion by Chair Anton, seconded by Member Grannis, the Committee voted 4-0-2-1 (Steres and Kleiss absent, one vacancy) to renominate Member Steres as Vice Chair. Motion passed.

On a motion by Member Greening, seconded by Member Grannis, the Committee voted 4-0-2-1 (Steres and Kleiss absent, one vacancy) to renominate Member Kleiss as Secretary.
Motion passed.

3. **APPROVAL OF AGENDA**

On a motion by Member Grannis, seconded by Member Greening, the Committee voted 4-0-2-1 (Steres and Kleiss absent, one vacancy) to approve the agenda.

Motion passed.

4. **COMMISSION AND STAFF ANNOUNCEMENTS (City-Related Items Only)**

Director Wyatt thanked the Committee and welcomed Member Bicket to the HRC.

5. **COUNCIL LIAISON ANNOUNCEMENTS -** None

6. **GENERAL PUBLIC COMMENT**

A. Public Comment

The following members of the public provided written public comment:
Andree Brisson
Jon Kramer
Virginia Mollner
Tom Rolander

Chair Anton opened the floor to public comment.

The following member of the public spoke:
John Renz
Lisa Ciani

CONSENT AGENDA

7. REPORTS FOR INFORMATION ONLY

A. AB 2449 - Teleconference Rules For Attendance at Meetings of Legislative Bodies

Zoning District/General Plan Designation: NA

Coastal Zone: N/A

Historic Resources Inventory: N/A

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

Recommended Action: Receive the report.

Reference: Alex Othon, Associate Planner

8. REPORTS REQUIRING ACTION

A. Minutes of the December 28, 2022 Historic Resources Committee Meeting

Reference: Anastacia Wyatt, Community Development Director

Recommended Action: Approve the minutes as submitted.

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

B. Adoption of Resolution 22-05

Zoning District/General Plan Designation: N/A

Coastal Zone: N/A

Historic Resources Inventory: N/A

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

Recommended Action: Adopt Resolution 22-05 detailing actions taken at the December 28, 2022 Historic Resources Committee meeting.

Reference: Alec Barton, AICP, Contract Planner

C. Architectural Permit (AP) and Coastal Development Permit (CDP) 22-0305, 129 Forest Avenue, Pacific Grove (APN 006-057-017)

Zoning District/General Plan Designation: R-3-PGR / High Density Residential 19.8 du/ac

Coastal Zone: Yes

Historic Resources Inventory: Yes

CEQA: Categorical Exemption, CEQA Guidelines 15331, Historical Resources Restoration/Rehabilitation

Recommended Action: Continue the project (Application No. 22-0305) to the Historic Resources Committee Special Meeting on March 2, 2023.

Reference: Joseph Sidor, Contract Planner

Item 8C was continued to the March 2, 2023 HRC Special Meeting.

On a motion by Member Grannis, seconded by Member Bicket, the Committee voted 4-0-2-1 (Steres and Kleiss absent, one vacancy) to approve the Consent Agenda.

REGULAR PUBLIC HEARINGS

9. **CONTINUED AND ONGOING BUSINESS**

A. Oral Report Neighborhood Character Subcommittee

Zoning District/General Plan Designation: N/A

Coastal Zone: N/A

Historic Resources Inventory: N/A

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

Recommended Action: The HRC formed a subcommittee tasked with establishing a new Neighborhood Character List. The members include Glynis Greening and Jean Anton. The subcommittee recently met to discuss possible evaluation criteria. The 2018-2019 Pacific Grove Historic Resources Inventory Update Survey Report prepared by Page & Turnbull includes homes that are recommended for a Neighborhood Character List (NCL) (pages 96-102). The report also details homes that could be considered for deletion. The committee will continue to meet with assistance from City staff to present specific criteria for the HRC's approval, refer to pages 121-122 for Page and Turnbull's recommendations for further information.

Reference: Anastacia Wyatt, Community Development Director

Chair Anton provided an oral report on the Neighborhood Character Subcommittee.

10. **NEW BUSINESS -** None

11. **PRESENTATIONS -** None

12. **NEXT MEETING - March 2, 2023 (Special Meeting)**

13. **ADJOURNMENT – 3:16pm**

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

HISTORIC RESOURCES COMMITTEE

SPECIAL MEETING MINUTES

Thursday, March 2, 2023, 3:00 P.M.

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

1. **CALL TO ORDER & ROLL CALL**
Members Present: Anton, Bicket, Greening, Grannis, Steres
Members Absent: Kleiss

2. **APPROVAL OF AGENDA**

Chair Anton continued item 9A to the next HRC meeting on March 22, 2023.

On a motion by Member Steres, seconded by Member Bicket, the Committee voted 5-0-1-1 (Kleiss absent, one vacancy) to approve the agenda as amended.
Motion passed.

3. **COMMISSION AND STAFF ANNOUNCEMENTS -** None

4. **COUNCIL LIAISON ANNOUNCEMENTS**
Mayor Peake delivered the following announcements:
City Council practiced a goal-setting exercise where they prioritized environmental stewardship, recreation services, infrastructure and affordable housing for the City.
City Council attended a training with the City Manager.
The Mayor delivered the State of the City Address on Tuesday, February 28, 2023.
City Council approved an amended budget – there is a $1 million dollar surplus.
The COVID-19 State of Emergency was lifted as of February 28, 2023.

5. **GENERAL PUBLIC COMMENT**
The following members of the public spoke:
Lisa Ciani

CONSENT AGENDA

6. REPORTS FOR INFORMATION ONLY - None

7. REPORTS REQUIRING ACTION - None

REGULAR AGENDA

8. **PUBLIC HEARINGS**

A. Architectural Permit (AP) 22-0235 for 312 1st St (APN 006-247-004)

Zoning District/General Plan Designation: R-2 / High Density Residential (21.8 du/ac)

Coastal Zone: No

Historic Resources Inventory: Yes

CEQA: Categorical Exemption, CEQA Guidelines 15331, Historical Resources Restoration/Rehabilitation

Recommended Action: Approve AP 22-0235 subject to findings, conditions of approval, and Classes 1 and 31 CEQA exemptions.

Reference: Alec Barton, Contract Planner

Alec Barton delivered staff report.

The following members of the public spoke:

Phoebe Choy

Catherine Whitaker

Lisa Ciani

Inge Lorentzen Daumer

Jane Fleischman

On a motion by Member Steres, seconded by Member Grannis, the Committee voted 5-0-1-1 (Kleiss absent, one vacancy) to continue the item to the April 26, 2023 HRC meeting.

Motion passed.

B. Architectural Permit (AP) & Use Permit (UP) 22-0295 for 236 Cypress Ave (APN 006-302-004)

Zoning District/General Plan Designation: R-1 / Medium Density Residential (12.1 du/ac)

Coastal Zone: No

Historic Resources Inventory: Yes

CEQA: Categorical Exemption, CEQA Guidelines 15331, Historical Resources Restoration/Rehabilitation

Recommended Action: Recommend approval of the project to the Planning Commission, subject to the findings, conditions of approval, and Classes 1 & 31 CEQA exemptions.

Reference: Alec Barton, Contract Planner

Alec Barton delivered staff report.

The following members of the public spoke:

John Renz

Gretchen Fletcher

Lyn Israelit

On a motion by Member Greening, seconded by Member Grannis, the Committee voted 5-0-1-1 (Kleiss absent, one vacancy) to approve the project with direction to reconsider the rear window design.

Motion passed.

9. **CONTINUED AND ONGOING BUSINESS**

A. Architectural Permit (AP) and Coastal Development Permit (CDP) 22-0305, 129 Forest Avenue, Pacific Grove (APN 006-057-017); Continued from the February 22, 2023, HRC Regular Meeting

Zoning District/General Plan Designation: R-3-PGR / Medium High Density Residential 10 - 20 du/ac

Coastal Zone: Yes

Historic Resources Inventory: Yes

CEQA: Categorical Exemption, CEQA Guidelines 15331, Historical Resources Restoration/ Rehabilitation

Recommended Action: Staff recommends the Historic Resources Committee (HRC) recommend approval to the Planning Commission of the proposed Architectural Permit and Coastal Development Permit (AP/CDP 22-0305), subject to the findings, conditions of approval, and Class 1 and Class 31 categorical exemptions for existing facilities and historical restoration/rehabilitation, respectively.

Reference: Joseph Sidor, Contract Planner

Item continued to the next HRC meeting - March 22, 2023.

10. **NEW BUSINESS - None**

11. **PRESENTATIONS - None**

12. **NEXT MEETING - March 22, 2023 at 3:00pm**

13. **ADJOURNMENT – 3:53pm**

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

HISTORIC RESOURCES COMMITTEE

REGULAR MEETING MINUTES

Wednesday, March 22, 2023, 3:00 P.M.

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

1. **CALL TO ORDER & ROLL CALL**

Members Present: Member Anton, Member Bicket, Member Grannis, Member Greening, Member Kleiss, Member Steres (Arrived at 3:03pm)

Members Absent: None

2. **APPROVAL OF AGENDA**

Chair Anton moved Item 8B and 8C to the consent agenda and moved Item 9A ahead of 8A.

Due to a noticing error, Items 8 C - G were continued to the next meeting.

On a motion by member Grannis, seconded by member Bicket, the committee voted 5-0-1-1 (Steres absent; 1 vacancy) to approve the agenda as amended. Motion passed.

Member Steres arrived after approval of the agenda.

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

City welcomed Garrett McCown to CDD as Assistant Planner.

4. **COUNCIL LIAISON ANNOUNCEMENTS**

None

5. **GENERAL PUBLIC COMMENT**

The following members of the public spoke:

Inge L. Daumer

CONSENT AGENDA

6. REPORTS FOR INFORMATION ONLY

None

7. REPORTS REQUIRING ACTION

A. Minutes of the February 22, 2023 Historic Resources Committee Meeting

Reference: Annie Allenbaugh, Office Assistant

Recommended Action: Approve the Minutes of the February 22, 2023 Historic Resources Committee Meeting.

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

B. Minutes of the March 2, 2023 Historic Resources Committee Special Meeting

Reference: Annie Allenbaugh, Office Assistant

Recommended Action: Approve the Minutes of the March 2, 2023 Historic Resources Committee Special Meeting.

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

C. Initial Historic Screening - 524 Crocker Avenue

Zoning District/General Plan Designation: R-1-B-3

Coastal Zone: No **Historic Resources Inventory:** No

CEQA: Categorical Exemption, CEQA Guidelines Section 15306, Class 6, Information Collection

Recommended Action: Find the property ineligible for the HRI.

Reference: Alec Barton, AICP, Contract Planner

D. Initial Historic Screening - 991 Benito Ct.

Zoning District/General Plan Designation: R-1 / MDR (9.7 du/ac) **Coastal Zone:** No **Historic Resources Inventory:** No

CEQA: Categorical Exemption, CEQA Guidelines Section 15306, Class 6, Information Collection

Recommended Action: Find the property ineligible for the HRI.

Reference: Alec Barton, AICP, Contract Planner

On a motion by member Grannis, seconded by member Greening, the committee voted 6- 0-1 (1 vacancy) to approve the consent Agenda.

REGULAR AGENDA

8. PUBLIC HEARINGS

A. Architectural Permit (AP) and Coastal Development Permit (CDP) 22-0305, 129 Forest Avenue, Pacific Grove (APN 006-057-017); Continued from the February 22 and March 2, 2023, HRC Regular Meetings

Zoning District/General Plan Designation: R-3-PGR / High Density Residential 19.8 du/ac

Coastal Zone: Yes **Historic Resources Inventory:** Yes

CEQA: Categorical Exemption, CEQA Guidelines 15331, Historical Resources Restoration/Rehabilitation

Recommended Action: Staff recommends the Historic Resources Committee (HRC) recommend approval to the Planning Commission of the proposed Architectural Permit and Coastal Development Permit (AP/CDP 22-0305), subject to the findings, conditions of approval, and Class 1 and Class 31 categorical exemptions for existing facilities and historical restoration/rehabilitation, respectively.

Reference: Joseph Sidor, Contract Planner

Chair Anton and Member Bicket recused themselves.

Joseph Sidor delivered staff report. Project architect Bill Medford spoke followed by homeowner Doug White.

The following members of the public spoke:
Shayla Sullivan
Inge L. Daumer
Michelle O.
Jeffrey Becom
Dana Spernawitz, spoke as the historical consultant.

On a motion by member Steres, seconded by member Kleiss, the committee voted 4-0-2-1 (Anton and Bicket recused; 1 vacancy) to continue the item to the April 26th meeting.

B. Architectural Permit 23-0017 for 155 15th St (006-177-009)

Zoning District/General Plan Designation: R-3-PGR/HDR 19.8 Du/ac **Coastal Zone:** No **Historic Resources Inventory:** Yes

CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities
Recommended Action: Approve AP 23-0017 subject to findings, conditions of approval, and Classes 1 and 31 CEQA exemptions.

Reference: Laurel O'Halloran, Associate Planner & Economic Development Coordinator

Laurel O'Halloran delivered staff report. Bill Medford, project architect gave a project summary, and homeowner Vickie Branton spoke also.

The following members of the public spoke:

Shayla Sullivan

Lisa Ciani

Jeff Becom

Inge L. Daumer

On a motion by member Kleiss, seconded by member Grannis, the committee voted 6-0-1 (1 vacancy) to continue the item to a date uncertain.

C. Historic Resources Inventory Deletion - 109 15th St.

Zoning District/General Plan Designation: R-3-PGR / HDR 19.8 du/ac **Coastal Zone:** No
Historic Resources Inventory: Yes

Historic Resources Inventory: Yes

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

Recommended Action: Remove the subject property from the HRI.
Reference: Alec Barton, AICP, Contract Planner

D. Historic Resources Inventory Deletion - 120 15th St.

Zoning District/General Plan Designation: R-3-PGR / HDR 19.8 du/ac **Coastal Zone:** Yes
Historic Resources Inventory: Yes

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

Recommended Action: Remove the subject property from the HRI.
Reference: Alec Barton, AICP, Contract Planner

E. Historic Resources Inventory Deletion - 125 15th St.

Zoning District/General Plan Designation: R-3-PGR / HDR 19.8 du/ac **Coastal Zone:** Yes
Historic Resources Inventory: Yes

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

Recommended Action: Remove the subject property from the HRI.
Reference: Alec Barton, AICP, Contract Planner

F. Historic Resources Inventory Deletion - 111 Fountain Ave.

Zoning District/General Plan Designation: R-3-PGR / HDR 19.8 du/ac **Coastal Zone:** Yes
Historic Resources Inventory: Yes

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

Recommended Action: Remove the subject property from the HRI.
Reference: Alec Barton, AICP, Contract Planner

G. Historic Resources Inventory Deletion - 122 Fountain Ave.

Zoning District/General Plan Designation: R-3-PGR / HDR 19.8 du/ac **Coastal Zone:** Yes
Historic Resources Inventory: Yes

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

Recommended Action: Remove the subject property from the HRI.
Reference: Alec Barton, AICP, Contract Planner

9. **CONTINUED AND ONGOING BUSINESS**

10. **NEW BUSINESS**

None

11. **PRESENTATIONS**

None

12. **NEXT MEETING - April 26, 2023**

13. **ADJOURNMENT – 4:33pm**

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

HISTORIC RESOURCES COMMITTEE

REGULAR MEETING MINUTES

Wednesday, December 28, 2022, 3:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

1. **CALL TO ORDER & ROLL CALL**

   Member Present: Rick Steres, Glynis Greening, Jill Kleiss, Jean Anton
   Members Absent: Nina Grannis

2. **APPROVAL OF AGENDA**

   Item 8G was continued.

   On a motion by Member Greening, seconded by Member Steres, the Committee voted 4-0-1-2 (Grannis absent, two vacancies) to approve the agenda.

   Motion passed.

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

4. **COUNCIL LIAISON ANNOUNCEMENTS**

5. **GENERAL PUBLIC COMMENT**

   The following members of the public provided general public comment:
   Lisa Ciani

CONSENT AGENDA

6. REPORTS FOR INFORMATION ONLY

7. REPORTS REQUIRING ACTION

   A. Minutes from the November 16, 2022 Historic Resources Committee Meeting.
   Reference: Alex Othon, Associate Planner
   Recommended Action: Approve the minutes as presented.
   CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

   B. Initial Historic Screening (IHS) 22-0300 for 170 Sloat Avenue (APN 006-224-009)
   CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines

Section 15378
Recommended Action: Determine the property to be ineligible for the Historic Resources Inventory (HRI) because the property does not exhibit the architectural characteristics of the styles described in Section 7.3 of the General Plan or Section IV of the Historic Context Statement.
Reference: Joseph Sidor, Contract Planner

C. Initial Historic Screening (IHS) 22-0311 for 510 Park St (APN 006-465-003)
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

Recommended Action: Find the property ineligible for the Historic Resources Inventory (HRI).
Reference: Alex Othon, Associate Planner

D. Initial Historic Screening (IHS) 22-0308 for 815 Walnut St (APN 006-631-015)
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Find the property ineligible for the Historic Resources Inventory (HRI).
Reference: Alex Othon, Associate Planner

E. Adoption of Resolution 22-04
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Adopt Resolution 22-04 detailing actions taken at the November 16, 2022 Historic Resources Committee meeting.
Reference: Alex Othon, Associate Planner

On a motion by Member Steres, seconded by Member Greening, the Committee voted 4-0-1-2 (Grannis absent, two vacancies) to approve the Consent Agenda with the following amendments:

Item 7B was pulled from the Consent Agenda and placed on the Regular Agenda as the new Item 8G.

Motion passed.

The following members of the public commented:
Inge Lorentzen Daumer
Lisa Ciani

REGULAR AGENDA

8. PUBLIC HEARINGS

A. Deletion of 110 13th (APN 006-183-005) from the City's Historic Resources Inventory (HRI).
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Remove the property from the Historic Resources Inventory.
Reference: Alex Othon, Associate Planner

Member Greening recused herself from Regular Agenda Items A – D, HRI Deletions.

The following members of the public commented:
Jeffrey Becom
Lisa Ciani

Inge Lorentzen Daumer

On a motion by Member Steres, seconded by Member Kleiss, the Committee voted 2-1-1-1-2 (Greening recused, Grannis absent, two vacancies) to retain the property on the HRI.

No action taken due to lack of quorum.

B. Deletion of 112 13th St (APN 006-183-006) from the City's Historic Resources Inventory (HRI).
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Remove the property from the HRI.
Reference: Alex Othon, Associate Planner

The following members of the public spoke:
Jeffrey Becom
Lisa Ciani
Inge Lorentzen Daumer

On a motion by Member Steres, seconded by Member Kleiss, the Committee voted 3-0-1-1-2 (Greening recused, Grannis absent, two vacancies) to retain the property on the HRI.

Motion passed.

C. Deletion of 113 14th St (APN 006-183-014) from the City's Historic Resources Inventory (HRI).
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Remove the property from the HRI.
Reference: Alex Othon, Associate Planner

On a motion by Member Steres, seconded by Member Kleiss, the Committee voted 2-1-1-1-2 (Greening recused, Grannis absent, two vacancies) to retain the property on the HRI.

No action taken due to lack of quorum.

The following members of the public spoke:
Jeffrey Becom
Lisa Ciani
Inge Lorentzen Daumer

D. Deletion of 114 Carmel Ave (APN 006-184-005) from the City's Historic Resources Inventory (HRI).

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Remove the property from the HRI.
Reference: Alex Othon, Associate Planner

The following members of the public spoke:
Jeffrey Becom
Lisa Ciani

Inge Lorentzen Daumer

On a motion by Member Steres, seconded by Member Kleiss, the Committee voted 3-0-1-1-2 (Greening recused, Grannis absent, two vacancies) to remove the property from the HRI and consider for the Neighborhood Character List.

Motion passed.

E. Renewal of the Historic District Formation Subcommittee.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Renew the Historic District Subcommittee for another six (6) months, to run through June, 2023.
Reference: Alex Othon, Associate Planner

Member Greening returned to the meeting.

On a motion by Member Greening, seconded by Member Kleiss, the Committee voted 4-0-1-2 (Grannis absent, two vacancies) to renew the subcommittee.

Motion passed.

F. Formation of Neighborhood Character Subcommittee
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Form a Neighborhood Character subcommittee and staff it with two members of the HRC.
Reference: Alex Othon, Associate Planner

The following members of the public spoke:
Jeffrey Becom
Lisa Ciani
Inge Lorentzen Daumer

On a motion by Member Steres, seconded by Member Greening and Member Kleiss, the Committee voted 4-0-1-2 (Grannis absent, two vacancies) to form the subcommittee.

Motion passed.

On a motion by Chair Anton, seconded by Member Kleiss, the Committee voted 4-0-1-2 (Grannis absent, two vacancies) to have the subcommittee staffed by Chair Anton and Member Greening.

Motion passed.

G. Architectural Permit (AP) & Use Permit (UP) 22-0312 for 542 Lighthouse Avenue (APN 006-173-001)
CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities
Recommended Action: Continue this item to a date uncertain

Reference: Alex Othon, Associate Planner

This item is continued to a date uncertain.

G. Initial Historic Screening (IHS) 22-0300 for 170 Sloat Avenue (APN 006-224-009)
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Determine the property to be ineligible for the Historic Resources Inventory

This is the new Item 8G.

The following members of the public spoke:
Inge Lorentzen Daumer
Lisa Ciani
Jeffrey Becom

On a motion by Member Steres, seconded by Member Kleiss, the Committee voted 2-2-1-2 (Grannis absent, two vacancies) to find the property ineligible for the HRI.

Motion failed.

On a motion by Member Kleiss, seconded by Member Greening, the Committee voted 3-1-1-2 (Grannis absent, two vacancies) to find the property ineligible for the HRI.

Motion passed.

9. **NEW BUSINESS**

10. **CONTINUED AND ONGOING BUSINESS**

A. Deletion of 111 12th St (APN 006-184-013) from the City's Historic Resources Inventory (HRI). (**This item was continued from the November 16, 2022 HRC Special Meeting).**
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378
Recommended Action: Remove the property from the HRI.
Reference: Alex Othon, Associate Planner

Member Greening recused herself.

The following member of the public spoke:
Lisa Ciani
Jeffrey Becom
Inge Lorentzen Daumer

On a motion by Chair Anton, seconded by Member Steres, the Committee voted 3-0-1-1-2 (Greening recused, Grannis absent, two vacancies) to remove the property from the HRI and consider for the Neighborhood Character List.

Motion passed.

B. Receive an Oral Report from the Historic District Formation Subcommittee. **(This item was continued from the October 26, 2022 meeting).**

Reference: Alex Othon, Associate Planner
Recommended Action: Receive an Oral Report from the Historic District Formation Subcommittee.
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

Member Greening returned to the meeting.

Report Received.

The following members of the public spoke:
Lisa Ciani

11. **PRESENTATIONS**

12. **NEXT MEETING - January 25, 2022**

13. **ADJOURNMENT – 4:33pm**

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: Diana Godwin, Library Manager

MEETING DATE: May 17, 2023

SUBJECT: Library Board Minutes: March 13, 2023

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

RECOMMENDATION

Receive minutes.

Attachments

LAB Minutes March 2023

LIBRARY ADVISORY BOARD

REGULAR MEETING

Monday, March 13, 2023, 4:00 P.M.

City Council Chambers, City Hall
300 Forest Avenue, Pacific Grove 93950

MINUTES

CALL TO ORDER/ROLL CALL – 4:07 pm. Attending: Library Director Diana Godwin; Board members Carla Nielson, Tama Olver, Alysia Perez, Mary Ann Whitten; City Council Liaison Lori McDonnell. Absent: None.
Member of the public: Inge Lorentzen Daumer.

The meeting was called to order and conducted by Vice Chair Mary Ann Whitten who announced that Chair Heather Lazare has resigned for personal reasons and a new member will be appointed from recent applicants. Election of new officers will be deferred until the appointment has been made.

Whitten asked newly-appointed members to introduce themselves. Carla Nielson noted that she is a long-time supporter of the Library and has a background in corporate marketing and education. Alysia Perez is also a long-time supporter and has a background in research. She looks forward to applying her experience in program development and delivery.

1. **ABOUT THE LIBRARY ADVISORY BOARD** Vice Chair Whitten noted that a reading and discussion of the mission would be deferred to the next meeting when full board membership could be present.

2. **ELECTION OF OFFICERS** Vice Chair Whitten noted that election of officers would be deferred to the next meeting when full board membership could be present. She asked board members to consider their interest in serving as Chair, Vice Chair, or Secretary.

3. **AB 2449 - TELECONFERENCE RULES FOR ATTENDANCE AT MEETINGS OF LEGISLATIVE BODIES** Vice Chair Whitten noted that guidelines for public board and commission meetings in California have been updated because of changes in the state of emergency for COVID. Meetings of the board will be in-person and take place in City Council Chambers using a hybrid format to provide the option of remote attendance by the public.

4. APPROVAL OF AGENDA *Motion: Approve the agenda for the 3/13/23 meeting.* Olver/Nielson. Passed unanimously 4/0/0.

5. COMMISSION AND STAFF ANNOUNCEMENTS

Library Director Godwin noted:

A. Interviews will take place in the next week for a 30-hour clerk.
B. Children's programs
    1. Regular programs have been well-attended
    2. A new partnership with Robert Down School will involve crafts and partnerships with the Museum of Natural History. Mary read at the school for Book Week.
C. Teen programs
    1. A March Bingo Challenge
    2. Poetry festival 4/1, 1-4 pm
    3. Acting Foolish with Patrice Vecchione will take place with help from Youth Ambassadors
D. Gallery Programs
    1. Gateway show attendance was down and attendance for the Padre Trails Camera Club was up.
E. Poet's Perch
    1. Ben Jealous talk is scheduled for 3/13
    2. Barbara Mossberg is scheduled for Women's History Month on 3/17
    3. April has a full month of poetry events: Alka Joshi book launch 4/7 & meet the author (first since before COVID), Ava Homa 4/20, Ava Home, Lee Herrick 5/5
    4. Considering youth poets in June and music in July
    5. The theme for the fall series will be "I Sing Myself," poets influenced by Walt Whitman; opening reception scheduled for 10/6
    6. Considering setting up a membership table, providing bookselling and refreshments for events. Capacity of the Museum for events is 195.
F. Youth ambassadors
    1. A new group will start 4/1.
    2. Teen tech has been well-received, however may not happen in March
G. The mobile library vehicle (MOVe) was received February 22 after delays. CAD drawings and fabrication for modifications are underway. Received estimates for vehicle wrap.

Vice Chair Whitten noted:

A. Board members to be thinking about possible projects for the board as well as areas where they might be interested in serving. Perez suggested an overall review of Library services for new board members.

6. COUNCIL LIAISON ANNOUNCEMENTS

Councilmember McDonnell noted:

A. The special event calendar for the city was approved on 2/15
B. A subcommittee has been formed regarding historical designation for the NOAA building
C. Working with NOAA on a revised city ordinance regarding drones
D. Considering automatic vehicle registration identification for security
E. Approved a revised parklet program
F. Seeking consulting help for the housing element of the general plan

7. PUBLIC COMMENT

Member of the public Inge Lorentzen Daumer noted that the public was unable to hear comments of board members who were not properly using the microphones.

8. APPROVAL OF THE MINUTES

Motion: Approve the minutes of the January 9, 2023, meeting. Olver/Perez. The motion passed unanimously 4/0/0.

REGULAR AGENDA

9. UNFINISHED AND ONGOING BUSINESS

A. Welcome to our Youth Ambassador Mary Ann Whitten introduced Caitlin Botes , President of the Youth Ambassadors and invited her to make comments. Botes noted that she planned to attend every other meeting of the board. There are 15 Youth Ambassadors whose role is to support nonprofits while providing real-world experience for youth. She sees opportunity for advancing the connection of teens with the Library, for example the proposed youth poetry event. She proposed a subcommittee of the board focused on teens.

B. Non-monetary donations Whitten suggested a subcommittee regarding recognition for non-monetary contributions, such as a lifetime of service, to the Library and suggested formation of a subcommittee. Olver expressed willingness to serve.

10. NEW BUSINESS

A. Library Art Collection Godwin noted that Christine's inventory of art is complete. There are a small number of items that are candidates for deaccessioning.
Public comment: Daumer noted that public comment should be sought for each agenda item and specifically commented that community members with institutional memory may be able to provide history for some of the items.

ADJOURNMENT – 4:54 pm.
Next Meeting: March 13, 2023 at 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: Lori Frati, Management Analyst

MEETING DATE: May 17, 2023

SUBJECT: Hospitality Improvement District (HID) program for Fiscal Year 2023-24

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

RECOMMENDATION

1. Hold a public hearing to determine whether a majority written protest to the proposed annual district assessment is received.
2. If no majority protest is determined, adopt the resolution to approve the annual report, levy the annual assessment, approve the program for Fiscal Year 2023-24, 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.
3. Alternatively, discuss and take other actions related to this item.

DISCUSSION

In November 2007, the City established the Hospitality Improvement District (HID), appointed an advisory board, and established an assessment for the District.

On October 29, 2018, City Council adopted Resolution No. 18-039, granting the City of Monterey to include the City of Pacific Grove in the Monterey County Tourism Improvement District (MCTID).

On November 28, 2018, Council adopted Resolution No. 18-047, amending the Hospitality Improvement District assessment, effective January 1, 2019. This amendment allowed Pacific Grove to equally bifurcate the original assessment. Under this new structure, the HID assessment of $2.00 per night for full-service lodging establishments at $1.00 per room night for all others, will be transferred to the Pacific Grove Chamber of Commerce. Resolution 12-014 defines full service lodging accommodations as "…generally mid-price, upscale or luxury hotels with a restaurant, lounge facilities and meeting space as well as minimum service levels, often including bell service and room service. These hotels report food and beverage revenue". Pacific Grove currently has no full-service hotels or bed and breakfast establishments. HID assessment revenues are exclusively used for the support and benefit of the hospitality economy of Pacific Grove.

The separate MCTID assessment approved for levy in January 2019, is due to expire on December 31, 2023. On February 1, 2023, Council adopted Resolution No. 23-001, granting consent to the City of Monterey to renew the Monterey County Tourism Improvement District (MCTID) for current year and

future years.

At its April 19, 2023, meeting, the City Council approved a resolution of intent to levy the HID assessment for FY 2023-24 and set a public hearing for May 17, 2023 to consider the levy. California Streets and Highways Code Section 36525 provides that the District shall not be formed if written protests are received from the owners of businesses in the proposed area that will pay 50 percent or more of the assessments proposed to be levied. Staff advertised the public hearing pursuant to relevant State and Municipal Code sections. Staff has received no protest petitions as of this writing.

Pursuant to State law and City Council Resolution 07-044, which formed the HID, an Annual Report is required that reports on District revenues and expenditures, proposes a budget for Fiscal Year (FY) 2023-24, and requests the levy of an assessment for FY 2023-24.

The Pacific Grove Chamber of Commerce annual report (Attachment 1) reports on District revenues and expenditures for FY 2022-23, proposes a budget for FY 2023-24, and requests the levy of an assessment for FY 2023-24. No changes to HID boundaries are recommended for FY 2023-24. City Council Resolution 07-044 (Attachment 2) outlines the requirements for levying the annual assessment for the District. The terms of the Resolution have been met as indicated by the specific points of compliance set forth below:

Process for Advisory Board Appointment: Per the Resolution, the Chamber of Commerce facilitated a noticing of all properties in the HID and a meeting of the HID Advisory Board to fill Advisory Board seats that will expire on June 30, 2023. Results of the election from the Chamber of Commerce are included in the report, with the following recommended Advisory Board for next year:

- Fady Hannah - Lighthouse Lodge and Cottages (Advisory Board Chair Seat), term expires June 30, 2024
- Michael Grech - Monterey Peninsula Inn, term expires June 30, 2024
- Amy Hanmer-Wheeler - Gosby House & Green Gables Inn, (Advisory Board Seat) term expires June 30, 2025
- Robert Boerner - Pacific Gardens Inn, term expires June 30, 2025

As stated in the ordinance that created the HID, "a conference facility", in reference to Asilomar Conference Grounds, will have one representative on the board at all times. Enos Esquivel, of Asilomar will be the board member on the HID representing the conference facility.

- *Agreement with Chamber of Commerce for Services* (Attachment 3): The City will sign an agreement with the Chamber of Commerce to administer the HID program in compliance with the plan approved by the City Council. Any unspent revenues will be retained by the Chamber for performance of the FY 2023-24 agreement.
- *Chamber of Commerce Financial Reporting:* The FY 2022-23 HID report from the Chamber includes HID expenditure activity for current fiscal year to January 31, 2023.

Proposed FY 2023-24 HID Program. The City of Pacific Grove estimates a total of $244,000 will be distributed to the HID in FY 2023-24; however, this amount may be amended based on transient occupancy revenues within the fiscal year. The estimated revenue of $244,000, in addition to the carry-overbalance of $20,000, brings the budget to 264,000.

The HID Advisory Board recommends allocating HID assessment revenues for the following projected FY 2023-24 expenditures:

Proposed HID Expenditure Budget FY 2023-24	
Bookkeeping	$4,800
Staffing	$84,000
Marketing/Advertising	$106,000
Miscellaneous	$4,680
Lease and Property Exp. (Visitor Center)	$48,120
Operating Expenses (Visitor Center)	$12,000
Technology	$2,000
Landscaping	$2,400
Total	**$264,000**

OPTIONS

1. Decline to adopt the Resolution.
2. Adopt a modified Resolution.
3. Provide alternative direction.

FINANCIAL IMPACT:

The City acts as the administrative pass-through to the HID. Assessment revenues may only be used for HID purposes; and will reflect the actual amounts collected.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Resolution 23-001 MCTID

Chamber Annual Report

HID Resolution 07-044

HID Agreement with Chamber FY 23-24

HID Resolution

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RESOLUTION NO. 23-001

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE, GRANTING CONSENT TO THE CITY OF MONTEREY TO RENEW THE MONTEREY COUNTY TOURISM IMPROVEMENT DISTRICT (MCTID)

WHEREAS, the City of Monterey initially created the MCTID in 2006 under the Parking and Business Improvement Area Law of 1989; and

WHEREAS, the MCTID was converted in 2019 under Property and Business Improvement District Law of 1994 by Resolution No. 18-147 for a five (5) year term, which ends December 31, 2023; and

WHEREAS, the City Council of the City of Monterey has requested consent to renew the MCTID in the City of Pacific Grove with adoption of Monterey City Council Resolution No. 22-169, dated December 20, 2022;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Pacific Grove, that:

Section 1: The above recitals are true and correct.

Section 2: The City of Monterey is hereby granted consent to include the City of Pacific Grove in the MCTID, for the renewal of the MCTID and future renewals.

Section 3: The City Clerk is hereby directed to transmit a certified copy of this Resolution to the Clerk of the City of Monterey City Council.

Section 4: This Resolution is effective upon its adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 1st day of February, 2023 by the following vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell and Poduri.
NOES: None.
ABSENT: None.

APPROVED:

DocuSigned by:
Bill Peake
2E6F9DE48137414...

BILL PEAKE, Mayor

DocuSign Envelope ID: CF1A6DD6-C3C3-4D5F-BD51-01535B3B787A

ATTEST:
DATED: 2/7/2023

DocuSigned by:
Sandra Kandell
7882E89E4EDE420...

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Brian Pierik
01871FB17BD8435...

BRIAN A. PIERIK, City Attorney

CHAMBER OF COMMERCE
& TOURIST CENTERS

March 13, 2023

To: Lori Frati - Finance Management Analyst
From: Jenny MacMurdo - Pacific Grove Chamber of Commerce
Subject: Pacific Grove Hospitality Improvement District Annual Report

In accordance with the City's approved agreement with Pacific Grove Chamber of Commerce (PGCC), I am submitting the HID annual report.

Introduction

While the start of the 22/23 FY showed a robust strengthening of the hospitality industry in a quasi-post-pandemic time, starting in early December 2022 through today, we've experienced numerous rare weather events preventing travelers visiting the area.

During the more favorable weather months of July through November, a return to large outdoor events such as Good Old Days, Car Week and the Jazz Festival, as well as the full re-opening of the destination's top attraction, the Monterey Bay Aquarium, attracted thousands to the area. Asilomar Conference Grounds rebounded this year with group and conference business bookings, and our restaurant parklets served as an attraction for visitors to experience Pacific Grove.

However, starting in December, occupancy was significantly impacted on several important holidays and long weekends, such as New Year's Eve and MLK Jr. Day weekend, due to inclement weather as well as State of Emergency Declarations. Also, for the first time in several years, the AT&T Pebble Beach Pro-Am visitor draw didn't result in full occupancy. Several properties reported their worst January on record this year.

Despite an unusually weather-centric winter, the outlook for the final quarter of this FY is bright. Once weather patterns stabilize, we expect barriers to visitor travel should as well.
In a recent Monterey Herald article, MCCVB President & CEO stated, "Currently we're about 71% of where we were pre-COVID, but we're doing a bit better than some of our competitors. [Mid-week overnight] and international travel is coming back at a steady rate."

Election of Board Members

On Wednesday, March 8th, 2023 the Chamber hosted a public meeting and invited all HID members. The purpose of the meeting was to facilitate the election of two HID Advisory Board representatives.

The two below innkeepers were elected to fulfill Amrish Patel's term, as he no longer is associated with a Pacific Grove assessed property, and elected to fulfill the Chair term left open by Patel's departure, respectively:

1. Amy Hanmer Wheeler – Gosby House & Green Gables Inn (Advisory Board Seat)
2. Fady Hanna – Lighthouse Lodge & Cottages (Advisory Board CHAIR Seat)

On Wednesday, April 5th, 2023 the Chamber will host a public meeting and invite all HID members to a meeting in order to facilitate the re-election of the following two innkeepers to a two-year term from July 1, 2023 through June 30, 2025:

3. Amy Hanmer Wheeler – Gosby House & Green Gables Inn
4. Robert Boerner – Pacific Gardens Inn

The newly elected HID members will join the below two Advisory Board members that are serving until June 30, 2024:

1. Fady Hanna – Lighthouse Lodge & Cottages
2. Michael Grech - Monterey Peninsula Inn

For your information, the ordinance which created the HID stipulated that, "a conference facility," in reference to Asilomar Conference Grounds, will have one representative on the board at all times. Enos Esquivel left his position at Asilomar on March 10, 2023. In the meantime, the HID has asked Linda Casey to step in as the board member on the HID representing the conference facility until the time that Esquivel's position has been filled.

Income/Beginning Balance

The beginning balance of the HID account on July 1, 2022 was $72,737.80. Total income of the HID from July 1, 2022 through January 31, 2023 was $137,090.52

Expenditures and Details

Total expenses from July 1, 2022 until January 31, 2023 were $124,473.81.
HID expenditures have been invested in the below main areas:

1. Tourist Center
    a. The Tourist Center at 100 Central Avenue is the largest operating expense of the HID. The center attracts hundreds of visitors each week who are referred to all business districts in Pacific Grove.
    b. From July 2022 to February 2023, the Center had a total of 9,570 visit the center, averaging 1,200 each summer month and 900 each month in the off-season. These totals are just slightly more (~2.1%) than the previous fiscal year.
    c. Visitors are excited to be traveling. Most are California residents who love our destination. However, we continue to see travelers from across the US and international travelers as well.
    d. Since its opening in May of 2011, the center has served as a connection point from the Central/Eardley District through to the downtown Lighthouse District. Its location is strategically located at the very northern edge of Pacific Grove and just one block from the entrance to the Monterey Bay Aquarium.
2. Online Marketing
    a. Online marketing remains the most effective method of reaching targeted market segments in an engaging manner.
    b. The chamber's total following continues to rise across all social media platforms. This year our combined accounts saw an increase of 18% overall, bringing the total to almost 30,000.
    c. The HID contracts with several media companies which handle strategic campaigns that attract visitors to Pacific Grove.

   d. The focus is on generating overnight visitors who will stay, dine and shop in town.
3. Print Advertising
   a. The Bay Area and the Central Valley are the top two feeder markets for Pacific Grove.
   b. Most HID print advertising targets key markets and utilize Bay Area publications and travel magazines.
4. Video Promotions
   a. Over the past few years, the HID produced promotional videos of most lodging establishments.
   b. This spring and summer, the HID has approved updated photography and videography for establishments who have recently undergone significant renovations.
5. Promotional Brochures
   a. In January 2022, our tourist guide was fully re-designed, updated, and published 30,000 copies to distribute throughout the year.
   b. Printed materials are still frequently requested by travel partners.
   c. This year our Tourist Information Center, as well as a special feature on Pacific Grove's Magic Carpet, has been added to the Central Coast Tourism Council's map/brochure, gaining additional visibility.
6. Distribution Services
   a. The HID funded the distribution of the tourist guide to key locations in the County as well as San Jose airport.
   b. Certified Folder Display Services is a company that specializes in delivery of brochures in California. The company distributes the guide on behalf of the HID.

Key Goals for 2023 – 2024

1. The Chamber continues converting all possible messages and images to reflect the new branding completed in April 2020. While our new Chamber/Destination website rolled out in the summer of 2022, we'll continue to research ways to build in, "Book Direct" messaging.
2. Educate and support local innkeepers in developing stronger relationships with Monterey County Convention & Visitors Bureau. It is critical to take advantage of the services and elevation of PG-owned strategic marketing offered by the MCCVB.
3. Bring back the time-honored traditional event "Christmas at the Inns" which promotes all bed and breakfast inns in town.
4. Develop a Lodging Quality Assurance (LQA) Program to ensure our lodging partners are provided with information and tools to consistently improve lodging standards, and that visitors to Pacific Grove always experience the finest in accommodations.
5. Develop a Certified Vendor Program to assist the area's lodging partners on reaching higher LQA ratings. The program would educate vendors on the LQA rating system so they can assist property owners with purchasing high quality products that correspond with inspection qualifications.
6. Continue to collaborate with internationally recognized organizations that benefit Pacific Grove such as the Monterey Bay Aquarium, CourseCo Inc., Asilomar Conference Grounds, WeatherTech Raceway Laguna Seca and others.

7. Promote Pacific Grove during major events in the area such as the AT&T Pebble Beach Pro-Am, Monterey Jazz Festival, Car Week, WeatherTech Raceway Laguna Seca event series, US Open, Monterey Bay Half Marathon, and at our one and only professional ball club - Monterey Bay Football Club.
8. Subsidize marketing opportunities that may not be affordable to small innkeepers.
9. Introduce new local's insider destination exploration videos.
10. Evaluate and consider supporting new opportunities that will benefit the lodging establishments.

Reserve

Typically, the HID maintains a reserve of one year of operation. This is mainly due to the lease of the tourist center. In FY 23/24, the HID plans to implement a new policy indicating a specific percentage (such as 20%) in annual reserves each FY.

In the unlikely event that the HID is dissolved, the center will remain operational for as long as possible until an alternative funding source is created.

Forecasted Expenses Through June 30, 2023

Marketing Opportunities	$ 7,000
Online Marketing	15,000
Print Media	10,000
Promotion and Signage	3,000
Visitor Center Lease	17,000
Visitor Center Operation	13,000
Visitor Center Staffing	20,000
Misc. Expenses	2,000

Due to Council agenda deadlines, this report was submitted by March 13, 2023 as requested by the City. The Pacific Grove Chamber of Commerce is confident that travel sentiment has turned a corner and we should see traditional occupancy numbers in FY 2023/2024. Adjustments will be made accordingly if/when needed.

Respectfully submitted by,

Jenny MacMurdo
HID Administrator
President/CEO Pacific Grove Chamber of Commerce

Pacific Grove Hospitality Improvement
Balance Sheet
As of July 1, 2022

	Jul 1, 22
ASSETS	
Current Assets	
Checking/Savings	
Mechanics Bank	72,737.80
Total Checking/Savings	72,737.80
Total Current Assets	72,737.80
TOTAL ASSETS	**72,737.80**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to/from Chamber	6,404.62
Total Other Current Liabilities	6,404.62
Total Current Liabilities	6,404.62
Total Liabilities	6,404.62
Equity	
C/Fwd from Prior Year	-260,000.00
Retained Earnings	326,333.18
Total Equity	66,333.18
TOTAL LIABILITIES & EQUITY	**72,737.80**

Pacific Grove Hospitality Improvement
Balance Sheet
As of January 31, 2023

	Jan 31, 23
ASSETS	
Current Assets	
Checking/Savings	
Mechanics Bank	78,949.89
Total Checking/Savings	78,949.89
Total Current Assets	78,949.89
TOTAL ASSETS	**78,949.89**
LIABILITIES & EQUITY	
Equity	
C/Fwd from Prior Year	-260,000.00
Retained Earnings	326,333.18
Net Income	12,616.71
Total Equity	78,949.89
TOTAL LIABILITIES & EQUITY	**78,949.89**

Pacific Grove Hospitality Improvement
Profit & Loss Budget vs. Actual
July 2022 through January 2023

	Jul '22 - Jan 23	Budget	$ Over Budget
Ordinary Income/Expense			
Income			
Carried Fwd Prior Year	0.00	20,000.00	-20,000.00
Income	137,090.52	239,000.00	-101,909.48
Total Income	137,090.52	259,000.00	-121,909.48
Expense			
Bank Service Charges	39.88		
Bookkeeping	1,400.00	4,800.00	-3,400.00
Event Expense	5,016.55		
Marketing/Advertising			
Marketing Opportunities	10,001.20	25,000.00	-14,998.80
Marketing Support Events	7,112.93	8,600.00	-1,487.07
Online Marketing	0.00	33,000.00	-33,000.00
Print Media	3,706.50	15,000.00	-11,293.50
Promotions and signage	1,350.00	10,000.00	-8,650.00
Research, Support & Development	5,914.90	16,000.00	-10,085.10
Visitor	5,194.02		
Total Marketing/Advertising	33,279.55	107,600.00	-74,320.45
Miscellaneous Expense	0.00	4,500.00	-4,500.00
Visitor Center			
Construction	235.00		
Lease	24,598.00	41,000.00	-16,402.00
Lease Insurance	1,721.03	1,600.00	121.03
Lease Real Estate Tax	4,197.90	4,100.00	97.90
Operating Expense			
Landscaping	1,250.00	2,400.00	-1,150.00
Operation	5,701.44	11,000.00	-5,298.56
Staffing/Other	47,034.46	80,000.00	-32,965.54
Technology	0.00	2,000.00	-2,000.00
Total Operating Expense	53,985.90	95,400.00	-41,414.10
Total Visitor Center	84,737.83	142,100.00	-57,362.17
Total Expense	124,473.81	259,000.00	-134,526.19
Net Ordinary Income	12,616.71	0.00	12,616.71
Net Income	**12,616.71**	**0.00**	**12,616.71**

Pacific Grove Hospitality Improvement District
Profit & Loss Budget Overview
July 2023 – June 2024

Ordinary Income/Expense	July 2023 – June 2024
Income	
Carried Forward Prior Year	$ 20,000
Projected Income	244,000
Total Operating Budget	**$264,000**
Expenses	
Bookkeeping	$ 4,800
Marketing/Advertising	
Marketing Opportunities	30,000
Marketing Support Events	10,000
Online/Website Marketing	22,000
Print Media	20,000
Promotion and Signage	8,000
Branding, Research & Development	16,000
Total Marketing/Advertising	$106,000
Tourist Center	
Lease	42,200
Lease Insurance	1,700
Real Estate Taxes	4,220
Landscaping	2,400
Operation: Utilities, Web Access	12,000
Staffing *Including Social Media*	84,000
Technology	2,000
Total Tourist Center	$148,520
Misc. Expense	$ 4,680
Total Expenses	**$264,000**
Net Income	$ 0

RESOLUTION 07-044

A RESOLUTION OF THE CITY OF PACIFIC GROVE DECLARING ITS INTENT TO FORM AND CREATE THE PACIFIC GROVE HOSPITALITY IMPROVEMENT DISTRICT AND SETTING A PUBLIC PROTEST HEARING RELATING TO THAT FORMATION

WHEREAS, the City of Pacific Grove (City) desires to form a parking and business improvement district (designated as the Pacific Grove Hospitality Improvement District or PGHID) pursuant to California Streets and Highways Code 36500, *et seq.* for the benefit of hospitality establishments within the City; and,

WHEREAS, the purpose of the Pacific Grove Hospitality Improvement District Shall be to fund promotion, marketing activities, and physical improvements to support and improve the hospitality economy in Pacific Grove; and,

WHEREAS, the City Council desires to convene a public hearing to establish the Pacific Grove Hospitality Improvement District; and,

WHEREAS, the City Council intends this resolution to constitute and resolve its declaration of intent to establish the Pacific Grove Hospitality Improvement District in accord with Streets and Highways Code section 36500, *et seq.* and to adopt the rules and procedures of Streets and Highways Code sections 36524 and 36525 to govern its determination as to the existence or non-existence of a majority protest;

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

SECTION 1. The City declares its intention to form a Parking and Business Improvement District pursuant to California Streets and Highways Code 36500, *et seq.*

SECTION 2. The name of Parking and Business Improvement District proposed to be formed shall be the "Pacific Grove Hospitality Improvement District." This District may occasionally be referenced as the "PGHID".

SECTION 3. The boundaries of the Pacific Grove Hospitality Improvement District are the same boundaries as the corporate boundaries of the City.

SECTION 4. The following definitions shall apply to this ordinance, and shall be used for all purposes by the Pacific Grove Hospitality Improvement District:

Accommodations Establishment. The term "Accommodations Establishment" shall refer to either a "Bed & Breakfast Inn", a "Motel", or a "Conference Lodging Establishment" as defined by this Section.

Bed & Breakfast Inn. The term "Bed & Breakfast Inn" shall refer to an establishment that meets the criteria set by Pacific Grove Municipal Code section 23.08.290.

Conference Lodging Establishment. The term "Conference Lodging Establishment" shall refer to any establishment that meets the criteria set by Pacific Grove Municipal Code section 23.08.160, has 300 or more guest rooms, and that offers special venues for meetings, conferences, and special events.

Motel. The term "Motel" shall include the term "Hotel" and shall refer to any establishment that meets the criteria set by Pacific Grove Municipal Code sections 23.08.030 or 23.08.160, but excluding there from any establishment that meets the definition of "Bed & Breakfast Inn" or "Conference Lodging Establishment" as set by this ordinance.

SECTION 5. Assessments levied under the Pacific Grove Hospitality Improvement District may fund promotion, marketing and physical improvements of property in accord with Streets and Highways Code section 36500, *et seq.* for the purpose of improving the hospitality economy of the City.

SECTION 6. Improvements and activities of the Pacific Grove Hospitality Improvement District shall be funded by assessments on all Accommodations Establishments within the PGHID. Except where the Council determines funds to be otherwise available, all improvements of activities of the PGHID shall be funded by the assessment set pursuant to this ordinance.

SECTION 7. An annual assessment shall be levied for the Pacific Grove Hospitality Improvement District upon new or existing Accommodations Establishment within the PGHID. New establishments shall not be exempt. The assessment shall be paid at the time the Accommodations Establishment pays transient occupancy taxes to the City. Accommodations Establishments that meet the criteria of "full-service" as set by the most recent report promulgated by Smith Travel Research, Inc. (STR Report) shall pay an assessment of $1.50 per occupied room per night. All other Accommodations Establishments shall pay an assessment of $1.00 per occupied room per night.

SECTION 8. The Council hereby sets a public hearing to establish the Pacific Grove Hospitality Improvement District on December 5, 2007 at 6:00 pm, or as soon thereafter as the item may be called, at City Hall, 300 Forest Avenue, Pacific Grove, California.

SECTION 8. Streets and Highways Code sections 36524 and 36525 sets forth rules and procedures that govern the filing of protests and the determination of a majority protest. The City shall apply the following procedures to determine the existence of a majority protest:

a. At the public hearing to hear such protests, testimony of all interested persons for or against the establishment of the Pacific Grove Hospitality Improvement District, the extent of the PGHID, or the furnishing of specified types of improvements or activities shall be heard. A protest may be made in writing or orally by any interested person. Any protest pertaining to the regularity or sufficiency of the proceeding shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.

b. Each written protest shall be filed with the City Clerk on or before December 5, 2007. The City Council may waive any irregularity in the form or content of any written protest, and at the public hearing may correct minor defects in the proceedings. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing.

c. Each written protest must contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the City as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest which does not comply with this requirement shall not be counted in determining a majority protest.

d. If written protests are received from the owners of Accommodations Establishments in the proposed Pacific Grove Downtown Business Improvement District which will pay 50% or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50%, no further proceedings to create the PGHID or to levy the proposed assessment, as contained in this ordinance intention, shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvements or activities within the area, these types of improvements or activities shall be eliminated.

SECTION 9. Upon determination that a majority protest does not exist, the City Council shall be authorized to form the Pacific Grove Hospitality Improvement District, and may thereafter appoint an Advisory Board for the Pacific Grove Hospitality Improvement District. The proposed appointment process shall be by the following process:

a. Membership on the PGHID Advisory Board shall be limited to Accommodations Establishment owners, concessionaires representing Accommodations Establishments, or employees holding the written consent of the Accommodations Establishment, within the PGHID area. To sponsor a member on the PGHID Advisory Board, each Accommodations Establishments shall have fully paid its PGHID assessment at the time of appointment, and remain fully paid during the term of that representative's membership on the Board.

b. The PGHID Advisory Board shall be comprised of five (5) members. Two (2) members shall represent "Motels" as defined by this ordinance. Two (2) members shall represent businesses classified as "Bed and Breakfast Inns" as defined by this ordinance. One member shall represent businesses classified as a "Conference Lodging Establishment" as defined by this ordinance. If an Accommodations Establishment pays more than one-quarter of the City's total transient occupancy tax revenue, that Accommodations Establishment shall be entitled to one of the five seats on the PGHID Advisory Board.

c. PGHID Advisory Board members shall serve two-year terms, with appointments staggered at one-year intervals. The term for the two (2) members representing "Motels" and the term for the two (2) members representing "Bed and Breakfast Inns" shall each be staggered.

d. The PGHID Advisory Board shall be appointed by the City Council, following a nomination process facilitated by the Chamber of Commerce. Each February, the Pacific Grove Chamber of Commerce (Chamber) shall mail a letter to each Accommodations Establishment located in the PGHID. The letter shall announce the Chamber shall hold a meeting at City Hall for the purpose of conducting open elections for the PGHID Advisory Board seats that may be vacant or are scheduled to become vacant as of July 1 of that calendar year. The letter shall further notify each Accommodations Establishment of the Advisory Board selection process.

e. At the noticed meeting, the Chamber shall facilitate a selection process whereby any Accommodations Establishment representative meeting the qualification established in (b) above may be nominated for a seat on the Advisory Board. The Chamber shall conduct the election by secret ballot, and shall count ballots cast at that meeting or received by mail. One representative each Accommodations Establishment in the Pacific Grove Hospitality Improvement District shall be eligible to vote; votes may be cast in person at the meeting, or if the Accommodations Establishment representative is unable to attend the vote may be made by proxy, signed on behalf of the Accommodations Establishment. Each Accommodations Establishment shall be allowed one vote for each open seat.

f. Nominees receiving the most votes shall be deemed to have won the election. The Chamber shall verify the election results and forward the names to the City Clerk no later than April 30. If the results are not transmitted to the City Clerk on or before April 30, the Council shall appoint the PGHID Advisory Board members by the process set forth for appointing boards and commissions in Chapter 3.04 of the Municipal Code.

g. The City Council may accept or reject the election result as to any open seat. Should the Council reject the election result as to a seat, the Chamber shall forward another make a substitute recommendation. PGHID Advisory Board members shall serve at the pleasure of the Council. The Council may, by majority vote, remove any Advisory Board member with or without cause.

SECTION 10. It is proposed that the Pacific Grove Hospitality Improvement District Advisory Board shall meet at least two (2) times per year. The Advisory Board shall be deemed a "legislative body" for all purposes of the Ralph M. Brown Act, Government Code section 54950, *et seq.* Each meeting of the Advisory Board shall be open and public as required by that Act.

SECTION 11. It is proposed that the City Manager may authorize the Chamber of Commerce, by contract, to spend PGHID assessment revenues on behalf of the City provided each expenditure is made in accord with the Pacific Grove Hospitality Improvement District program and budget as approved by the City, and in compliance with all City purchasing regulations, or as otherwise set by ordinance.

SECTION 12. It is proposed that the PGHID Advisory Board shall prepare and file an annual report with the City regarding the Pacific Grove Hospitality Improvement District. The report shall, among other things, itemize improvements and activities for the fiscal year, state the cost of activities, the amount of surplus or deficit revenues carried over from a previous fiscal

year, and contributions other than assessments. The report shall meet the requirements of California Streets and Highways Code section 36533. The City Council shall review each report, and may approve the report as filed or modify any portion of the report and approve it as modified.

SECTION 13. It is proposed that after approving the annual report, the City shall adopt an annual resolution of intention to levy the assessment for that fiscal year, publish a notice and hold a public hearing on the assessment. This action may be taken by resolution

SECTION 14. This resolution is exempt from provisions of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines.

RESOLVED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 7th day of November, 2007, by the following vote:

AYES: Bennett, Cort, Davis, Miller, Nilmeier, Stilwell

NOES: Cohen

ABSENT: None

APPROVED:

DANIEL E. CORT, Mayor

ATTEST:

CHARLENE WISEMAN, City Clerk

APPROVED AS TO FORM:

DAVID LAREDO, City Attorney

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

July 1, 2023

Jenny MacMurdo
Pacific Grove Chamber of Commerce
584 Central Avenue
Pacific Grove, CA 93950

Dear Jenny MacMurdo,

This letter, once signed by both parties, is intended to serve as the agreement between the City of Pacific Grove and the Pacific Grove Chamber of Commerce regarding the expenditure of Hospitality Improvement District (HID) revenues for FY 2023-24.

The HID Advisory Board recommended and the City Council approved a program and budget of $264.000 for FY 2023-24 HID activities. City estimates HID revenues to be the 244,000. This agreement reflects the approved activities.

Agreement:

1. The City of Pacific Grove will remit the revenues resulting from HID assessments during FY 2023-24 on a quarterly basis within 30 days of the City's due date for Transient Occupancy Tax payments from lodging establishments.

2. The Pacific Grove Chamber of Commerce will spend the transferred HID proceeds exclusively in the manner specified below:

HID Expenditure Budget for FY 2023-24

● Bookkeeping	$4,800
● Staffing	84,000
● Marketing/Advertising	106,000
● Technology	2,000
● Lease & Property Expenses (Visitor Center)	48,120
● Operating Expenses (Visitor Center)	12,000
● Landscaping	2,400
● Miscellaneous	4,680
Total	$264,000

The Pacific Grove Chamber of Commerce will prepare an annual report for the HID to be submitted along with the recommended program and budget for the following fiscal year. The report shall include, but not be restricted to, the following information:

- Proposed changes to district boundaries
- A report of all expenditures from the current year (amount and purpose of expenditure transaction and the budgeted activity to which the expenditure is attributable)
- A statement reconciling the balances of all bank accounts holding HID revenues to the aforementioned expenditure report.
- The amount of surplus or deficit revenues projected to be carried over from a previous fiscal year.
- The amount of any contributions to be made from sources other than district assessments.
- The activities and/or improvements, along with estimated costs, to be provided for the coming fiscal year.

4. Modifications to the spending plan reflected herein may only occur with the written approval of the Pacific Grove City Manager.

Signed:

_____	_____
Ben Harvey, City Manager	Jenny MacMurdo, President
City of Pacific Grove	Pacific Grove Chamber of Commerce
_____	_____
Date	Date

RESOLUTION NO. 23---

APPROVING THE ANNUAL REPORT AND PROGRAM OF EXPENDITURES, ASSESSING THE LEVY AND APPOINTING AN ADVISORY BOARD FOR THE HOSPITALITY IMPROVEMENT DISTRICT FOR FISCAL YEAR 2023-24

1. The Council conducted a public hearing to consider the levy of the proposed Fiscal Year 2023-24 assessment for the Pacific Grove Hospitality Improvement District on May 17, 2023 at 6:00 pm; and

2. The City Clerk gave notice of the public hearing by causing the resolution of intention, adopted by the City Council on April 19, 2023, to be published in a newspaper of general circulation at least seven days before the public hearing; and

3. At the public hearing, the City Council heard and considered all protests against the Fiscal Year (FY) 2023-24 levy of assessments for the Pacific Grove Hospitality Improvement District, and the rules and procedures used in receiving and considering protests complied with those set forth in Streets and Highways Code sections 36524, 36525 and 36534; and

4. Said Improvement Area Law provides, at California Street and Highways Code Section 36530, that the City Council shall appoint an advisory board to make recommendations to the City Council regarding expenditure of revenues collected from District business owners, and to make recommendations regarding the method and basis of assessment levy; and

5. This council has requested the Pacific Grove Chamber of Commerce to recommend membership for the advisory board by process of the public nomination and election, and the Chamber has made recommendations that this council desires to follow.

NOW THEREFORE, BE IT RESOLVED BY THE 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 hereby levies and shall collect assessments for FY 2023-24 within the Hospitality Improvement District (HID), as described in Section 6.54 of the Pacific Grove Municipal Code.

3. The assessment is currently set at $2.00 per room night for full-service lodging establishments and $1.00 per room night for all others.
Pacific Grove has no full-service hotels or bed and breakfast establishments that collect the $2.00 per room night fee

4. There is no change in the boundaries of the district as established in the prior year and set forth in Section 6.54.030 of the Pacific Grove Municipal Code.

5. The Council approves the annual report prepared by the Advisory Board of the Pacific Grove Hospitality Improvement District.

6. The Council approves the Pacific Grove Hospitality Improvement District program for FY 2023-24, as follows:

Proposed HID Expenditure for FY 2023-24

Proposed HID Expenditure Budget FY 2023-24	
Bookkeeping	$4,800
Staffing	$84,000
Marketing/Advertising	$106,000
Technology	$2,000
Landscaping	$2,400
Miscellaneous	$4,680
Lease and Property Exp. (Visitor Center)	$48,120
Operating Expenses (Visitor Center)	$12,000
Total	$264,000

7. The City Manager is authorized to approve an agreement with the Pacific Grove Chamber of Commerce to administer the program for FY 2023-24.

8. The City Manager is authorized to approve mid-year amendments to the program and agreement with the Pacific Grove Chamber of Commerce within the total amount approved for the year.

9. Pursuant to California Streets and Highways Code Section 26530, the City Council hereby appoints the following (named with their business affiliations) as the advisory board for and on behalf of the Downtown Business Improvement District:

- Fady Hannah (Lighthouse Lodge & Suites), term expires June 30, 2024
- Michael Grech (Monterey Peninsula Inn), term expires June 30, 2024
- Enos Esquivel (Asilomar Conference Grounds) continuous
- Amy Hanmer-Wheeler (Four Sisters Inns – The Gosby House and Green Gables), term expires June 30, 2025
- Robert Boerner (Pacific Gardens Inn), term expires June 30, 2025

10. The advisory board hereby appointed is subject to all provisions of the Ralph M. Brown Act, and the board hereby is directed to comply therewith.

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

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 17th day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

_____

BILL PEAKE, Mayor

ATTEST:

_____

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____

BRIAN A. PIERIK, 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: Lori Frati, Management Analyst

MEETING DATE: May 17, 2023

SUBJECT: Downtown Business Improvement District (BID) program for FY 2023-24

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

RECOMMENDATION

1. Hold a public hearing to determine majority protest to the annual assessment were not received, and Adopt resolution to approve annual report, levy annual assessment, approve the recommended Fiscal Year 2023-24 program, appoint the BID Advisory Board for Fiscal Year 2023-24, and authorize the City Manager to execute an agreement allowing the Pacific Grove Chamber of Commerce to administer the BID budget.
2. Alternatively, discuss and take other actions related to this item.

DISCUSSION

In 2000, the City established the Downtown Pacific Grove Business Improvement District (BID), appointed an advisory board, and levied assessments for the District. The assessments may be used only for the promotion, marketing and advertising of professional and retail businesses located in the district, and for general maintenance to benefit those businesses. All businesses located in the BID are assessed an amount equal to 35% of their business license tax. The assessment is collected together with the business license tax payment in July of each assessment year. Since its formation in 2000, the BID and assessments have been annually reauthorized.

At its April 19, 2023, meeting, the City Council approved a resolution of intent to levy the BID assessment for Fiscal Year (FY) 2023-24 and set a public hearing to consider the levy for May 17, 2023. California Streets and Highways Code Section 36525 provides that the District shall not be formed if written protests are received from the owners of businesses in the proposed area that will pay 50 percent or more of the assessments proposed to be levied. Staff advertised the public hearing pursuant to relevant State and Municipal Code sections. Staff has received no protest petitions as of this writing.

The District's annual report (Attachment 1) lists the results of the election of Board Members, details revenues and expenditures for FY 2022-23, proposes a budget for FY 2023-24, and requests the levy of an assessment for FY 2023-24. No changes to BID boundaries are recommended for FY 2023-24.

City Council Resolution 07-042 (Attachment 2) outlines the requirements for re-establishing the

district. The terms of the Resolution have been met as indicated by the specific points of compliance set forth below:

Process for Advisory Board appointment: Per the resolution, the Chamber of Commerce facilitated a noticing of all properties in the BID and a meeting of the BID Advisory Board to fill Advisory Board seats that will expire on June 30, 2023. Results of the election from the Chamber of Commerce are included in the report with the following recommended Advisory Board for next year:

- Liz Jacobs (Wild Fish Restaurant), term expires June 30, 2024
- Marietta Bain (Fandango Restaurant), term expires June 30, 2024
- Jason Bradley (Bradley Photographic), term expires June 30, 2024
- Stephanie Loftus (The Quill), term expires June 30, 2024
- Kim Poulin (Pacific Grove Plaza), term expires June 30, 2025
- Matt Bosworth (Mechanics Bank), term expires June 30, 2025
- Sherry Sands (Paul's Drapery), term expires June 30, 2025

Contract with Chamber of Commerce for services: The City contracted with the Chamber of Commerce to administer the BID program in compliance with the plan approved by the City Council. The attached report from the Chamber shows the expenditures for the FY 2022-23 budget.

Chamber of Commerce financial reporting: The FY 2022-23 BID report from the Chamber includes BID expenditure activity for current fiscal year to January 31, 2023.

Proposed FY 2023-24 BID Program. The BID's current and projected financial information, as provided by the Chamber of Commerce, is included in Attachment 1.The BID Advisory Board recommends the following allocation of BID assessment revenue for FY 2023-24, which is estimated to total $33,000, in addition to the carry-over balance of $1,000, brings the FY 23-24 budget to $34,000:

Proposed BID Expenditure Budget for FY 2022-23	
Administration	$1,800
Advertising	$7,000
Community Projects	$3,200
Marketing Opportunities	$12,000
Promotional and Events	$10,000
Total	**$34,000**

OPTIONS

1. Decline to adopt the Resolution.
2. Adopt a modified Resolution.
3. Provide alternative direction.

FINANCIAL IMPACT:

The City acts as the administrative pass-through to the BID. The assessed funds may only be used for BID purposes and not for any other City purpose.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

BID Annual Report
BID Resolution No. 07-042
BID Resolution FY 2023-24
BID Agreement with Chamber

CHAMBER OF COMMERCE
& TOURIST CENTERS

March 13, 2023

To: Lori Frati - Finance Management Analyst
From: Jenny MacMurdo – Pacific Grove Chamber of Commerce
Subject: Downtown Business Improvement District (BID) Report

In accordance with the City's agreement with the Pacific Grove Chamber of Commerce (PGCC), I am submitting the BID annual report.

Introduction

As all businesses nationwide navigate the new normal post pandemic, there have been hopeful signs of a rebounding economy juxtaposed with the continued challenging landscape of rebuilding lost workforce. The following are a few examples of successes and challenges.

- Pacific Grove sales tax reports show full rebounding; however, that is only part of complex picture. A recent voter approved sales tax increase contributed to the rise in sales tax revenues, but the cost of consumer goods and services have increased to absorb economic factors such as supply chain issues, increased cost of raw materials as well as the higher cost of payroll. So, while the sales tax report data indicates a robust rebound, exceeding pre-pandemic levels, most businesses are existing closer to pre-pandemic levels and not seeing extreme growth in their bottom line.
- Employers in coastal communities, such as Pacific Grove, compete heavily for out of the direct-area workforce, due to a myriad of factors including a lack of localized workforce housing, dwindling access to public transportation, and a decades long decline in high school student job seeking. This dynamic creates a challenge for employers to attract and retain talent. And while consumers are robustly venturing back out of their homes to shop and dine, businesses struggle with consistency in their workforce, resulting in many shops unable to keep their doors open for a full workday or workweek. We ask that the public continue to be as understanding as possible. Recent signs are pointing towards stabilization.
- Several downtown anchors such as the former Fat Willie's Antiques, Hambrooks Auction House, Pier One and Bank of America have been leased and/or purchased, but redevelopment plans have been largely slow moving, creating the perception of vacant spaces. However, the new tenant of Fat Willie's Antiques, Vintage Finds, has revitalized their corner, and a brand-new tenant of the former 620 on the Avenue, Fiero's Shoppe, aims to do the same. Building plans for the former Bank of America look promising and the Arts Collective that is moving into the former Hambrooks Auction House along with the soon to be completed 520 Lighthouse building should once again draw attraction to that end of Lighthouse Avenue. There are currently no vacancies at in the Central Avenue business district. Plans for the former, now vacant, Chase Bank building and the front portion of the former Pier One building are still unknown at this time.
- One sector that continues to be in high demand and shows overall healthy revenues has been outdoor dining. Pacific Grove's distinct parklet program is attracting hundreds to our downtown district, especially in the evenings and on weekends. Their ambience is inviting and offers al fresco dining for those that have health concerns or simply enjoy the fresh air, weather permitting.

- Another industry that has contributed to a rebounding, healthier economic outlook for Pacific Grove is home décor and renovation businesses. Home sales continue to be strong, which have a positive effect on this industry sector.

Election Board Members

On Wednesday, April 5th, 2023, a publicly noticed BID general membership meeting will be held at the Tourist Information Center and on Zoom. In addition, a notice of the meeting will be emailed to every BID member on the City's business license list that is located within the BID boundaries. The following three Advisory Board members will be on the agenda for re-election:

- Sherry Sands – Paul's Drapery
- Matthew Bosworth – Mechanics Bank
- Kim Poulin – Pacific Grove Plaza

The term of the above three members is two years, expiring on June 30, 2025. Once re-elected, they will re-join the following Advisory Board members:

- Marietta Bain – Fandango Restaurant
- Jason Bradley – Bradley Photographic
- Liz Jacobs – Wild Fish Restaurant
- Stephanie Loftus - The Quill

Income/Beginning Balance

The beginning balance of the BID account on July 1, 2022 was $25,370.30. As of January 31, 2023, the BID total program income was $23,281.89.

Expenditures Report

Last year, the BID proposed a balanced expenditure program. Attached is the profit and loss budget comparison.

Since July 1, 2022, the only expenditure that the BID had paid out was our annual donation to Butterfly Days. Invoices have been delayed for our fall events, but between now and the end of the year, we anticipate the below expenses to finish out this fiscal year:

BID Administration	$1,600
First Friday promotion	$1,200
Bubbly Bins, Inc. shared contract (BID portion)	$1,200
Listing all BID hospitality businesses in the Tourist Guide	$3,500
Purchase & installation of pumpkins & hay bales (2022)	$ 800
Promotional Events: Trick-or-Treat & Holiday Open House (2022)	$7,000
Travel Guide PG Promotion (Monterey Herald)	$1,250
Spring Events Promotion/Arts District Promotion	$5,500
Total upcoming BID investments	$22,050

Direction

In 2023-2024 the BID direction will continue to focus on promotions, advertising and supporting annual downtown events such as the Halloween Trick or Treat, Shop Small Saturday and First Friday events. The focus of the BID will be concentrated in three main areas:

- Beautification projects for the downtown districts
- Supporting and promoting existing and new events and programs to attract foot traffic downtown
- Supporting new and upcoming Arts District of PG events and programs

Closing

Downtown Pacific Grove continues to evolve. In the coming year, the BID will support the final phase of the 520 Lighthouse building development, the redevelopment of the former Bank of America building as well as the new downtown hotel, as well as continue to support beautification opportunities to showcase our beautiful downtown.

Thank you.

Respectfully submitted by:

Jenny MacMurdo
BID Administrator

Business Improvement District
Balance Sheet
As of July 1, 2022

	Jul 1, 22
ASSETS	
Current Assets	
Checking/Savings	
Mechanics Bank	25,370.30
Total Checking/Savings	25,370.30
Total Current Assets	25,370.30
TOTAL ASSETS	**25,370.30**
LIABILITIES & EQUITY	
Equity	
Unrestricted Net Assets	25,370.30
Total Equity	25,370.30
TOTAL LIABILITIES & EQUITY	**25,370.30**

Business Improvement District
Balance Sheet
As of January 31, 2023

	Jan 31, 23
ASSETS	
Current Assets	
Checking/Savings	
Mechanics Bank	46,152.19
Total Checking/Savings	46,152.19
Total Current Assets	46,152.19
TOTAL ASSETS	**46,152.19**
LIABILITIES & EQUITY	
Equity	
Unrestricted Net Assets	25,370.30
Net Income	20,781.89
Total Equity	46,152.19
TOTAL LIABILITIES & EQUITY	**46,152.19**

Business Improvement District
Profit & Loss Budget vs. Actual
July 2022 through January 2023

	Jul '22 - Jan 23	Budget	$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Program Income				
Carry Over, Prior Year, Mktg	0.00	5,000.00	-5,000.00	0.0%
City Assessment	23,281.89	24,000.00	-718.11	97.0%
Total Program Income	23,281.89	29,000.00	-5,718.11	80.3%
Total Income	23,281.89	29,000.00	-5,718.11	80.3%
Expense				
Administration	0.00	1,600.00	-1,600.00	0.0%
Advertising				
First Friday	0.00	1,200.00	-1,200.00	0.0%
Other Print Advertising	2,500.00	2,000.00	500.00	125.0%
Tourist Guide Listing BID Membe	0.00	3,500.00	-3,500.00	0.0%
Total Advertising	2,500.00	6,700.00	-4,200.00	37.3%
Community Projects	0.00	3,000.00	-3,000.00	0.0%
Marketing Opportunities	0.00	9,700.00	-9,700.00	0.0%
Operations				
Events/Promotions	0.00	8,000.00	-8,000.00	0.0%
Total Operations	0.00	8,000.00	-8,000.00	0.0%
Total Expense	2,500.00	29,000.00	-26,500.00	8.6%
Net Ordinary Income	20,781.89	0.00	20,781.89	100.0%
Net Income	**20,781.89**	**0.00**	**20,781.89**	**100.0%**

Business Improvement District
Profit & Loss Budget Overview
July 2023 – June 2024

Ordinary Income/Expense	July '23 – June '24
Income	
Program Income	
Carry Over, Prior Year, Mktg	1,000.00
City Assessment	33,000.00
Total Program Income	34,000.00
Total Income	**34,000.00**
Expenses	
Total Administration	1,800.00
Advertising	
First Friday	1,500.00
Print Advertising	2,000.00
Guide to PG BID Listings	3,500.00
Total Advertising	7,000.00
Total Community Projects	3,200.00
Total Marketing Opportunities	12,000.00
Total Promotion Events	10,000.00
Total Expenses	**34,000.00**
Net Ordinary Income	0.00
New Income	**0.00**

RESOLUTION NO. 7-042

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE REVISING AND RESTATING THE RULES AND PROCEDURES FOR THE DOWNTOWN PACIFIC GROVE BUSINESS IMPROVEMENT DISTRICT

THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:

SECTION 1. The City formed a parking and business improvement district pursuant to California Streets and Highways Code 36500, et seq. with Resolution No. 0-007, which was passed and adopted by the Pacific Grove City Council on February 9, 2000.

SECTION 2. The name of the parking and business improvement district is the "Downtown Pacific Grove Business Improvement District."

SECTION 3. The boundaries of the Downtown Pacific Grove Business Improvement District are as shown on the map referred to as "Boundaries of the Downtown Pacific Grove Business Improvement District," on file with the City Clerk, and as specified herein including both sides of every street except for Pine Avenue:

Central Avenue from 505 Central to 530 Central up to Caledonia Park and the back of the Post Office

Lighthouse Avenue from 472 Lighthouse and 477 Lighthouse to 728 Lighthouse and 721 Lighthouse

Laurel Avenue from 521 Laurel to 631 Laurel at the corner of 18th and Laurel

Pine Avenue only on the north side (Police/Fire Dept. Side) from 546 Pine to 644 Pine

15th Street from 135 15th Street to 223 15th Street

Fountain Avenue from 156 Fountain and 157 Fountain to 314 Fountain

Grand Avenue from 157 Grand and the backside of the Pacific Grove Museum of Natural History to 315 Grand and 318 Grand

Forest Avenue from 154 Forest and 164 Forest to 264 Forest and 311 Forest

16th Street from 172 16th Street to 207 16th Street

17th Street from 153 17th Street to 231 17th and 232 17th Street

18th Street from Central Avenue which includes 160 18th Street to Laurel Avenue

19th Street and Congress between Central Avenue and Lighthouse Avenue

SECTION 4. The activities to be funded by the assessments levied under the Downtown Pacific Grove Business Improvement District are promotion, marketing and advertising of professional and retail businesses in downtown Pacific Grove.

SECTION 5. The proposed improvements and activities of the Downtown Pacific Grove Business Improvement District shall be funded by annual assessments on business owners in the district.

SECTION 6. The method and basis for the annual levy of assessments are as follows:

The City shall collect the annual assessment from the business owners when the business license tax is paid, in July of each year. Excepting service stations and catalogue sales establishments, each business in the district shall pay an annual assessment equal to 35% of its business license tax.

SECTION 7. New businesses in the district shall be subject to the annual levy of assessment.

SECTION 8. Pursuant to Streets and Highways Code sections 36524 and 36525, the following rules and procedures regarding the filing of protests and a majority protest shall apply to the scheduled public hearing:

a. At the annual public hearing to hear such protests, testimony of all interested persons for or against the establishment of the district, the extent of the district, or the furnishing of specified types of improvements or activities shall be heard. A protest may be made in writing or orally by any interested person. Any protest pertaining to the regularity or sufficiency of the proceeding shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.

b. Every written protest must be filed with the City Clerk on or before the public hearing date. The City Council may waive any irregularity in the form or content of any written protest, and at the public hearing may correct minor defects in the proceedings. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing.

c. Each written protest must contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the City as the owner of the business, the protest shall contain or be accompanied by written evidence that the person

subscribing is the owner of the business. A written protest which does not comply with this requirement shall not be counted in determining a majority protest.

d. If written protests are received from the owners of businesses in the proposed district which will pay 50% or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50%, no further proceedings to create the Pacific Grove Downtown Business Improvement District or to levy the proposed assessment, as contained in this resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvements or activities within the area, these types of improvements or activities shall be eliminated.

SECTION 9. The Business Improvement District Advisory Board for FY 2007/08 shall be comprised of the following members:

- Bill Valuch, Board Chair (Miss Trawick's Garden Shop), one-year term expiring June 30, 2008
- Terry Clements, Board Vice-Chair (The Clothing Store), two-year term expiring June 30, 2009
- Susan Anderson (Futons & Such), two-year team expiring June 30, 2009
- Jeanne Byrne (Jeanne C. Byrne, Architect), two-year term expiring June 30, 2009
- Robert Lewis (Robert Lewis Gallery), one-year term expiring June 30, 2008
- Henry Nigos (Edward Jones Investments), one-year term expiring June 30, 2008
- Ron Schenk (St. Vincent DePaul Thrift Shop), one-year term expiring June 30, 2008

SECTION 10. Each advisory Board seated on or after July 1, 2008 shall be appointed by the following process:

a. In February of each year, the Pacific Grove Chamber of Commerce shall mail a letter to all owners of businesses located in the BID. The letter shall include an announcement of a meeting to be held at City Hall for the purpose of holding open elections for BID advisory board seats that are vacant or are scheduled to become vacant as of July 1 of the same year.

b. Membership on the Advisory Board is eligible to representatives of business owners within the BID area who have fully paid their BID assessment at the time of appointment, and remain fully paid during the term of their membership on the Board.

c. At the noticed meeting, the Chamber of Commerce shall facilitate a nomination process whereby any business owners meeting the qualification established in (b) above may be nominated for a seat on the board.

d. At the same meeting, the Chamber of Commerce shall facilitate an election by secret written ballot received, mailed or cast at that meeting. All BID members in attendance at the meeting shall be eligible to vote. If a BID member is unable to attend a proxy with a signed statement from the member shall be allowed to participate on the member's behalf.

e. The nominees receiving the most votes shall be deemed to have won the election. The election winners' names shall be forwarded to the City Clerk no later than April 30th of the same year as a recommendation to the City Council for filling board vacancies.

f. The City Council shall appoint the seven (7) member BID Advisory Board. The BID Advisory Board shall meeting quarterly or more frequently. Each meeting shall comply with the Brown Act. The Council may remove members of the BID Advisory Board for cause.

If the City Clerk does not receive said recommendation by April 30th of each year, the Business Improvement District Advisory Board shall be appointed by the process set forth for appointing boards and commissions in Chapter 3.04 of the Municipal Code.

SECTION 11. Board members seated beginning in FY 2007/08, members shall serve two-year terms, with appointments staggered at one-year intervals.

SECTION 12. The Pacific Grove Chamber of Commerce shall be authorized by contract to spend BID assessment revenues on behalf of the City, in accordance with the BID program and budget approved by the City Council, and in compliance with all City purchasing regulations, or as otherwise set by ordinance.

SECTION 13. California Streets and Highways Code section 36533 requires the Advisory Board to prepare and file with the City an annual report regarding the BID. The report, among other things, is required to itemize improvements and activities in the fiscal year, the cost of those activities, the amount of surplus or deficit revenues carried over from a previous fiscal year, and contributions other than assessments. The City Council shall approve the report as filed or modify any portion and approve it as modified.

SECTION 14. After approving the annual report, the City must adopt an annual resolution of intention to levy the assessment for that fiscal year, publish a notice and hold a public hearing on the assessment. Following the hearing, the City Council may establish the district by ordinance.

SECTION 15. This Resolution is exempt from provisions of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, Section 15320, in that it causes a modification of the rules and procedures for an established subsidiary district within the Pacific Grove city boundaries.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 19th day of September, 2007, by the following vote:

AYES: Bennett, Cohen, Cort, Davis, Nilmeier, Stillwell

NOES: None

ABSENT: None

APPROVED:

DANIEL E. CORT, Mayor

ATTEST:

CHARLENE WISEMAN, City Clerk

APPROVED AS TO FORM:

DAVID LAREDO, City Attorney

RESOLUTION NO. 23-xxx

APPROVING THE ANNUAL REPORT, APPROVING THE PROGRAM OF EXPENDITURES, ASSESSING THE LEVY, AND APPOINTING AN ADVISORY BOARD FOR THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2023-24

FINDINGS

1. The Council conducted a public hearing to consider the levy of the proposed Fiscal Year (FY) 2023-24 assessment for the Pacific Grove Downtown Business Improvement District on May 17, 2023 at 6:00 pm; and

2. The City Clerk gave notice of the public hearing by causing the resolution of intention, adopted by the City Council on April 19, 2023, to be published in a newspaper of general circulation at least seven days before the public hearing; and

3. At the public hearing, the City Council heard and considered all protests against the fiscal year 2023-24 levy of assessments for the Downtown Pacific Grove Business Improvement District, and the rules and procedures used in receiving and considering protests complied with those set forth in Streets and Highways Code sections 36524, 36525 and 36534; and

4. Said Improvement Area Law provides, at California Street and Highways Code Section 36530, that the City Council shall appoint an advisory board to make recommendations to the City Council regarding expenditure of revenues collected from District business owners, and to make recommendations regarding the method and basis of assessment levy; and

5. Council has requested the Pacific Grove Chamber of Commerce to recommend membership for the advisory board by process of the public nomination and election, and the Chamber has made recommendations that this council desires to follow;

NOW THEREFORE, BE IT RESOLVED BY THE 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 hereby levies and shall collect assessments for the Fiscal Year 2023-24 within the Downtown Pacific Grove Business Improvement District (BID), as described in Section 6.50.010 of the Pacific Grove Municipal Code

3. There is no change in the boundaries of the district as established in the prior year and set forth in Section 6.50.020 of the Pacific Grove Municipal Code.

4. The Council approves the annual report prepared by the Advisory Board of the Downtown Pacific Grove Business Improvement District.

5. The City Council approves the Downtown Business Improvement District program for FY 2023-2024, as follows:

Proposed BID Expenditure for FY 2023-24

Administration	$ 1,800
Promotional Events	10,000
Advertising	7,000
Community Projects	3,200
Marketing Opportunities	12,000
Total	$34,000

6. The City Manager is authorized to approve an agreement with the Pacific Grove Chamber of Commerce to administer the program for FY 2023-24.

7. The City Manager is authorized to approve mid-year amendments to the program and agreement with the Pacific Grove Chamber of Commerce within the total amount approved for the year.

8. Pursuant to California Streets and Highways Code Section 26530, the City Council hereby appoints the following (named with their business affiliations) as the advisory board for and on behalf of the Downtown Business Improvement District:
    - Liz Jacobs (Wild Fish Restaurant), term expires June 30, 2024
    - Jason Bradley (Bradley Photographic), term expires June 30, 2024
    - Marietta Bain (Fandango Restaurant), term expires June 30, 2024
    - Kim Poulin (Pacific Grove Plaza), term expires June 30, 2025
    - Matt Bosworth (Mechanics Bank), term expires June 30, 2025
    - Sherry Sands (Paul's Drapery), term expires June 30, 2025

9. The advisory board hereby appointed is subject to all provisions of the Ralph M. Brown Act, and the board hereby is directed to comply therewith.

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

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 17th day of May 2023, by the following vote:

AYES:
NOES:

ABSENT:

APPROVED:

_____
BILL PEAKE, Mayor

ATTEST:

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____
BRIAN A. PIERIK, City Attorney

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

July 1, 2023

Jenny MacMurdo, President
Pacific Grove Chamber of Commerce
584 Central Avenue
Pacific Grove, CA 93950

Dear Jenny MacMurdo,

This letter, once signed by both parties, is intended to serve as the agreement between the City of Pacific Grove and the Pacific Grove Chamber of Commerce regarding the expenditure of Downtown Business Improvement District (BID) revenues for FY 2023-24.

The BID Advisory Board recommended, and the City Council approved a program and budget of $29,000 for FY 2023-24 BID activities. This agreement reflects the approved activities.

Agreement:

1. The City of Pacific Grove will remit the revenues resulting from BID assessments during FY 2023-24 in two installments, with the first to occur on or about September 1, 2023, and the second to occur on or about May 1, 2024. Any BID assessment revenues received after May 1st will be remitted as part of the following year's revenues.

2. The Pacific Grove Chamber of Commerce will spend the transferred BID proceeds exclusively in the manner specified below:

BID Expenditure Budget for FY 2023-24

● Administration		$1,800
● Promotion and Events		10,000
● Advertising		7,000
● Community projects		3,200
● Marketing Opportunities		12,000
	Total	$34,000

3. The Pacific Grove Chamber of Commerce will prepare an annual report for the BID to be submitted along with the recommended program and budget for the following fiscal year. The report shall include, but not be restricted to, the following information:

    - A report of all expenditures from the current year (amount and purpose of expenditure transaction and the budgeted activity to which the expenditure is attributable)

    - A statement reconciling the balances of all bank accounts holding BID revenues to the aforementioned expenditure report.

    - The amount of surplus or deficit revenues projected to be carried over from a previous fiscal year.

    - The amount of any contributions to be made from sources other than district assessments.

    - The activities and/or improvements, along with estimated costs, to be provided for the coming fiscal year.

4. Modifications to the spending plan reflected herein may only occur with the written approval of the Pacific Grove City Manager.

Signed:

_____	_____
Ben Harvey, City Manager	Jenny MacMurdo, President
City of Pacific Grove	Pacific Grove Chamber of Commerce
_____	_____
Date	Date

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Alyssa Kroeger, Housing Program Manager

MEETING DATE: May 17, 2023

SUBJECT: State Community Development Block Grant (CDBG) Grant Close (2017) out and Grant Amendment (2021) ***Action required by May 17, 2023.***

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

RECOMMENDATION

1. Conduct a Public Hearing required by the California Department of Housing and Community Development (HCD) on the Community Development Block Grant (CDBG) Program to close out the 2017 CDBG Housing Rehabilitation Loan Program (HRLP); and
2. Approve a resolution reprogramming a 2021 CDBG Program Income (PI) Funding Application from Multi-Family rehabilitation to Single-Family rehabilitation to continue the City's ongoing Housing Rehabilitation Loan Program (HRLP).

DISCUSSION

The City has an ongoing HRLP and funding for this program has mainly been awarded through HCD's CDBG grant program. In 2017, the City applied for and was awarded grant funding through HCD. Unfortunately, the COVID -19 pandemic occurred during this grant funding cycle. The HRLP requires staff to make multiple home visits and meet in person in people's homes to award funds to clients. HRLP construction rehabilitation activities are conducted by contractors in client's homes. The pandemic was a constraint to gaining new clients for the program and meeting in client's homes along with contractor construction activities. Unfortunately, the state program has limited timing to obtain funds and the funding period terminates on June 30, 2023. The City did not complete any rehabilitation activities during this grant period and therefore will not be drawing any funds awarded in this FY 2017 CDBG grant period. However, the City is required to complete the HCD close out process.

In 2021, the City reported to HCD that it had $500,000 of Program Income (PI) on hand. HCD required the City to complete an application for its PI. Council authorized staff to submit an application to HCD to conduct Multi-Family rehabilitation activities for the Vista Point Apartments on February 16, 2022. The City submitted the application to HCD and was awarded funding on January 4, 2023. This grant has a termination date of July 15, 2025.

The City has multiple housing rehabilitation clients in line and ready to rehabilitate their homes. These clients have been qualified and approved for rehabilitation activities by the City's Loan Committee (LC). City staff met with HCD to ensure continuance of the HRLP and required steps to reprogram

funds. State HCD recommended closing out and disencumbering 2017 CDBG funds, and amending the 2021-CDBG-PI grant for use toward the HRLP. Staff met with the LC on April 20, 2023 to obtain direction on reprogramming the Multi-Family rehabilitation funds to continue the HRLP. The LC provided direction to move forward with closing out the 2017 grant per HCD direction and to reprogram funds from Multi-Family rehabilitation to assisting HRLP clients.

City staff also met with Eden Housing to discuss reprogramming funds and Eden agreed that although this would have been a good project to rehabilitate their interior with paint and replacing old appliances with energy efficient appliances throughout, their units are in good shape and we can consider an application at a later date.

The action taken by Council today will allow staff to move forward with closing out the 2017 CDBG grant and reprogramming PI funds awarded in 2021 for Multi-Family Rehabilitation to continue the City's ongoing HRLP to assist residents who are disabled and/or seniors.

The U.S. Department of Housing and Urban Development (HUD), CDBG Program has three main National Objectives § 24 CFR 570.208 that must be met for grant programs that receive CDBG funding:

1. Benefit to low-and-moderate income individuals (at least 70% of the funds must benefit people whose income is at or below 80% of the area median income);
2. Aid in the prevention or elimination of slums or blight; or
3. Meet an urgent need.

Reprogramming the funds will meet the need to benefit low-moderate income individuals.

OPTIONS

1. Do not approve resolution to reprogram 2021 funds for Single-Family rehabilitation, or
2. Provide alternate direction.

FINANCIAL IMPACT:

Accepting the recommendations to reprogram funds will have no impact on the City's budget. The FY 2023-2024 budget anticipated the grant termination.

FOCUSED PRIORITY AREA: Affordable Housing

Attachments

2021-CDBG-PI Amendment Resolution

RESOLUTION NO. 22-XXX

A RESOLUTION OF THE CITY OF PACIFIC GROVE CITY COUNCIL APPROVING AN AMENDMENT TO THE 2021-2022 FUNDING YEAR OF THE STATE CDBG PROGRAM

The City Council of the City of Pacific Grove ("Applicant") hereby consents to, adopts, and ratifies the following resolution.

A. WHEREAS, the City Council has reviewed and hereby approves the submission to the State of California of one or more "program income only" amendment application(s) in the aggregate amount, not to exceed, of $500,000 for the following CDBG activities, pursuant to the January 2021 CDBG NOFA:

   Single-Family Rehabilitation $500,000

B. WHEREAS the City hereby approves the use of Program Income in an amount not to exceed $500,000 for the CDBG activities described in Section 1;

C. WHEREAS the City acknowledges compliance with all state and federal public participation requirements in the development of its application(s);

D. WHEREAS the City hereby authorizes and directs the City Manager, or designee*, to execute and deliver all applications and act on the City's behalf in all matters pertaining to all such applications;

E. WHEREAS if an application is approved, the City Manager, or designee, is authorized to enter into, execute and deliver the grant agreement (i.e., Standard Agreement) and any and all subsequent amendments thereto with the State of California for the purposes of the grant;

F. WHEREAS if an application is approved, the City Manager, or designee, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

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 Council authorizes the submission to the State of California of one or more "program income only" amendment application(s) in the aggregate amount, not to

exceed, of $500,000 for the aforementioned CDBG activities, pursuant to the January 2021 CDBG NOFA.

3. Attachments not required to be attached to the Resolution but by referenced in the staff report are hereby approved and incorporated herein by reference.

4. This Resolution shall become effective immediately 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:
DATED:_____

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____
BRIAN A. PIERIK, 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: Anastacia Wyatt, Community Development Director

MEETING DATE: May 17, 2023

SUBJECT: Formal Selection of Focused General Plan Update Consultant

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

RECOMMENDATION

1. Authorize an Agreement with Rincon Consultants, Inc. to complete the focused General Plan update, associated zoning ordinance and map amendments, and objective design and development standards, economic analysis, market assessment, parking data, and a climate action and adaptation plan in an amount not to exceed $2,193,070 beginning in FY 22/23 and terminating in FY 27/28.
2. Alternatively, discuss and take other action related to this item.

DISCUSSION

At its August 17, 2022, meeting, the City Council directed staff to issue a Request for Proposals (RFP) to update the City's 1994 General Plan, Zoning Code & Map, Objective Design & Development Standards (ODDS), as well as conduct the required environmental review in accordance with the requirements of the California Environmental Quality Act (CEQA). Staff issued the RFP on September 16, 2022, with a closing date of December 2, 2022.

Background

The City's Regional Housing Needs Allocation (RHNA) increased substantially to 1,125 residential units required to be constructed by 2031. This constitutes an 878% increase in Pacific Grove's RHNA from the previous cycle and a 14% increase in the number of new households in Pacific Grove. While updates to the Housing Element occur every 8 years in accordance with the State's housing cycles, these updates typically do not trigger the requirement for major updates to the General Plan. However, this substantial increase is expected to impact the need for commercial services, educational and medical services, recreational services, calls for emergency services, and the City's transportation network.

The City has determined that a focused update to the City's Land Use, Safety, and Transportation elements is necessary to address the expected impacts of 1,125 additional residential units. The focused General Plan update would include a robust public engagement program to engage all sectors of the City's population in this planning effort and that identifies the community values and translates those values into a community vision out to the year 2045.

In addition, the City will be required to complete rezoning efforts to accommodate the RHNA allocation of 1,125 units and create Objective Design and Development Standards (ODDS). Depending on HCD's determination if the Housing Element does not identify enough existing, properly zoned sites to accommodate its RHNA, rezoning may be required within one year if the housing element is not found in compliance within 120 days of the statutory deadline.

General Plan Update RFP Response

The City received one (1) qualified response to the City's RFP by the December 2nd deadline, from Rincon Consultants, Inc (Rincon). The details of the proposed scope and cost estimate are attached to this report. Following the December 2nd deadline, Community Development Department (CDD) staff formed evaluation & interview committees to review the submitted materials. The committees included members of City Council, Planning Commission, City staff, and staff from nearby jurisdictions.

Rincon submitted a response that includes activities and deliverables for a focused General Plan update based on the minimum requirements of the RFP, as well as optional tasks including an economic analysis, a market assessment, parking data, and a climate action and adaptation plan.

Project Cost

Rincon submitted an initial bid with a total estimated cost for the services described above up to $2,715,491. However, with further negotiations with the City, Rincon adjusted their bid and reduced their overall costs to $2,193,070 with the project beginning in FY 22/23 and completing the project in FY 27/28.

Considerations

Rincon and their subconsultants are qualified and experienced professionals with a demonstrated ability to complete the project(s). Their proposal is thorough and addresses the City's needs for a focused General Plan update (with and without the optional tasks) and the Housing Element update; however, it also exceeds the City's estimated cost to complete the work.

If staff finds there are opportunities to modify the proposed scope and task list for the focused General Plan update to reduce the overall cost of the project(s), staff will continue to negotiate the final cost and scope should the City Council select Rincon to perform the work.

Timeline

Rincon is proposing to initiate the focused update in FY 22/23, beginning the zoning ordinance and map amendments and ODDS by FY 24/25 through FY 26/27. Should the State require the City to accelerate the zoning ordinance within one year of completing the Housing Element, the schedule and budget may need to be adjusted to accommodate state requirements and additional environmental review required for the zoning ordinance and map amendments.

Rincon has provided an illustrated timeline for the General Plan update (attached in the proposal).

Goal Alignment

Given the far-reaching nature of long-term planning documents, the General Plan Update is and will be in line with all goals established by the City Council.

OPTIONS

1. Select Rincon as the consultant for the focused General Plan Update, including optional tasks: economic analysis, a market assessment, parking data, and a climate action and adaptation plan.
2. Select Rincon as the consultant without some or all of the optional tasks.
3. Select Rincon as the consultant for only zoning and objective standards and defer the focused update.
4. Direct staff to rebid one or all the items in the proposal.
5. Provide other direction.

FINANCIAL IMPACT:

The total impact to the City's budget would be $2,193,070 from Fiscal Year 22/23 through Fiscal Year 27/28. Of this, approximately $60,000 would be required within Fiscal Year 22/23; adequate funding for this fiscal year expenditure remains within the adopted FY 22/23 budget. A detail of the staggered expenditure by fiscal year may be found on page sixty-nine (69) of the proposal document (Table 3– Focused General Plan Update Fiscal Year Breakdown Summary (Amended 4.14.23)), attached to this agenda report.

FOCUSED PRIORITY AREA: See Goal Alignment within Discussion section.

Attachments

Public Comment

12C Public Comment

Focused GP Update Supp Proposal Info - Revised GP Proposal

May 3 Agenda item 12C

Jane Haines <janehaines80@gmail.com>

Sun 4/30/2023 3:56 PM

To: **City Council Members <citycouncil@cityofpacificgrove.org>;**Pierik, Brian A. <bpierik@bwslaw.com>;Rubens, Gregory J. <grubens@bwslaw.com>
Cc: Anastacia Wyatt <awyatt@cityofpacificgrove.org>;Alyssa Kroeger <akroeger@cityofpacificgrove.org>;City Manager <citymanager@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear City Council members,

An *informed* decision about whether or not to authorize the proposed $2,193,070 agreement with Rincon requires you to have more information than you currently have. Therefore, please obtain answers to the following questions before you vote yes or no:

1. Is the $277,918 to be paid to Rincon to complete the 6th Cycle Housing Element update to the General Plan included, or not included, in the proposed $2,193,070, or will the City be obligated to pay Rincon a total of $2,470,988 for two separate agreements?

2. Since Pacific Grove will not meet the statutory 12/15/2023 deadline for submitting its Housing Element to HCD, the City will be subject to "Builders Remedy," which requires approval for qualifying housing projects irrespective of zoning requirements. Please request staff to provide a public explanation of the grave implications of "Builders Remedy."

3. The Rincon schedule attached to your agenda report is titled "Focused G.P. Update Supp Proposal Info - Revised G.P. Proposal.**"** It states on pgs. 59 and 60 that Rincon will do no work during November and December 2023 "in consideration of fiscal year funding constraints." Is there any chance P.G. could avoid "Builders Remedy" if Rincon works during November and December, 2023?

4. Does the City Manager think "Builders Remedy" may provide automatic approval for the housing project he's been discussing with Dan Silverie? (Reference: March 21st Herald article by Tess Kenney stating: "According to Pacific Grove City Manager Ben Harvey, there have been preliminary discussions regarding the redevelopment of Lighthouse Cinema into housing. . . Noting that redevelopment aspirations at this site have come up in conversation with city staff before, Harvey said a recent push has been led by local developer Silverie Properties, LLC."

5. Assuming that Rincon completes some of the ten tasks listed on page 69 before the approval of one or more "Builders Remedy" housing projects, and assuming such new housing projects necessitate revision of Rincon's completed tasks, will P.G. owe additional fees to Rincon to revise the completed tasks, such as conducting new community engagement, further revising existing conditions, issues, and opportunities analysis, revising alternatives, revised content of the proposed General Plan, further revision of recommended Zoning Ordinances, CEQA analysis, or other revisions of completed work? In other words, does Rincon or P.G. bear the financial burden of Rincon's additional tasks if a developer utilizes the "Builders Remedy?"

6. Section 9.9 on page 55 states that Rincon's fee covers responses to only twenty EIR comments and that legal fees of $20,000 are for the review of those twenty responses. What additional costs will P.G. incur for responding to the remaining comments? E.g., if there are 120 substantive comments rather than only 20, will P.G. owe Rincon an additional $100,000?

7. Page 59 states that Rincon's tasks will continue until the focused General Plan is adopted in May 2027. If payment maximums are adjusted to allow Rincon to work during November and December of 2023, 2024, 2025, and 2026, how much would that shorten the current May 2027 finish date, and how much money would that save the City?

8. Page 65, 7th bullet, calls for annual escalation of Rincon's fees, assumed to be covered by the 10% contingency. If Rincon were allowed to work 12 months yearly rather than only ten, how much would that reduce the City's debt to Rincon?

9. Page 65, final bullet, requires P.G. to pay Rincon's monthly invoices within ten days of receipt. What changes will be made in P.G.'s current practices to ensure compliance?

10. Has P.G.'s city attorney reviewed and approved the form of the Rincon proposal?

11. Will staff reschedule this agenda item 12C to a date later than May 3 so that the Council and public can consider the current proposal after learning answers to this additional requested information?

In light of the recent, unknown-to-the-public termination of Baird + Driskell services, I urge you to proceed cautiously before committing several million dollars to Rincon.

Yours truly,
Jane Haines

Item 12C, Focused General Plan update

Andrew Kubica <andrewkubica@outlook.com>

Sun 4/30/2023 7:23 PM

To: City Manager <citymanager@cityofpacificgrove.org>
Cc: Anastacia Wyatt <awyatt@cityofpacificgrove.org>;**City Council Members <citycouncil@cityofpacificgrove.org>**

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Please add the following information to the presentation and discussion to the city council on item 12C on May3,2023.
1) At the bidders conference in October 2022, there were many more consultants interested in bidding for the General Plan contract for Pacific Grove. Why was only one bid received? Were the other consultants contacted by Staff to clarify why they did not offer a bid?
2) Statement that the price was reduced from $2,715,491.00 to $2,193,070.00.
a) Will the price reduction produce the same content and response to the original requirements or was there a reduction in requirements and subsequent response?
b) If items were deleted, please explain the reason for reduction in content in “detail”.
3) It does seem a little unusual that the bid was lowered, and the period of performance was extended from the proposed delivery date of November of 2025 to FY27/28. With inflation each year, it would see the price would increase, if the work period is extended. Please explain.
4) Comment in center of page 2 of presentation, “Timeline”, appears to need elaboration. The reason the State would require a one (1) year General Plan would be the failure of the city of Pacific Grove to perform on the delivery of an adequate Housing Element. The one-year requirement is not necessarily a State requirement, but a result of consequences of City actions.
5) It just seems strange that there was $100,000.00 in the city budget for the General Plan and at the 4/19/2023 city council meeting, Staff recommended that the money be reprogrammed for the Housing Element because it could not be used for the GP in this FY. Now Staff says there is $60,000.00 in another part of the budget that it needs to spend this FY for the GP. What has changed in Staff planning and scheduling since the last city council meeting?

Thank you
Andrew Kubica
Sent from my iPad

2nd comments re May 3 Agenda Item 12C

Jane Haines <janehaines80@gmail.com>

Mon 5/1/2023 9:00 AM

To: **City Council Members <citycouncil@cityofpacificgrove.org>;**Pierik, Brian A. <bpierik@bwslaw.com>;Rubens, Gregory J. <grubens@bwslaw.com>
Cc: Anastacia Wyatt <awyatt@cityofpacificgrove.org>;Alyssa Kroeger <akroeger@cityofpacificgrove.org>;**Planning Commission <planningcommission@cityofpacificgrove.org>**

1 attachments (435 KB)

B + D.pdf;

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear City Council,

Effective December 15, 2023, PG will have failed to meet the statutory deadline for a HCD-certified housing element. The consequences are explained in this Chronicle article: https://www.sfchronicle.com/bayarea/article/housing-element-plan-deadline-mandate-17884833.php

If anyone tells you that Baird + Driskell would have been unable to guide us to a certified Housing Element, please keep in mind the below email.

I request that at Wednesday's council meeting, staff explain the relationship between the "Focused General Plan Update" and the nine elements of PG's current General Plan: (1) Land Use, (2) Housing, (3) Transportation, (4) Parks and Recreation, (5) Natural Resources, (6) Historic and Archaeological Resources, (7) Urban Structure and Design, (8) Public Facilities, and (9) Health and Safety.

Yours truly,
Jane Haines

From: **CD-Sue Exline** sueexline@redwoodcity.org
Subject: RE: Two questions
Date: April 10, 2023 at 9:10 AM
To: Jane Haines janehaines80@gmail.com

EC

Hi Jane
Yes, the Housing Element was certified by HCD.
We worked with Baird and Driskell as part of a group of San Mateo County jurisdictions on our Housing Elements. We also worked with other consultants on the drafting and environmental review documents for our Element.

Thanks,
Sue

-----Original Message-----
From: Jane Haines <janehaines80@gmail.com>
Sent: Sunday, April 9, 2023 11:12 PM
To: CD-Sue Exline <sueexline@redwoodcity.org>
Subject: Two questions

Good morning,

Will you please answer two questions?

1. Has HCD certified Redwood City's 6th RHNA Cycle Housing Element as being in compliance with State law?

2. Was Baird + Driskell the consultant for Redwood City's 6th RHNA Cycle Housing Element?

In advance, thank you.

Jane Haines

EXH -6

Background for agenda item 4A comment

Jane Haines <janehaines80@gmail.com>

Wed 5/3/2023 5:52 AM

To: **City Council Members <citycouncil@cityofpacificgrove.org>;**Pierik, Brian A. <bpierik@bwslaw.com>;Rubens, Gregory J. <grubens@bwslaw.com>

2 attachments (407 KB)

1052022 Closed Session.pdf; Shapiro v. San Diego City Council.pdf;

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Good morning,

Tonight I'll comment during agenda items 4A and 12C.

The below three attachments pertain to my item 4A comment.

Yours truly,
Jane Haines

NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

CLOSED SESSION MEETING AGENDA

Wednesday, October 5, 2022, 5:00 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.

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

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

To participate telephonically, call any number below:
877 853 5247 (Toll Free)
888 788 0099 (Toll Free)
669 900 9128
699-219-2599

Webinar Meeting ID: 692 219 855#
If prompted to enter a participant ID, press #.

AGENDA

CALL TO ORDER

A. Remote Teleconference - AB 361 ***Action required by 8/3/2022***

Reference: Sandra Kandell, City Clerk

Recommended Action: Ratify Resolution No. 21-029 Emergency Teleconferencing authorizing remote teleconference meetings of all City legislative bodies for the following 30 days in accord with the Ralph M. Brown Act.

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

APPROVAL OF AGENDA

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS

Comments from the public will not receive Council action. Comments must deal with matters on the Closed Session agenda and will be limited to three minutes

A.

Significant exposure to litigation pursuant to Government Code Section 54956.9 (d)(2): (One case: Arising out of letter received from Andrew Sandoval on August 25, 2022, copy included in Agenda Packet)

Reference: Brian A. Pierik, City Attorney

Recommended Action: Receive update.

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

ADJOURNMENT

Agenda No. A

I'll get on it! Let me discuss items with our side of things and let you know.

Thanks

Daniel Silverie, Jr.
SILCON Constructors, Inc
(831)402-7985

From: City Manager <citymanager@cityofpacificgrove.org>
Sent: Monday, September 12, 2022 3:28:51 PM
To: Daniel Silverie <danieljr@silconconstructors.com>; Anastacia Wyatt <awyatt@cityofpacificgrove.org>; John Kuehl <jkuehl@4leafinc.com>; Dan Silverie <DSilverie@silconconstructors.com>; Chad Brown <chad@montereydesignbuild.com>; Joe Sidor <jsidor@cityofpacificgrove.org>
Cc: Sandra Kandell <skandell@cityofpacificgrove.org>; Kerry Lindstrom <klindstrom@cityofpacificgrove.org>
Subject: RE: PG Cinema Laurel Street Project

Hi, Dan –

I've placed this on the City Council's Closed Session agenda for the October 5th City Council meeting. It will be me going into Closed Session with them to share your proposal (I won't be able to bring in you and your team with me). So, yes, we will need your draft proposal and design ASAP. I would like to review it first with you and your team so that I understand everything and may go through it with the City Council to get their feedback and direction in Closed Session. I am in the office this week – but out of the office all next week (September 19 – 23). I will need to take your proposal and design and prepare a report for the October 5 Closed Session – so being able to review it with you sooner than later is crucial. Please let me know your availability so that we may get things going. Thanks!

Ben Harvey
City Manager
City of Pacific Grove
bharvey@cityofpacificgrove.org

From: Daniel Silverie <danieljr@silconconstructors.com>
Sent: Monday, September 12, 2022 1:50 PM
To: City Manager <citymanager@cityofpacificgrove.org>; Anastacia Wyatt <awyatt@cityofpacificgrove.org>; John Kuehl <jkuehl@4leafinc.com>; Dan Silverie <DSilverie@silconconstructors.com>; Chad Brown <chad@montereydesignbuild.com>; Joe Sidor <jsidor@cityofpacificgrove.org>
Subject: RE: PG Cinema Laurel Street Project

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]
Hello Ben we would be happy to meet with the City Council on October 5th. We will provide you with the proposal and the draft design prior to the meeting.

Thank you,

D037323
Court of Appeal of California, Fourth District, Division One

Shapiro v. San Diego City Council

96 Cal.App.4th 904 (Cal. Ct. App. 2002) · 117 Cal. Rptr. 2d 631
Decided Mar 5, 2002

D037323

Filed March 5, 2002 Certified for Publication

Appeal from a judgment of the Superior Court of San Diego County, No. GIC 737965, Judith
905 McConnell, Judge. Affirmed. *905

Casey Gwinn, City Attorney and Leslie J. Girard, Assistant City Attorney for Defendant and Appellant.

Charles Wolfinger for Plaintiff and Respondent.

906 *906

HUFFMAN, J.

The defendant City Council of the City of San Diego (City Council) appeals a judgment issued under the Ralph M. Brown Act (Brown Act) (Gov. Code,[1] § 54950 et seq.) to compel it to comply with certain duties under the Brown Act in closed session discussions with its real estate negotiators, concerning the posting of agenda items and the restriction of discussion within such closed sessions to the posted agenda items. (§ 54956.8; § 54954.5, subd. (b); § 54954.2, subd. (a).) This action was brought by plaintiff and respondent Melvin Shapiro, seeking declaratory and injunctive relief to require fuller disclosure of the items under discussion in the context of real estate negotiations involving the overall large redevelopment project to create a baseball ballpark in the East Village section of the City of San Diego (the City), as initiated by a 1998 voter approved proposition.

[1] All statutory references are to the Government Code unless otherwise specified.

On appeal, the City Council contends the trial court exceeded the scope of its authority in ordering injunctive relief, and misapplied the Brown Act statutory scheme in ruling upon the
907 scope of the disclosures to be made in *907 connection with closed session real estate negotiations and the scope of the discussions that could take place in such closed sessions. On de novo review of the statutory issues presented, and after reviewing the record, we conclude the trial court's decision was well within the scope of its authority and fully justified by the record. We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

In *City of San Diego v. Dunkl* (2001) 86 Cal.App.4th 384, 389-390, this court set out the basic factual background of the ballpark redevelopment project giving rise to this litigation: "In November 1998, the City's voters approved Prop. C by approximately a 60-40-percentage margin, authorizing the City to enter into an MOU [Memo. of Understanding] with, in particular, the [San Diego] Padres. Prop. C and the MOU it authorizes provide for a public-private partnership between the Padres, the City and redevelopment entities to build a new major league ballpark as part of a larger redevelopment project in Centre City East in downtown San Diego. . . . Prop. C also authorizes the city council to amend or modify the MOU, in the best interests of the city

the legislative body's practices extend to " *past actions and violations that are related to present or future ones,"* the Brown Act provisions are brought into play to authorize and justify injunctive relief. That is the case here, where the City Council has staked out a position that the trial court had no authority to prescribe the manner in which it should comply with the Brown Act, by posting agendas for closed sessions containing brief general descriptions of each item of business to be transacted or discussed. (§ 54954.2, subd. (a); 54954.5, subd. (b).) Also, the City Council continues to resist any judicial direction not to discuss topics in closed sessions which go beyond
916 instructions to its negotiators regarding *916 purchase or sale price and terms of payment of specific real property. (§ 54956.8.) Also, although the City Council contends the court could not properly prohibit it from discussing any topic within a closed session that was not contained as a separate item of business in the posted agenda for that section, under section 54954.2, subdivision (b), it has not made any serious contention that the special circumstances listed in that section apply here (referring to emergency situations, previous items of business that were continued within five days for action at a particular meeting, or a need for immediate action discovered subsequent to the posting of the agenda).

In a different procedural context, this court ruled in *California Alliance for Utility Etc. Education v. City of San Diego* (1997) 56 Cal.App.4th 1024 (*CAUSE*) that a declaratory relief action brought under section 54960, subdivision (a) was ripe, as against a demurrer, where there was an actual controversy between the parties over whether a past Brown Act violation had occurred. (*CAUSE, supra*, 56 Cal.App.4th at pp. 1029, 1031.) We found evidence of such controversy in allegations that the City would engage in similar practices in the future and "also in city's failure to concede that the facts alleged by plaintiffs constitute a violation of the Brown Act or the city charter. [Citation.]" (*Id.* at p. 1030.) We cited to *Common Cause v. Stirling* (1983) 147 Cal.App.3d 518 (*Common Cause*) for the point that "courts may presume that municipality will continue similar practices in light of city attorney's refusal to admit violation[.]" (*CAUSE, supra,* 56 Cal.App.4th at p. 1030.) For example, past actions may to some extent evince a relationship to present or future conduct, especially as in *Common Cause, supra,* 147 Cal.App.3d 518, where the past action was in fact an on-going procedure from which the court could reasonably infer, in light of the city attorney's refusal to change that procedure, that there would be continuing or future threatened Brown Act violations.[6]

[6] In *Regents, supra*, 20 Cal.4th 509, the court called into question the authority of *CAUSE, supra,* 56 Cal.App.4th 1024 and *Common Cause, supra*, 147 Cal.App.3d 518. However, we believe those holdings remain viable, as was allowed by the Supreme Court, to the extent that the showing of past violations that was made related specifically to present or future ones. (*Regents, supra,* 20 Cal.4th at p. 526, fn. 6.)

Under the plain language of section 54957.7, subdivision (a), a legislative body in a properly noticed closed session may consider only those matters covered in its statement at an open meeting of the item or items to be discussed in closed session. Subdivision (b) of the same section states that after any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by section 54957.1 of action taken in the
917 closed session (e.g., approval of an *917 agreement concluding real estate negotiations, within specified time frames). This section is a prime example of the spirit of the Brown Act, promoting openness in conducting the public's business, as referenced in the statement of decision. (See *Rudd v. California Casualty Gen. Ins. Co.* (1990) 219 Cal.App.3d 948, 952: Where

agreements, is indeed a complex real estate based transaction. That characterization, however, does not negate the requirements of the Brown Act when agenda items are noticed concerning real estate interests, such as purchase and sale of real property on which the anticipated development will be located.

Rather, the closely related issues of the agenda items to be disclosed, including for a closed session, and the scope of the legislative body's discussions that may take place within such specific closed sessions, must be considered together. The scope of the permissible discussion in the closed sessions should be defined by the notice given in the agenda and the public announcements, together with the rule against discussing items not identified in the agenda. (§ 54954.2, subd. (a)(2); § 54957.7, subd. (a).) Those statutory constraints must be read together with section 54956.8, which provides a narrowly defined exception to the rule of open meetings, for the purpose of giving instructions to the negotiators concerning a particularized and realistically anticipated transaction that the City may complete, whether as an individualized transaction or as part of a larger one. The City Council cannot claim substantial compliance under the safe harbor provisions of section 54954.5, subdivision (b), when its anticipated project discussions exceed the scope of the safe harbor notice provisions, and do not involve a specific and identifiable piece of property under discussion, but rather range far afield of a specific buying and selling decision that the negotiator is instructed to work toward.

If we were to accept the City's interpretation of the Brown Act in this respect, we would be turning the Brown Act on its head, by narrowly construing the open meeting requirements and broadly construing the statutory exceptions to it. (See *Bell v. Vista Unified School Dist., supra*, 82 Cal.App.4th 672, 682.) That would be incorrect. We do not denigrate the important consideration of confidentiality in negotiations. However, we believe that in this case, the City Council is attempting to use the Brown Act as a shield against public disclosure of its consideration of important public policy issues, of the type that are inevitably raised whenever such a large public redevelopment real estate based transaction is contemplated. The important policy considerations of the Brown Act, however, must be enforced, even where particular transactions do not fit neatly within its statutory categories. In this case, the trial court reached an appropriate balance in applying the Brown Act to this particular set of
925 circumstances. *925

DISPOSITION

The judgment is affirmed. Costs are awarded to plaintiff and respondent.

We concur:

KREMER, P. J.

NARES, J.

926 *926

Agenda Item 12 C 5/10/23

V T <vtpg@hotmail.com>

Fri 5/5/2023 12:44 PM

To: **City Council Members <citycouncil@cityofpacificgrove.org>**;Pierik, Brian A. <bpierik@bwslaw.com>;Rubens, Gregory J. <grubens@bwslaw.com>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear City Council:

Hre is an organization called California Cities for Local Control (CCLC): Home | CA Cities for Local Control (localcontrolca.com)

"California Cities for Local Control, a grassroots organization founded in July 2020 by Torrance City Council Member Mike Griffiths, is an advocacy group for local control over zoning and land use decisions. Councilmember Griffiths has assembled a volunteer organization of several dozen people from all around California, including other elected officials, homeowner group representatives, city planners, and passionate homeowners, all sharing the common belief that Local Governments should remain the ultimate decision makers for how their communities are built."

Here is the list of **563 elected officials** across the state who have endorsed the CCLC mission to take back local control over zoning and land use. You will see that the city council members & mayors of many diverse cities have endorsed CCLC including high end beach towns like Redondo Beach and small farming communities like Parlier and Reedley in the Central Valley.

Elected Officials | CA Cities for Local Control (localcontrolca.com)

I would love to see your name on the list. You can sign up using the link to CCLC here: Contact | CA Cities for Local Control (localcontrolca.com)

I think this is issue is essential to the long-term vitality of Pacific Grove. Please add your name & help us preserve what makes our little town special.

Sincerely, Vincent Tuminello

Rincon Consultants, Inc.

2511 Garden Road, Suite C-250
Monterey, California 93940
831-333-0310

April 14, 2023

Anastacia Wyatt, Community Development Director
City of Pacific Grove Community Development Department
300 Forest Avenue
Pacific Grove, California 93950

Subject: Focused General Plan Update Supplemental Proposal Information – Revised General Plan Proposal

Dear Ms. Wyatt:

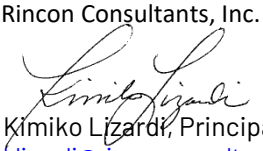
At City staff's request we have prepared a supplement to our proposal for the Focused General Plan Update. This supplement includes a revised scope of work and budget for the Focused General Plan Update. In addition, this supplement includes a fiscal year breakdown of the proposed Focused General Plan Update budget.

The revisions to the scope of work and budget provided in this supplement were based on discussions with City staff. The major scope revisions are summarized below:

- Leverage City staff to partner and support community engagement activities (based on specific discussions with City staff) resulting in a reduction of consultant led community engagement.
- Leverage virtual attendance as much as possible (based on specific discussions with City staff) for community engagement and public meetings/hearings to reduce direct expenses.
- Reevaluate the approach to the Existing Conditions Background Report to streamline the level of effort and support overall cost reductions.
- Add in scope for reasonable parking data collection and analysis – for an amount not to exceed $20,000.
- Add a Public Hearing Draft of the General Plan.
- Remove the document accessibility task.
- Remove any optional tasks from the CAAP that are not necessary to support CAAP and Focused General Plan Update integration.

We are confident that the Rincon team will continue to meet the needs of the City, and we welcome an opportunity to meet with you to further discuss our proposal. Please do not hesitate to contact us if you have questions about this proposal or require additional information.

Sincerely,
Rincon Consultants, Inc.



Kimiko Lizardi, Principal
klizardi@rinconconsultants.com
Contact for Clarification

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1 Project Approach, Scope of Work, and Deliverables

Project Approach

We understand that the City has the following key objectives for this effort:

- Engage the community in decision- making through a robust and meaningful community engagement effort.
- A multi-faceted general plan, easy to use zoning implementation and thorough CEQA analysis that is consistent with recent legislation and supports streamlining of future environmental reviews.
- Define and enhance community character to ensure that the features that define Pacific Grove's identity are protected and enhanced while balancing the need for housing and meeting economic objectives.
- Improve connectivity and livability in Pacific Grove by creating improved multi-modal opportunities and thinking differently about community access, parking and infrastructure needs.
- A resilient community focused on planning for a resilient future through integrated strategies for land use, transportation, climate adaptation and community health.

Required Services

Pacific Grove requires the services of a consultant team to assist the City in 7 primary areas:

- Project Management and Coordination
- Community Engagement
- Focused General Plan Update
- Zoning Ordinance Amendments and Objective Development and Design Standards (ODDS)
- Climate Action and Adaptation Plan
- Environmental Review
- Adoption

The following Scope of Work provides a detailed accounting of our implementation methodology to meet these objectives including the tools and techniques that will be used, the strategic approach to each major task and deliverable and assumptions regarding roles and responsibilities of the consultant team and City staff. The Scope of Work is broken up into eight key phases starting with project initiation through to plan adoption.

Scope of Work

Task 1 Project Initiation and Coordination

Given the scope of this effort and an understanding that City staff have limited resources, exceptional project management and management accessibility will be critical to the success of this program. Consequently, we have developed a robust project management team to ensure that expectations regarding communication, quality, and timeliness are met.

This involves directing the consultant team and coordinating with the City and other stakeholders over the course of the project. It includes internal oversight of staff as well as management of the public outreach, technical, planning and environmental review tasks included within the work program. We plan to provide regular reporting, not less than monthly, on progress, schedule and budget.

2 Project Management Team

	Kimiko Lizardi Principal-in-Charge	• Project and Contract Oversight • QA/QC • Participate in regular calls and check ins
	Della Acosta, AICP Project Manager	• Manage and review consulting staff and work products (deliverables, deadlines, budgets, and scope) • Biweekly check in calls • Monthly invoicing and progress reporting
	Megan Jones CEQA Lead/Local Strategic Advisor	• QA/Q/C • Oversight of CEQA • Local advisement and strategic support • Participate in calls and check ins as needed

All members of the Project Management Team will be involved in the quality assurance and review of all tasks and work products within this work program. The budget for that quality control is included in the individual task budgets. Additionally, this group provides leadership and guidance to overcome or take advantage of any challenges or opportunities presented during the project's duration and will serve as partners with Pacific Grove staff through the life of this project.

Kickoff Meeting and City Tour

Upon authorization to proceed, Rincon will facilitate a kickoff meeting with City of Pacific Grove staff. The purpose of the meeting is to discuss data needs, initial community issues and opportunities, set project expectations, and explain our proposed approach to the various components of the work program.

The kickoff meeting is envisioned as a two-hour meeting. The Rincon team will work with the City to achieve the following objectives:

- Clarify the work program, schedule and communication protocols
- Early identification of data sources and needs
- Discuss staff expectations and community issues
- Discuss key opportunity and change areas in Pacific Grove, such as proposed housing sites to meet 6th Cycle Housing Element RHNA requirements, or other underutilized areas.
- Refine the community engagement strategy and obtain initial input for a key stakeholder list

Project SharePoint Site

To manage large programs, Rincon utilizes a project SharePoint site that allows for the storage of information as well as collaborative documents and materials. The Project SharePoint is simple and easy-to-use and is also secure. Access to this site will only be available to members of the project team and will be managed by the Project Management Team. Use of the SharePoint will prevent confusion of various document versions being sent via email or uploaded to a simple FTP site. The ability to organize documents by component or document is helpful for programs like this with various components being worked on simultaneously.

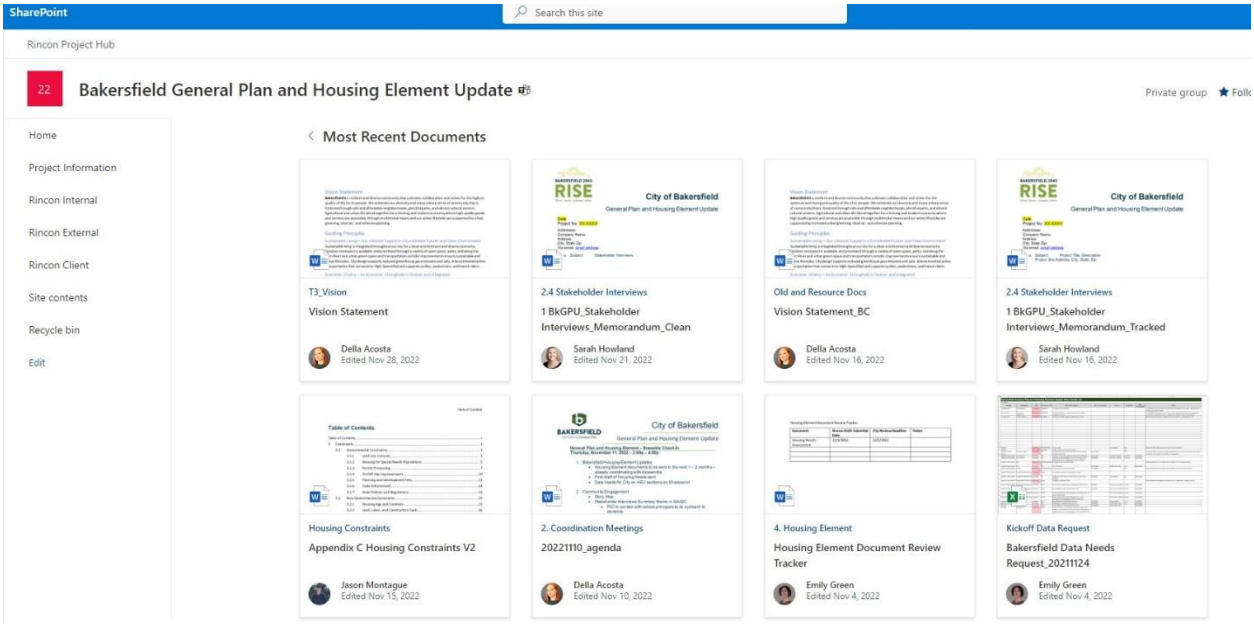
Documents would be organized by the major components of the Work Plan and resource libraries can be created to support sharing of project photos, maps and other information.

Also, a real-time schedule would be available so all team members would be aware of upcoming project deadlines and any changes to the overall work program schedule. The Project SharePoint is highly flexible and can be customized for the needs of the City and team. A draft and quick tutorial of the SharePoint Site will be presented during Task 1.1: Kick Off Meeting and City Tour

Following the discussion, the consultant team will tour key areas in Pacific Grove. The tour may consist of residential neighborhoods, Downtown, Central Eardley, Lighthouse Avenue area (west of Downtown), Forest

Hill area, and other opportunity areas and/or sites that should be considered as part of the Focused General Plan Update.

The tour will provide an opportunity to visit potential new growth areas, transportation corridors, existing neighborhoods and commercial and industrial districts, and major City amenities and assets. Rincon assumes that City staff will provide a map highlighting the areas to be visited. The City-wide tour is envisioned as a half-day (4-hour) event.



Document Gathering

Rincon will work with the City to develop a comprehensive list of documents and data necessary to prepare the General Plan background documents, policy document, zoning code and map updates, and Program EIR. The data list will include necessary GIS map files, existing City documents, and any other materials that will be used during Task 3 (Existing Conditions) and Task 5 (General Plan). Following delivery of these materials, Rincon will review the materials provided and identify any gaps in data or materials that will require additional research or coordination to obtain.

Scope of Work and Schedule Refinement

The kickoff meeting provides the team with an opportunity to further refine the scope of work and project schedule. Following the kickoff meeting, we will create a detailed project schedule highlighting major milestones, deadlines, deliverables, and meetings. The schedule will be reviewed and updated as necessary as the project progresses.

Rincon will provide regular check-ins and provide updates on schedule in conjunction with our monthly invoicing. If we proactively identify project issues that may cause schedule delays, the Project Manager will bring those to the attention of staff, identify potential solutions and coordinate with staff as to the best course of action.

Document Set Up

Early in the project, Rincon will work with City staff to create a document template package. The template documents will be used by the team to ensure consistency in the look and feel of the documents, including any presentation materials and planning documents. Rincon will also work with City staff to address how the documents will interact with the existing General Plan, Zoning Code and other existing Pacific Grove plans. This task assumes that City staff will provide any branding guidelines, including any color or font guidelines for reference.

Project Coordination

Our project management team will be in continuous coordination with City staff in an organized and efficient manner. This task provides for overall project management, coordination of team members and tasks, preparation of project updates, consultation with City staff, team meetings, and monthly invoices. It includes conference calls with City staff approximately every other week as needed during active months throughout the project to review tasks in progress, share information, and review key milestones and deliverables. These meetings may shift to monthly or be handled through email communication when biweekly meetings are not needed. Our project coordination tools include the use of Microsoft SharePoint, which enables our team to seamlessly share documents and deliverables, while staying high touch with City staff. Since communication is a top value for our team, additional communication with the City team by e-mail and phone will occur throughout the project, independent from the scheduled calls.

Deliverables

- Kickoff meeting agenda and data needs list (electronic format)
- Memorandum/meeting notes from kickoff meeting (electronic format)
- Observation notes and photographs from City tour will be incorporated in subsequent deliverables
- SharePoint project site
- Project schedule (electronic format)
- Monthly progress reports to accompany invoicing
- Document template package
- Up to 85 bi-weekly calls with City staff (detailed meeting assumptions are provided in Section 6)

Task 2 Community Engagement

Even though Pacific Grove is a small coastal community, there are still varying demographics found within it. The community engagement strategy will be developed and conducted so that a variety of voices in the community are represented. The Rincon team will initiate a discussion regarding the community engagement strategy at the project kick-off meeting and will be prepared with a set of questions to ask the City regarding their engagement history, challenges and goals. As part of the Housing Element Update, the City is conducting a significant amount of community outreach to support the update process. The City has been successfully incorporating online tools such as Balancing Act which is an interactive housing site and density activity that engages the community in developing solutions. Our approach will ensure we learn from the City's recent engagement activities, identifying successes and any lessons learned on techniques or approaches that may not have worked so well within Pacific Grove. One of our first steps will include development of a Community Engagement Plan. Our scope of work includes recommendations for an initial engagement strategy and activities that, based on our experience in other similar jurisdictions, have worked well. This is intended to provide an initial understanding of potential scope and costs, but we will work closely with City staff to customize and establish a Community Engagement Plan that best fits the needs of Pacific Grove within the allocated budget. We also suggest that once the Community Engagement Plan is finalized that it be posted on the project's website for transparency and review by potential community stakeholders, such as Communities for a Sustainable Monterey County, Heritage Society of Pacific Grove, and other organizations. This will ensure we invite all the relevant parties to the table in a format that works for them. Also, if any additional engagement is requested that is not included in the original Community Engagement Plan, it can be addressed early in the work program.

The proposed community engagement strategy is robust and includes a series of outreach tasks that are collaborative in nature and inclusive of all members of the community.

2.1 Community Engagement Plan

The Rincon team understands the critical importance of community engagement and outreach. Through our work on other General Plans and Climate Action and Adaptation Plans (CAAP), we understand that a plan reflecting the vision of the community is a successful and inspired plan. The Rincon team will develop and refine a Community Engagement Plan and launch a comprehensive effort that will educate, inform, and build interest in this planning effort. The Community Engagement Plan will clearly identify the engagement activities, associated phase of the project, target audience/stakeholders, and responsibilities for carrying out the engagement (including City staff and/or members of the Rincon team). Community engagement will focus on the community at-large, directly affected stakeholders including property owners, businesses, residents and interest groups, and civic decision-makers. This effort will be designed to effectively build collaborative interest and to ensure that the diverse perspectives and varying needs and interests of local community members and stakeholders are represented through the outreach process.

Our goal is to design community outreach to engage the public and community leaders in a fun and interactive way that will educate them on the value and purpose of this project, create a common vision, and to obtain their feedback. As part of this task, the following components will be addressed along with stakeholder interviews and in-person community events described in subsequent tasks. Additionally, the plan will be structured to be inclusive of all of those who make up the "community" and will be designed to effectively build collaborative interest, identify common values and goals, and to bring new participants to the conversation. This includes building from the Housing Element outreach effort and defining equity and equitable outcomes and developing methods to measure the success of the engagement efforts.

This task assumes City staff will conduct two rounds of review of the Community Engagement Plan and upon receipt of consolidated City comments in tracked changes, the Rincon team will prepare a Final Community Engagement Plan for City staff to share with decision makers, the GPAC and to post to the project website.

2.2 Online Engagement

The post-pandemic era has taught the planning industry and our firm a lot about online engagement. Virtual meetings and online engagement are not a panacea for all-inclusive community engagement, but communication through online and social media has transformed drastically in the past several years. In particular, how information is disseminated and received by the public has changed. Online media tools are powerful, cost-effective and increasingly becoming the expected norm for how information is communicated. For the Pacific Grove General Plan, a variety of tools will be used to support online engagement, as described below.

2.2.1 Online Surveys

The Rincon team will develop and conduct up to three online community surveys (using SurveyMonkey or similar application) to capture qualitative input on the values, goals, and issues to shape the Pacific Grove General Plan and ODDS. Our recommendation is to administer these surveys during Task 3, which is a learning period for the project. The focus of the three surveys will be as follows:

- **Survey #1: Visioning (held during the Project Learning Phase).** Rincon will prepare a survey that will be used to gather input from residents and stakeholder on how they view Pacific Grove today and in the future.

- **Survey #2: Issues and Opportunities (also held during the Project Learning Phase).** Rincon will prepare a survey to confirm issues and opportunities identified during initial community engagement activities to ensure a clear understanding of the community's concerns and priorities that will inform alternatives, policy development, and CAAP measures and actions. WRT will provide input on issues and opportunities pertinent to urban design.
- **Survey #3: Urban Design and Community Character (held during the Zoning Ordinance Amendment and ODDS Phase).** WRT will prepare a visual preference survey focused on community character, to inform urban design policies and the development of objective design standards.
- **Survey #4 and #5 –** additional surveys may be necessary to support the Issues and Opportunities discussion or other topics as they arise. This scope includes an allowance for two additional surveys.

The Rincon team will provide City staff with an initial outline of each survey prior to developing a draft version of the survey. This will allow early engagement with City staff on the format and ensure the team is in agreement before developing detailed content. This task assumes each survey will be approximately ten questions long with one round of City staff review on each draft survey, and upon receipt of consolidated City comments, the Rincon team will prepare a final survey for posting to the project website.

Following each online survey closing, an accompanying summary report will be created with numerical breakdowns of responses, charts and graphs where applicable, and narrative descriptions of the qualitative results.

2.2.2 Educational Videos and Resident Interviews

Short educational videos are a great way to story tell and convey information pertaining to a Focused General Plan Update and CAAP. These brief segments are visual and allow for quick, self- paced learning. They are a great way to share the purpose of the General Plan and CAAP and convey technical information in a visually appealing manner that can support specific milestones in the project.

For this effort, the Rincon team proposes up to three educational videos as follows:

- **Video #1: General Plan Overview.** Rincon will prepare a video talking over a presentation to educate the public about the Focused General Plan Update process, including recent legislative updates and opportunities to get involved.
- **Video #2: Zoning and Objective Design and Development Standards.** WRT will prepare a slide show focused on ODDS. It may include topics such as compliance with recent State law, what are "objective standards", approaches, key considerations. There may be two or three short segments to cover these topics.
- **Video #3: CAAP Overview.** Rincon will prepare a video talking over a presentation to educate the public about climate hazards, actions the city and community members can take to increase resilience and reduce greenhouse gas emissions, and opportunities to get involved in the CAAP process.

The Rincon team will provide City staff with an initial outline of each video prior to developing a draft version of the video. This will allow early engagement with City staff on the content and ensure the team is in agreement before developing detailed content. This task assumes one round of City staff review on each draft video, and upon receipt of consolidated City comments, the Rincon team will prepare a final video for posting to the project website.

Resident Interviews

The people who live in a community have a wealth of knowledge and carry stories from the past. These stories are a real community asset and, to some extent, hold the key to the future. Stories and interviews from residents can inform a vision for the future, which can be highlighted through a variety of online channels and mediums. Rincon will create a two- to-three question activity asking residents to share their Pacific Grove stories, which can be used during the initial workshops and pop-up events to gather key details on what makes Pacific Grove unique. Selected stories will be featured in the Vision and Guiding Principles and other key public documents as highlights illustrating the community's values and connection to Pacific

Grove. This task assumes that City staff will support distribution of the resident questionnaire at pop up events and other opportunities.

2.3 Community Workshops

Formal community workshops are a great way to engage the public and provide them with an opportunity to discuss their priorities, ideas, and vision for the future of Pacific Grove. We envision a series of workshops that allow participants to actively participate through interactive exercises. These workshops will be centered on different General Plan topics and key project milestones. We recommend the following approach and organization to the workshops rather than organizing by element or discrete topic area:

Learning – Up to 4 Virtual Workshops

- **Introduction to General Plans, CAAPs and Visioning (2).** These workshops will introduce the community to the project and outline the purpose, requirements, and importance of the Focused General Plan update and CAAP. The workshops will provide a comprehensive view of the planning framework and demonstrate how the project fits together with the Housing Element update. In addition, the workshops will direct participants to surveys or interactive activities designed to gather input from residents and stakeholders on how they view Pacific Grove today and what they want their community to be in the next two decades. The development of this exercise will be informed by the Housing Element and the prospective neighborhood-scale land use changes that are required as a result of the site inventory. This feedback will be coalesced into a final vision statement for the Pacific Grove General Plan.

- **Issues and Opportunities (2).** Following the completion of Task 3.1, 3.2, 3.4 and Tasks 8.2 and 8.3, we will hold two workshops to discuss the current issues and opportunities in Pacific Grove with the community, presenting our initial findings and asking for clarification and feedback from participants on areas of particular concern to them. These workshops will incorporate information obtained from the community during the Walking Tour in Task 2.6.

Alternatives and Policy Direction – Up to 2 In-person Workshops and 7 Virtual Workshops

- **Alternatives (2).** During the alternatives workshops, the Rincon team will discuss proposed land use, urban design, public realm and transportation alternatives. These workshops are assumed to be in-person.
- **Policy Direction Workshops (5).** Following the alternatives workshops, Rincon will conduct a series of virtual workshops organized around the key components of the work program to review policy direction for all topics covered in the Focused General Plan Update, ODDS and CAAP. These workshops are anticipated as follows:
    - **General Plan (2)** Once the Rincon team has confirmed direction for the land use and circulation alternatives and has initiated draft policies, we will host a workshop to review the draft policy direction for all topics covered in the Focused General Plan Update. We will present a baseline understanding of the existing conditions for that topic, what legislative requirements apply, and some common best practices from similar communities. The workshop will be interactive, engaging, and designed with the dual purpose of allowing participants to gain a fuller understanding of the topics and their applicability to the City, and for the project team to gain

insight and input on the policy direction proposed for each key topic area. Input from this workshop will inform development of the Draft General Plan.

- **Objective Design and Development Standards (1)** WRT will lead and facilitate a meeting focused on infill development and the ODDS. The meeting will be interactive and engaging and will support a more focused discussion on infill strategies and the objective design and development standards.
- **Climate Action and Adaptation Plan (2)** The Rincon team will host two workshops to allow participants to inform the development of CAAP strategies which will have the greatest positive impact on GHG emissions and climate resilience Citywide. The first workshop will inform the draft selection of CAAP strategies under Task 8.4. The second workshop will inform the measures and actions to be included in the CAAP under Task 8.7. Rincon will create interactive activities for both workshops to engage participants and solicit targeted input to best inform the development of the CAAP.

Review and Adoption – Up to 2 Virtual Workshops

- **Draft General Plan, CAAP, Zoning Updates and Program EIR.** These workshop are anticipated to review the Draft General Plan, Zoning Updates and Draft CAAP after they have been released for public review.

Prior to each in-person workshop, we will develop a Facilitator's Guide that describes the notification efforts, key messages, and format and materials that will be used at workshops. Project fact sheets, comment cards and graphic displays will be produced. These materials will be reviewed and approved by City staff prior to being used at these meetings.

Task 2.3 anticipates a total of up to two in-person workshops and thirteen virtual workshops.

City staff is assumed to provide logistical support for the workshops, including securing venues, distributing notifications and assisting with the staffing for each of the events.

2.4 General Plan Technical Advisory Group

This group is expected to serve as a common thread throughout the update process and provide feedback and review key work products. The General Plan Technical Advisory Group (GPTAG) is anticipated to be comprised of between 10-15 individuals and will serve as an advisory group that will provide feedback on project issues including the vision and guiding principles, land use and transportation alternatives, urban design and community character priorities and other key topics. The GPTAG can also support a review of content for the community workshops. The following provides initial recommendations for the organization of up to six GPTAG meetings. This scope assumes City staff will lead any additional meetings beyond those described below:

- Meeting #1 – Project Initiation
- Meeting #2 – Issues and Opportunities
- Meeting #3 – ODDS
- Meeting #4 – CAAP
- Meeting #5 – Policy Alternatives
- Meeting #6 – General Plan Review

The group should be selected under the advisement of City staff and may include key individuals from various departments, appointed and elected officials, as well as community stakeholders who played a role in the Housing Element update process.

These meetings will occur at key milestones of the project and will align with community workshops and public meetings with Planning Commission and City Council. It is assumed that City staff will organize and lead facilitation of these meetings. It is assumed that the Rincon team will attend up to six virtual meetings and will help establish the GPTAG and provide presentation materials (e.g., PowerPoints, handouts), agenda topics, and support note taking for the six meetings.

2.5 Virtual Stakeholder Interviews

The Rincon team will prepare for and conduct a series of virtual, small group and/ or one-on-one interviews to discuss the Focused General Plan Update and CAAP with local organizations, groups, and stakeholders. This includes City staff that administers zoning, local developers and architects, property owners whose properties are in areas of change, and community-based organizations or special-interest groups that represent housing needs and issues that may be relevant to address through the zoning code. It is assumed that City staff will collaborate with Rincon staff to generate a comprehensive list of stakeholders to interview. The interviews will be used to identify key issues to be addressed and to allow the consultant team to understand the desired improvements and strategies from these local leaders. This task assumes up to 20 virtual stakeholder interviews lasting approximately one hour, and the deliverable for this task includes a memo summarizing results of the interviews.

2.6 Walking Tour

Walking tours are an effective engagement tool that empowers stakeholders to provide more site-specific input, while imagining and contextualizing ideas about the future.

Traditional (in-person) walking tours involve project teams physically walking through sites and organizing charrettes, surveys, or facilitated question and answer sessions with stakeholders to receive community feedback. The walking tours are anticipated to focus on urban design and community character features and occur during the Learning Phase of the project. The walking tours are anticipated to occur with members of the GPTAG.

WRT will lead one in-person walking tour. The tour will offer an opportunity for participants to examine and help refine our team's understanding of three distinctly different places: the city's downtown, its inner neighborhoods, and its outer neighborhoods. For the tour, WRT and Rincon will provide facilitators, a walking map, and questionnaire. Each tour will begin with an orientation, followed by the walking tour itself, and ending with a forum in which participants can share and listen to one another's observations. WRT will provide a walking tour guide to outline the details of the walking tour event.

2.7 Engagement Toolkits

Rincon can develop one toolkit to support the engagement of community members outside of defined meetings and workshops. This toolkit can be used by GPTAG members or other identified project ambassadors to support outreach about the General Plan process and to solicit additional feedback. The toolkit would include a project overview presentation and fact sheet, survey, and/or discussions questions. All materials will be provided in digital format. The toolkit can also be used by City staff.

Deliverables

- Draft and final Community Engagement Plan (in electronic format)
- Outline, draft and final surveys (up to five total)
- Survey results in summary report format (up to five total)
- Outline, draft and final educational videos (up to three total)
- Draft and final resident interview questionnaire
- Facilitator's Guide for each in-person workshop, sign-in sheet, and name tags
- Organize and attend up to 2 in-person and up to 13 virtual workshops, including workshop materials to be finalized at the time of planning, and workshop summary memos
- Virtual attendance at up to 6 GPTAG meetings, includes supporting facilitation and providing presentation materials (e.g., PowerPoints, handouts), agenda topics, and supporting note taking
- Facilitation of up to 20 virtual stakeholder interviews, including the development of stakeholder interview questions with review by City staff and memo summarizing results
- Walking tour guide/maps, questionnaire for tour attendees, facilitated meeting at the end of tour, and summary of results
- Engagement toolkit presentation slides, fact sheet, and survey questions.

Task 3 Existing Conditions, Issues and Opportunities

The City's General Plan has not been comprehensively updated since the 1990s. One of the first phases in the process will be the Learning Phase, where the Rincon team will build a foundational understanding of the city's existing conditions as well as issues, opportunities and trends.

During this task, the team will conduct a review of existing documents, including an audit of the General Plan. The audit will identify goals, policies and programs still relevant that can be incorporated into the updated General Plan and those that have the potential but need to be revised or updated. The audit will also include a legislative consistency analysis to address required legislative updates since the General Plan was last updated. The Rincon team will also prepare an Existing Conditions Background Report (ECBR) to describe Pacific Grove's existing built, social and natural environment in a succinct, graphically oriented and engaging format. Our approach will ensure that the ECBR is prepared to support the needs for the General Plan process as well as the needs for the environmental setting section of the EIR.

The Rincon team will continue the learning process by conducting community engagement activities, including walking tours, early visioning and issues and opportunities activities (as further described in Task 2) to ensure a clear understanding of the community's issues, priorities, and values. The community's values or Vision and Guiding Principles will provide direction and serve as guardrails for future more detailed analyses and policy development.

The Rincon team will conduct additional technical reports and studies (as further detailed in Task 3.6) and prepare a Strengths, Weaknesses, Opportunities and Threats (SWOT) report. This report will build on the General Plan Audit, ECBR, CAAP GHG inventories, forecast and targets, community visioning and engagement and will serve as a strategic guide for the General Plan Update. It will look at both internal and external planning factors and trends and will connect the dots between the Pacific Grove's identified needs and opportunities and preliminary policy and implementation recommendations.

3.1 General Plan Audit

The audit will identify goals, policies, and programs still relevant that can be incorporated into the updated General Plan and those that have potential but need to be revised or updated including an assessment of which policies and programs have been particularly successful for City of Pacific Grove and which have not. This review will also take a close look at the Housing Element programs that will be adopted for the 2023-2031 Housing Element Cycle, including how these programs will directly affect the Land Use Element. A key component of the General Plan Audit will also include a legislative consistency analysis, which will provide a list of legislative changes required to bring the General Plan into compliance. This assessment assumes one

round of review with City staff and would be included as an Appendix to the Existing Conditions Background Report (ECBR).

3.2 Existing Conditions Background and Technical Reports

The Rincon team will prepare a series of existing conditions background and technical reports to describe Pacific Grove's existing social, natural, built, and economic conditions. The technical reports or memorandums will be used to inform an understanding of the City's existing conditions to support subsequent tasks including the SWOT analysis in Task 3.4, the Objective Design and Development Standards, the CAAP, and the focused updates to the Land Use, Transportation and Safety elements. Each of the technical reports and memorandums will be under separate cover and are intended to be technically focused on the information needed to support the updates as described above, using simple narratives and data presentation and maps (as necessary). Unless otherwise stated herein, Rincon anticipates one round of review of each of the existing condition and technical background reports. The drafts will be submitted electronically, and the team will respond to one set of compiled, tracked changes from the City.

The technical reports include the analysis necessary to support compliance with SB 379, AB 747, SB 99 and to include an economic analysis that will allow the team to draw insights from market and economic realities to foster realistic infill and land use strategies.

To support engagement and help synthesize the information from the existing conditions background and technical reports, Rincon will prepare a graphically oriented and succinct Existing Conditions Background Report Executive Summary (Executive Summary). The Executive Summary will summarize the most relevant existing conditions information from the reports and is anticipated to be used for discussions with stakeholders and to provide a more publicly accessible version of the existing conditions information. The following subsections describe the anticipated existing conditions and technical background reports that will be prepared.

3.2.1 Land Use and Community Character

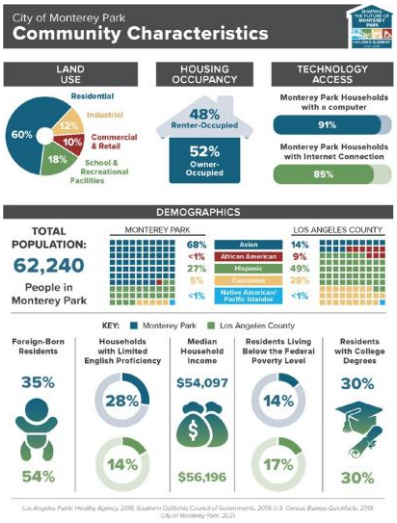
The land use and community character report will provide an overview of the existing and allowed land uses in the city and place type characteristics of the City's neighborhoods.

Rincon will define the planning area and analyze land capability relative to future growth for the life of the updated General Plan. This report will analyze:

- Existing land uses
- Historic and current growth and development patterns
- Existing planning framework, including Vision plans and Specific Plans
- Relationship to the surrounding County unincorporated lands
- Physical constraints
- Potential infill development locations
- Vacant and underutilized lands

This will include the creation of maps to ensure a clear understanding of the general plan study area, land use designations, existing land uses and potential opportunity/change areas. The Rincon team will review the current draft of the 6th Cycle Housing Element update to ensure the prospective land use changes in this document are reflected in the background understanding of the Land Use Element.

Community Character



Pacific Grove is a composite of exceptional districts and landscapes. WRT will take a place-based approach to community design to respond to distinct and unique development patterns and character within neighborhoods and along corridors, with appropriate building types.

The older part of town affords extraordinary walkability as its centrally located downtown and grid connect residents to goods and services; infill development can complement the traditional fabric and confer benefits, such as to reduce Pacific Grove's per capita driving rates in the community and increase patronage (and therefore the availability) of local destinations. Newer neighborhoods, while auto-reliant for shopping trips, are integrated within extraordinary coastal landscapes with remarkable recreation; development in these outer neighborhoods can reinforce how buildings and landscapes work with the natural setting.

The Forest Hill commercial district was designed for motorists with low-rise buildings set behind parking lots; a candidate for private redevelopment on account of its relatively low development intensity, policies and design standards for Forest Hill can use growth to create a walkable transit-oriented district by investing in pedestrian infrastructure and codifying pedestrian-oriented building and site guidelines in the Forest Hill Specific Plan.

WRT's approach will be to carefully evaluate these generalized "place types" to identify character- defining features for each place type and tailor policies and standards to respect Pacific Grove's character, while recognizing contemporary building practices and their response to market factors. Community engagement will inform our understanding of place types and how this understanding should inform policies and standards. Walking tour (see Task 2.6) will enlist GPTAG members in identifying "what works" and "what needs fixing" in each place.

For each place type, WRT will catalogue representative building types and architectural characteristics, such as: setback/build-to lines, massing cadence & modulation, materials & color, fenestration & entry patterns, cornice lines, and roof form. WRT will note if an architectural style predominates. They will also examine landscape treatments, such as fences and tree species, and street design elements, like sidewalks and street trees. WRT will also review Pacific Grove's Historic Context Statement and its Architectural Review Guidelines for Single-Family Residences. This will include the creation of district maps, photos and descriptors of the districts examined, a place type map and place type matrix that groups together districts with similar characteristics, character-defining attributes for each place type.

3.2.2 Hazards and Safety

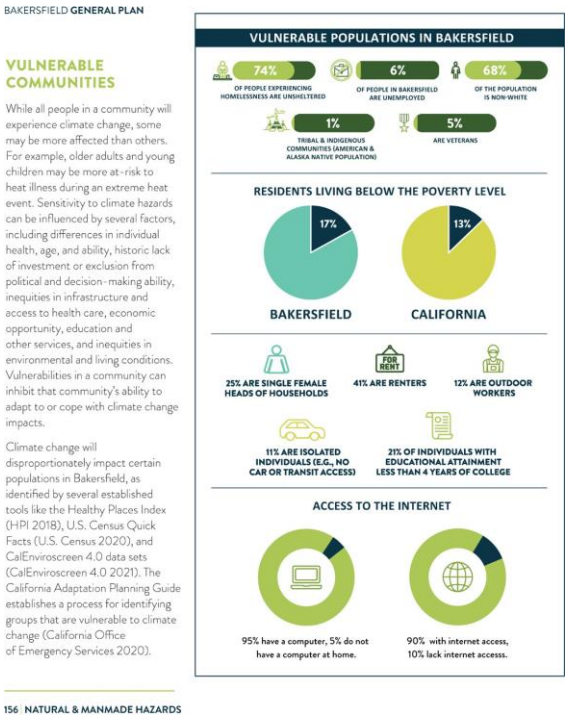
Rincon will characterize and assess natural and environmental hazards in Pacific Grove. We will generate infographics and maps to characterize the risks and vulnerabilities related to:

- Geologic and seismic hazards, including liquefaction, seismic activity, and landslides
- Flooding hazards
- Peak load water demand
- Wildland fire hazards
- Hazardous materials
- Climate change related hazards, including increases in temperature, more intense and frequent heat waves, more intense and frequent drought, higher frequency of catastrophic floods, more intense and frequent wildfires, and more severe coastal hazards associated with sea level rise (consistent with the more detailed analysis conducted under Task 3.2.3, described below).
- Emergency evacuation constraints (consistent with the more detailed analysis conducted under Task 3.2.4 and 3.2.5, described below).

- Emergency response facilities and services to characterize Pacific Grove's capacity to prepare and respond to emergencies.
- Noise conditions will consider type, location, and extent of noise incompatibility in the community. Rincon will identify major stationary and mobile sources of noise in the City and visually identify traffic noise contours based on data from the traffic report. For this analysis, Rincon will prepare noise contour maps and descriptions of existing noise conditions.

3.2.3 Climate Change Vulnerability Assessment

In accordance with California Government Code 65302(g) and SB 379, Rincon will complete a Climate Change Vulnerability Assessment which will detail the anticipated climate impacts in the City of Pacific Grove, including increases in temperature, more intense and frequent heat waves, more intense and frequent drought, higher frequency of catastrophic floods, more severe and frequent wildfires, and increasing rates of sea level rise and its impacts on increasing coastal hazards, and shoreline and bluff erosion.


BAKERSFIELD GENERAL PLAN

VULNERABLE COMMUNITIES

While all people in a community will experience climate change, some may be more affected than others. For example, older adults and young children may be more at-risk to heat illness during an extreme heat event. Sensitivity to climate hazards can be influenced by several factors, including differences in individual health, age, and ability, historic lack of investment or exclusion from political and decision-making ability, inequities in infrastructure and access to health care, economic opportunity, education and other services, and inequities in environmental and living conditions. Vulnerabilities in a community can inhibit that community's ability to adapt to or cope with climate change impacts.

Climate change will disproportionately impact certain populations in Bakersfield, as identified by several established tools like the Healthy Places Index (HPI 2018), U.S. Census Quick Facts (U.S. Census 2020), and CalEnviroscreen 4.0 data sets (CalEnviroscreen 4.0 2021). The California Adaptation Planning Guide establishes a process for identifying groups that are vulnerable to climate change (California Office of Emergency Services 2020).

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At a qualitative level, Rincon will evaluate the locations of the City's critical facilities and services (such as Fire Stations, evacuation routes, etc.) in relation to potential climate change impacts based on readily available geospatial data. The Climate Change Vulnerability Assessment will be prepared consistent with the latest (2020) California Adaptation Planning Guide, as described in California Government Code 65302(g) and the Office of Planning and Research's General Plan Guidelines. Rincon will utilize maps and data from existing plans and available sources of geospatial data, including:

- Internet-based Cal-Adapt tool
- Internet-based Healthy Places Index tool to identify vulnerable populations
- County of Monterey Multi-Jurisdictional Hazard Mitigation Plan (September 2022), of which Pacific Grove is a participating jurisdiction
- California's Fourth Climate Change Assessment, Regional Report
- Existing development in identified at-risk areas, including structures, roads, utilities, and essential public facilities
- California Coastal Commission Sea-level Rise Policy Guidance (Updated 2018)
- Ocean Protection Council (2018)
- NOAA Office for Coastal Management's sea-level rise projections data
- Pacific Grove Land Use Plan and Implementing Ordinances (January 2020)
- Pacific Grove Shoreline Management Plan – Vulnerability Assessment (November 2018)
- Pacific Grove Shoreline Management Plan (June 2020)
- Our Coast Our Future, which presents results from the Coastal Storm Modeling System (CoSMoS) developed by U. S. Geological Survey (USGS)

A key component of the Climate Change Vulnerability Assessment will be an evaluation of the potential for climate change to disproportionally impact vulnerable population groups (e.g., seniors, children, low-income communities, outdoor workers, etc.).

The Climate Change Vulnerability Assessment will rely on modeling scenarios per the California Adaptation Planning Guide, the Office of Planning and Research's General Plan Guidelines, and the California Coastal Commission's Sea-level Rise Policy Guidance updated in 2018. The Climate Change Vulnerability Assessment will be a qualitative analysis and will not include quantitative asset analysis by hazard area.

It is assumed that sea-level rise scenarios will be selected consistent with the Draft County of Monterey Multi-Jurisdictional Hazard Mitigation Plan (September 2022) which includes three sea level rise scenarios: 25 cm (2030), 75 cm (2060), and 200 cm (2100).

It also assumed that the one percent annual chance flood combined with the 2100 sea level rise scenario will be selected. Although the City of Pacific Grove has historically not retreated significantly since its shoreline is mostly dominated by exposed granitic rock, according to the County of Monterey Multi-Jurisdictional Hazard Mitigation Plan, sea level rise is expected to increase the exposure of Pacific Grove's coastline to erosion, exposing large areas of the city to coastal hazards. Therefore, a qualitative analysis will be done

to assess the impacts of sea level rise and coastal erosion on the City assets. This task assumes that the assessment will be based on readily available information (no modeling will be conducted) and that mapping will be based on geospatial data provided by the City or available online. Quantitative asset mapping and tabulation is not included in this task.

3.2.4 Emergency Access Analysis

SB 99 requires all cities and counties, upon the next revision of the Housing Element on or after January 1, 2020 to update the Safety Element to include information identifying residential development in any hazard areas identified in the Safety Element that do not have at least two emergency evacuation routes. Kimley-Horn will coordinate with City staff to develop a City wide map using ESRI that identifies communities with fewer than two ingress/egress routes and provide a narrative description of the implications for evacuation planning. The analysis will be used to determine whether the City should consider policies to address any identified access limitations or constraints. Kimley-Horn will document key findings and policy recommendations for inclusion in the Health and Safety Element. Rincon will incorporate policies and implementation programs in the Health and Safety Element.

As appropriate, information from the emergency access analysis will be included with the Executive Summary.

3.2.5 Evacuation Capacity Assessment

Kimley-Horn will prepare an evaluation of evacuation route capacity, safety, and viability under three: 1) Highway 68 and Lighthouse corridor, 2) Highway 68 only, 3) Lighthouse corridor only. The level of effort for this evacuation analysis can be adjusted based on further discussions with Pacific Grove.

To conduct this analysis, Kimley-Horn will host a preliminary virtual meeting with City staff to identify key evacuation routes that will expand on the City's GIS Base Map. Major hazard areas will be reviewed with the Transportation Element maps for the City to assist in identifying evacuation routes in the review area (limited to major arterials). Kimley-Horn staff will attend the meeting and anticipate agency staff will include emergency responder personnel and the City's Traffic Engineering and Planning team. This meeting will establish the assumptions for evacuation modeling. The AMBAG Travel Demand Model will be used for this analysis.

Additionally for this analysis, each neighborhood's principal evacuation route will be examined in terms of its capacity as measured by vehicles and passengers per hour versus the population to be evacuated. This will be conducted in GIS and a qualitative assessment since most roads are two-lane roads and evacuation will be based on shortest routes to the arterials. The potential for capacity augmentation under emergency conditions should be considered e.g., use of shoulders or contraflow traffic operation.

Safety will be assessed by examination of available collision data for the roadway and discussions with City staff. Viability will be assessed by evaluation of the vulnerability of the vulnerability of the route to obstruction and assumptions determined with staff.

Kimley-Horn will recommend mitigation measures to address constraints identified in the Emergency Evacuation Analysis. Rincon will incorporate the mitigation measures into the Health and Safety Element as policies and implementation programs.

As appropriate, information from the emergency access analysis will be included with the Executive Summary.

3.2.6 Transportation and Parking Analysis

The update to the Transportation and Mobility Element will consider appropriate thresholds of significance (SB 743) in the operational performance evaluation for roadway facilities. It will also incorporate complete streets standards for all modes, including pedestrians, bicyclists, and transit. These efforts comply with the current best practices, such as the multimodal level of service (LOS) and Level of Traffic Stress methodologies as well as the Complete Streets legislation (AB 1358). Kimley-Horn has performed these analyses for several general plan updates in California and will assist the City in realizing its own complete streets goals as well as the requirements of the California Complete Streets Act.

Kimley-Horn will consolidate all existing and representative locally owned and operated City roadway traffic count data (pre-COVID shelter-in-place restrictions) and stratify this data by count source, facility type, and age of count. Existing traffic count data bases from the Association of Monterey Bay Area Governments Traffic Count Mapping webpage, the Highway Performance Monitoring System (HPMS), City, and the regional travel demand model validation counts will be examined for applicability along with State highway data and will work with the City to develop and collect additional data as necessary.

After all traffic count data has been gathered and processed, Kimley-Horn will perform the existing condition traffic operations analysis for local City roadways and all state highway facilities. Kimley-Horn will coordinate with the City as to whether intersections and multi-modal (Complete Streets) LOS analysis on select roadways within the City is desired. Kimley-Horn will work with the City for appropriate thresholds of significance for evaluating transportation impacts.

Based on the analysis described above relative to the applicable performance service standards for each facility analyzed, Kimley-Horn will identify existing deficiencies within the City. For facilities identified as deficient, Kimley-Horn will confirm with City and Caltrans District 5 staff (for State owned facilities) based on empirical field observations, data collection activities and other traffic operations analyses that may have been performed for the same facility and location. This will include an assessment and evaluation of active transportation systems, goods movement, aviation facilities, and Transportation Demand Management (TDM)/System Management (TSM) operations.

Kimley-Horn will extract on-street occupancy data from Big Data and perform a windscreen parking occupancy survey during the peak period for off-street parking lots on one weekday and one Saturday. The data will be presented graphically and tabular format. Existing land use data that complements the parking demand in the business areas will be provided by the team/City in tabular and graphical format.

Based on the growth in land uses for the General Plan buildout scenario, parking demand based on ITE and ULI rates will be calculated and shortfall identified by street block location. Generic parking policies and goals will be developed for the General Plan based on the results. This analysis does not include an implementation plan. This portion of the analysis will not occur until the land use alternatives phase of the project.

Existing conditions data and maps on transportation, mobility and parking will be incorporated as appropriate into the Executive Summary.

3.2.7 Economic Analysis

Economic Analysis

EPS will assess the underlying socioeconomic and real estate market context for the Pacific Grove General Plan Update. This technical analysis will cover key demographic, economic, and real estate factors affecting the City and its role in the broader region. The goal will be to identify and provide a clear understanding of demographic trends, the strengths of the local economy, the city's key competitive attributes, and challenges and opportunities influencing sustainable long-term growth that might be addressed by the General Plan Update.

Socioeconomic Trends

EPS will analyze local socioeconomic characteristics, trends, and growth projections. The analysis will consider demographic and economic factors that inform and highlight land use opportunities and constraints in Pacific Grove. The primary purpose of the work is to offer context for community and stakeholder outreach discussions, to provide data for the visioning and planning process, and to support the land use alternatives and economic development policies for the General Plan. Relying on publicly available data (e.g., US Census Bureau, California Department of Finance, California Employment Development Department) as well as proprietary, third-party data sources, EPS will assemble and evaluate population and jobs data, including employment by industry. The analysis will look backward and forward ten to twenty years and will consider Pacific Grove, nearby jurisdictions, and the region. EPS will rely on available projections of growth in the region and in Pacific Grove. The analysis will provide key inputs to forecasting various General Plan alternatives. To support equity considerations, various population and household data will be considered by race and income, as may be appropriate. This data will be available for incorporation into the team's Existing Conditions effort.

Economic Drivers and Trends

An assessment of citywide and regional economics will consider major economic drivers and business trends. It is anticipated that local business conditions, economic diversification, employment for local residents, and the evolving retail industry may be key topics of the assessment. The effort will build on the socioeconomic data and will include additional subject-specific data research. This information will be synthesized to provide a cogent perspective on local and regional economic themes. As part of this task, EPS also will consider City economic development efforts, including City revenue factors and anticipated future capital improvements.

Real Estate Market Assessment

EPS will establish and document real estate market trends in Pacific Grove. As part of the market analysis, EPS will consider market statistics as well as detailed information concerning new, high-performing local and regional comparable projects, including their market positioning, architectural formats, tenanting, amenity offerings, and market value. The assessment also will consider potential development sites based on direction and data from City staff. The Real Estate Market Assessment will cover standard land use types, including residential, office, industrial, retail, and hospitality uses.

3.2.8 Executive Summary

Rincon will prepare an Executive Summary of the existing conditions using the existing conditions and technical background reports prepared in Tasks 3.2.1 through 3.2.7. The Executive Summary will be a graphically oriented and succinct document and will include appropriate charts, maps, and infographics to convey the existing conditions information in a visually compelling manner. Rincon will prepare a Screencheck draft for City staff review and based on one set of consolidated comments will prepare a draft for review with the GPTAG prior to public release. After reviewing with the GPTAG, Rincon will prepare a final Executive Summary for public release.

3.3 Vision and Guiding Principles Development

Through early community engagement tasks, the Rincon team will develop a vision and guiding principles document for the Focused General Plan Update. It will be important to confirm and clarify the vision and issues facing the City now and in the future. While this is a Focused General Plan Update and not all elements will be updated during this process, it is still important to align on the community's desires and priorities for the update. A clear connection will be made between the community's vision and the updates to the General Plan. The Vision and Guiding Principles document is anticipated to be a concise document (no more than a few pages) and will be shared with the GPTAG for input and will be presented at subsequent community engagement events to inform the next phase of the effort.

3.4 Strengths, Weaknesses, Opportunities, Threats (SWOT) Analysis, Preliminary Policy and Implementation Measure Recommendations

The Rincon team will conduct a SWOT analysis and prepare a summary report. The SWOT analysis will build on the ECBR and issues, the GHG Inventories, Forecast and Targets (Task 8.3 of the CAAP) opportunities and vision principles identified through early engagement tasks. The SWOT analysis will evaluate both internal and external planning factors and trends and will connect the dots between Pacific Grove's identified needs and opportunities and preliminary policy and implementation recommendations. The intent will be to use this report to present and explore preliminary policy options to address the most important issues and opportunities identified during the update process. It will also support a more focused and direct approach to the alternatives and policy development.

The analysis is anticipated to be organized as follows:

- **Guiding principle** – a discussion of the guiding principle(s) or values/priorities identified through early engagement

- **Directives** – a discussion and evaluation of contributing strengths, weaknesses, opportunities, or threats
- **Other considerations** – this will include a discussion and evaluation of other factors requiring consideration such as a discussion of relevant legislative requirements or funding considerations
- **Preliminary goals or implementation measures** – this will include a discussion of recommendations for preliminary goals or implementation measures

This report will be shared with the GPTAG for their feedback. It can also be shared with the Planning Commission and/or City Council. This task anticipates a working session with City staff to review the results and preliminary recommendations prior to sharing with the GPTAG or other decision- making bodies. This task assumes the Rincon team will respond to one round of compiled, tracked changes from City staff and prepare and prepare a Final public review version of the SWOT report.

Deliverables

- Draft and Final General Plan Audit Memo
- Draft and Final Existing Condition and Technical Reports (Land Use and Community Character, Hazards and Safety, Climate Change Vulnerability, Transportation and Parking).
- SB 99 Analysis Map and Technical Memorandum
- Draft AB 747 Evacuation Capacity Modeling Assumptions Memorandum and GIS neighborhood routes
- Draft and Final Emergency Evacuation Analysis, including mitigation measures
- Memorandum – Economic Development Analysis (Draft and Final)
- Memorandum – Economic Development Strategies (Draft and Final)
- Screencheck, Draft and Final Existing Conditions Background Report Executive Summary
- Draft and Final Vision and Guiding Principles document
- Draft and Final SWOT Analysis Report

Task 4 Alternatives

4.1 Land Use, Community Design and Circulation Alternatives Analysis

The Rincon team will provide up to three "mock-up" land use, community design and circulation alternatives identified through data collection and analysis conducted in the previously completed tasks, refined through discussion with staff, GPTAG, City Planning Commission and City Council, and the community.

The alternatives will focus on the placement, organization, and relationship of land uses, community design and public realm features including neighborhoods/districts, key corridors community features and architectural characteristics. The alternatives analysis will review land use, scale and community characteristics, destinations, and mobility connections. Each alternative will consider the Housing Element sites selection process and the need to implement the 6th Cycle Housing Element RHNA, transportation data, environmental justice, climate hazards, and evacuation constraints information collected as part of Task 3, and opportunities considered under Task 3, as well as the natural, built, and social environment of Pacific Grove.

4.1.1 Initial Alternatives Maps

Each of the proposed alternatives will be illustrated through maps and graphics including:

- **Land Use Scenario** – the mix of proposed uses, allowable densities and total amount of new growth
- **Community Design** – provide illustrations and/or images/photos of place and building types, architectural character and public realm/space features including key walk sheds and view sheds
- **Mobility** – identify any future roadways, transit and active transportation networks or close the gaps in the multimodal transportation network (e.g., installing new sidewalks, or multi-use paths to connect potential new development sites to transit

4.1.2 Alternatives Analysis

Circulation Analysis

From the ECBR and SWOT analysis, Kimley-Horn will identify gaps in transportation, specifically related to multimodal improvements. Potential funding programs will be identified for implementation. The City is built out and little opportunity exists for widening roadways and intersections. Some intersection control measures may be improved through either signals or the installation of small roundabouts. Kimley-Horn will work closely with Rincon and WRT and land use intensification and growth will be added to the AMBAG travel demand model and segment volumes will be extracted from the model.

Kimley-Horn will also prepare a Vehicle Miles Traveled (VMT) analysis for each alternative for motor vehicles. This task will kick off with an evaluation and analysis of the existing VMT, in order for the City to determine whether the potential General Plan Update land use and circulation changes will require modification in VMT information for the City.

The City uses the regional Traffic Demand Model maintained by AMBAG and supplement the information with Big Data Kimley-Horn shall use this model for traffic modeling purposes and may have to do verification and calibration for the Watsonville.

Kimley-Horn will work closely with City staff to verify the land uses by TAZ for existing and GP conditions. For future condition analysis these scenarios will be analyzed: Base, Future and one alternative. Travel patterns within (I-I), and external (I-X) and (X-I) will be determined from the AMBAG model for different modes for GP conditions. Kimley-Horn will also determine internal trips from residential communities to areas of employment.

This will show the integration between land use and transportation system wide. The findings of the study shall be summarized in a technical memorandum.

Kimley-Horn will support an update to the City's VMT Policy and Mitigation Program through the following two sub-tasks:

- **VMT Analysis for Cumulative Conditions.** Kimley-Horn will perform a Vehicle Miles Traveled (VMT) analysis for Cumulative Conditions as defined as a part of the EIR[1]. This will include a No Project scenario, a Project scenario, and one more Project Alternatives. The City's model, and specifically the future year scenario, will be used to perform the VMT analysis. Separate versions of the future year scenario will be developed for each of the analysis scenarios based on land use and roadway network modification developed for each of the scenarios within the EIR. Each scenario will be run, and the outputs will be used to perform the VMT analysis based on the City's adopted analysis methodology and thresholds. A summary table will be created to summarize the findings of the VMT analysis. Both the total land use for each analysis scenario, and the land use growth specifically (defined as the difference between land use assumed in the Existing scenario and the land use assumed for each future year analysis scenario), will be evaluated and compared to the City's VMT thresholds for each land use type. The findings will be summarized in a table and a finding of significance or less than significance will be determined. The City VMT Banking Fee will also be updated, if required.
- **VMT Mitigation Projects Update.** Understanding that the City has previously developed a VMT Mitigation Program, Kimley-Horn will expand the existing program based on the budget allotted to this task. The expansion will include evaluation of additional projects, and if the budget allows updated policy considerations. Kimley-Horn will provide the City a summary of the project analysis findings and update the VMT Mitigation Program document.

[1] The costs for this work are included in the CEQA and will be used to support the EIR. Costs for the VMT analysis are not included in this task.

Alternatives Report

The Rincon team will provide a matrix-style analysis of the land use, community design, transportation, and environmental impacts to compare and contrast the alternatives. Specific metrics to be analyzed include population, housing, and employment projections.

The team will refine the three alternatives for review and deliberation by staff and decision-makers that include the results of the analysis performed. The alternatives will be packaged into a summary report consisting of a description of land use categories, development capacity and potential housing allocation, conceptual land use diagrams, and applicable policy concepts with color maps and illustrations, as appropriate. These alternatives may be presented in full to the public for consideration, or individual concepts used in the alternatives may be presented to gather public input for consideration. The alternatives will be presented to the GPTAG. Following deliberation of the alternatives, we will present the alternatives to the Planning Commission and City Council in a study session format to arrive at a preferred alternative.

4.2 Preferred Alternative

Based on the discussion with staff, GPTAG, Planning Commission, and City Council, the Rincon team will refine and finalize the preferred land use, community design and circulation alternative. The Rincon team will then calculate the full buildout and growth projections for the General Plan horizon year for the preferred alternative. The preferred alternative will be used to support policy development in the General Plan and the Program EIR analysis for VMT.

Deliverables

- Draft Land Use Alternatives (up to three)
- Draft and Final Alternatives Analysis Report, including documentation of Preferred Alternative
- VMT Analysis and Findings

Task 5 General Plan

5.1 First Administrative Draft General Plan

The Rincon team will prepare the Administrative Draft version of the General Plan for City staff review. The General Plan will be internally consistent and conform to applicable provisions of State general plan law as outlined in Government Code Section 65302 and recent legislation, using the 2017 California Office of

Planning and Research (OPR) General Plan Guidelines, the most recent local and regional best practices, and incorporating Pacific Grove priorities and input gathered during the community engagement process.

Specific content and organization of the elements of the General Plan will be refined through the engagement process and discussion with staff; however, we expect the Administrative Draft of the Focused General Plan to include:

Land Use and Community Design

Rincon anticipates combining the land use and community design policies in one Land Use and Community Design Element and to prepare goals, policies and implementation programs to address citywide land use and community design concerns, including:

- **Updates to Land Use Designations.** Rincon will work to address opportunities based on the Housing Element update, requests received from residents, property owners, compatibility with adjacent uses, and strategic opportunity sites that will promote community and economic development.
- **Community Design.** With support from WRT, Rincon will develop policies to support context-appropriate buildings and opportunities for context-sensitive architecture and other community design features.
- **Public Realm Connections.** With support from WRT and Kimley-Horn, Rincon will develop policies to support creating stronger connections through public spaces such as streetscape improvements, active transportation facilities, landscaping and building treatments and arrangements.

Transportation

The goals, policies and implementation programs in this section of the General Plan will cover Complete Streets, City Bicycle and Pedestrian Plan, Vision Zero, SRTS and other multimodal considerations including:

- **Complete Street Roadway Classification.** Recommendations will be made regarding street cross sections and converting existing roadways to Complete Streets. The classification would be done by street function and by the land use specifics and areas it serves, such as commercial, downtown industrial, or residential neighborhood. We will review the current roadway classification system and make recommendations for changes to the classification to meet Caltrans requirements for grants for Complete Streets. GIS mapping will illustrate the classification system.
- **Complete Street Concepts.** Kimley-Horn will develop conceptual layouts and cross sections that will be used for the General Plan and VMT mitigation banking projects.
- **Bicycle and Pedestrians.** Gaps in the City Bicycle and Pedestrian Map will be determined, and based on traffic growth, opportunities identified for improved bicycle and pedestrian facilities. The City Bicycle and Pedestrian Plan map will be updated in GIS indicating the class and alignment on the City street network.
- **Safety.** The City's Vision Zero future conditions reduction will be incorporated into the General Plan. Safe Routes to School policies will also be refined. However, this scope of work does not include detailed Safe Routes to Schools analysis and planning.

Health and Safety

Rincon will identify goals, policies and implementation programs to address wildfire, seismic, flood, hazardous materials, and climate change risks, along with goals, policies and programs to address needs associated with emergency response and emergency evacuation. The Health and Safety element will be

comprehensively updated with new background descriptions and maps, based on the reports prepared under Task 3. Goals and policies will aim to minimize risk associated with potential hazards and build capacity to respond to long-term stress and short-term disruptions associated with hazard events, working towards creating a resilient, sustainable Pacific Grove community:

- Natural Hazards
- Evacuation Routes and Capacity
- Emergency Response and Emergency Preparedness
- Fire, Police, and EMS
- Hazardous Materials
- Noise
- Personal Safety
- Climate Change

Greenhouse Gas Reduction

Rincon will weave into the Land Use and Urban Design, Transportation, and Health and Safety Elements policies and programs that seek to reduce greenhouse gases within the community. We will prepare up to 3 strategies per emission sector (i.e., transportation, water, wastewater, energy, buildings, carbon sequestration, solid waste). In recognition of the City Council's recent commitment to prepare a Climate Action and Adaptation Plan, we have proposed an optional task to prepare a CAAP (see Optional Task B).

The Rincon team will address edits from one round of review on the Administrative Draft General Plan based on feedback from City staff. Comments from City staff shall be made as a single consolidated set of comments in Microsoft Word tracked changes. The Rincon team also anticipates sharing initial draft policies with the GPTAG organized around key policy areas.

5.2 Second Administrative and Public Draft General Plan

Rincon will prepare a Second Administrative Draft General Plan based on comments provided by City staff and the GPTAG on the First Administrative Draft. We assume one round of comments, including editorial and formatting edits for the Second Administrative Draft. We assume that the second administrative draft will require only minor revisions. If significant revisions are required, Rincon will work with City staff to mutually agree on adjustments to Rincon's scope and fee to address revisions. The Public Draft General Plan will then be presented to the Planning Commission and City Council as either individual or joint study sessions (see Task 9) and made available for review by the public.

Rincon will submit the Health and Safety Element for CAL FIRE review and address one round of comments from CAL FIRE. Rincon will submit the Final Safety Element for the Board of Forestry and Wildfire Protection review in keeping with AB 3065 to issue a recommendation prior to the City Council's adoption hearing date. Rincon would attend one meeting with CAL FIRE and would attend the Board of Forestry and Wildfire Protection hearing.

A final public hearing draft of the General Plan will be prepared following public review. This scope assumes only minor revisions to the public hearing draft. If significant revisions are required, Rincon will work with City staff to mutually agree on adjustments to Rincon's scope and fee to address revisions.

Deliverables

- First and Second Administrative Draft General Plan
- Health and Safety Element submittal to CAL FIRE (up to two rounds of review)
- Health and Safety Element final submittal to Board of Forestry and Wildfire Protection
- Attendance at one meeting with CAL FIRE
- Attendance at one board meeting with the Board of Forestry and Wildfire Protection
- Public Draft General Plan
- Public Hearing Draft General Plan

Task 6 Zoning Ordinance Amendments

Implementation is a critical part of the planning process and establishes a clear framework for project applicants and development. The full scope of the zoning ordinance amendments will be subject to final programs identified in the 6th Cycle Housing Element Update. Therefore, our approach includes an initial step to assess zoning consistency with the 6th Cycle Housing Element and the General Plan. This will ensure we create a clear road map of zoning amendments needed to ensure internal consistency with the Housing Element and General Plan. In addition, Rincon's full-service GIS team is available to support the City's needs for GIS data management and mapping needs. Our scope includes the necessary zoning map updates, but Rincon can support any additional GIS needs that might arise, including coordinating updates to the City's public parcel viewer or other such services that would ensure the City is fully supported with their zoning implementation tools.

6.1 6th Cycle Housing Element + General Plan Zoning Consistency Memo

Following review of the draft 6th Cycle Housing Element and in conjunction with preparation of the Administrative Draft Land Use Element, Rincon will prepare a list of zoning ordinance sections that will need to be amended to maintain consistency with the updated Housing Element programs and identified Land Use Element updates.

Changes to the zoning ordinance will need to address any revisions to development standards of residential zones or any re-zoning that is required to accommodate the City's RHNA allocation. Rincon will prepare a list of municipal code sections that will need to be amended to maintain consistency with the updated Housing Element programs and identified General Plan land use amendments. The results of this task may require additional municipal code amendments be included in Task 7.

6.2 Administrative and Public Review Zoning Map Updates

Rincon will evaluate the extent to which the proposed General Plan and the 6th Cycle Housing Element programs are in conformance with the existing zoning maps. We will examine zone classifications at the parcel level using GIS, comparing it to the proposed land use classifications to evaluate the plan's consistency with the current zoning. Based on this evaluation, Rincon will identify potential changes to the City zoning map to achieve greater consistency with the proposed General Plan and 6th Cycle Housing Element Update.

Deliverables

- 6th Cycle Housing Element + General Plan Zoning Consistency Memo
- Administrative Draft Zoning Map (ArcGIS Online and PDF)
- Public Draft Zoning Map (ArcGIS Online and PDF)

Task 7 Objective Development and Design Standards

As part of ODDS development, the Rincon team will fine-tune the understanding of place-types and the community character by cataloguing prevalent building types and architectural characteristics. We will illustrate key concepts, alternatives, and recommendations using diagrams, photographs, and photo simulations. For example, we will show different ways that buildings can relate to streets, and how building stepbacks can mitigate the visual effects of taller buildings. WRT will use a range of visualization tools such as – 2D maps and diagrams, 3D massing studies and perspective views, to communicate community design concepts and infill solutions in the final document, and for community engagement.

WRT and Rincon recognize that the ODDS are a vital tool for implementing the City's policies and the community's vision for its future, in the course of conforming to State laws that require a ministerial path for multi-family and ADU projects. State law strictly limits evaluation of proposed projects to benchmarks knowable by both the development applicant and public official in advance and free from subjective interpretation, except for narrow exceptions. Objective standards are needed to address building and site design, and other requirements for zoning approvals such as grading.

The ODDS process offers an opportunity to ensure the regulations are clear, consistent, unambiguous, and easily administered. The Rincon team will retain and build on existing objective standards while interpreting and codify subjective provisions. ODDS must also address community character issues in advance of development proposals. In consultation with community members, we will develop context-oriented standards by defining Pacific Grove's place types and, for each place type, prescribing character- defining attributes.

7.1 ODDS Initiation and Issue Identification

WRT will initiate the ODDS through a review of relevant regulations, guidelines, and policies found in the Pacific Grove Municipal Code (PGMC), Forest Hill Specific Plan, current General Plan, draft General Plan Update, draft Housing Element, Pacific Grove's Historic Context Statement, and its Architectural Review

Guidelines for Single-Family Residences. The result of this review will include an outline of topics to be considered as part of the ODDS.

WRT and Rincon will hold a virtual kick-off meeting for the ODDS process with City staff to review and discuss roles and responsibilities, key objectives or challenges, the outline of relevant regulations, project precedents, any additional outreach or engagement strategies, and conduct a virtual tour of effected districts (as needed), and draft planning principles. City staff will be responsible for inviting key staff members. This meeting is separate from the Project Management and Coordination meetings as it may include different departments and will require a more focused discussion.

WRT will conduct a variety of engagement activities to inform the ODDS, including participation in stakeholder interviews and the development of a community survey described and budgeted in Task 2. In addition to these activities, WRT anticipates working with the GPTAG to also support the ODDS process The GPTAG will review interim deliverables and guide development of the ODDS. The Rincon team recommends that during selection of the GPTAG members in Task 2.4 that members include representatives that can support informed contributions to the ODDS process including (but not limited to) the Planning Commission, Architectural Review Board, Historic Resources Committee, Site Development Committee, local architects and developers, and City departments. This group could include the full GPTAG or could be a subcommittee of GPTAG members that meets to advise on the ODDS. This scope anticipates covering ODDS in up to three meetings with the GPTAG (described and budgeted in Task2) and is anticipated to include the following topics:

- **Meeting #1 – ODDS Orientation and Issue Identification.** WRT and Rincon will provide an overview of project objectives, zoning, how zoning and housing elements work together, State housing law basics, ODDS benefits and challenges, an overview of General Plan policies (current and under consideration) pertaining to ODDS. Working with City staff, will present recent multifamily project precedents. After discussion, WRT will provide building types and key questions. WRT will provide a high-level summary and record GPTAG-member concerns and perspectives on key questions.
- **Meeting #2 and #3 – ODDS development**. WRT will prepare for and facilitate at up to two GPTAG meetings to consider remaining issues of concern, such as translating subjective provisions, to fine-tune character-based standards to align with Pacific Grove, and other issues that emerge during GPTAG engagement. We will illustrate issues using photographs, diagrams, and sketches.

To advance issue identification, WRT will determine which standards, guidelines, and procedures are objective (independently verifiable) and which are subjective guidelines (open to interpretation). To compare standards across districts, tables will summarize allowable uses, building envelope (setbacks, stepbacks, and height), residential density, floor area ratios, and parking ratios. We will also distinguish between subjective guidelines that be easily rewritten to be objective, versus subjective guidelines that require interpretation by City staff or decision-making body.

Additionally, to connect ODDS to Pacific Grove's character, WRT will refine the place type map and definitions developed in the ECBR, to consider historic periods for each place type as described in Pacific Grove's Historic Context Statement. For four identified place types, WRT will catalogue representative building types using photographs and narrative. WRT will consider architectural characteristics, such as: setback/build-to lines, massing cadence and modulation, materials and color, fenestration and entry patterns, cornice lines, and roof form. A range of residential only, mixed-use, and accessory building types will be considered. To inform how we might organize contextual design standards, we will compare place type locations and attributes to zoning district locations and requirements.

Finally, WRT will review up to eight recent precedents for multi-family projects. City staff will be responsible for gathering representative precedent drawings and programmatic summaries. WRT will summarize the most relevant information, such as density and typical floor plans. Context-sensitive design solutions will be documented. This information will be summarized in a Power Point presentation.

7.2 ODDS Development

Based on knowledge of community member and decision maker preferences, City staff will meet virtually with WRT to decide which subjective provisions should be carried forward and which can be removed. For those carried forward, we will determine which should be addressed by WRT using professional judgment and which need to be referred to decision making bodies. We will organize discussions by distilling subjective provisions from the catalogue of existing provisions.

Subsequently, WRT will develop a detailed outline to describe how standards might be organized in the PG Municipal Code (PGMC) and Forest Hill Specific Plan. The organization of the PGMC will be maintained, while integrating form-based standards to promote development that is context-sensitive. To tailor our recommendations to Pacific Grove, we will meet with City staff to consider options for organizing information. We propose to keep allowable use and building envelope standards in existing district-specific sections, while creating new chapter(s) to address building and site design. The outline will build on prior tasks, such as noting where objective standards exist and where subjective guidelines will need to be interpreted.

Key standards to be addressed include the following:

- District-Specific Standards
- Building Design Standards
- Architectural Styles (optional)
- Site Design Standards
- Public Right-of-Way Improvements by Developers
- Subdivision Standards
- Signs

- Parking and Transportation Demand Management (TDM) supported by Kimley-Horn
- Green Buildings
- Definitions

While ultimately PGMC standards and Specific Plan standards will reside in separate documents, we propose to develop both sets of standards in parallel and according to the functional groupings above. This will encourage consistency and identify ways to consolidate some provisions within the PGMC. We will issue drafts for one or more groupings incrementally and will meet with staff after they have had an opportunity to review. As we develop ODDS, we will list remaining issues of concern.

7.3 Administrative and Public Review Draft

The administrative draft will address staff comments to prior drafts, GPTAG input, and direction from decision-makers. The administrative draft is for review by project staff, the City Attorney, public works department, and other interested departments. For orderly review, we propose that an administrative draft for Municipal Code ODDS be issued ahead of a separate draft of Specific Plan ODDS (that will contain references to the Municipal Code). Specific Plan ODDS will be presented "stand-alone" and we will not engage other changes to the Specific Plan. For the Administrative Draft, graphics will be provided as a separate attachment. City staff will be responsible for providing our team with a single consistent set of comments.

The Public Review Draft will address all City comments and provide for an additional round of review by City staff in Word format. Subsequently, WRT will develop an InDesign template for the public review draft. We will provide a draft depicting typical page compositions, font and line spacing characteristics, and cover. The template will be refined after staff review.

Administrative Draft

After edits are received in Word, WRT address edits and layout text and graphics in InDesign. After careful internal review, we will provide City staff with a administrative draft to provide the City with a final opportunity for revision.

Public Review Draft Document

WRT will make final refinements. The public review draft will be provided in two PDF files (for viewing on web and for printing). Word, InDesign, and image files will also be provided.

Deliverables

- ODDS document review outline of relevant regulations, guidelines and policies
- ODDS kick-off meeting, materials, and meeting notes
- Summary Memorandum including color coded catalogue of existing objective and subjective provisions
- Place Type Map including catalogue of building types and architectural characteristics
- PowerPoint summary of multi-family precedents
- ODDS proposed subjective standards interpretation memo
- ODDS detailed outline of standards and options

- ODDS draft standards
- In-Design layout template for the ODDS
- Administrative and Public Review Draft ODDS

Task 8 Climate Action and Adaptation Plan

The City Council took a major step towards preparing a Climate Action and Adaptation Plan (CAAP) when it unanimously supported the CAAP Concept Review in November 2022. As a member of the U.S. Conference of Mayors' Climate Protection Agreement, a CAAP will provide the City with a formal set of strategic and actionable goals that build from the City's existing climate action projects. We understand that the City is interested in developing a CAAP that will include a greenhouse gas (GHG) inventory, specific GHG emission reduction targets, and climate actions (e.g., transportation, energy, community outreach) designed to meet the identified targets. The CAAP will also build from existing vulnerability assessments and adaptation plans (e.g., City of Pacific Grove Climate Change Vulnerability Assessment, Shoreline Management Plan) to establish specific climate adaptation and restoration actions that will collectively advance equity, resiliency, sustainable ecosystems, and cultural preservation across the City.

Rincon has developed the scope of work below that will allow the City to accomplish these objectives through the development of a CAAP.

8.1 CAAP Kickoff Meeting and Monthly Meetings

High-quality project management during each task is an integral component related to the success of the overall General Plan update. This task includes the management of the CAAP, including a kickoff meeting and monthly check-in meetings. The kick-off meeting will serve as an opportunity to identify key stakeholders to engage as part of the community engagement strategy for the CAAP and data needs, project expectations, and goals and potential challenges for the CAAP. Rincon will also convene regular monthly check-in meetings to keep the CAAP aspect of the project on task, budget, and schedule.

Assumptions

- Rincon will host a (one-hour) virtual kick-off meeting, attended by the Rincon CAAP Task Lead, CAAP Principal-in-charge, Resilience and Equity Lead, and the overall General Plan Update Project Manager.
- Monthly project meetings will be one-hour in length, held virtually, and attended by Rincon's CAAP Task Lead. The CAAP Principal-in-charge, Resilience and Equity Lead, or climate analysts will attend as necessary based on the phase of the project.
- The project management was established based on the assumed CAAP portion of the project schedule (18 months). Thus, additional time and budget will be required if the project schedule is extended by the City.

Deliverables

- Virtual kick-off meeting
- Monthly coordination calls and related meeting agendas/minutes

8.2 Existing Measure Analysis and Success Tracking

The Rincon Team will begin reviewing relevant City documents and begin preparation of our Measure Analysis and Success Tracking (MAST) tool, which will summarize and grade the success of, as well as identifies hurdles to, the City's existing climate mitigation and adaptation policies and programs. The MAST tool will inform the development of the CAAP measures. The MAST tool allows the consultant team to familiarize themselves with the previous and ongoing work within the City related to reducing GHG emissions and increasing resilience to better inform the development of new measures and actions.

After populating the MAST tool with existing policies and programs, and qualitative criteria developed by the consultant team and approved by the City, the tool will be provided to the City to evaluate the status and impact of each policy and program. The MAST tool includes a drop-down menu to easily select the status of the measures as either completed, underway, or not yet started. Other drop-down menus include the qualitative evaluation criteria that allow for ranking effectiveness of the policies and programs, including

clear metrics, responsible parties, and identified funding. This process allows both the consulting team and City to gain insights into hurdles to implementation, be it funding, staff time, or other items, that we can focus on overcoming during the CAAP update process. Rincon intends to review the following plans and programs/policies:

- Monterey County Multi-jurisdictional Hazard Mitigation Plan (i.e., Volume 1 and the City of Pacific Grove's Annex in Volume 2) (2022)
- Coastal Wildlife Protection Advisory Committee's Recommendations to Mitigate Identified Threats to Coastal Wildlife (2021)
- Shoreline Management Plan (2020)
- Climate Change Vulnerability Assessment (2015)
- General Plan – Health and Safety (1994)
- General Plan – Transportation (1994)
- Pacific Grove Highway 68 Study (2016)
- PG&E LED Streetlight Upgrade Program (2018)
- Leaf Blowers – Restrictions on Use in the Pacific Grove Municipal Code (2021)
- Reduction of Single-Use Plastic and Paper Carryout Bags in the Pacific Grove Municipal Code (2015)
- Sustainability Best Practice Activities (2020)
- Trees and the Urban Forest in the Pacific Grove Municipal Code (updating 2022)
- Urban Greening Plan (2016)
- Landscape Guidelines & Plant Palette (2016)
- Urban Tree Canopy Assessment (2015)
- Local Water Project
- RainScape Rebate Program
- American Water Company (Cal-Am) Annual Water Quality Reports
- Cal-Am Water Conservation Programs

Rincon proposes to provide this analysis along with a summary presentation of key findings as part of a technical memorandum.

Assumptions

- City will provide relevant data and background documents for review
- City will identify status of each policy and program included in the MAST Tool

Deliverables

- MAST Tool

- MAST Tool Key Findings Memorandum

8.3 GHG Inventories, Forecast and Targets

Rincon is an expert in GHG emission inventories, forecasts, and the importance of defensible and consistent methodologies in the generation of a qualified GHG Reduction Plan. Rincon's team includes CARB Accredited GHG Verifiers for the State's CAP and Trade program who have completed GHG inventories, forecasts, and third-party verifications for clients across the State. We are also very familiar with AMBAGs approach to developing GHG inventories and have reviewed developed multiple CAPs based on the Inventories developed as part of the Energy Watch program. As part of this work scope, Rincon will review all of the available AMBAG inventories for 2005, 2009, 2010, 2015, and 2018. As part of our analysis, we will review all of the inventory data for completeness and accuracy and ensure that the GHG emission inventories utilize accurate emission factors and consistent methodologies. Based on past experience working with AMBAG's inventories, we are aware of existing discrepancies in their data that we would fix to provide a more accurate depiction of emissions for Pacific Grove. Should we discover anomalies not already anticipated, additional fixes will be charged on a time and materials basis in keeping with our Fee Schedule (see Section 5). Rincon will work with the City to collect the required data for the GHG inventory updates. Rincon assumes all required data will be provided by the City in excel format with linked calculations. Once all data has been reviewed, Rincon will submit a draft data evaluation form with any suggested updates to the inventories.

After receiving feedback from the City, Rincon will update the data and calculations as necessary and submit a final data evaluation form as well as all supporting calculations in a transparent excel based format.

From the updated GHG emissions inventories, Rincon will develop a GHG emissions forecast for the City. The forecast will include both a business-as-usual (BAU) and a legislative-adjusted (Adjusted) forecast scenario. The BAU forecast will be based on the most recent updated GHG emissions inventory and expected growth utilizing the population, housing, and job projections in line with the focused General Plan update, as well as the VMT calculations that Kimley-Horn will complete consistent with the update to the Transportation Element as part of Task 4.1.2 Alternatives Analysis. The Adjusted forecast will include state and federal legislative adjustments such as Low Carbon Fuel Standard, Pavley Clean Car Standards, SB 1020 renewables portfolio standard, Title 24, and transportation legislation affecting electric vehicle adoption and tailpipe emissions. From the forecast, Rincon will develop the minimum GHG reduction targets to be consistent with SB 32 and AB 1279. Rincon will provide a memorandum summarizing the GHG emission forecast and GHG reduction targets, including options for target setting such as per capita targets.

Deliverables

- Data Request
- Draft Data Evaluation Memorandum
- Final Data Evaluation Memorandum
- Updated Inventory (Excel)
- Final Forecast and Targets (Excel)
- Final Forecast and Targets Memorandum

8.4 Draft and Final CAAP Strategy Selection

Once the provisional GHG emission reduction targets have been established, Rincon will shift to developing specific measures that will allow the City to reach these targets, adapt to climate change, and advance climate restoration. We will leverage our existing climate action and adaptation planning toolkit to conduct this analysis. To support this process, Rincon has developed a suite of tools and assessment strategies to support what we have found to be the most critical portion of the work plan.

8.4.1 Draft CAAP Strategy Selection

During this phase, the Project team will draw on our experience developing CAAPs and adaptation plans for other neighboring communities like Santa Cruz, Carmel by the Sea, County of Santa Cruz, and County of

Santa Barbara. Drawing on the collective outputs of the MAST Tool, GHG inventory, forecast, climate vulnerability assessment prepared as part of Focused General Plan Update Task 3.6.1, and feedback from the community and stakeholders as part of Task 2 Community Engagement, the Rincon Team will identify and recommend strategies which will have the greatest positive impact on GHG emissions, climate resilience, and climate restoration citywide.

We have leveraged our past CAAP development and implementation experience to identify key measures that will allow the City to make substantial progress towards GHG reductions and increase climate resilience and restoration. These include:

- Carbon free electricity procurement
- New and existing building electrification
- VMT reduction through transit and active transportation
- Electric vehicles
- Organics diversion
- Carbon sequestration
- Emergency evacuation preparedness
- Climate resilience hubs
- Holistic healthy home retrofits

These strategies have emerged as critical in the achievement of nearly all GHG reduction goals.

Rincon will begin with these strategies and develop our in-house Scenario Planning and Reduction Quantification (SPARQ) tool. The SPARQ tool will allow Rincon and the City to quickly iterate on potential levels of implementation for each of the above strategies to find a level of implementation that will allow the City to meet its long term GHG reduction targets.

8.4.2 Scenario-Planning for CAAP GHG Reduction Strategies

Once the key strategies and level of reduction required in each sector is identified, Rincon will begin developing a suite of actions that can be implemented to achieve the required reductions. The development of actions is the most complex portion of the work scope, requiring a careful balance between stakeholder feedback, cost-effectiveness, progression, and feasibility. To aid in this process, Rincon has developed the following frameworks.

Equity Guardrails

Rincon worked with the numerous cities, such as Santa Cruz and Berkeley, to develop equity guardrail framework to assure equity analysis of all measures and actions and promote holistic implementation. This framework requires collaboration with the community and stakeholders to identify the core impacts on equity that may be seen due to the implementation of GHG reduction and adaptation actions. Issues like increased costs, inequitable access to benefits, displacement, and others have been identified in other communities. These concerns are then distilled into four or five equity guardrails that then serve as requirements against which GHG reduction and adaptation actions are analyzed against. The equity guardrails approach helps to ensure equity is included throughout the CAAP update in a transparent and holistic way.

Key Pillars to Successful Climate Action and Adaptation

Rincon has also developed several key pillars for which each strategy must address in order to have the highest chance of being implemented. The key pillars include:

- **Education:** engage and empower residents
- **Structural Change:** set institutional and policy framework to support proposed changes
- **Associated GHG Reductions:** target emissions reductions for long-term sustainability and short-term air quality improvements

- **Address Key Vulnerabilities:** targets climate adaptation strategies for the community members and natural and built assets most at-risk to climate change
- **Equity:** ensure inclusive participation in decision making and equitable distribution of benefits across the community
- **Connectivity:** promote access to community groups and resources that are best positioned to lead implementation actions
- **Economical:** cost-effective efforts that benefit resilience and sustainability

Every measure identified for the City should strive to have an action that aligns with each of the key pillars to maximize the implementation of the CAAP.

Community Feedback

The community feedback solicited as part of Task 2 Community Engagement will be used to inform the development of the goals, measures and actions for the CAAP. It will also identify community partners that will assist with the City's implementation of the CAAP.

8.4.3 Updated Measures and Action List

Based on the criteria above, Rincon will develop a draft list of GHG reduction measures and actions that will align with the City's GHG reduction targets for 2030 and 2045, as well as measures and actions addressing climate adaptation and climate restoration. Rincon assumes this list of actions will go through one round of City staff and CAAP task force review (a task force identified in the CAAP Concept Review) before being shared with the Beautification and Natural Resources Commission, and then the community and other key stakeholders. To facilitate input from City departments, Rincon will host up to two interdepartmental meetings in a virtual setting to discuss the measures and action list. Rincon will also attend a Beautification and Natural Resources Commission meeting to present the Measures and Action List for discussion and input. Once comments are received from the identified stakeholders, Rincon will assess any policy or program gaps and identify additional opportunities for emission reductions and climate resilience and conduct an in-depth analysis of each strategy to quantify the GHG reduction, co-benefits, approximate implementation costs, and potential funding sources. This will also include the recommended City involvement (e.g., role, department lead), linkages to exiting City plans, codes, or activities, and the identification of stakeholders and partners essential to the successful implementation. Once the initial analysis is completed, we will work with the City to refine and prioritize the emission reduction, climate adaptation, and climate restoration measures and use them to develop the Draft CAAP. The CAAP will need to be flexible to enable the City to respond to changes in state and federal GHG and resilience policy, the introduction of new technologies, and changes in energy supply, among others.

Rincon will provide suggestions on the final list of strategies and the associated metrics of success including a timeline and actionable steps. However, using our quantification and scenario-planning tools, the City will have the ability to fine-tune these suggestions and settle on a list that can be feasibly implemented but also achieve the desired results of overall GHG reduction and support of regional stakeholder initiatives.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated City departmental and CAAP task force comments on the draft measures and action list. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (attached).
- The City will select measures and actions that can be supported by substantial evidence to achieve their goals.
- Rincon has budgeted for the time it takes to incorporate edits from one round of community feedback, including input from the Beautification and Natural Resources Commission, on the draft measures and actions, which would be received via workshops associated with Task 2 of the Focused General Plan Update.
- Rincon anticipates that the targets will be consistent with current state recommendations, including SB 32 and AB 1279.

- City interdepartmental meetings to solicit input from City departments will be held virtually and be up to one hour each
- Rincon will attend the Beautification and Natural Resources Commission remotely, assuming the meeting will be up to two hours in length

Deliverables

- Analysis of CAAP Strategies/Measures Scenarios
- Measure Quantification Spreadsheet
- Draft List of CAAP Strategies
- Public Draft CAAP Strategies
- Final List of CAAP Strategies
- Attendance of CAAP Task Lead at two City interdepartmental meetings
- Attendance of CAAP Task Lead at one Beautification and Natural Resources Commission meeting

8.5 Measure Technical Appendix

The CEQA Guidelines Section 15183.5(b) establishes criteria to guide the preparation of a "plan for the reduction of greenhouse gas emissions." Subsection (D) notes that a CEQA Guideline-consistent GHG reduction plan must include, "measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level." Thus, the primary distinction between a qualified CAAP and one that isn't considered qualified is the level of substantial evidence that clearly demonstrates that the GHG reduction claimed in the CAAP is achievable. This technical appendix would clearly detail all the evidence to demonstrate that the measures and actions included in the Pacific Grove CAAP can achieve the City's emission reduction targets for 2030. The GHG reductions from the specific measures would be calculated using published third-party evidence provided through controlled investigations, studies, and articles carried out by qualified experts that establish the effectiveness for measures and actions. The appendix will clearly display the estimates and work through the underlying calculations that would be provided in this report would include the substantial evidence and a transparent approach to achieving the City's GHG emissions reduction target. Rincon would complete the draft and provide it to the City for review and then address one set of consolidated comments on the document. After the comments are addressed, a finalized version would be provided to the City for inclusion in the Final CAAP.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (Section 4).

Deliverables

- Draft and Final Qualified CAAP Technical Appendix

8.6 Implementation and Monitoring Plan

To facilitate implementation and monitoring of the CAAP, Rincon will develop an Implementation Plan that provides a summary of each of the measures, implementation timeframe, KPIs, and lead department, in a tabular format. In addition, the Implementation Plan will provide a column for the lead department to take notes and track progress over time. Designing a comprehensive, yet succinct Implementation Plan in the CAAP will provide the City with a tracking mechanism that can be used overtime as progress is made on individual measures and be updated in future iterations of the CAAP, as necessary, to help guide the City on the way to achieving the long-term goals. It is anticipated that the Implementation Plan will be completed in either Microsoft Word or Excel, depending on the preference of the City, and will integrate all the GHG emissions reduction and adaptation measures.

Assumptions

- Upon finalization of the GHG emissions reduction and adaptation measures, Rincon will complete an Implementation Plan that can be used by the City to track progress implementing measures over time.
- Implementation Plan will be included in the CAAP.
- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule

Deliverables

- Draft and Final Implementation Plan (Excel)

8.7 Develop Draft and Final Climate Action and Adaptation Plan

Once a complete list of measures is reviewed and approved and community and stakeholder feedback has been incorporated, Rincon will begin work on a draft CAAP. Rincon proposes to develop a user friendly and readable CAAP which leverages infographics, photos, and other visuals whenever possible and leaves all technical documentation to the appendix. To maintain cost efficiencies, the CAAP will be prepared in word format, and will be appended to the Focused General Plan Update. The CAAP will include both near-term and long-term reduction measures. The CAAP will also set key performance indicators (KPI) which will help define a successful implementation of the CAAP strategy as well as measure progress over time.

One of the greatest challenges of designing a climate action and adaptation planning document format is the simultaneous need for both clarity and complexity. The document needs to be easily accessible to a wide range of stakeholders, while also containing detailed analysis, data, and specific actions. To solve this problem, the consultant team proposes to:

- Create a virtual Executive Summary which will contain interactive elements as well as infographics, photos, and high-level goals and projects associated with the CAAP.
- The main CAAP document will also be visually driven, but also include the robust text necessary for a clear, implementable, and defensible CAAP.
- The third document is the technical appendix which will include a highly transparent review of the data, methodologies, and assumptions that went into the development of the forecast and measure quantification.

Together, these documents will provide actionable next steps and a long-term strategic framework for the City of Pacific Grove to reach their GHG reduction targets and climate resilience goals.

> Throughout the CAAP development process Rincon will work to find synergies between adaptation and mitigation measures. Many actions including electrification, urban greening, and local energy and water use can help reduce GHG emissions and make Pacific Grove more resilient to climate impacts. Within the CAAP we will work to tie these benefits together to provide an integrated plan that maximizes co-benefits

The team will prepare a comprehensive plan that will be consistent with the State Attorney General's recommendations and the CEQA Guidelines' definition of a "Qualified Greenhouse Gas Reduction Strategy" (Section 15183.5). The CAAP will also align with the City's existing policies. The plan will provide a framework that reimagines the current systems – built, natural, and behavioral – as ones that are interconnected and mutually beneficial. The plan will also integrate measures that improve quality of life, build prosperity, and enhance community resilience. Specifically, the CAAP will:

- Clearly explain the community's climate challenges, and the challenges and opportunities it faces in meeting more ambitious climate adaptation and GHG reduction goals
- Serve as a mechanism to tie together the City's existing and developing sustainability initiatives, strategies, and plans with the community's goals

- Establish a set of cohesive and specific sustainability strategies, implementation plans, and metrics for regional and state strategies and initiatives
- Activate and engage residents, businesses, and institutions with positive actions and tangible benefit
- Be optimized for online viewing on the City's website In accordance with current requirements for public agencies, the CAAP will also be Section 508 compliant. The Americans with Disabilities Act of 1990 (ADA) Title II and California Government Code 7405 require all government public entities to make their digital content accessible prior to posting content online for public viewing. Essentially, any local body that is offering public services on behalf of the government must make their digital content accessible to people with disabilities.

Rincon understands the accessibility requirements and the impact such requirements have on governmental entities. While immediate overall compliance of an entity's web- based materials may be cost prohibitive, step-by-step progression towards compliance is viewed affirmatively by the California Department of Justice and the California Governor's Office. To meet our public clients' accessibility goals, Rincon will provide Document Accessibility Remediation as part of Task 10.3.

Assumptions

- Edits to the draft measures and actions after they have been approved by the City requires substantive edits to the measures calculations, technical appendix and CAAP document. Therefore, if edits are requested after the measures calculations, technical appendix and CAAP document have been initiated, revisions will be completed on a time and materials basis in accordance with our standard fee schedule.
- All comments on the First Administrative Draft CAAP will be provided to Rincon in one consolidated set from the City and CAAP Task Force.
- Response to comment of up to five substantive public comment letters and emails on the Public Draft CAAP.
- No hard copies will be provided.

Deliverables

- First Administrative Draft CAAP (Word)
- Second Administrative Draft CAAP (Word)
- Public Draft CAAP (PDF)
- Final CAAP (PDF)
- Draft Website/Executive Summary
- Final Website/Executive Summary

8.7 CEQA GHG Streamlining Checklist

Rincon will create a project-streamlining CEQA GHG Checklist that will allow project-level developments within the City to tier from the programmatic CAAP CEQA analysis (prepared under Task 9, CEQA Analysis) for project/plan-level GHG emissions analyses in order to demonstrate consistency with the State reduction targets and CEQA Guidelines. Rincon has completed some of the first GHG checklists in California, and we will leverage our deep bench of in-house environmental planners to ensure consistency with CEQA Guidelines Section 15183.5. Upon receipt of one set of consolidated vetted comments on the Draft CEQA GHG Checklist from the City, Rincon will address comments and prepare and submit tracked and clean versions of the Final CEQA GHG Checklist to the City.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (Section 4).

Deliverables

- Draft City CEQA GHG Checklist (one electronic copy)
- Final City CEQA GHG Checklist (one electronic copy)

8.8 CEQA GHG Thresholds

In addition, if the City proceeds with development of CEQA GHG thresholds, we would include assessment of the thresholds as part of the programmatic EIR to confirm that appropriate CEQA review of the updated thresholds occurs as part of the process and in an efficient manner. This would be done in conjunction with preparation of the programmatic CAAP CEQA analysis (prepared under Task 9, CEQA Analysis). While it is anticipated that the CEQA GHG thresholds would result in minimal environmental impacts, inclusion as part of the programmatic CAP CEQA analysis means that the thresholds are adequately analyzed under CEQA and adopted via a public review process.

Overall, development of CEQA GHG thresholds would specifically assist with defensibility of future CEQA GHG analyses consistent with CEQA Guidelines Section 15064.7(b) by:

1. Providing a basis of scientific and factual data (e.g., City GHG inventory, forecast, and targets);
2. Providing a threshold under which a project or plan's impacts would be considered less than significant;
3. Being supported by substantial evidence; and
4. Being developed and adopted via a public review process.

The locally appropriate CEQA GHG efficiency threshold will also be created to comply with the State CEQA Guidelines and interpretative GHG case law such as Center for Biological Diversity v. California Department of Fish and Wildlife and Newhall Land and Farming (2015) 224 Cal.App.4th 1105, Save Cuyama Valley v. County of Santa Barbara (2013) 213 Cal. App.4th 1059, 1068, and Golden Door Properties, LLC v. County of San Diego/Sierra Club, LLC v. County of San Diego (2018) 27 Cal.App.5th 892, regarding the correlation between State and local conditions.

After developing the CEQA GHG thresholds, Rincon will prepare a concise guidance document for use by City staff in evaluating submitted CEQA GHG emissions analyses and by applicants in preparing CEQA GHG emissions analyses. The guidance document will detail a defensible approach for evaluating GHG emissions impacts in analyses prepared pursuant to CEQA. The document will also provide substantial evidence of the methodology's consideration of Statewide GHG direction provided by the California Air Pollution Control Officers Association (CAPCOA), CARB, and OPR as well as recent relevant case law.

The guidance document will include the following sections:

1. Regulatory setting
2. Summary of the City CAP Update
3. Detailed expectations of GHG analyses for use in CEQA documents
4. Methodologies for quantifying GHG emissions from land use development projects and how to include GHG emission reductions associated with the CAP and from State legislation
5. Calculation of a locally appropriate service population threshold that aligns with the State
6. 2030 target, the CARB 2017 Climate Change Scoping Plan, recent court rulings, and land uses within the City
7. List of potential measures and design features that can reduce GHG emissions from land use projects and how to calculate their effects on project or plan emissions

Deliverables

- Draft CEQA GHG Thresholds and Guidance Report (one electronic copy)
- Final CEQA GHG Thresholds and Guidance Report (one electronic copy)
- Adding assessment of the CEQA GHG Thresholds to the overall EIR (see Task 9, CEQA Analysis)

Task 9 CEQA Analysis (Program EIR)

The CEQA document will be a Program EIR pursuant to State CEQA Guidelines Section 15168. Although the legally required contents of a Program EIR are technically the same as those of a Project EIR, Program EIRs contain a broader discussion of impacts, alternatives, and mitigation measures than a Project EIR. Use of a Program EIR is intended to provide an opportunity to consider broad policy alternatives and program-wide mitigation measures with greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis. Once a Program EIR has been certified, subsequent activities under the program (in this case the General Plan) may be evaluated to determine what, if any, additional CEQA documentation needs to be prepared. If the Program EIR addresses the program's effects specifically and comprehensively, many subsequent activities may be found to be consistent with the Program EIR mitigation parameters and additional environmental documentation may not be required (CEQA Guidelines Section 15168include). In this case, the Program EIR serves a valuable purpose as the first-tier environmental analysis that will assist in streamlining and possibly exempting future projects from CEQA.

We propose the preparation of a Program EIR pursuant to CEQA Guidelines Section 15168. The Program EIR will address all components of the General Plan and CAAP, with a focus on streamlining future projects within the city by including a broad discussion of impacts, alternatives, and mitigation measures. The Program EIR will consider broad policy alternatives and program-wide mitigation measures. Rincon also proposes to forgo preparation of an Initial Study in order to streamline the project timeline as it is already known that an EIR would be required. The EIR will encompass the City limits and the proposed Sphere of Influence surrounding the City.

9.1 CEQA Kickoff Meeting

Initiation of the CEQA process would occur once Task 5.1 is complete. Upon completion of the administrative draft General Plan, Rincon will facilitate a CEQA kickoff meeting with City staff. This meeting will serve as a forum to review and confirm study objectives and establish an operational protocol. The goals of the meeting will be to finalize the CEQA scope (Task 9) and discuss refinements to the CEQA portion of the overall schedule.

The kickoff meeting will also allow the City/consultant team an opportunity to discuss the approach to the environmental evaluation and potential General Plan alternatives. Community concerns relevant to the CEQA analysis that have surfaced to date will be discussed. We will also have an opportunity to confirm the cumulative impact analysis approach. Rincon's principal in charge and project manager will attend the meeting virtually, which is anticipated to last up to 1.5 hours.

9.2 Notice of Preparation

Rincon will prepare a draft Notice of Preparation (NOP) for City staff to review. The NOP will include all required details including project description, location, dates of public review and dates/location of the public scoping meeting. Rincon will submit a draft NOP in Microsoft Word for City review. Upon receipt of one round of consolidated comments on the draft NOP, Rincon will prepare a final PDF copy of the NOP for City staff to post on its website and for distribution to public agencies. Rincon will prepare an NOP distribution list for the City to review. It is assumed that the City will be responsible for any direct mailing of hard copies of the NOP. Rincon will review and make suggestions regarding the list. Rincon will be responsible for filing the NOP with the State Clearinghouse/Office of Planning and Research and Monterey County Clerk.

The NOP and all correspondence received in response to the NOP will be attached as an Appendix to the Draft EIR. A finalized scope for the Draft EIR will be defined after all comments on the NOP have been received. Because we anticipate that the General Plan EIR will address all issues on the environmental checklist, we do not propose to prepare an initial study.

9.3 Project Description

Rincon will prepare the EIR project description. Organization of this information is critical, since it forms the basis for environmental evaluation under CEQA. The project description will focus on the overall boundary of the Planning Area. This section will include a description of the General Plan, focusing on characteristics relevant to the analysis (i.e., buildout projections, proposed land use changes), project objectives, and required permits and discretionary approvals. The project description will include textual, tabular, and up to six graphics to fully describe the program and form a basis for the environmental analysis. The project description will be submitted to the City in Microsoft Word format, and we will address one round of consolidated comments from the City. While General Plan policy wording may be modified during refinement of the General Plan, this CEQA scope assumes that the General Plan buildout projections and land use pattern will not change following City acceptance of the project description.

9.4 Scoping Meeting

Rincon will facilitate a public and agency scoping meeting associated with the release of the NOP. The Scoping Meeting will be held during the 30-day NOP review period to introduce the community and responsible agencies to the EIR process and obtain input on the EIR scope of work. All agencies and interested parties would be invited to attend the scoping meeting, and it is assumed that separate individual meetings would not be required. It will include a brief presentation, followed by public comment and input from meeting attendees. Rincon will prepare a summary of all input gathered, which will be included in the Draft EIR along with any written public comments received during NOP

comment period. Rincon will coordinate with the City regarding the City's preferred virtual platform or physical venue, which Rincon will organize. For the purposes of this scope, we have assumed the scoping meeting will be held in person, with virtual attendance as an option. Notice of the scoping meeting would be provided in the NOP.

9.5 AB 52 and SB 18 Consultation Assistance

Under AB 52 (California Government Code Section 21080.3.1[a]) and SB 18 (California Government Code Section 65352.3 and 65352.4), the City, as the CEQA lead agency, is required to begin consultation with California Native American Tribes that are traditionally and culturally affiliated with the Plan Area, prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report. Rincon will request an

AB 52 and SB 18 consultation list from the NAHC and will assist the City with consultation under AB 52 and SB 18 by providing the City with letter templates, checklists, and detailed instructions to help ensure meaningful consultation with interested Native American groups. At this time, NAHC list requests are being fulfilled within 6 to 10+ weeks.

After receipt of letters, Native American Tribes have 30 days to reply to a request for consultation under AB 52 and 90 days under SB 18; the 30-day wait period for AB 52 is subsumed in the wait period for SB 18. This task includes Rincon participation at up to two virtual one-hour meetings with the City and Tribal governments.

9.6 Administrative Draft EIR

Rincon will prepare an Administrative Draft EIR (ADEIR) in compliance with CEQA requirements and based on the project description approved by City staff (completed under Task 9.3). Consistent with CEQA requirements, the EIR will be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the General Plan need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. The document will be a program EIR that considers the broad policy implications of the proposed General Plan. To that end, it will focus on the macro-level impacts associated with General Plan buildout and whether and how proposed General Plan policies address such impacts. Where possible, Rincon will incorporate information from existing environmental and planning documents that apply to the General Plan, including the Existing Conditions Analysis prepared as part of Task 3 and General Plan Alternatives prepared as part of Task 4. As necessary, we will conduct original research to augment existing information.

The ADEIR will comprise the following sections.

Executive Summary

The EIR will contain a summary of the General Plan and associated environmental consequences. This section will include the following:

- A discussion of the General Plan objectives;
- A brief description of the General Plan;
- A summary of the environmental setting for the Planning Area;
- A summary of impacts;
- A summary of mitigation measures (mitigating policies);
- A discussion of alternatives considered, and identification of the environmentally superior alternative among those studied; and
- Areas of controversy, and issues remaining to be resolved.

Introduction and Environmental Setting

These required introductory sections will lay the groundwork for and summarize the substantive analysis to follow. The introduction will describe the purpose and legal authority of the EIR, the scope and content of the EIR, a discussion of lead, responsible, and trustee agencies, and a synopsis of the General Plan process. The environmental setting will provide a general description of the existing geographic character of the City of Pacific Grove. The environmental setting will also contain a discussion of the approach to the cumulative impact analysis.

Project Description

The Project Description section will consist of the project description prepared in Task 9.3.

Analysis, Impacts, and Mitigation Measures

Each environmental discussion will include the following:

- Setting
- Impact analysis
- Mitigation measures
- Level of significance after mitigation

The discussion for each issue area will begin with the setting, which will describe existing conditions relevant to the topic and provide the groundwork for impact analysis. Sources will include documents and studies prepared in support of the General Plan, other relevant environmental documents prepared during the last five years, and data provided by the City.

The impact analysis will include a discussion of the methodology used to quantify or determine impacts and the criteria for judging significance. Where practicable, impacts will be quantified. If existing data does not allow definitive quantification, reasonable assumptions will be used to qualitatively forecast potential impacts. Rincon typically orients analyses around clear impact statements that are separately highlighted in the text. This allows a more precise statement of the specific issue at hand and sets the stage for the technical discussion that follows. If the impact warrants mitigation measures, they are indexed to and immediately follow the numbered impact in question.

The EIR will provide a review of General Plan policies and measures and will suggest changes or updates to reduce environmental impacts where warranted. Modifications to proposed General Plan policies or inclusion of new policies to reduce or avoid identified environmental impacts will be prioritized over the inclusion of mitigation measures to reduce environmental impacts. However, if necessary, mitigation measures will be presented in wording that can be directly applied to conditions of approval and/or to updating the General Plan's policies and implementation programs as warranted.

Rincon's technical approach to analyzing each environmental issue is described below under, Proposed Approach to Technical Issues.

Alternatives Analysis

A range of alternatives will be considered in the ADEIR. CEQA Guidelines require consideration of the "No Project" Alternative. For purposes of this EIR, the No Project Alternative would be a continuation of the existing General Plan without any updates or additions. In addition to the No Project Alternative, Rincon will consider up to three (3) other alternatives (such as alternative land use scenarios), including at least one alternative land use scenario that will be developed during Task 4, as well as at least one alternative crafted in coordination with City staff to reduce identified significant and unavoidable impacts. It is assumed that buildout assumptions for each alternative will either be provided or approved by the City. Evaluation of alternatives will be in less detail than for the General Plan, though the analysis will provide decision-makers and the public adequate information to decide between alternatives. This section will also identify the "environmentally superior alternative." If the No Project Alternative is determined to be environmentally superior, the ADEIR will identify the environmentally superior alternative among the remaining scenarios.

Cumulative Impacts

Consistent with Section 15130 of the CEQA Guidelines, cumulative impacts will be disclosed. These impacts would result from the program's impacts associated with full buildout of City under the proposed General Plan, combined with impacts of other projects and programs in the area, including surrounding jurisdictions'

General Plans. Cumulative projections in the area will be derived in consultation with the City. We propose to provide a summary of projections to inform the cumulative analysis.

Other CEQA Sections

This portion of the EIR will discuss the growth-inducing effects of the General Plan as well as significant irreversible changes associated with the proposed General Plan. Drawing on the information provided in the environmental setting and preceding issue discussion, the growth-inducing impacts will address the potential for the General Plan to directly induce economic growth and remove obstacles to growth in the area. The significant irreversible changes discussion will summarize the significant effects of the General Plan, particularly the unavoidably significant effects.

References

This portion of the EIR will provide full citations for all in-text citations provided within the EIR. This section will identify all supporting documents that were used during preparation of the EIR which are not included as appendices to the EIR itself.

The ADEIR will be submitted to the City in Microsoft Word format, for ease of review.

Proposed Approach to Technical Issues

The technical approach to analyzing each potential environmental issue is described herein. Approaches to the impact analysis for the Program EIR will be discussed with City staff and will be consistent with the assumptions and methodologies used in recent CEQA documents in the City of Pacific Grove to the extent possible. In general, the impact analysis will focus on the issues present in the Planning Area and likely to be affected or impacted by the Focused General Plan Update. It is anticipated that the components of the General Plan that would most likely result in environmental impacts include policies or programs that involve land use changes, increased buildout of all or portions of the city, increased development intensity, increased building height, or physical ground disturbance. Additionally, policies in the General Plan may also have beneficial environmental effects (i.e., those related to climate change, habitat preservation), and will be considered in the analysis of each topical area.

While all issue areas contained on the CEQA Guidelines Appendix G Checklist will be addressed in the EIR, based on a preliminary analysis of Important Farmland, Williamson Act lands, and mineral resource zones, we anticipate the following issue areas would likely be considered less than significant and therefore suggest that these issue areas be analyzed within a "Less than Significant" section of the EIR:

- Agriculture and Forestry Resources
- Mineral Resources

We anticipate that the following environmental issues will be addressed in the EIR as stand-alone EIR sections:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Aesthetics

Physical changes that could occur under the proposed General Plan would alter the aesthetic character of portions of Pacific Grove, which is anticipated to be an important issue to residents due to the city's unique location and historic character. The aesthetic analysis will consider new design standards that may result in the alteration of public views, changes in visual character, and increased light and glare that could result from modifications to the land use scenario. Specific design standards that will be considered in this analysis include those related to height, color, building materials, architectural style, setback requirements, open space requirements, and lighting features. Changes to allowable maximum building densities will also be considered. These modifications under the proposed General Plan will be compared to the existing General Plan design standards, building densities, and land use scenario. The analysis will be supported by

photo documentation of up to five key areas where future development, in particular land use changes influenced by the Housing Element Update, may be facilitated under the proposed General Plan. The analysis will also consider consistency with relevant City documents addressing design and development standards. Policy-based mitigation measures will be developed as necessary.

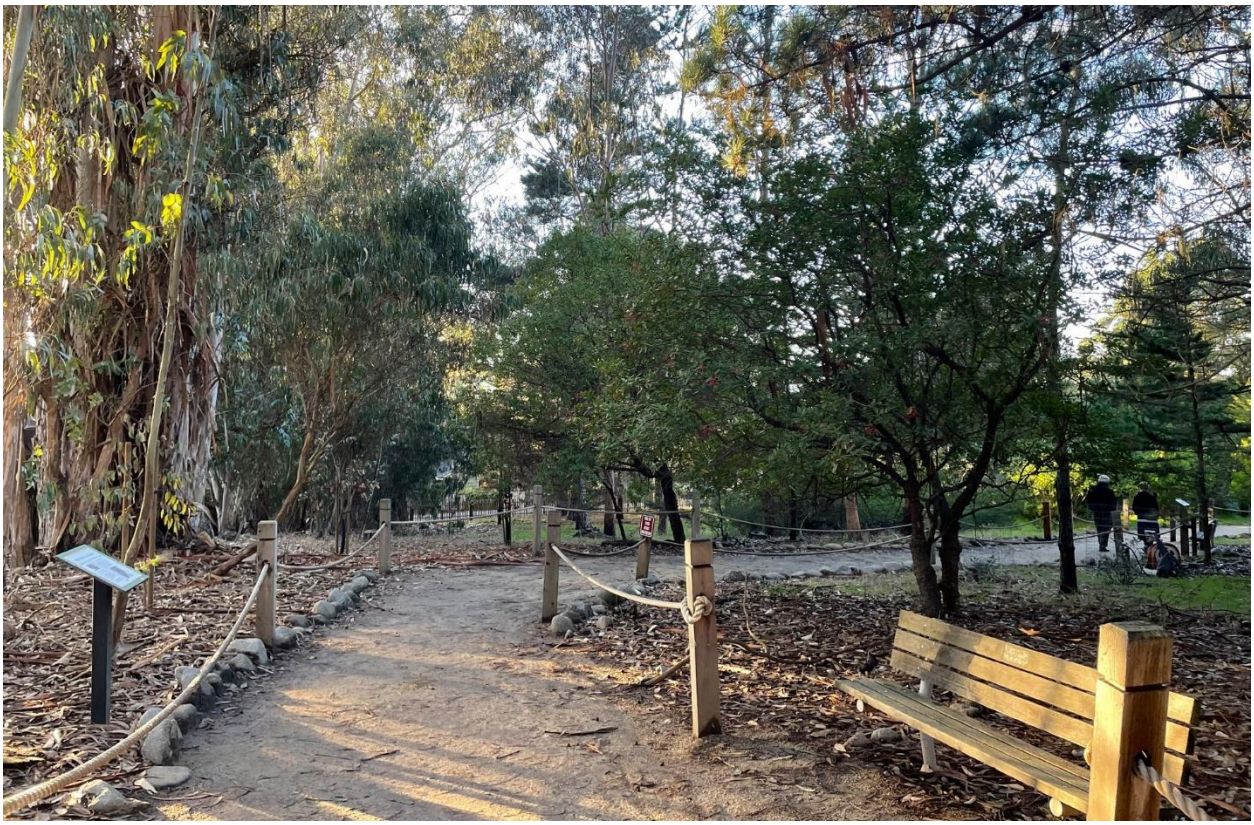
Air Quality and Greenhouse Gas Emissions

The air quality and GHG emissions analyses in the EIR will consider temporary construction and long-term operational emissions from the proposed General Plan buildout, as well as the mitigating features of the CAAP. The analysis will summarize the existing air quality conditions in the air basin using data from nearby air monitoring stations available from the California Air Resources Board and the Monterey Bay Air Resources District (MBARD). The state of the climate and relevant federal, state, and local climate change regulations will be described, with GHGs identified as an area of primary concern. This section will summarize federal, state, and local standards and regulatory review requirements pertinent to air quality and GHG emissions, calculate General Plan buildout emissions of criteria pollutants and GHGs using the California Emissions Estimator Model (CalEEMod), And evaluate the significance of air quality and GHG impacts per the MBARD CEQA Air Quality Guidelines methodology for General Plans, Specific Plans, and Zoning Ordinances. Construction emissions will be addressed qualitatively. This section will also evaluate potential odor impacts through buildout of the General Plan, which is typically associated with wastewater treatment, manufacturing, and industrial-type land uses; evaluate localized air quality impacts from toxic air contaminant (TAC) to sensitive receptors (no detailed air dispersion modeling is proposed as part of this scope); evaluate the General Plan's compliance with applicable Air Quality Management Plans; evaluate the General Plan's compliance with applicable State and local GHG reduction plans, policies, and regulations; and develop mitigation measures for identified potentially significant air quality and GHG impacts.

Biological Resources

While the city does not contain large areas of open space or natural habitat, the city does contain a monarch butterfly sanctuary and open space areas along the western coastline, as well as several parks and vegetated areas that could provide habitat for special-status species. As part of the biological resources analysis, Rincon will collect regional background information on biological resources that could be affected by the Focused General Plan Update. The collected information will include database queries (CNDDB, CNPS, USFWs IPaC), reviews of regional planning documents, and information provided by agency biologists. The scope of work does not include a reconnaissance site visit.

The biological setting subsection will describe vegetation communities, per California Wildlife Habitat Relationships classifications, drainages and wetlands, special-status species occurrences and habitats (tabular format), and a discussion of regulatory framework. The impact analysis will include a description of methodology and significance thresholds, project impacts, and avoidance and mitigation measures, and a summary of projects or land use changes that may result in impacts to biological resources. Rincon will compile results from database queries in the Appendix of the EIR and summarize the results and findings within the EIR section.



Cultural Resources

The city contains sensitive archaeological and historic resources, and these resources are known to constrain development within the city. The cultural resources analysis will include a review of historic and archaeological resources in Pacific Grove and the potential impacts to those resources as a result of the proposed Focused General Plan Update. To compile a listing of recognized significant historic and prehistoric resources, information will be obtained from the State Office of Historic Preservation, the City's Historic Resource Inventory, and local historical groups. Rincon will follow the cultural resource protocol that Rincon archaeologists prepared for the City in 2021-2022. The statewide Historical Resources Inventory (HRI) includes a listing of buildings, sites, features, structures, objects, districts, and events that are significant or have historic value. The HRI is not available for public review according to the California Historical Information System Information Center Rules of Operation Manual (Section III.A). It is anticipated that the EIR would require consultation of the HRI as part of required project- level analysis of any future development projects to determine the locations of previously recorded archaeological sites. Policy-based mitigation measures for future development on sites that contain previously recorded cultural sites, or sites that are not known to contain such resources, will be developed as necessary.

Energy

This section will discuss current and projected citywide energy supplies and demand, and qualitatively analyze energy demand associated with future construction and long-term Plan buildout. This section will

also compare consistency of the Plan with adopted state, regional, and local energy policies. Policy-based mitigation measures will be developed as necessary.

Geology and Soils

This section will discuss the potential for geologic hazards present within Pacific Grove to adversely affect potential future development facilitated by the proposed General Plan. Hazards to be considered include fault rupture, ground shaking, landslides, liquefaction/slope stability, erosion, and subsidence. The analysis will rely on baseline data developed in support of the General Plan Safety Element as well as such sources as the California Geological Survey, United States Geological Survey, the California Division of Mines and Geology, and other CEQA documents that contain geology and soil information for the area. This section will also address paleontological resources, including identifying the sensitivity of geologic units underlying the City to assess potential impacts.

It is anticipated that the geology/soils work scope will entail a mapping exercise to identify areas where potential future development could be affected by known geologic hazards. It is anticipated that proposed General Plan policies will provide appropriate mechanisms to address potential impacts. If this is not the case, mitigation measures will be provided in the form of new geologic hazard policies that can be incorporated into the final General Plan.

Hazards and Hazardous Materials

A number of listed hazardous materials sites are present within the city, including several clustered near Lighthouse Avenue and Forest Avenue as well as near Forest Avenue and Prescott Lane. This section will discuss the potential for impacts relating to hazardous materials transport, storage, and use, as well as such hazards as wildland fires. The analysis will rely on data collected in support of the Safety Element and other readily available information sources, including online hazardous material databases and other environmental documents prepared for the City.

The hazardous material analysis will involve qualitative discussions of the potential for new development to either create the potential for hazardous conditions or be adversely affected by existing hazards. It is anticipated that proposed General Plan policies will provide appropriate mechanisms to address potential impacts. If this is not the case, mitigation measures will be provided in the form of new hazard protection policies that can be incorporated into the final General Plan.

Hydrology and Water Quality

The hydrology and water quality analysis will evaluate potential impacts relating to hydrological conditions and flooding as well as potential impacts to surface and groundwater quality. Water quality is of particular importance in the city from stormwater runoff into the bay. The Pacific Grove Area of Special Biological Significance (ASBS) encompasses the portion of the Monterey Bay that is located northeast of the city, and is subject to additional water quality protections. The existing hydrologic setting of Pacific Grove will be described generally and potential impacts relating to new development will be discussed conceptually. Information sources will include data collected in support of the General Plan Safety Element as well as readily available data from such agencies as the Regional Water Quality Control Board.

The analysis will be qualitative in nature, relying both on proposed General Plan policies and existing regulations (in particular, the National Pollutant Discharge Elimination System [NPDES] and related City requirements) to address potential impacts. As appropriate, additional policies to address hydrological or water quality impacts will be recommended as EIR mitigation.

Land Use and Planning

This section of the EIR will examine land use policy issues. Rincon will prepare an objective discussion of whether and how the proposed General Plan is consistent with both existing City policy documents and regional planning policies, including those of the local air quality plan and Metropolitan Transportation Plan/ Sustainable Communities Strategy (MTP/SCS). It is anticipated that proposed policies will generally be consistent with those of other adopted policy documents. However, as appropriate, new or revised policies will be recommended to address any inconsistencies.

Noise

The noise section of the EIR will be conducted in accordance with City of Pacific Grove guidelines, standards, and ordinances. The existing setting will rely on the Existing Conditions Report prepared as part of Task 3.2, including existing condition traffic noise contours, and a discussion of existing airport noise levels. In addition to incorporation of existing traffic noise contours from Task 3.2, Rincon will also model Plan buildout traffic noise levels using the FHWA Traffic Noise Prediction Model, based on future traffic forecasts provided by Kimley-Horn. The EIR will identify areas along roadway segments that would be exposed to noise levels above established criteria. The modeling results will be summarized in the EIR and provided in an appendix.

Noise impacts from non-transportation sources will be evaluated on a programmatic level, qualitatively based on local noise standards. Rincon will analyze noise impacts from non- transportation sources such as major commercial and industrial uses in terms of potential impacts to nearby noise-sensitive receptors and the noise limitations identified within the City's Municipal Code.

Rincon will provide a qualitative analysis for potential construction impacts associated with buildout of the Plan. Future noise and vibration effects from construction activities will be discussed in terms of accepted standards from the U.S. Federal Transit Administration (FTA). Feasible mitigation measures will be identified to minimize noise and vibration impacts associated with buildout of the Plan.

Population and Housing

It is not anticipated that the proposed General Plan would displace people or housing. Therefore, this section will focus on comparison of potential population and housing growth to regional growth forecasts for the area, as contained in the MBARD AQMP and MTP/SCS. The discussion will also consider impacts to the balance of jobs and housing in the City. Policy-based mitigation measures will be developed as necessary.

Public Services

The public services section of the EIR will address potential impacts relating to police protection and fire protection services, as well as schools. The analysis of policy and fire service will involve contact with the Pacific Grove Police and Fire departments to determine service levels and existing and projected gaps in service.

The schools analysis will involve contact with the Pacific Grove Unified School District to identify current enrollment and capacity as well as student generation rates. School capacity levels and needs will be identified. Existing and proposed development impact fees, including State-mandated school impact fees, will be identified as mitigation as appropriate. Policy-based mitigation measures will be developed as necessary.

Recreation

This section will analyze potential impacts to City parks and recreational facilities, including Lovers Point Park, the Monterey Bay Recreational Trail, George Washington Park, and Marine Gardens Park.

It is not anticipated that existing parks would be directly affected by potential new development; therefore, the analysis will focus on potential indirect effects related to increased demand for parks and recreational facilities. Demand will be forecast based on projected population growth and City estimates of per capita park demand.

Information sources will include the Background Report, draft General Plan Elements, and any data gathered in support of those chapters. Proposed policies will be cited as mitigation for potential impacts. As necessary, proposed policies will be augmented with additional policies to be incorporated into the final General Plan.

Transportation

This section of the EIR will rely on the VMT analysis prepared by Kimley-Horn under Task 4.1. The existing setting, project and cumulative impacts, and any suggested mitigation measures in the VMT study prepared by Kimley-Horn will be described and listed in the EIR section as appropriate. The analysis will identify key transportation system components and consider whether Plan buildout would conflict with a program, plan,

ordinance, or policy addressing the circulation system. Policy-based mitigation measures will be developed as necessary.

Tribal Cultural Resources

There are two primary tribes present in Pacific Grove: Ohlone/ Costanoan-Esselen Nation (OCEN) and the Esselen Tribe of Monterey County (Esselen Tribe). The area, including the city and nearby coastline, is considered highly sensitive for cultural and tribal cultural resources. As described above, Rincon will follow the tribal cultural resource protocol that Rincon archaeologists prepared for the City in 2021-2022. This section will summarize the results of AB 52 and SB 18 consultation (Task 9.5). Rincon will summarize the AB 52 efforts and will include identified mitigation in the EIR, as applicable.

Utilities and Service Systems

This section will discuss potential impacts to water supply and service systems, wastewater conveyance and treatment systems, wastewater/solid waste generation, and solid waste collection and disposal systems. Water, wastewater, and solid waste services are provided by multiple entities including California American Water Company (Cal-Am), Monterey Peninsula Water Management District (MPWMD), Monterey One Water (M1W), and ReGen Monterey (formerly Monterey Peninsula Waste Management District). Impacts to the City storm drain system will be addressed in the hydrology/water quality section.

Water supply will be a key issue for the EIR, particularly with the continued moratorium on new water connections in the Pacific Grove portion of CalAm's service territory, which restrict water supply availability for future growth. Rincon will thoroughly document the existing water supply conditions based upon review of published data, including but not limited to CalAm's current (2020) Urban Water Management Plan (UWMP) for its Monterey County District, which encompasses the City of Pacific Grove. It is anticipated that a Water Supply Assessment (WSA) will not be provided for the project; as a programmatic planning document that does not propose construction of a distinct project, the General Plan does not explicitly trigger the requirement for a WSA under California Water Code as amended by SB 610. Some water supply providers elect to prepare a WSA when not required, if doing so could produce new information or analysis to inform and streamline environmental processes. However, due to the existing water supply constraints in the project area, it is not anticipated that a programmatic WSA would reveal information about water supply in the General Plan area that is not already available in the UWMP.

Therefore, the analysis of water supply developed for the EIR will rely upon information from CalAm's latest (2020) UWMP, as well as other publicly available, published data. Such data may include but is not limited to the environmental review documents prepared for alternative water supply projects, including a desalination plant in Marina (recently approved by the Coastal Commission) and Pure Water Monterey expansion will be critical to future supply reliability for the General Plan. It is anticipated the current moratorium will remain in effect throughout the Focused General Plan Update process, such that water supply solutions may not rely upon lifting the moratorium, and creative solutions to water supply restrictions will be necessary to accommodate implementation of the Focused General Plan Update. The EIR will consider how policies of the proposed General Plan would minimize or avoid potential impacts to service systems. Additional or revised policies may be developed to address potentially significant impacts, including as related to water supply availability.

In addition, impacts relating to wastewater/solid waste generation will be discussed. Proposed General Plan policies will be discussed as mitigation for possible impacts to service systems. As necessary, additional or revised policies will be developed to address identified significant impacts.

Wildfire

Pacific Grove contains some land designated within a Very High Fire Hazard Severity Zone in a Local Responsibility Area, along the city's southern boundary. The city is also adjacent to a Very High Fire Hazard Severity Zone in a State Responsibility Area. Additional fire hazards are present in wooded areas within the city. This section will describe the location of Fire Hazard Severity Zones within or near the city. Wildfire risk will be assessed, consistent with OPR's lates guidelines related to wildfire hazards. This analysis will incorporate the findings of the Climate Vulnerability Assessment completed as part of Task 3.6. Proposed General Plan policies will be discussed as mitigation for impacts related to wildfire. As necessary, additional or revised policies will be developed to address identified significant impacts.

9.7 Screencheck Draft EIR

Rincon will address one round of City comments on the ADEIR and prepare a Screencheck Draft EIR. All comments from the City will be provided as a consolidated set of comments in editable electronic format (i.e., as tracked changes in Microsoft Word). If there are multiple reviewers, the City will be responsible for reconciling conflicting comments prior to sending to Rincon. To maintain momentum in the project schedule and provide cost efficiency, we assume City comments will focus on any new content in the previous version

of the ADEIR, and new comments on previously submitted content will be minimal. The Screencheck Draft EIR will be submitted to the City in Microsoft Word with track changes retained.

9.8 Public Draft EIR

Once the City approves the Screencheck Draft EIR, Rincon will prepare the Draft EIR for public circulation. Rincon will prepare required noticing forms, including the Notice of Completion (NOC), Notice of Availability (NOA), and OPR's Summary Form for Electronic Document Submittal, for City review. Rincon will address one round of comments on the forms. Rincon will be responsible for submitting documents through the digital CEQASubmit platform and filing the NOA with the Monterey County Clerk's office. It is assumed the City will be responsible for required newspaper ads and other public noticing of the document's availability, such as radius label mailing or onsite posting. As required by State law, the Public Draft EIR will require at least a 45-day public review period. Rincon will provide two hard copies of the Public Draft EIR for posting at the City offices and Pacific Grove Public Library and will provide a digital version in Adobe PDF for posting to the City's website. Accessibility remediation of the Draft EIR is included as Task 10.3.

9.9 Response to Comments and Administrative Final EIR

Upon receipt of public comments on the Draft EIR, Rincon will prepare draft response to comments and an Administrative Final EIR for review by the City. This scope of work assumes up to 20 comment letters containing comments on the content of the CEQA document will be received. This includes five lengthy (over five pages) and/or substantive letters, that can be adequately responded to in a maximum of 150 professional staff hours.

Comment letters that solely express support or opposition to the General Plan would not count against the 20-letter estimate. The actual level of effort required to respond will depend on the length, detail, and sophistication of the comments, in addition to the number of letters received. We reserve the right to reevaluate the effort level and request a scope amendment upon close of the public comment period. If the number of comment letters and the effort to prepare responses is greater than anticipated, Rincon will notify City staff immediately and discuss options to amend our scope of work and budget as necessary.

Rincon will address one round of consolidated City comments, to be provided in editable format, on the draft Responses to Comments and prepare a Screencheck Responses to Comments, in Microsoft Word with edits shown in track changes. Upon City review and approval of the Screencheck, Rincon will submit the Final EIR for hearing.

9.10 Mitigation Monitoring and Reporting Program

Concurrent with Task 9.9, Rincon will prepare a Mitigation Monitoring and Reporting Plan (MMRP), which will be bound separately from the Final EIR. The MMRP will be provided in a format designed for use by planners, environmental monitors, or code enforcement officers. Essentially, this plan will take the form of a detailed table that describes:

- Persons/agencies responsible for monitoring compliance with each condition
- Timing when monitoring must occur
- Frequency of monitoring
- Criteria to be used to determine compliance with conditions
- Capital costs

The capital costs column is anticipated to be filled in by City staff. Rincon can assist with this for an additional fee. It should be noted, however, that capital costs are not typically considered in MMRPs and are not a required component pursuant to CEQA. The final version of the MMRP will be incorporated as an appendix to the Final EIR.

9.11 Final EIR

After receipt of City comments on the Administrative Final EIR (Task 9.9) and MMRP (Task 9.10), Rincon will prepare a Screencheck Final EIR for City staff review and confirmation followed by a Final Program EIR after incorporating comments from City staff. Rincon will prepare a draft Notice of Determination (NOD) for City approval. Rincon staff will file with the County Clerk and State Clearinghouse within five working days of General Plan approval. It is assumed that the City will pay all applicable fees associated with filing the NOD at the County Clerk. Rincon will provide two hard copies of the Final EIR for placement at the City offices and Pacific Grove Public Library. Accessibility remediation of the Final EIR is included as Task 10.3.

9.12 CEQA Findings, Statement of Overriding Considerations, and Resolution

Rincon will prepare the CEQA Findings and Statement of Overriding Considerations (if a significant and unavoidable impact is identified) for the General Plan based on the impact conclusions of the EIR, based on a template provided by the City. The Draft CEQA Findings will be submitted alongside the Final EIR, and will contain a discussion of alternatives, including the rationale for rejecting any of the analyzed General Plan alternatives, using in part the project objectives. This scope of work assumes if alternatives are determined to be infeasible due to financial considerations, or that the Statement of Overriding Considerations relies on specific economic or financial factors, corresponding financial data to support these conclusions will be provided by the City or by Optional Task 4.1, Economic and Fiscal Analysis. This task will comply with CEQA Guidelines Sections 15091 and 15093 and will be submitted in a City-approved electronic format. Rincon will prepare an administrative draft version of the CEQA Findings for City review, will address one round of consolidated City comments, and submit a final document version digitally.

Rincon will also prepare the draft CEQA Resolution for City review and comment. The CEQA Resolution will be prepared in accordance with the City's required format. The CEQA Resolution will incorporate the CEQA Findings and, if applicable, the Statement of Overriding Considerations as attachments. Rincon will address one round of consolidated City comments and submit a final document version digitally.

9.13 Administrative Record

Rincon will maintain the Administrative Record for this project. Maintenance of an accurate and comprehensive administrative record is important for the defensibility of the EIR, should it be challenged. Rincon will develop a work plan at the outset that instructs internal staff on the way in which the

Administrative Record will be developed and maintained. As sources are referenced in each section of the report, they are logged in an index containing a hyper-linked cross-reference to the individual source files, copies of which are maintained on company servers. These include, for example, guidance documents, websites, correspondence, and technical memoranda. The index and source files will be supplied digitally alongside the Draft EIR.

9.14 Legal Review

Rincon has on staff a qualified legal team with more than 45 years combined experience in land use, long-range planning, CEQA review, and CEQA litigation. Such experience allows Rincon to provide trusted, substantive review of key documents, including the Public Draft EIR and Final EIR, to provide legal adequacy and a sound basis for a defense during legal challenge. Rincon's legal team also provides strong support for responding to comments on the environmental and land use documents and in addressing identified concerns raised in late correspondence prior to the public hearings.

With careful consideration as to how each step of the process may ultimately affect the outcome and impact on the community perception, Rincon can provide thoughtful analysis on the best approach to take for any unique or potentially controversial issue, with the legal team participating on an as needed basis for planning calls and internal discussion and review. This scope includes legal review of the Draft EIR and Final EIR, to be conducted prior to City review of the Administrative Draft version of the documents.

A total of 20 staff hours is included in this task for legal review. Additional legal review can be provided on a time and materials basis to provide a more thorough review of specific topic areas as requested by the City.

Deliverables

Administrative/working drafts will be provided in Microsoft Word and/or Adobe PDF. Revised documents will be provided in Microsoft Word with edits shown in track changes. Adobe PDF documents will be provided for public draft and final documents and shared via email and through the SharePoint site as part of the final administrative record. Unless Optional Task 9.14 is authorized, documents will not be formatted for ADA compliance.

- Draft and Final Notice of Preparation (Microsoft Word and Adobe PDF)
- Scoping Meeting materials (e.g., agenda, presentation)
- Attendance (two Rincon staff members) at an in-person Scoping Meeting
- ADEIR (Microsoft Word)
- Screencheck Draft EIR (Microsoft Word with track changes retained)
- Public Draft EIR (two hard copies, Adobe PDF copy with user-friendly cross-reference hyperlinks)
- Draft and Final CEQA Notices, including the NOC for the NOP submittal and the NOC, NOA, and OPR's Summary Form for the Public Draft Program EIR submittal
- Draft and Final Response to Comments (Microsoft Word)
- Draft and Final MMRP (digital files)
- Screencheck Final EIR (Microsoft Word with track changes retained)
- Final Program EIR (two hard copies, Adobe PDF copy with user-friendly cross-reference hyperlinks)
- Draft and Final CEQA Findings and Statement of Overriding Considerations (digital files)
- Notice of Determination (Adobe PDF)

Task 10 Hearings and Adoption

10.1 Planning Commission and City Council Meetings

This task provides a budgeted allowance for the Rincon team to attend public meetings with the Planning Commission and City Council as further described below.

These meetings include study sessions, workshops and public hearings. The Rincon team will support staff with the Planning Commission and City Council to review deliverables at various stages of the General Plan update process and to support adoption of the Draft General Plan, Draft ODDS, Draft CAAP and certification of the Final EIR.

Study Sessions

- Three joint study sessions with the PC/CC (virtual)

Workshops

- One Planning Commission Workshop (in-person)
- One City Council Workshop (in-person)
- One Architectural Review Board Workshop (virtual)

Public Hearings

- Two Planning Commission Hearings (virtual)
- Three City Council Hearings (two in-person, one virtual)

10.2 Final General Plan

Based on final direction and comments provided by City Council during the hearing process, the Rincon team will prepare a Final General Plan. This task assumes minor editorial edits necessary to finalize the document. All final files will be shared via email and through the SharePoint site as part of the final administrative record.

2 Revised Focused General Plan Update Schedule

The following revised schedule has been prepared based on a fiscal year funding maximum for the Focused General Plan Update of $500,000. A refined schedule will be prepared following the project kick off meeting and after the Community Engagement Plan is finalized.

The proposed project workplan is generally organized in the following key phases:

Workplan Phases	**Estimated Start**	**Estimated Completion**
Phase I – Project Initiation	May 2023	October 2023
Phase II – Learning	January 2024	March 2025
Phase III – Alternatives	March 2025	October 2025
Phase IV – Plan Preparation**	January 2026	August 2026
Phase V – Environmental Review	May 2026	April 2027
Phase VI – Plan Adoption	May 2027	September 2027
*Note: *the estimated start and completion dates are based on estimates made at the time this proposal was prepared and in consideration of fiscal year funding constraints. A refined schedule will be provided after the project kick off meeting and once the community engagement plan is finalized.* *** some plan preparation tasks associated with zoning are anticipated to occur earlier in the process*		

A more detailed schedule is provided in **Table 1**.

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2511 Garden Road, Suite C-250
Monterey, California 93940
831-333-0310

Table 1 – Estimated Project Schedule by Subtask

Task	Phase	Estimated Timeline	Key Deliverables
Task 1 Project Initiation and Coordination			
1.1 Kick Off Meeting and City Tour	Phase I – Project Initiation	May 2023	-Attendance at Kick Off Meeting
1.2 Document Review and Gathering	Phase I – Project Initiation	May 2023 – October 2023	-Request additional data/documents
1.3 Scope of Work and Schedule Refinement	Phase I – Project Initiation	May 2023 – October 2023	-Detailed Schedule in consideration of Fiscal Year funding constraints
1.4 Document Set Up	Phase I – Project Initiation	May 2023 – October 2023	-Template Package
1.5 Project Coordination	Ongoing	Ongoing – allowance for up to 85 biweekly meetings during active project periods	-Monthly invoice/progress reporting during active months -Biweekly meeting agendas and notes
Task 2 Community Engagement			
2.1 Community Engagement Plan	Phase I – Project Initiation	May 2023 – October 2023	-Draft and Final Community Engagement Plan
2.2 Online Engagement	Phase I – Project Initiation Phase II – Learning Phase III - Alternatives Phase IV – Plan Preparation	January 2024 (start)	-Surveys (5) – per Community Engagement Plan -Educational Videos (3) – per Community Engagement Plan
2.3 Community Workshops	Phase II – Learning Phase III – Alternatives Phase IV – Plan Preparation Phase V – Plan Adoption	January 2024 (start)	-Learning Workshops - per Community Engagement Plan -Alternatives and Policy Direction - per Community Engagement Plan

			-Review and Adoption - per Community Engagement Plan
2.4 GPTAG	Phase I – Project Initiation Phase II – Learning Phase III - Alternatives Phase IV – Plan Preparation Phase V – Plan Adoption	January 2024 (start)	-Consultant team to participate in 6 GPTAG meetings per Community Engagement Plan
2.5 Virtual Stakeholder Interviews	Phase II – Learning	January 2024 (start)	-Interviews (organized per Community Engagement Plan)
2.6 Walking Tour	Phase II – Learning	January 2024 (start)	-Walking tour with GPTAG (organized per Community Engagement Plan)
2.7 Engagement Toolkits	Phase II – Learning	January 2024 (start)	-Toolkit materials
Task 3 Existing Conditions, Issues and Opportunities			
3.1 General Plan Audit	Phase II – Learning	January 2024 – February 2024	-Audit Matrix
3.2 Existing Conditions Background and Technical Reports	Phase II – Learning	February 2024 – July 2024	-Draft and Final Background Reports -Draft and Final Technical Reports -ECBR Exec Summary
3.3 Vision and Guiding Principles	Phase II – Learning	January 2025 – February 2025	-Vision and Guiding Principles Document
3.4 SWOT Analysis	Phase II – Learning	January 2025 – March 2025	-SWOT Report
Task 4 Alternatives			
4.1 Land Use, Community Design and Circulation	Phase III – Alternatives	March 2025 – September 2025	-Alternative Concepts
4.2 Preferred Alternative	Phase III – Alternatives	September 2025 – October 2025	-Selected Alternative

Task 5 General Plan			
5.1 First Administrative Draft	Phase IV – Plan Preparation	January 2026 – April 2026	-First Administrative Draft
5.2 Second and Public Draft	Phase IV – Plan Preparation	April 2026 – August 2026	-Second Administrative Draft -Public Review Draft -Public Hearing Draft
Task 6 Zoning Ordinance Amendments			
6.1 6th Cycle + General Plan Consistency	Phase IV – Plan Preparation	July 2025 – August 2025	-Consistency Review Matrix
6.2 Administrative and Public Review Zoning Maps	Phase IV – Plan Preparation	August 2025 – October 2025	-Administrative Draft Zoning Map -Public Review Draft Zoning Map
Task 7 Objective Design and Development Standards			
7.1 ODDS Initiation and Issue Identification	Phase IV – Plan Preparation	June 2024 – September 2024	-PowerPoint Summary of multifamily precedents -Place Type Map -Summary Memorandum of existing provisions
7.2 ODDS Development	Phase IV – Plan Preparation	September 2024 – January 2025	-ODDs Draft Standards -In Design Layout
7.3 Administrative and Public Review Draft	Phase IV – Plan Preparation	January 2025 – October 2025	-Administrative Draft and Public Review Draft ODDS
Task 8 Climate Action and Adaptation Plan			
8.1 CAAP Kick Off Meeting and Monthly Meetings	Ongoing	Ongoing for an approximate 18 month period – one meeting per month	-Monthly meetings

8.2 Existing Measure Analysis and Success Tracking	Phase II – Learning	May 2023 – July 2023	-MAST Tool -MAST Key Findings Memo
8.3 GHG Inventories, Forecast and Targets	Phase II – Learning	October 2025 – February 2026	-Data Evaluation Memo -Final Data Evaluation Memo -Updated Inventory (Excel) -Final Forecast and Targets (Excel) -Final Forecast and Targets Memo
8.4 Draft and Final CAAP Strategy Selection	Phase III – Alternatives	February 2026 – April 2026	-Draft and Public Draft CAAP Strategies -Final List of CAAP Strategies -Attendance at meetings
8.5 Measure Technical Appendix	Phase III – Alternatives	February 2026 – April 2026	-Draft and Final Qualified CAAP Technical Appendix
8.6 Develop Tools for Monitoring and Tracking and Activation	Phase IV – Plan Preparation	March 2026 – July 2026	-Draft and Final Implementation Plan
8.7 Develop Draft and Final Climate Action and Adaptation Plan	Phase IV – Plan Preparation	April 2026 – December 2026	-Draft and Final CAAP
8.8 CEQA GHG Streamlining Checklist	Phase IV – Plan Preparation	September 2026 – November 2026	-Draft and Final City CEQA Checklist
8.9 CEQA GHG Thresholds	Phase IV – Plan Preparation	September 2026 – November 2026	-Draft and Final Thresholds Report
Task 9 CEQA Analysis (Program EIR)			
9.1 CEQA Kick Off Meeting	Phase IV – Plan Preparation	May 2026	-Meeting with City staff
9.2 Notice of Preparation	Phase IV – Plan Preparation	May 2026 – June 2026	-NOP
9.3 Project Description	Phase IV – Plan Preparation	May 2026 – July 2026	-Project Description

9.4 Scoping Meeting	Phase IV – Plan Preparation	June 2026 – July 2026	-Attendance at Scoping Meeting
9.5 AB 52 and SB 18 Consultation	Phase IV – Plan Preparation	April 2026 – October 2026	-Tribal Consultation
9.6 ADEIR	Phase IV – Plan Preparation	July 2026 – September 2026	-ADEIR
9.7 Screencheck DEIR	Phase IV – Plan Preparation	October 2026 – November 2026	-Screencheck DEIR
9.8 Public Draft EIR	Phase IV – Plan Preparation	November 2026 – December 2026	-Draft for Public Review
9.9 Response to Comments and Admin FEIR	Phase IV – Plan Preparation	February 2027 – March 2027	-Response to Comments and Admin FEIR
9.10 MMRP	Phase IV – Plan Preparation	February 2027 – March 2027	-MMRP
9.11 Final EIR	Phase IV – Plan Preparation	April 2027	-Final EIR
9.12 CEQA Findings and Statement of Overriding Considerations	Phase IV – Plan Preparation	April 2027	-CEQA findings
9.13 Administrative Record	Phase IV – Plan Preparation	April 2027	-Admin Record
9.14 Legal Review	Phase IV – Plan Preparation	August 2026 – September 2026	
Task 10 Hearings and Adoption			
10.1 Planning Commission and City Council Meetings	Phase II – Learning Phase VI – Plan Adoption	PC/CC Workshops/Study Sessions Adoption Hearings – May – August 2007	-PC/CC Study Sessions/Workshops per Community Engagement Plan - Public Hearing attendance
10.2 Final General Plan		Post Adoption – August/September 2027	-Final General Plan documents

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2511 Garden Road, Suite C-250
Monterey, California 93940
831-333-0310

3 Cost Estimate Summary (Amended 4.14.23)

3.1 Cost Assumptions

Rincon has provided an itemized budget below inclusive of anticipated costs associated with the project, broken down by task and person per hour. This budget includes labor categories, hourly rate, estimated hours per task and total number of hours and costs, along with subconsultant labor and direct costs. This budget has been prepared with the objective of providing an honest assessment of fees and expenses, and we have identified assumptions aimed at ensuring clear expectations.

Rincon assumed the following in developing our scope of work and cost estimate.

- All deliverables will be provided electronically in PDF and/or Word format. Comments from the City will be provided as a single, consolidated set of comments in editable electronic format (i.e., as track changes in MS Word). Following review, each deliverable will be finalized and submitted in electronic (PDF and/or Word) format. The City will be responsible for printing all hard copy documents.
- Assumptions related to outreach materials have been included in Section 1 under each relevant task. Materials and printing costs will be established through the Community Engagement Plan in accordance with the allotted budget.
- Costs have been allocated to tasks based upon Rincon's proposed approach. Rincon may re-allocate costs among tasks and/or direct costs as circumstances warrant so long as the adjustments maintain the total price within its authorized amount.
- The fees associated with this project are our best estimates based upon our experience and the information provided. Unexpected or unanticipated circumstances may arise that cause additional work to be necessary or which may affect the proposed scope and budget. Rincon recommends including a 10% contingency to cover these potential circumstances. Use of the contingency would only be used upon mutual agreement with City staff.
- Rincon included the meeting assumptions provided in **Table 2** in developing our scope of work and cost estimate.
- Other Direct Costs. Costs associated with the execution of a project, that are not included in the hourly rates above, are billed at cost plus 16%. These may include, but are not limited to, laboratory and drilling services, subcontractor services, authorized travel expenses, permit charges and filing fees, mailings and postage, performance bonds, sample handling and shipment, rental equipment, and vehicles other than covered by the above charges.
- Annual Escalation. Rincon's standard rates are subject to an annual escalation. Rincon will meet with City staff annually to adjust scope, fee and schedules to accommodate these changes. The contingency budget is anticipated to be used to support increased fees that resulting from annual fee schedule escalation.
- To accommodate the Fiscal Year budget limits, the schedule includes pauses generally occurring during November – December. During these or any other scheduled pauses, project work will be paused, including any coordination meetings, calls and emails.
- Payment Terms. All fees will be billed to Client monthly and shall be due and payable upon receipt or as indicated in the contract provisions for the assignment. Invoices are delinquent if not paid within ten (10) days from receipt or per the contractually required payment terms.

3.2 Focused General Plan Update Cost Summary

The estimated budget for the Focused General Plan Update would be:

- Without contingency - **$1,993,699.70**
- With 10% contingency - **$2,193,069.67**

We are prepared to initiate work immediately upon execution of a contract and receipt of a notice to proceed. All budget assumptions provided in the original Focused General Plan update proposal shall apply unless otherwise specified in this supplement dated April 14, 2023.

3.3 Focused General Plan Update Fiscal Year Breakdown

At the City's request, we have prepared a breakdown of the Focused General Plan Update costs by fiscal year. The City of Pacific Grove's fiscal year starts on July 1. **Table 3** provides a fiscal year breakdown summary of the Focused General Plan Update.

Table 4 is an itemized budget inclusive of anticipated costs associated with the project, broken down by task and hours. This table amends the Cost Estimate provided in the original Focused General Plan Update proposal. All other cost assumptions are as provided in the Focused General Plan update unless otherwise specified in this supplement dated April 14, 2023.

Rincon Consultants, Inc.

2511 Garden Road, Suite C-250
Monterey, California 93940
831-333-0310

Table 2 – Meeting Cost Assumptions

	Rincon	WRT	Kimley-Horn	EPS
1.1 Kick Off Meeting and City Tour (in person)				
Attendees	3 attendees in-person, 3 attendees virtual	2 attendees in-person	1 attendee in-person	2 attendees in-person
Estimated Duration	2 hour Kick Off + 4 hour City Tour	2 hour Kick Off + 4 hour City Tour	2 hour Kick Off + 4 hour City Tour	2 hour Kick Off + 4 hour City Tour
Travel	13 hours, 200 miles round trip, 1 flight round-trip (combined)	4 hours, 230 miles round-trip	1 hour round-trip	2 hours, round-trip
1.4 Biweekly Staff Meetings (virtual)				
Attendees	Avg 1.5 attendees	As needed	As needed	As needed
Estimated Duration	30 mins, 85 total mtgs	30 mins	30 mins	30 mins
*this assumes a total of 85 meetings which would cover biweekly meetings for approximately 3 years. If biweekly meetings are needed beyond a 3 year period or in excess of 85 meetings the scope and fee for this task will need to be reevaluated.				
2.3 Community Workshops (2 in-person, 13 virtual)				
Attendees	2 attendees	2 attendees	1 attendee	
Estimated Duration	2 hours setup + tear-down, 2 hours hosting	2 hours setup + tear-down, 2 hours hosting	2 hours setup + tear-down, 2 hours hosting	
Travel	13 hours, 200 miles round-trip, 1 flight round trip	4 hours, 230 miles round-trip	1 hour round-trip	
2.4 General Plan Technical Advisory Group (virtual)				
Attendees	2 attendees	1 attendee	1 attendee	N/A
Estimated Duration	2 hours, 6 total mtgs	2 hours, 5 meetings	2 hours, 1 meeting	
2.5 Stakeholder Interviews (virtual)				
Attendees	2 attendees	1 attendee	1 attendee	2 attendees
Estimated Duration	1 hour, 20 meetings	1 hour, 2 meetings	1 hour, 1 meeting	2 eight-hour meetings (in-person or virtual)
2.6 Walking Tour				
Attendees	1 attendee	2 attendees		
Estimated Duration	8 hours	8 hours		

	Rincon	WRT	Kimley-Horn	EPS
Travel	5 hours, 200 miles round trip	4 hours, 230 miles round trip		
8.1 CAAP Kickoff (virtual)				
Attendees	4 attendees			
Estimated Duration	One hour			
8.1 CAAP Monthly Meetings (virtual)				
Attendees	1 attendee			
Estimated Duration	One hour			
8.4.3 Updated Measures and Action List (Beautification and Natural Resources Commission) (virtual)				
Attendees	1 attendee			
Estimated Duration	Two hours			
9.1 Public Meetings (4 in-person, 7 virtual)				
Attendees	2 - 3 attendees (depending on meeting)	2 attendees	2 attendees	
Estimated Duration	3 hours, 11 meetings	3 hours, 2 meetings (virtual)	3 hours, 2 meetings	
Travel	13 hours, 200 miles round trip, 1 flight round-trip (combined)		1 hour round trip	

*Travel assumptions are per each in-person meeting

Notes: Additional scope and budget for coordination meetings has been included within Task 1, but is an allowance based on overall needs for project coordination throughout the life the of project and therefore detailed assumptions are not included in this table.

Table 3- Focused General Plan Update Fiscal Year Breakdown Summary (Amended 4.14.23)

Task Description	2023 FY (to 6/30/23)	2024 FY (7/1/23- 6/30/24)	2025 FY (7/1/24 to 6/30/25)	2026 FY (7/1/25 - 6/30/26)	2027 FY (7/1/26 - 6/30/27)	2028 FY (7/1/27 - 6/30/28)	Total
Task 1: Project Initiation and Coordination	$49,687	$49,514	$30,564	$30,564	$30,564	$10,132	$201,024
Task 2: Community Engagement	$7,008	$156,284	$144,746	$59,881	$0	$0	$367,919
Task 3: Existing Conditions, Issues and Opportunities	$0	$265,265	$153,895	$0	$0	$0	$419,160
Task 4: Alternatives	$0	$0	$53,496	$18,932	$0	$0	$72,427
Task 5: General Plan	$0	$0	$0	$160,045	$40,594	$0	$200,638
Task 6: Zoning Ordinance Amendments	$0	$0	$0	$19,778	$0	$0	$19,778
Task 7: Objective Design and Development Standards	$0	$104	$93,442	$39,403	$0	$0	$132,948
Task 8: Climate Action and Adaptation Plan	$2,754	$7,068	$5,912	$66,800	$44,059	$0	$126,593
Task 9: CEQA Analysis (Program EIR)	$0	$0	$0	$83,434	$255,034	$0	$338,468
Task 10: Hearings and Adoption	$0	$15,934	$10,198	$20,113	$29,083	$39,416	$114,743
Total	**$59,450**	**$494,168**	**$492,252**	**$498,948**	**$399,334**	**$49,548**	**$1,993,700**

Note: the total budget reflected in this table does not include the recommended 10% contingency as it cannot be determined if or when it would be used.

Table 4 – Focused General Plan Update Cost Proposal (Amended 4.14.23)

RINCON CONSULTANTS, INC.

22-13730 City of Pacific Grove General Plan, Zoning Code and CEQA

Cost Estimate

	Rate	Hours	Labor Budget	Direct Expenses	Total Budget
Task 1: Project Initiation and Coordination		638.00	141,159.00	59,865.00	201,024.00
1.1 Kickoff Meeting and City Tour		83.00	21,168.00	13,615.80	34,783.80
1.2 Document Review and Gathering		22.00	4,596.00	14,732.00	19,328.00
1.3 Scope of Work and Schedule Refinement		7.00	1,791.00	1,972.00	3,763.00
1.4 Document Set Up		36.00	6,324.00	0.00	6,324.00
1.5 Project Coordination		490.00	107,280.00	29,545.20	136,825.20
Task 2: Community Engagement		1,206.00	241,330.00	126,589.40	367,919.40
2.1 Community Engagement Plan		80.00	17,208.00	1,392.00	18,600.00
2.2 Online Engagement		214.00	41,016.00	12,992.00	54,008.00
2.3 Community Workshops		596.00	119,390.00	56,594.40	175,984.40
2.4 General Plan Technical Advisory Group		114.00	24,450.00	18,014.80	42,464.80
2.5 Virtual Stakeholder Interviews		102.00	20,078.00	23,037.60	43,115.60
2.6 Walking Tours		20.00	3,816.00	14,558.60	18,374.60
2.7 Engagement Toolkits		30.00	6,042.00	0.00	6,042.00
2.8 Task 2 GIS Services		30.00	4,344.00	0.00	4,344.00
2.9 CAAP Engagement Coordination		20.00	4,986.00	0.00	4,986.00
Task 3: Existing Conditions, Issues and Opportunities		795.00	151,919.00	267,240.80	419,159.80
3.1 General Plan Audit		50.00	9,880.00	0.00	9,880.00
3.2. Existing Conditions Background Report		464.00	89,850.00	210,482.00	300,332.00
3.3 Vision and Guiding Principles Development		24.00	4,746.00	6,704.80	11,450.80

3.4 SWOT Analysis, Preliminary Policy and Implementation Measure Recommendation	175.00	36,127.00	50,054.00	86,181.00
Task 3 GIS Services	82.00	11,316.00	0.00	11,316.00
Task 4: Alternatives	200.00	41,258.00	31,169.20	72,427.20
4.1 Land Use, Community Design and Circulation Alternatives Analysis	148.00	31,558.00	20,590.00	52,148.00
4.2 Preferred Alternative	34.00	7,216.00	10,579.20	17,795.20
Task 4 GIS Support	18.00	2,484.00	0.00	2,484.00
Task 5: General Plan	694.00	135,806.00	64,832.40	200,638.40
5.1 First Administrative Draft General Plan	376.00	72,140.00	45,959.20	118,099.20
5.2 Second Administrative and Public Draft General Plan	298.00	60,906.00	18,873.20	79,779.20
Task 5 GIS Services	20.00	2,760.00	0.00	2,760.00
Task 6: Zoning Ordinance Amendments	98.00	19,778.00	0.00	19,778.00
6.1 6th Cycle Housing Element + General Plan Consistency Memo	64.00	13,784.00	0.00	13,784.00
6.2 Administrative and Public Review Zoning Map Updates	34.00	5,994.00	0.00	5,994.00
Task 7: Objective Design and Development Standards	30.00	6,984.00	125,964.40	132,948.40
7.1 ODDS Initiation and Issue Identification	10.00	2,328.00	7,331.20	9,659.20
7.2 ODDS Development	8.00	1,758.00	33,756.00	35,514.00
7.3 Administrative and Public Review Draft	12.00	2,898.00	84,877.20	87,775.20
Task 8: Climate Action and Adaptation Plan	615.00	119,633.00	6,960.00	126,593.00
8.1 CAAP Kickoff Meeting and Monthly Meetings	70.00	15,662.00	0.00	15,662.00
8.2 Existing Measure Analysis and Success Tracking	16.00	3,052.00	0.00	3,052.00
8.3 GHG Inventories, Forecast and Targets	82.00	14,784.00	6,960.00	21,744.00
8.4 Draft and Final CAAP Strategy Selection	108.00	20,588.00	0.00	20,588.00
8.5 Measure Technical Appendix	68.00	12,626.00	0.00	12,626.00
8.6 Develop Tools for Monitoring, Tracking and Activation	22.00	4,264.00	0.00	4,264.00

8.7 Develop Draft and Final Climate Action and Adaptation Plan	120.00	22,312.00	0.00	22,312.00
8.8 CEQA GHG Streamlining Checklist	53.00	10,945.00	0.00	10,945.00
8.9 CEQA GHG Thresholds	76.00	15,400.00	0.00	15,400.00
Task 9: CEQA Analysis (Program EIR)	1,499.00	302,175.00	36,293.10	338,468.10
9.1 CEQA Kickoff Meeting	11.00	2,599.00	0.00	2,599.00
9.2 Notice of Preparation	12.00	2,402.00	0.00	2,402.00
9.3 Project Description	25.00	4,591.00	0.00	4,591.00
9.4 Scoping Meeting	25.00	5,866.00	818.90	6,684.90
9.5 AB 52 and SB 18 Consultation Assistance	18.00	3,935.00	0.00	3,935.00
9.6 Administrative Draft EIR	970.00	192,872.00	34,684.00	227,556.00
9.7 Screencheck Draft EIR	68.00	13,404.00	0.00	13,404.00
9.8 Public Draft EIR	54.00	9,686.00	674.00	10,360.00
9.9 Response to Comments and Administrative Final EIR	150.00	31,810.00	0.00	31,810.00
9.10 Mitigation Monitoring and Reporting Program	21.00	4,150.00	0.00	4,150.00
9.11 Final EIR	43.00	8,590.00	116.20	8,706.20
9.12 CEQA Findings, Statement of Overriding Considerations, and Resolution	50.00	10,050.00	0.00	10,050.00
9.13 Administrative Record	32.00	6,860.00	0.00	6,860.00
9.14 Legal Review	20.00	5,360.00	0.00	5,360.00
Task 10: Hearings and Adoption	347.00	81,740.00	33,003.40	114,743.40
10.1 Planning Commission and City Council Meetings	316.00	75,468.00	33,003.40	108,471.40
10.2 Final General Plan	31.00	6,272.00	0.00	6,272.00
Project Total	**6,122.00**	**1,241,782.00**	**751,917.70**	**1,993,699.70**
Total with 10% Contingency				**2,193,069.67**

Direct Expenses Summary	**Amount**
Digital Production - Flash Drive	40.00
Per Diem - job chargeable	3,016.00
Per Diem- Lodging	300.00
Photocopies - Black and White	250.00

Photocopies - Color	992.00
Postage, Shipping, Delivery	232.00
Travel - Mileage	1,716.10
Travel (airfare, ground trans, lodging)	3,664.00
Vehicle Day Rate	630.00
WRT	359,634.80
EPS	132,321.20
Kimley Horn	249,121.60
Direct Expenses Subtotal	751,917.70

Rincon Consultants, Inc.

2511 Garden Road, Suite C-250
Monterey, California 93940
831-333-0310

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

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: City Attorney Brian Pierik, Erica Vega, Esq., City Manager Ben Harvey, Administrative Services Director/Assistant City Manager Tori Hannah

MEETING DATE: May 17, 2023

SUBJECT: CONCEPT REVIEW: Draft Cannabis Regulations

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

RECOMMENDATION
Discuss the draft cannabis licensing and zoning ordinances and provide direction to staff.

DISCUSSION
Pacific Grove voters approved Measures M and N at the November 8, 2022 general election. Measure M was an advisory measure asking the voters the following question: "Should the Pacific Grove City Council be authorized to amend the Municipal Code to allow retail sales of medical or recreational cannabis, limited to one single location within the City, at a location no closer than 1000 feet from any existing licensed Daycare/Preschools, Youth Center, and Schools, to engage in commercial cannabis activities?" Measure N established a tax on cannabis businesses at the rate of 6% of gross receipts from the retail sale of cannabis (storefront and delivery sales). Copies of Measure M and Measure N are attached to this report.

At the December 7, 2022 City Council meeting, the Council directed the City Manager and City Attorney to create a cannabis licensing program to authorize one cannabis retail storefront to operate in the City, consistent with the voter approval of Measure M.

Two draft ordinances have been prepared, a licensing ordinance and a zoning ordinance, and are attached to this report for the Council's review and feedback. Specifically, direction is needed on certain key issues and questions identified in the table below.

Issues	Ordinance Section
Starting 1/1/24, State law will prohibit local ordinances that prohibit or have the effect of prohibiting the delivery of medicinal cannabis. Ordinances that limit the number of medicinal cannabis delivery businesses that can locate within the City may violate this new law. Direction is needed on to what extent the City Council wants to allow **non-storefront/delivery-only** cannabis retailers in addition	11.100.050.B

to the 1 storefront retailer. If a numeric limit on delivery-only businesses is desired, should they be subjected to the same competitive process as the one storefront retailer?	
How long should the application period be?	11.100.060.A
Should the City conduct background checks on the owners of a cannabis business? The State conducts a background checks as well. If yes, does the City want to establish a list of disqualifying convictions or should the background check results be a part of the rating process?	11.100.060.B.2
How many people should review and score applications? Are there specific individuals who should be a part of this process	11.100.060.C
Do you want a lottery for the license(s) or award based solely on application ranking?	11.100.060.D
How long should a licensee have to secure a Use Permit after their license is awarded?	11.100.060.D
Does the City want to allow cannabis to be consumed on the premises of the storefront retail location?	11.100.110.G
What zones should cannabis retailers (storefront and delivery-only) be permitted with a use permit?	23.92.060.B.2
Are there any additional locational restrictions that should be added to where a cannabis retailer may locate?	23.92.070

With respect to the first issue in the table above regarding non-storefront, delivery-only retailers, City staff conferred with HdL on this issue and their recommendation is that the City allow delivery-only retailers in addition to the one storefront retailer without numeric limits.

The ordinance calls for administrative rules to be drafted that provide more detail on the implementation of the ordinances. These rules will include more detail on the application process, rating criteria, lottery process (if desired by Council), etc. The rules will be drafted after the Council provides its initial feedback on the draft ordinances.

OPTIONS

Provide alternative direction.

FINANCIAL IMPACT:

Estimated annual revenue up to $300,000.

While administrative costs are unknown, the pending Comprehensive Fee Study will consider the amount of fees needed to facilitate on-going cost recovery.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

1 Measure M

2 Measure N

3 Draft Cannabis Licensing Ordinance
4 Draft Cannabis Zoning Ordinance
5 Cannabis Map

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RESOLUTION NO. 22-037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AUTHORIZING AN ADVISORY MEASURE TO BE PLACED ON THE BALLOT FOR THE CITY OF PACIFIC GROVE, ORDERING AN ELECTION, REQUESTING CONSOLIDATION OF THE ELECTION WITH THE GENERAL AND STATEWIDE CONSOLIDATED ELECTION TO BE HELD ON NOVEMBER 8, 2022

WHEREAS, Proposition 64 of 2016, approved by California voters in November 2016, legalized adult recreational use of cannabis; and

WHEREAS, Pacific Grove Municipal Code (PGMC or Code) Chapter 11.100, enacted in 2017, prohibits cannabis activities and makes it unlawful for any person to sell cannabis or cannabis products within city limits; and

WHEREAS, PGMC section 11.100.040 also prohibits sale or provision of medicinal cannabis within city limits; and

WHEREAS, This Resolution shall place a non-binding advisory ballot measure before Pacific Grove voters at the November 8, 2022, election to determine if there is support or opposition for the City Council to amend the PGMC to create a licensing process that would allow cannabis retail sales at a single licensed and regulated commercial cannabis establishment; and

WHEREAS, The ballot measure referenced in this Resolution shall have no independent force or effect, and shall not require the City Council to take action or withhold action based on the results of the election; and

WHEREAS, This Resolution is exempt from the CEQA, Public Resources Code Section 21000 et seq., because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment (Pub. Resources Code § 21065; CEQA Guidelines §§ 15378, 15061).

WHEREAS, pursuant to Elections Code Section 10002, the governing body of the City of Pacific Grove requests the Board of Supervisors of Monterey County to permit Monterey County Elections to provide any and all services necessary for conducting an election on November 8, 2022, for purposes of placing a ballot measure before the electorate; and

WHEREAS, pursuant to Elections Code Section 10002, Monterey County Elections shall supply the elections official with a list of its precincts, or consolidated precincts, as applicable; and

WHEREAS, pursuant to Elections Code Section 10002 the City shall reimburse the county in full for the services performed upon presentation of a bill; and

WHEREAS, the City Clerk and County Registrar of Voters are authorized to print forms, publish notices, and provide information as may be necessary or convenient to assure the orderly conduct of the election, and they shall do all other things necessary to facilitate the holding of the election in a manner consistent with law; and

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WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation. The resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election;

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

WHEREAS, except as otherwise recited in this resolution, the election shall be held and conducted as provided by the law for holding elections.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AND ORDER that the Whereas provisions set forth above are an integral part of this Resolution and are adopted as if set forth in their entirety.

BE IT FURTHER RESOLVED AND ORDERED the governing body of the City of Pacific Grove hereby orders an election be called and consolidated with any and all elections also called to be held on **November 8, 2022** insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10400, 10401 and 10403.

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Elections Code Section 10002 said governing body hereby requests the Board of Supervisors of the County of Monterey to permit the Monterey County Elections Department to provide any and all services necessary for conducting an election and agrees to pay for said services in full, and

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department shall conduct the election to be held on November 8, 2022 and submit to the electorate the following question:

ADVISORY MEASURE ( )

Should the Pacific Grove City Council be authorized to amend the Municipal Code to allow retail sales of medical or recreational cannabis, limited to one single

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location within the City, at a location no closer than 1000 feet from any existing licensed Daycare/Preschools, Youth Center, and Schools, to engage in commercial cannabis activities?

Yes ( )
No ( )

BE IT FURTHER RESOLVED AND ORDERED that the City Council directs the City Clerk to take all actions necessary to submit the measure to the Registrar of Voters for placement on the November 8, 2022 ballot and comply with provisions of the Elections Code of the State of California, City Charter, Ordinances, Resolutions and Policies regarding the conduct of that election.

BE IT FURTHER RESOLVED that the City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the City measure, in accordance with the California Elections Code. Arguments in favor of or against the measure shall each not exceed 300 words in length. Each argument shall be signed and filed with the City Clerk and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. Submittals are to be delivered to the City Clerk no later than 12:00 p.m. on August 18, 2022. Authors of any argument in favor or in opposition may prepare and submit rebuttal arguments not exceeding 250 words, in the same manner as the direct arguments. Submittals are to be delivered to the City Clerk no later than 12:00 p.m. on August 25, 2022.

BE IT FURTHER RESOLVED that in the interest of providing relevant information to the voters on the potential effect of the measure, the City Council requests that Exhibit A – a Cannabis Map dated July 20, 2022 be included in the voter guide as an example as of the date of the map where cannabis businesses could be allowed should the City Council implement the measure as authorized.

BE IT FURTHER RESOLVED that the City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure. Submittal of the Impartial Analysis is to be delivered to the City Clerk no later than 12:00 p.m. on August 18, 2022.

BE IT FURTHER RESOLVED that that if any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

BE IT FURTHER RESOLVED THAT voter approval requirement is by majority vote of people of the City of Pacific Grove.

BE IT FURTHER RESOLVED that that this Resolution shall take effect immediately upon its adoption.

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PASSED AND ADOPTED by the City Council of the City of Pacific Grove on this 20TH day of July, 2022 by the following vote:

AYES: Mayor Peake, Councilmembers Coletti, McAdams, Poduri, Smith, and Tomlinson.
NOES: Mayor Pro Tem Amelio.
ABSENT: None.

APPROVED:

DocuSigned by:
Bill Peake
2E6F9DE48137414...
BILL PEAKE, Mayor

ATTEST:
DATED: 7/25/2022

DocuSigned by:
Sandra Kandell
7882F89F4EDE420...
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Brian Pierik
01871FB17BD8435...
BRIAN A. PIERIK, City Attorney

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EXHIBIT A

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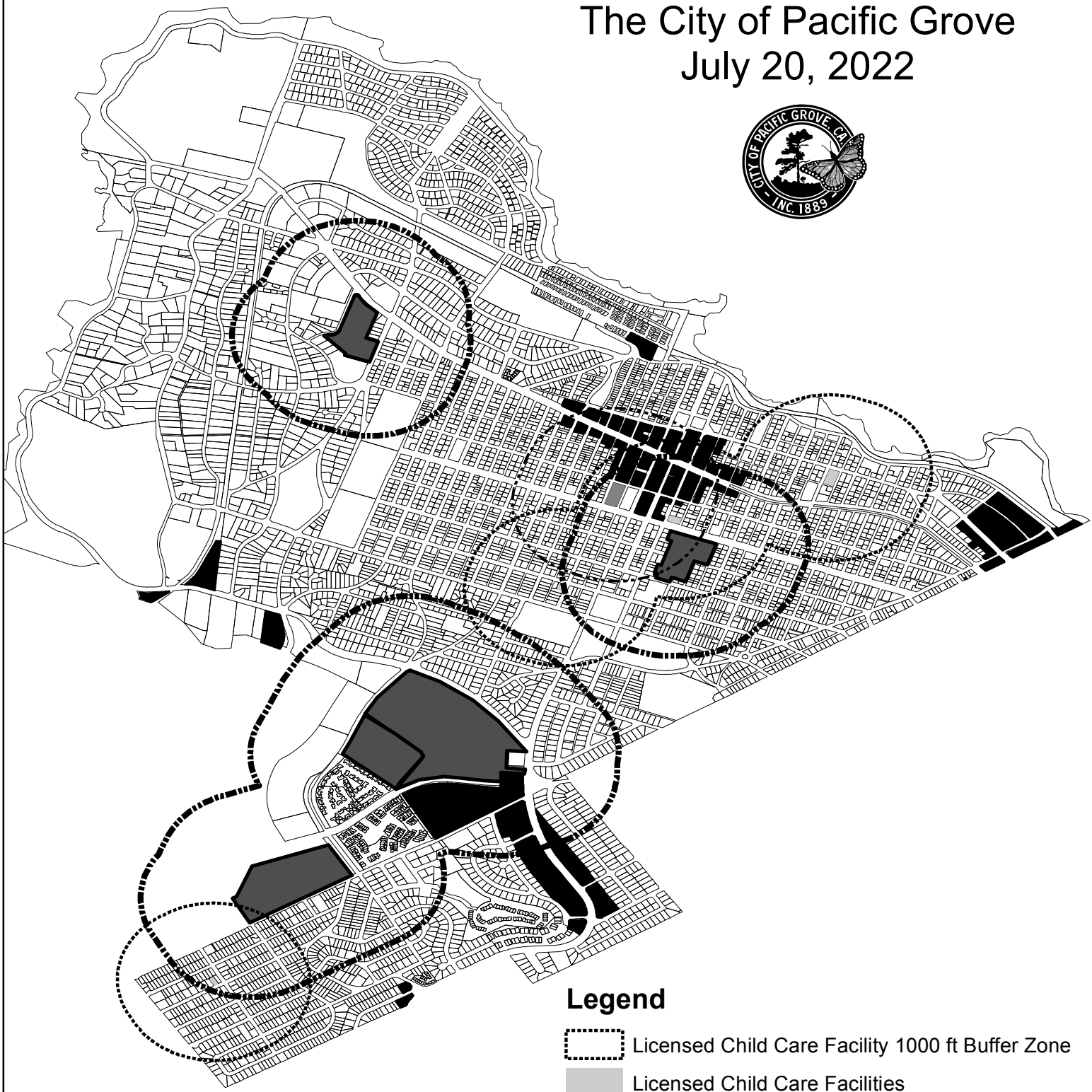
Map of Cannabis Buffer Zones
The City of Pacific Grove
July 20, 2022



Legend

- Licensed Child Care Facility 1000 ft Buffer Zone
- Licensed Child Care Facilities
- Pacific Grove Youth Center 1000 ft Buffer Zone
- Pacific Grove Youth Center
- Pacific Grove Schools 1000 ft Buffer Zone
- Pacific Grove Schools
- Commercial Zone
- Pacific Grove Parcels

0 1,000 Feet

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RESOLUTION NO. 22-038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE SUBMITTING TO THE CITY VOTERS A BALLOT MEASURE TO ESTABLISH A BUSINESS TAX ON BUSINESSES WHICH SELL AND DELIVER CANNABIS AND CANNABIS PRODUCTS INCLUDING INDUSTRIAL HEMP AND HEMP PRODUCTS; ORDERING AN ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION AND REQUESTING CONSOLIDATION OF THE ELECTION WITH THE GENERAL MUNICIPAL AND STATEWIDE CONSOLIDATED ELECTION TO BE HELD ON NOVEMBER 8, 2022

WHEREAS, Sections 37101 and 37100.5 of the California Government Code authorize the City to levy a license tax, for revenue purposes, upon business transacted in the City; and

WHEREAS, as a result of recent voter-approved changes to state law and new state regulations being implemented, there has been a very strong interest by cannabis businesses to open in the City; and

WHEREAS, the California Industrial Hemp Farming Act, (Government Code Section 81600 et seq. and related regulations) authorize the commercial production of Industrial Hemp in California; and

WHEREAS, the City Council will consider enactment of a cannabis and hemp regulatory ordinance; and

WHEREAS, if cannabis and hemp businesses are authorized, they are likely to create demands upon City services, and the City's current tax system does not currently impose any taxes on retail and delivery cannabis businesses, aside from generally applicable municipal taxes; and

WHEREAS, the City Council desires to adopt a tax ordinance in order to impose the tax upon cannabis and hemp businesses, to be known as the "Cannabis Business Tax"; and

WHEREAS, proceeds of the Cannabis Business Tax will be used to offset demands on City service and to augment the City's General Fund; and

WHEREAS, the Cannabis Business Tax cannot be imposed without majority voter approval; and

WHEREAS, pursuant to Elections Code Section 10002, the governing body of the City of Pacific Grove requests the Board of Supervisors of Monterey County to permit Monterey County Elections to provide any and all services necessary for conducting an election on November 8, 2022, for purposes of placing a ballot measure before the electorate; and

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WHEREAS, pursuant to Elections Code Section 10002, Monterey County Elections shall supply the elections official with a list of its precincts, or consolidated precincts, as applicable; and

WHEREAS, pursuant to Elections Code Section 10002 the City shall reimburse the county in full for the services performed upon presentation of a bill; and

WHEREAS, the City Clerk and County Registrar of Voters are authorized to print forms, publish notices, and provide information as may be necessary or convenient to assure the orderly conduct of the election, and they shall do all other things necessary to facilitate the holding of the election in a manner consistent with law; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation. The resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election;

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

WHEREAS, except as otherwise recited in this resolution, the election shall be held and conducted as provided by the law for holding elections.

WHEREAS, the City Council desires to submit a Cannabis Business Tax measure to the voters of the City at a General Municipal Election to be held on Tuesday, November 8, 2022, and to be consolidated with the general municipal election and the statewide election to be held on that date.

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

Section 1. Recitals. The City Council hereby finds and determines that the foregoing recitals are true and correct.

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Section 2. Proposal. The City Council hereby proposes that the voters adopt an ordinance (hereafter also referenced as "measure") establishing a Cannabis Business Tax. The proposed ordinance submitted to the voters is entitled "An Ordinance of the City of Pacific Grove, California Adding Chapter 7.14 (Cannabis Business Tax) to Title 7 of the Pacific Grove Municipal Code Establishing a Tax on Cannabis and Hemp Business Activities within the City." The full text of the ordinance is attached to this Resolution as Exhibit "A" and incorporated by reference. The full text of the proposed ordinance is not required to be printed in the Sample Ballot and Voters Pamphlet. However, the full text shall be made available to the public and to any voter at the County Elections Department and the Pacific Grove City Clerk.

Section 3. Election. Pursuant to Article 8 and Elections Code Sections 10400, 10401, and 10403, the City Council of the City of Pacific Grove hereby orders an election be called and consolidated with any and all elections also called to be held at the General Election for Tuesday November 8, 2022 (the "Election") insofar as said elections are to be held in the same territory that is in part the same as the territory of the Board of Supervisors of the County of Monterey and orders and orders, pursuant to Section 9222 of the Elections Code, that the Cannabis Business Tax Ordinance be submitted to the voters at that election.

Section 4. Ballot Question. The question submitted by Section 4 of this Resolution shall appear on the ballot as follows:

To fund general municipal expenses such as police, fire, roads and recreation, and for unrestricted general fund purposes, shall an ordinance be adopted establishing a City excise tax on cannabis businesses (which includes hemp) at an annual rate not to exceed 6% of gross receipts for retail and delivery cannabis businesses, which is expected to generate an estimated $300,000 annually and will be levied until repealed by the voters?	**YES**	
	NO	

Section 5. Publication of Measure. The City Clerk is directed to publish a synopsis of the measure at least one time not later than one week before the election in accordance with Section 12111 of the Elections Code.

Section 6. Approval. Under Article XIII C of the Constitution, the vote requirement for this measure to pass shall be a majority of those casting ballots on the measure (50% plus 1).

Section 7. Consolidation. Pursuant to Section 10400 et seq. of the Elections Code, the governing body of the City of Pacific Grove hereby orders an election be called and consolidated with any and all elections to be held, and the Board of Supervisors of Monterey County and requests to consolidate the Election with the General Municipal Election and Statewide Election to be held on November 8, 2022. The City Clerk and the County Registrar of Voters are authorized to print such forms, publish such notices, and provide such information as may be necessary or convenient to assure the orderly holding of the election,

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and they shall do all other things necessary to facilitate the holding of the election in a manner harmonious and consistent with law.

Section 8. California Environmental Quality Act. The City Council hereby finds and determines that this resolution is exempt from the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. ("CEQA") and 14 Cal. Code Re. Sections 15000 et seq. ("CEQA Guidelines"). The calling and noticing of an election for the submission of a ballot measure to voters is not a project within the meaning of CEQA Guidelines 15378. The tax submitted to the voters is a general tax that can be used for any governmental purpose; it is not a commitment to any particular action or actions.

As such, under CEQA Guidelines Section 15378 (b)(4), the tax is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. If revenue generated by the tax were used for a purpose that would have such an effect, the City of Pacific Grove would undertake the required CEQA review for that particular project. Therefore, pursuant to CEQA Guideline Section 15060 CEQA analysis is not required.

Section 9. Canvass. The Board of Supervisors is authorized to canvass the returns of the Election pursuant to Section 10411 of the Elections Code.

Section 10. Conduct of Election. Pursuant to Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the County Elections Department to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the City agrees to reimburse the County, in accordance with current County pro-rations and allocation procedures.

Section 11. Filing with County. The City Clerk shall file a certified copy of this Resolution with the County Elections Department.

Section 12. Analysis and Argument. Pursuant to Elections Code Section 9280, the City Attorney shall prepare an impartial analysis of the measure that shall exceed 500 word no later than 12:00 p.m. on August 18, 2022. Any person or persons may file an argument either for or against the ballot measure. An argument for or against the measure shall not exceed 300 words in length. If more than one argument is submitted for the measure, or more than one argument against the measure, the City Clerk shall select the argument to be included with the ballot materials. The last day to submit arguments for or against the proposed measure shall be August 18, 2022. Submittals are to be delivered to the City Clerk no later than 12:00 p.m. Rebuttal arguments shall be permitted pursuant to applicable law. The last day to submit rebuttal arguments to the City Clerk shall be August 25, 2022. Submittals are to be delivered to the City Clerk no later than 12:00 p.m.

Section 13. Implementation. The City Clerk and City Manager are authorized to take all actions as necessary to effectuate the purposes of this resolution and the election. The City Manager is authorized to execute all documents and to perform all other necessary acts to enter into a service agreement for the provision of election services with Monterey

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County Registrar of Voters. The City Clerk and City Attorney are authorized to make any typographical, clerical, and non-substantive corrections to this resolution as may be deemed necessary by the Monterey Elections Department.

Section 14. Declaration. The City Council shall meet to declare the results of the election called for by this Resolution at their regular meeting following certification of election results.

Section 15. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED by the Council of the City of Pacific Grove on this 20th day of July, 2022, by the following vote:

AYES: Mayor Peake, Councilmembers Coletti, McAdams, Poduri, Smith, and Tomlinson.
NOES: Mayor Pro Tem Amelio.
ABSENT: None.

APPROVED:

DocuSigned by:
Bill Peake
2E6F9DE48137414...
BILL PEAKE, Mayor

ATTEST:
DATED: 7/25/2022

DocuSigned by:
Sandra Kandell
7882F89F4EDE420...
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Brian Pierik
01871FB17BD8435...
BRIAN A. PIERIK, City Attorney

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EXHIBIT A

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EXHIBIT A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PACIFIC GROVE, CALIFORNIA ADDING CHAPTER 7 (CANNABIS BUSINESS TAX) TO TITLE 7, OF THE PACIFIC GROVE MUNICIPAL CODE ESTABLISHING A TAX ON CANNABIS BUSINESS ACTIVITIES WITHIN THE CITY

THE PEOPLE OF THE CITY OF PACIFIC GROVE DO ORDAIN AS FOLLOWS:

SECTION 1. CODE AMENDMENT. Chapter 7.14 is added to Title 7, of the Pacific Grove City Municipal Code to read as follows:

CHAPTER 7.14
CANNABIS BUSINESS TAX

7.14.010 Title.
7.14.020 Authority and purpose.
7.14.030 Intent.
7.14.040 Definitions.
7.14.050 Tax imposed.
7.14.060 Registration, reporting, and remittance of tax.
7.14.070 Payments and communications –timely remittance.
7.14.080 Payment – when taxes deemed delinquent.
7.14.090 Notice not required by City.
7.14.100 Penalties and interest.
7.14.110 Refunds and credits.
7.14.120 Refunds and procedures.
7.14.130 Personal cultivation not taxed.
7.14.140 Administration of the tax.
7.14.150 Appeal procedure.
7.14.160 Enforcement –action to collect.
7.14.170 Apportionment.
7.14.180 Constitutionality and legality.
7.14.190 Audit and examination of premises and records.
7.14.200 Other licenses, permits, taxes or charges.
7.14.210 Payment of tax does not authorize unlawful business.
7.14.220 Deficiency determinations.
7.14.230 Failure to report – nonpayment, fraud.
7.14.240 Tax assessment –notice requirements.
7.14.250 Tax assessment – hearing, application, and determination.
7.14.260 Relief from taxes-disaster relief.
7.14.270 Conviction for violation – taxes not waived.
7.14.280 Violation deemed misdemeanor.
7.14.290 Severability.
7.14.300 Remedies cumulative.

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7.14.310 Amendment or modification.

7.14.010 Title.

This ordinance shall be known as the Cannabis Business Tax Ordinance. This ordinance shall be applicable in the City of Pacific Grove, California which shall be referred to herein as "City."

7.14.020 Authority and Purpose.

The purpose of this Ordinance is to adopt a tax, for revenue purposes, pursuant to Sections 7284, and 7284.4 of the Revenue and Taxation Code, upon cannabis businesses that engage in business in the City. The Cannabis Business Tax is levied based upon business gross receipts. It is not a sales and use tax, a tax upon income, or a tax upon real property and shall not be calculated or assessed as such. The Cannabis Business Tax shall not be separately identified or otherwise specifically assessed or charged to any member, customer, patient, or caretaker. The Cannabis Business Tax is a general tax enacted solely for general, governmental purposes of the City and not for specific purposes. All of the proceeds from the tax imposed by this chapter shall be placed in the City's general fund and be available for any lawful City purpose.

7.14.030 Intent.

The intent of this Ordinance is to levy a tax on all cannabis retail businesses that operate in the City, regardless of whether such business would have been legal at the time this chapter was adopted. Nothing in this chapter shall be interpreted to authorize or permit any business activity that would not otherwise be legal or permissible under laws applicable to the activity at the time the activity is undertaken.

7.14.040 Definitions.

The following words and phrases shall have the meanings set forth below when used in this chapter:

A. An "arm's length transaction" is a sale entered into in good faith and for valuable consideration at a sales price that reflects the fair market value in the open market between two informed and willing parties, neither under any compulsion to participate in the transaction.

B. "Business" shall include all activities engaged in or caused to be engaged in within the City, including any commercial or industrial enterprise, trade, profession, occupation, vocation, calling, or livelihood, whether or not carried on for gain or profit, but shall not include the services rendered by an employee to his or her employer.

C. "Calendar year" means January 1 through December 31, of the same year.

D. "Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or

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purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" shall not include "industrial hemp," unless otherwise specified.

E. "Cannabis product" means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, an edible product, or a topical product. "Cannabis product" also means cannabis products as defined by Section 11018.1 of the California Health and Safety Code and is not limited to medicinal cannabis products.

F. "Cannabis business" means any business activity involving cannabis or industrial hemp, including but not limited to cultivating, transporting, distributing, manufacturing, compounding, converting, processing, preparing, storing, packaging, delivering, testing, dispensing, retailing, and wholesaling of cannabis, cannabis products, industrial hemp, industrial hemp products or of ancillary products and accessories, whether or not carried on for gain or profit.

G. "Cannabis business tax" means the tax due pursuant to this chapter for engaging in a cannabis business in the City.

H. "Commercial cannabis permit" means a permit, license, certificate, or other approval issued by the City to a person to authorize that person to operate a cannabis business or engage in business as a cannabis business within the City.

I. "Employee" means each and every person engaged in the operation or conduct of any business, whether as owner, member of the owner's family, partner, associate, agent, manager, or solicitor, and each and every other person employed or working in such business for a wage, salary, commission, barter or any other form of compensation.

J. "Engaged in business as a cannabis business" means the commencing, conducting, operating, managing, or carrying on of a cannabis business, whether done as owner, or by means of an officer, agent, manager, employee, or otherwise. A person shall be deemed engaged in business within the City if:

1. Such person or person's employee maintains a fixed place of business within the City for the benefit or partial benefit of such person;

2. Such person or person's employee owns or leases real property within the City for business purposes;

3. Such person or person's employee maintains a stock of tangible personal property in the City for sale in the ordinary course of business;

4. Such person or person's employee conducts solicitation of business within the City; or

5. Such person or person's employee performs work or renders services in the City.

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The foregoing specified activities shall not be a limitation on the meaning of "engaged in business."

K. "Evidence of doing business" means evidence such as, without limitation, use of signs, circulars, cards, or any other advertising media, including the use of internet or telephone solicitation, or representation to a government agency or to the public that such person is engaged in a cannabis business in the City.

L. "Fiscal year" means July 1, through June 30, which is the period used by the City for financial reporting and budgeting.

M. "Gross Receipts," except as otherwise specifically provided, means, whether designated as a sales price, royalty, rent, membership fee, ATM service fee, delivery fee, slotting fee, any other fee, vaping room service charge, commission, dividend, or other designation, the total amount (including all receipts, cash, credits, services and property of any kind or nature) received or payable for sales of goods, wares or merchandise, or for the performance of any act or service of any nature for which a charge is made or credit allowed (whether such service, act or employment is done as part of or in connection with the sale of goods, wares, merchandise or not), without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever. In the event the business is involved in a "non-arms" length transaction the gross receipts will be subject to the fair market value using a methodology approved by the Tax Administrator. However, the following shall be excluded from Gross Receipts:

1. Cash discounts were allowed and taken on sales;

2. Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;

3. Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;

4. Receipts derived from the occasional sale of used, obsolete or surplus trade fixtures, machinery or other equipment used by the taxpayer in the regular course of the taxpayer's business;

5. Cash value of sales, trades or transactions between departments or units of the same business located in the City of Pacific Grove and if authorized by the Tax Administrator in writing in accordance with Section 7.14.140 (B);

6. Whenever there are included within the gross receipts amounts which reflect sales for which credit is extended and such amount proved uncollectible in a subsequent year, those amounts may be excluded from the gross receipts in the year they prove to be uncollectible; provided, however, if the whole or portion of such amounts excluded as uncollectible are subsequently collected, they shall be included in the amount of gross receipts for the period when they are recovered;

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7. Receipts of refundable deposits, except that such deposits when forfeited and taken into income of the business shall not be excluded;

8. Amounts collected for others where the business is acting as an agent or trustee and to the extent that such amounts are paid to those for whom collected. These agents or trustees must provide the Tax Administrator with the names and the addresses of the others, and the amounts paid to them. This exclusion shall not apply to any fees, percentages, or other payments retained by the agent or trustees;

9. Retail sales of non-cannabis products, such as t-shirts, sweaters, hats, stickers, key chains, bags, books, posters, rolling papers, cannabis accessories such as pipes, pipe screens, vape pen batteries (without cannabis or industrial hemp) or other personal tangible property which the Tax Administrator has excluded in writing by issuing an administrative ruling per Section 7.14.140 shall not be subject to the cannabis business tax under this chapter. However, such transaction may be subject to Chapter 7.04 and Section 7.04.040.

10. Payments made by the tax-reporting cannabis business (Seller) to a cannabis business (Buyer) for the difference in the original acquisition price and subsequent renegotiated or finalized selling price of products or services sold to a specific end customer. This type of transaction is referred to as a "Billback". The tax-reporting cannabis business must provide supporting documentation to substantiate the transaction in order to be eligible for an exemption.

11. Any business which sells industrial hemp and/or hemp products or offers services or activities related to industrial hemp or hemp products and /or which is not required to obtain a cannabis or industrial hemp permit or license from the City or the State for the purpose of cultivating, growing, drying, curing, manufacturing, processing, packaging, transporting, distributing, testing or selling of industrial hemp either wholesale or retail shall be exempt from the cannabis tax provided that such business does not generate more than 50% of their total gross receipts in the reporting period from the business from industrial hemp activities. However, the exemption may be amended by the City Council by resolution or ordinance pursuant to Section 7.14.050 (B) to increase or decrease the percentage of the business's hemp and/or hemp products gross receipts reporting from zero to one hundred percent. To the extent the gross receipts from the hemp activities do not meet the relevant percentage to be included, this exclusion shall reduce the gross receipts to zero for the sole purpose of calculating the cannabis tax.

N. "Industrial hemp" means a crop that is limited to types of the plant Cannabis sativa L. having no more than three-tenths of 1 percent tetrahydrocannabinol (THC) contained in the dried flowering tops, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin produced therefrom. However, should the federal or state legislative body increase or decrease the percentage of tetrahydrocannabinol (THC) then this new limit shall be applicable to the tax unless modified by resolution or ordinance of the City Council pursuant to Section 7.14.310.

O. "Industrial hemp products" means any raw hemp that has undergone a process

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whereby the raw agricultural product has been transformed into a concentrate, an edible product, or a topical product. “Hemp product” also means hemp products as defined by Section 11018.5 of the California Health and Safety Code.

P. “Medicinal cannabis” or “medicinal cannabis product” means cannabis or a cannabis product, intended to be sold or sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code, for a medicinal cannabis patient in California who possesses a physician’s recommendation, or a cannabis card issued pursuant to Health and Safety Code Section 11362.71.

Q. A "non-arm's length transaction" is a transaction that does not meet the definition of an "arm's length transaction." In other words, the transaction is not a sale entered into in good faith and that reflects fair market value in the open market. One example of a non-arm's length transaction would be when a cultivator sells cannabis goods to a cannabis distributor at a sales price that is lower than what the same cultivator would to other cannabis distributors, or which does not reflect the fair market value in the open market.

R. “Person” means an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, whether organized as a nonprofit or for-profit entity, and includes the plural as well as the singular number.

S. “Retailer” means a person as defined in Section 7.14.040 (R) who sells cannabis, cannabis products, hemp and/or hemp products at their place of business or by delivery to an end user or customer for use or consumption rather than to another person or business for resale.

T. “Sale” “Sell” and “to sell” means and includes any sale, exchange, or barter either as a retailer or wholesaler by a person as defined by Section 7.14.040 (R) . It shall also mean any transaction whereby, for any consideration, title to cannabis, cannabis products, industrial hemp and/or industrial hemp products are transferred from one person to another and includes the delivery of cannabis, cannabis products, industrial hemp and/or industrial hemp products pursuant to an order placed for the purchase of the same, but does not include the return of cannabis, cannabis products, industrial hemp and/or industrial hemp products to the licensee from whom the cannabis, cannabis product, industrial hemp and/or industrial hemp product was purchased.

U. “State” means the State of California.

V. “State license,” “license,” or “registration” means a state license issued pursuant to California Business & Professions Code Section 26050, and all other applicable state laws, required for operating a cannabis business.

W. “Tax Administrator” means the City Manager of the City of Pacific Grove or his/her designee(s).

7.14.050 Tax Imposed.

A. Beginning January 1, 2023, there is imposed upon each person who is engaged in

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business as a cannabis business a cannabis business tax. Such tax is payable regardless of whether the person has been issued a commercial cannabis business license, permit, or certificate to operate lawfully in the City or is operating unlawfully. The City's acceptance of a cannabis business tax payment from a cannabis business operating illegally shall not constitute the City's approval or consent to such illegal operations.

B. The City Council may, by resolution or ordinance, increase or decrease the rate of the cannabis business tax, including the initial rate of the cannabis business tax. The City Council may, by resolution or ordinance, increase or decrease the rate of the cannabis business tax on hemp or hemp products, including the initial rate of the tax on hemp or hemp products independent of other cannabis activities. Notwithstanding the foregoing, in no event shall the City Council repeal this tax or set any adjusted rate that exceeds the maximum rates calculated pursuant to this chapter.

C. The maximum rate of the cannabis business tax shall be calculated as follows:

1. For every person engaged in retail sales of cannabis, cannabis products, industrial hemp, and/or industrial hemp products, including as a retailer (dispensary) or non-storefront retailer (retail delivery business), or microbusiness, the person shall be subject to the maximum tax rate not to exceed six percent (6%) of gross receipts.

D. Persons subject to the cannabis business tax shall register with the City and if applicable pay the registration fee adopted by resolution or ordinance by the City Council.

7.14.060 Registration, reporting and remittance of tax.

A. Registration of Cannabis Business. All cannabis businesses shall be required to annually register as follows:

1. All persons engaging in business as a cannabis business, whether an existing, newly established or acquired business shall register with the Tax Administrator within thirty (30) calendar days of commencing operation and shall annually renew such registration within 30 calendar days of the business registration anniversary date of each year thereafter. In registering, such persons shall furnish to the Tax Administrator a sworn statement, upon a form prescribed by the Tax Administrator, setting forth the following information:

i. The name of the business

ii. The names and addresses of each owner

iii. The exact nature or kind of business;

iv. The place where such business is to be carried on; and

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v. Any additional information which the Tax Administrator may require.

B. An annual registration fee in accordance with the current and approved City fee schedule shall be presented with the sworn statement submitted under this chapter and may be adjusted annually by resolution or ordinance of the City Council.

C. The cannabis business tax imposed by this chapter shall be paid, in arrears, on a monthly basis. Each person owing a cannabis business tax shall on or before the last day of the month following the close of each month file with the Tax Administrator a statement ("tax statement") of the tax owed for that calendar month and the basis for calculating that tax. The Tax Administrator may require that the tax statement be submitted on a form prescribed by the Tax Administrator. The tax for each calendar month shall be due and payable on the same date that the tax statement is due.

D. Upon cessation of a cannabis business, tax statements and payments shall be immediately due for all calendar months up through the calendar month during which cessation occurred.

E. In the event that there is a change in ownership of any cannabis business:

a. The new owner is required to submit an updated registration form to the Tax Administrator;

b. The new owner is subject to an audit by the Tax Administrator; and

c. Unless otherwise provided by law, it is the joint and several liability of both the seller and buyer to remit any taxes, interest, penalties, and fees due up until the date of sale; otherwise, enforcement action may be taken pursuant to Section 7.14.160 of this chapter against both the seller and/or buyer in an amount to be determined by the Tax Administrator.

F. The Tax Administrator may, at his or her discretion, establish alternative reporting and payment periods for any taxpayer as the Tax Administrator deems necessary to ensure effective collection of the cannabis business tax. The Tax Administrator may also require that a deposit, to be applied against the taxes for a calendar month, be made by a taxpayer at the beginning of that calendar month. In no event shall the deposit required by the Tax Administrator exceed the tax amount he or she projects will be owed by the taxpayer for the calendar month. The Tax Administrator may require that a taxpayer make payments via a cashier's check, money order, wire transfer, or similar instrument.

7.14.070 Payments and communications – timely remittance.

Whenever any payment, statement, report, request, or other communication is due, it must be received by the Tax Administrator on or before the due date. A postmark will not be accepted as timely remittance. If the due date would fall on a Saturday, Sunday or a holiday observed by the City, the due date shall be the next regular business day on which the City is open to the public.

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7.14.080 Payment - when taxes deemed delinquent.

Unless otherwise specifically provided under other provisions of this chapter, the taxes required to be paid pursuant to this chapter shall be deemed delinquent if not received by the Tax Administrator on or before the due date as specified in Sections 7.14.060 and 7.14.070.

7.14.090 Notice not required by the City.

The City may as a courtesy send a tax notice to the cannabis business which owes the City a cannabis business tax. However, the Tax Administrator is not required to send a delinquency or other notice or bill to any person subject to the provisions of this chapter. Failure to send such notice or bill shall not affect the validity of any tax or penalty due under the provisions of this chapter.

7.14.100 Penalties and interest.

A. Any person who fails or refuses to pay any cannabis business tax required to be paid pursuant to this chapter on or before the due date shall pay penalties and interest as follows:

1. A penalty equal to ten percent (10%) of the amount of the tax, in addition to the amount of the tax, plus interest on the unpaid tax calculated from the due date of the tax at the rate of one percent (1%) per month.

2. If the tax remains unpaid for a period exceeding one calendar month beyond the due date, an additional penalty equal to twenty-five percent (25%) of the amount of the tax, plus interest at the rate of one percent (1%) per month on the unpaid tax and on the unpaid penalties.

3. Interest shall be applied at the rate of one percent (1%) per month on the first day of the month for the full month and will continue to accrue monthly on the tax and penalty until the balance is paid in full.

B. Whenever a check or electronic payment is submitted in payment of a cannabis business tax and the payment is subsequently returned unpaid by the bank for any reason, the taxpayer will be liable for the tax amount due plus any fees, penalties, and interest as provided for in this chapter, and any other amount allowed under state law.

C. The Tax Administrator may waive the penalties imposed upon any person under this Section 7.14.100 if:

1. The person requests a waiver of penalties by submitting a written request for waiver to the Tax Administrator no later than June 30 of the second fiscal year following the fiscal year in which the tax became delinquent; and

2. The person provides evidence satisfactory to the Tax Administrator that the failure to pay timely was due to circumstances beyond the control of the person and occurred notwithstanding the exercise of ordinary care and in the absence of willful

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neglect; and the person paid the delinquent taxes, penalties, accrued interest, and fees owed prior to applying to the Tax Administrator for a waiver.

D. The waiver provisions specified in Section 7.14.100 (C) shall not apply to interest accrued on the delinquent taxes and a waiver shall be granted only once during any twenty-four month period. The Tax Administrator's decision on a request for a waiver of penalties is final and conclusive and not subject to appeal under Section 7.14.150.

7.14.110 Refunds and credits.

A. No refund shall be made of any tax collected pursuant to this chapter, except as provided in Section 7.14.120.

B. No refund of any tax collected pursuant to this chapter shall be made because of the discontinuation, dissolution, or other termination of a business.

7.14.120 Refunds and procedures.

A. Whenever the amount of any cannabis business tax, penalty or interest has been overpaid, paid more than once, or has been erroneously collected or received by the City under this chapter, it may be refunded to the claimant who paid the tax provided that a written claim for refund signed under the penalty of perjury is filed with the Tax Administrator within one (1) year of the date the tax was originally due or paid, whichever came first. A person may only file a claim for refund if the person paid the tax. No person shall be entitled to a refund unless the person can support the claim by written records sufficient to show entitlement thereto. The Tax Administrator's decision on a claim for refund is final and conclusive and not subject to appeal under Section 7.14.150.

B. The Tax Administrator, his or her designee which may include a third party, or any other City officer charged with the administration of this chapter shall have the right to examine and audit all the books and business records of the claimant in order to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant refuses to allow such examination of claimant's books and business records after requested by the Tax Administrator to do so. The Tax Administrator may collect a fee adopted by resolution by the City Council to pay for the cost of examination and audit should the books and records be provided in a form insufficient to allow the Tax Administrator to make a determination on the claim for refund.

C. In the event that the cannabis business tax was erroneously paid in an amount in excess of the tax due, and the error is attributable to the City, the City shall refund the amount of tax erroneously paid; provided that (i) a claim for refund has been timely filed with the Tax Administrator; and (ii) the refund cannot exceed, under any circumstance, the amount of tax overpaid during the twelve months preceding the last month for which the claim states the tax was overpaid.

7.14.130 Personal Cultivation Not Taxed.

The provisions of this chapter shall not apply to personal cannabis cultivation or personal use of cannabis, to the extent those activities are authorized in the "Medicinal and Adult Use

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Cannabis Regulation and Safety Act," as may be amended. This chapter shall not apply to personal use of cannabis that is specifically exempted from state licensing requirements, that meets the definition of personal use or equivalent terminology under state law, and provided that the individual receives no compensation whatsoever related to that personal cultivation or use.

7.14.140 Administration of the tax.

A. It shall be the duty of the Tax Administrator to collect the taxes, interest, penalties, fees, and perform the duties required by this chapter.

B. For purposes of administration and enforcement of this chapter generally, the Tax Administrator may from time to time promulgate such administrative interpretations, rules, and procedures consistent with the purpose, intent, and express terms of this chapter as he or she deems necessary to implement or clarify such provisions or aid in enforcement.

C. The Tax Administrator may take such administrative actions as needed to administer the cannabis business tax, including but not limited to:

1. Provide to all cannabis business taxpayers forms for the reporting of the tax;

2. Provide information to any taxpayer concerning the provisions of this chapter;

3. Receive and record all taxes remitted to the City as provided in this chapter;

4. Maintain records of taxpayer reports and taxes collected pursuant to this chapter;

5. Assess penalties and interest to taxpayers pursuant to this chapter;

6. Determine amounts owed under and enforce collection pursuant to this chapter.

7.14.150 Appeal procedure.

A taxpayer aggrieved by a decision of the Tax Administrator with respect to the amount of tax, interest, penalties, and fees, if any, due under this chapter may appeal only if a hearing was requested and attended pursuant to Section 7.14.250. An appeal may be made by filing a notice of appeal with the City Clerk within fifteen (15) calendar days of the serving or mailing of the Tax Administrator's decision of the amount due. Upon receipt of a timely notice of appeal, the City Clerk, or his or her designee, shall fix a time and place for hearing such appeal with an Administrative Hearing Officer selected pursuant to PGMC Chapter 1.19.110. The appeal shall be deemed a request for hearing on an administrative citation. An appeal fee shall be paid in advance as determined by the Master Fee Schedule. The City Clerk, or his or her designee, shall give at least ten (10) calendar days' notice of the appeal hearing in writing to such taxpayer at the last known place of address. The Administrative Hearing Officer shall render a written decision that shall be served on the taxpayer at the last known place of address. The decision of the Administrative Hearing Officer shall be final and conclusive. Any amount found to be due by the Administrative Hearing Officer shall be immediately due and payable upon the service of the decision. If no notice of appeal is filed within the time prescribed in this Section, the Tax

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Administrator's decision with respect to the amount of tax, interest, penalties, and fees due is final and conclusive.

7.14.160 Enforcement - action to collect.

A. Any taxes, interest, penalties, and/or fees required to be paid under the provisions of this chapter shall be deemed a debt owed to the City. Any person owing money to the City under the provisions of this chapter shall be liable in an action brought in the name of the City for the recovery of such debt. The provisions of this chapter shall not be deemed a limitation upon the right of the City to bring any other action including criminal, civil and equitable actions, based upon the failure to pay the tax, interest, penalties, and/or fees imposed by this chapter or the failure to comply with any of the provisions of this chapter.

7.14.170 Apportionment.

If a person subject to the tax is operating both within the City and outside the City, it is the intent of the City to apply the cannabis business tax so that the measure of the tax fairly reflects the proportion of the taxed activity actually carried on in the City. To the extent federal or state law requires that any tax due from any taxpayer be apportioned, the taxpayer may indicate said apportionment on his or her tax return. The Tax Administrator may promulgate administrative procedures for apportionment as he or she finds useful or necessary.

7.14.180 Constitutionality and legality. This tax is intended to be applied in a manner consistent with the United States and California Constitutions and state law. None of the tax provided for by this chapter shall be applied in a manner that causes an undue burden upon interstate commerce, a violation of the equal protection or due process clauses of the Constitutions of the United States or the State of California or a violation of any other provision of the California Constitution or state law. If a person believes that the tax, as applied to him or her, is impermissible under applicable law, he or she may request that the Tax Administrator release him or her from the obligation to pay the impermissible portion of the tax.

7.14.190 Audit and examination of premises and records.

A. For the purpose of ascertaining the amount of cannabis business tax owed or verifying any representations made by any taxpayer to the City in support of his or her tax calculation, the Tax Administrator or his/her designees which may include a third party shall have the power to inspect any location where commercial cannabis activity occurs and to audit and examine all books and records (including, but not limited to bookkeeping records, access to METRC data, and/or point-of-sale data, state and/or federal income tax returns, excise tax returns, and other records relating to the gross receipts of the business) of persons engaged in cannabis businesses. In conducting such investigation, the Tax Administrator, or his/her designees which may include a third party shall have the power to inspect any equipment or software, such as computers, software systems, platforms, and databases (including METRC), and/or point of sale systems, to include any keys or access codes for access to and use of the equipment and/or software, that may contain such records.

B. It shall be the duty of every person liable for the collection and payment to the City of any tax imposed by this chapter to keep and preserve, for a period of at least three (3) years, all

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records as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and payment to the City, which records the Tax Administrator or his/her designee which may include a third party shall have the right to inspect at all reasonable times.

7.14.200 Other licenses, permits, taxes, fees, or charges.

A. Nothing contained in this chapter shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any commercial cannabis permit, City license, permit, or other certificate required by, under or by virtue of any provision of any other Chapter of this code or any other ordinance or resolution of the City, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required under any other Chapter of this code or any other ordinance or resolution of the City. Any references made or contained in any other Chapter of this code to any licenses, permits, certificates, taxes, fees, or charges, or to any schedule of license, permit, certificate, or fees, shall be deemed to refer to the licenses, permits or certificates, and their respective taxes, fees or charges, or schedule of fees, provided for in other Chapters of this code.

B. A commercial cannabis permit issued under the Pacific Grove Municipal Code may be revoked, suspended or not renewed in the event that the business holding that permit has failed to (i) make a deposit required by the Tax Administrator pursuant to Section 7.14.60 or (ii) timely pay all taxes, interest and penalties owed by that business under this chapter.

7.14.210 Payment of tax does not authorize unlawful business.

A. The payment of a cannabis business tax required by this chapter, and its acceptance by the City, shall not entitle any person to carry on any cannabis business unless the person has complied with all of the requirements of this code and all other applicable state laws.

B. No tax paid under the provisions of this chapter shall be construed as authorizing the conduct or continuance of any illegal or unlawful business, or any business in violation of any local or state law.

7.14.220 Deficiency determinations.

If the Tax Administrator is not satisfied that any statement filed as required under the provisions of this chapter is correct, or that the amount of tax is correctly computed, he or she may compute and determine the amount to be paid and make a deficiency determination upon the basis of the facts contained in the statement or upon the basis of any information in his or her possession or that may come into his or her possession within three (3) years of the date the tax was originally due and payable. One or more deficiency determinations of the amount of tax due for a period or periods may be made. When a person discontinues engaging in a cannabis business, a deficiency determination may be made at any time within three (3) years thereafter as to any liability arising from engaging in such cannabis business whether or not a deficiency determination is issued prior to the date the tax would otherwise be due. Whenever a deficiency determination is made, a notice shall be given to the person concerned in the same manner as notices of assessment are given under Sections 7.14.240 and 7.14.250.

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7.14.230 Failure to report—nonpayment, fraud.

A. Under any of the following circumstances, the Tax Administrator may make and give notice of an assessment of the amount of tax owed by a person under this chapter at any time:

1. If the person has not filed a complete statement required under the provisions of this chapter;

2. If the person has not paid the tax due under the provisions of this chapter;

3. If the person has not, after demand by the Tax Administrator, filed a corrected statement, or furnished to the Tax Administrator adequate substantiation of the information contained in a statement already filed, or paid any additional amount of tax due under the provisions of this chapter; or

4. If the Tax Administrator determines that the nonpayment of any cannabis business tax due under this chapter is due to fraud, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to penalties and interest otherwise payable under this chapter and any other penalties allowed by law.

B. The notice of assessment shall separately set forth the amount of any tax known by the Tax Administrator to be due or estimated by the Tax Administrator, after consideration of all information within the Tax Administrator's knowledge concerning the business and activities of the person assessed, to be due under each applicable provision of this chapter and shall include the amount of any penalties or interest accrued on each amount to the date of the notice of assessment. The notice shall state that the person has thirty (30) calendar days from the date of the notice to make a written request for an informal hearing before the Tax Administrator. The notice shall also state that if the person fails to timely request an informal hearing within the time allowed, the amount determined by the Tax Administrator is final and conclusive and is immediately due and payable.

7.14.240 Tax assessment - notice requirements.

The notice of assessment shall be served upon the person either by personal delivery, by overnight delivery by a nationally-recognized courier service, or by a deposit of the notice in the United States mail, postage prepaid thereon, addressed to the person at the address of the location of the business or to such other address as he or she shall register with the Tax Administrator for the purpose of receiving notices provided under this chapter; or, should the person have no address registered with the Tax Administrator for such purpose, then to such person's last known address. For the purpose of Section 7.14.240, a service by overnight delivery shall be deemed to have occurred one (1) calendar day following deposit with a courier and service by mail shall be deemed to have occurred three (3) days following deposit in the United States mail.

7.14.250 Tax assessment - hearing, application, and determination.

Within thirty (30) calendar days after the date of service of the notice of assessment the person may apply in writing to the Tax Administrator for an informal hearing on the assessment. If application for an informal hearing is not made within the time herein prescribed, the tax

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assessed by the Tax Administrator shall become final and conclusive. Within thirty (30) calendar days of the receipt of any such application for an informal hearing, the Tax Administrator shall cause the matter to be set for an informal hearing before him or her, or his/her designee, no later than thirty (30) calendar days after the receipt of the application, unless a later date is agreed to by the Tax Administrator and the person requesting the informal hearing. Notice of such informal hearing shall be given by the Tax Administrator to the person requesting such informal hearing no later than five (5) calendar days prior to such informal hearing. A hearing under this section shall be informal and need not follow any formal rules of evidence. At such hearing said applicant may appear and offer evidence why the assessment as made by the Tax Administrator should not be confirmed and fixed as the tax due. After such hearing the Tax Administrator shall determine and reassess (if necessary) the proper amount of tax, interest, penalties, and fees to be charged and shall give written notice of the decision to the person in the manner prescribed in Section 7.14.240 for giving notice of assessment. No appeal of a notice of assessment may be made under Section 7.14.150 unless an informal hearing is timely requested, and the person attends the hearing. If the person fails to appear at the informal hearing, the amount due determined by the Tax Administrator in the notice of assessment is final and conclusive.

7.14.260 Relief from taxes – disaster relief.

A. If a person is unable to comply with any tax requirement imposed under this chapter due to a disaster impacting its cannabis business, the person may notify the Tax Administrator of its inability to comply and request relief from the tax requirement. For purposes of this chapter, "disaster" means fire, flood, storm, tidal wave, earthquake, or similar public calamity resulting in physical damage to real property, whether or not resulting from natural causes.

B. The person shall provide any information required by the Tax Administrator including, without limitation, why relief is requested, the time period for which the relief is requested, and the reason relief is needed for the specific amount of time. The person agrees to grant the Tax Administrator or his/her designee access to the location where the cannabis business has been impacted due to a disaster.

C. The Tax Administrator, in his/her sole discretion, may provide relief from the cannabis business tax requirement for businesses whose operations have been impacted by a disaster if such tax relief does not exceed ten thousand ($10,000) dollars. Such temporary relief may be granted for a reasonable amount of time, in the Tax Administrator's sole discretion, and the amount and duration of relief should be based upon how long it would reasonably take for the cannabis business to recover from the disaster. The Tax Administrator may require that the cannabis business follow certain conditions to receive temporary relief from the cannabis business tax requirement. The Tax Administrator's decision on a request for relief and the conditions that may be imposed for relief under this section are final and conclusive and not subject to appeal under Section 7.14.150.

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7.14.270 Conviction for violation - taxes not waived.

The conviction and punishment of any person for failure to pay the required tax shall not excuse or exempt such person from any civil action for the tax debt unpaid at the time of such conviction. No civil action shall prevent a criminal prosecution for any violation of the provisions of this chapter or of any state law requiring the payment of all taxes.

7.14.280 Violation deemed misdemeanor.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor. Any violation of the provisions of this chapter is unlawful and may be enforced pursuant to Chapter 1.16 PGMC.

7.14.290 Severability.

If any provision of this chapter, or its application to any person or circumstance, is determined by a court of competent jurisdiction to be unlawful, unenforceable, or otherwise void, that determination shall have no effect on any other provision of this chapter or the application of this chapter to any other person or circumstance and, to that end, the provisions hereof are severable.

7.14.300 Remedies cumulative.

All remedies and penalties prescribed by this chapter, or which are available under any other provision of this code and any other provision of law or equity are cumulative. The use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter.

7.14.310 Amendment or modification.

Except as set forth in Section 7.14.310, this chapter may be amended or modified but not repealed by the City Council without a vote of the people. However, as required by Article XIII C of the California Constitution, voter approval is required for any amendment that would expand, extend, or increase the rate of any tax levied pursuant to this chapter beyond the maximums set forth in this chapter. The people of the City of Pacific Grove affirm that the following actions shall not constitute an increase of the rate of a tax:

A. The restoration or adjustment of the rate of the tax to a rate that is no higher than that allowed by this chapter, in those circumstances where, among others, the City Council has previously acted to reduce the rate of the tax or is incrementally implementing an increase authorized by this chapter;

B. An action that interprets or clarifies (i) the methodology of applying or calculating the tax or (ii) any definition applicable to the tax, so long as the interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the provisions of this chapter; or

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C. The collection of the tax imposed by this chapter even if the City had, for some period of time, failed to collect the tax.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The people of the City of Pacific Grove hereby declare that they would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3. ENVIRONMENTAL COMPLIANCE. The City Council hereby finds and determines that this resolution or ordinance is exempt from the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. ("CEQA") and 14 Cal. Code Re. Sections 15000 et seq. ("CEQA Guidelines"). The calling and noticing of an election for the submission of a ballot measure to voters is not a project within the meaning of CEQA Guidelines 15378. The tax submitted to the voters is a general tax that can be used for any governmental purpose; it is not a commitment to any particular action or actions.

As such, under CEQA Guidelines Section 15378 (b)(4), the tax is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. If revenue generated by the tax were used for a purpose that would have such an effect, the City of Pacific Grove would undertake the required CEQA review for that particular project. Therefore, pursuant to CEQA Guideline Section 15060 CEQA analysis is not required.

SECTION 4. EFFECTIVE DATE. Pursuant to the California Constitution, Article XIIIC(2)(b) and California Elections Code § 9217, if a majority of the voters voting in the election on this measure vote in favor of the adoption of this measure, this ordinance shall be deemed valid and binding and shall be considered adopted upon the date that the vote is declared by the City Council and shall go into effect ten (10) days after that date.

This Ordinance was approved and adopted by the People of the City of Pacific Grove at the City's November 8, 2022 statewide election.

This Ordinance was approved by Declaration of the vote by the City Council of Pacific Grove on _____.

_____
BILL PEAKE, Mayor

ATTEST:
DATED:_____

_____
SANDRA KANDELL, City Clerk

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APPROVED AS TO FORM:

_____

BRIAN PIERIK, City Attorney

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ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE, AMENDING CHAPTER 11.100 TO THE PACIFIC GROVE MUNICIPAL CODE ESTABLISHING COMMERCIAL CANNABIS LICENSING REGULATIONS

WHEREAS, in 1996, the voters of the State of California approved Proposition 215, which was codified as Health and Safety Code Section 11362.et seq., and entitled the Compassionate Use Act of 1996, which intended to enable seriously ill Californians to legally possess, use, and cultivate marijuana for medical use under limited, specified circumstances; and

WHEREAS, in 2004, the California legislature enacted Senate Bill 420, the Medicinal Marijuana Program (the "MMP"), which, as codified in California Health and Safety Code Section 11362.7 et seq., was intended to clarify the CUA's scope and immunize from criminal prosecution, under specified state laws, certain activities and conduct related to the provision of medicinal marijuana to qualified patients; and

WHEREAS, on November 8, 2016, the voters of the State of California approved Proposition 64, entitled the "Control, Regulate and Tax Adult Use of Marijuana Act," which legalizes and regulates recreational marijuana in California; and,

WHEREAS, the State has established an integrated licensing and regulatory system for both medicinal and recreational marijuana businesses consistent with Propositions 215 and 64 entitled the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"), codified in Business and Professions Code section 26000 et seq.; and,

WHEREAS, Business and Professions Code section 26200 expressly recognizes the ability of cities to completely prohibit all medicinal and recreational cannabis businesses or to allow and regulate such businesses; and,

WHEREAS, a majority of the voters in Pacific Grove who voted on Measure M at the November 8, 2022 election voted in favor of Measure M, which was an advisory measure asking whether the electors supported amending the Municipal Code to allow one cannabis retailer in the City at a location at least 1000 feet from any existing licensed daycare/preschool, youth center, or school; and

WHEREAS, in order to protect the public health, safety, and welfare, and consistent with the will of the voters of Pacific Grove, the City desires to amend the Municipal Code to allow one cannabis retailer to be located in the City consistent with Measure M.

THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA Findings. The City Council finds that the adoption of this Ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the common sense exemption (CEQA Guideline 15061(b)(3)) because it can be see with certainty that there is no possibility that permitting one cannabis retail location to operate within the City may have a significant effect on the environment. Cannabis retail operations are small footprint and retailers are likely to operate within an existing vacant location rather than engage in new construction, and would likely qualify for the in-fill development exemption (CEQA Guideline 15332). In the event the sole retailer permitted in Pacific Grove does not qualify for the in-fill development exemption or another CEQA exemption, CEQA review would be conducted concurrently with project processing, ensuring that any environmental impacts are less than significant.

SECTION 2. Amendment of Chapter 11.100

Chapter 11.100 (Cannabis) is amended in its entirety to read as shown in Exhibit A.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after its passage by the City Council.

SECTION 5. Publication. The City Clerk shall cause this ordinance to be published or posted in accordance with Government Code section 36933.

_____

Mayor

APPROVED AS TO FORM:

ATTEST:

_____

Brian A. Pierik
City Attorney

_____

City Clerk

STATE OF CALIFORNIA)
COUNTY OF MONTEREY)
CITY OF PACIFIC GROVE)

I, _____, City Clerk of the City of Pacific Grove, California, do hereby certify that the foregoing Ordinance No. ___ was duly introduced at a meeting of the City Council of the City of Pacific Grove, California, on _____, 2023, and adopted at a regular meeting of the City Council of the City of Pacific Grove, California, on _____, 2023, by the City Council of the City of Pacific Grove, California, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

_____

City Clerk
City of Pacific Grove

EXHIBIT A

CHAPTER 11.100 CANNABIS

11.100.010 Purpose and Intent.

A. This chapter shall provide for the regulation and licensing of medicinal and adult-use cannabis businesses throughout the city in conformance with applicable state and local laws and regulations pertaining to medicinal and adult-use cannabis.

B. The city council finds that it is necessary for the city to adopt local licensing standards for medicinal and adult-use cannabis businesses for the purpose of controlling and regulating the sale of medicinal cannabis and medicinal cannabis products to qualified patients, and adult-use cannabis and adult-use cannabis products to adults twenty-one years of age and over.

C. The purpose of this chapter is to regulate all commercial cannabis activity in the city, as defined in the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), to the extent authorized by state law and in a manner designed to minimize negative impacts on the city and neighboring uses, and promote the health, safety, morals, and general welfare of residents and businesses within the city.

11.100.020 Relationship to other laws.

A. Except as otherwise specifically provided herein, this chapter incorporates the requirements and procedures set forth in MAUCRSA. In the event of any conflict between the provisions of this chapter and the provisions of MAUCRSA or any other applicable state or local law or regulation, the more restrictive provision shall control.

B. Except as expressly stated herein, cannabis businesses must comply with all other city codes and regulations. Nothing in this chapter shall be construed as permitting a cannabis business to operate at any time in a manner that is in violation of other applicable state and local laws.

11.100.030 Definitions.

Unless otherwise defined herein, the terms in this chapter shall have the same meaning as set forth in MAUCRSA and any rules promulgated pursuant thereto. In addition, the following terms shall be defined as follows:

"Cannabis business" means any person engaged in commercial cannabis activity.

"City" means Pacific Grove, California.

"City manager" shall mean the city manager of the city or their designee.

"Identification card" or "ID card" means a valid identification card issued pursuant to Section 11362.7 et seq., of the California Health and Safety Code.

"Identification card holder" or "ID card holder" means an individual who is a qualified patient who has applied for and received a valid ID card pursuant to Article 2.5 of Chapter 6 of Division 10 of the California Health and Safety Code.

"Licensed premises" means a premises for which a local license has been issued pursuant to this chapter.

"Licensee" means a person who has been issued a local license pursuant to this chapter.

"Local license" means a license granted by the city manager, pursuant to this chapter.

"Medicinal and Adult-Use Cannabis Regulation and Safety Act" or "MAUCRSA" means Division 10 of the California Business and Professions Code.

"Medicinal cannabis patient" means both a qualified patient without an identification card and an ID card holder.

“Owner” shall have the definition provided in MAUCRSA, as it may be amended from time to time, which as of the date of the adoption of this definition means any of the following:

(1) A person with an aggregate ownership interest of 20 percent or more in the person applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance.

(2) The chief executive officer of a nonprofit or other entity.

(3) A member of the board of directors of a nonprofit.

(4) An individual who will be participating in the direction, control, or management of the person applying for a license.

"Physician," as used in this chapter, shall mean an individual who possesses a license in good standing to practice medicine or osteopathy from the state of California.

"Qualified patient" shall have the meaning set forth in Section 11362.7(f) of the California Health and Safety Code.

"State law(s)" shall mean and include California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996); California Health and Safety Code Sections 11362.7 to 11362.85 (Medicinal Marijuana Program Act); the MAUCRSA, and all other applicable laws and regulations of the state of California.

"State license" means a state license issued under MAUCRSA, and includes both an A-license and an M-license, as well as a testing laboratory license.

"State licensing authority" shall mean the state agency responsible for the issuance, renewal, or reinstatement of a state license, or the state agency authorized to take disciplinary action against a state licensee.

“Storefront retail” shall mean a cannabis business that has a physical location from which cannabis is sold to retail customers on-site, and has or will have a Type 10 license from the California Department of Cannabis Control.

11.100.040 Local license in addition to business license or other permit.

The local license required by this chapter shall be in addition and supplemental to any other business registration or any permit required by any ordinance of the city.

11.100.050 Local license required.

A. It is unlawful to operate any cannabis business in the city without first having obtained a local license under this chapter.

B. The City shall not grant a license to any cannabis business proposing to engage in cannabis cultivation, manufacturing, distribution, or laboratory testing. The City may approve a license for a cannabis business proposing to operate as a cannabis retailer, provided that no more than one (1) local license to engage in storefront retail sales shall be active in the City at any time.

C. The city may grant a local license prior to the applicant having obtained a state license. A cannabis business must possess the requisite state and local licenses and a conditional use permit prior to receiving a certificate of occupancy from the city.

11.100.060 Local license application process.

A. There shall be an initial 30-day application period to be determined by the city manager. The city manager shall open up subsequent 30-day application periods if there are no active local licenses in the City.

B. An application for a local license shall be made upon the form prescribed by the city manager and accompanied by the application fee established by resolution of the city council. The application shall include the following basic information, in addition to any additional information that the city manager requests.

1. An operating plan for the proposed cannabis business including the following information:

a. A general description of the types of products and services to be provided by the facility;

b. A floor plan designating all interior dimensions of the licensed premises and the layout of the cannabis business, including all limited access areas, areas of ingress and egress, and all security cameras. Such floor plan shall also show the principal uses of the floor area depicted therein.

c. Astatement confirming whether delivery service of cannabis to any location outside the premises will be provided and the extent of such service, and in the event delivery is provided, a detailed delivery plan detailing how the retailer will comply with all requirements of this chapter, MAUCRSA, and any other applicable state or local laws.

2. Authorization for the city manager to seek verification of the information contained within the application and to conduct background checks of the owners of the cannabis business. If the background check shows that any owner has been convicted of a crime listed in Business & Professions Code Section 26057(b)(4)(A)-(E) the application shall be denied.

3. Proof of the nature of the cannabis business's organizational status, such as articles of incorporation, by-laws, organizational minutes, partnership agreements, or such other documentation acceptable to the city.

4. Property owner authorization to submit the application.

C. The city manager shall review the applications submitted during the application period. The city manager shall establish review criteria and a scoring system

to evaluate the applications. Any application that is incomplete or that is for a premises that does not meet the locational requirements of Section 23.92.070 shall be disqualified. The specific criteria and scoring system will be determined prior to the commencement of the initial application period and set forth in administrative rules adopted pursuant to Section 11.100.070.

D. The available local license shall be provisionally granted to the applicant who submitted the application with the highest score. From the date the local license is provisionally approved, the applicant will have twelve (12) months to secure approval of a conditional use permit for the premises, in addition to any other land use permits or entitlements required by this code. If the applicant who received a provisional license does not obtain the conditional use permit or any other required land use permits or entitlements within this time frame, then the provisional license shall become null and void and a provisional license shall be granted to the applicant with the next highest scoring application.

E. A local license issued pursuant to this chapter shall specify the date of issuance, the period of licensure, the name of the licensee, the address of the licensed premises, and the nature of the cannabis business licensed. A local license is valid for one (1) year from the date the conditional use permit for the premises is approved.

11.100.070 Conditions of approval, administrative rules.

A. The city manager may place conditions upon the approval of any local license which are, in the opinion of the city manager, reasonably related to the protection of the health, safety and welfare of the neighborhood in which the proposed licensed premises is to be located and of the general public.

B. The city manager is authorized to make rules, policies and procedures consistent with the intent and spirit of this chapter concerning the applications, the application process, the information required of applicants, the application procedures, and the administration and procedures to be used and followed in the application process, including but not limited to those required by Section 11.100.060.

11.100.080 Changes and modifications of local licenses.

In addition to any applicable requirements in Chapter 23.92 of this code, the following requirements apply for transfers of or changes to the ownership of a licensee, modifications to a licensed premises, and changes of location of a cannabis business.

A. Change of Ownership. Subsequent to the issuance of a local license, the licensee shall report any transfer of ownership in the cannabis business to the city manager on forms prescribed by the city manager and pay the application fee established by resolution of the city council.

1. A change of ownership that solely involves a previously approved owner no longer being an owner of the cannabis business shall be reported to the city manager within thirty calendar days of the change. The City will remove a previously approved owner from a license only if notarized statements are submitted by all approved owners consenting to the change, or the change is mandated by order of a court of competent jurisdiction.

2. A change in ownership that involves adding a new owner to the previously approved ownership must be approved by the city manager in advance and a background check must be conducted on the proposed new owner. The city council shall have the sole and absolute discretion to approve or deny a proposed change of ownership. All owners must submit notarized statements agreeing to the addition of a new owner to the business.

B. Modification of Licensed Premises. A licensee shall not make physical changes, alterations, or modifications to the licensed premises that materially or substantially alters the licensed premises from the plans approved by the city manager without the prior written approval of the city manager. Material changes include, but are not limited to: an increase or decrease in the total square footage of the licensed premises or the addition, sealing off, or relocation of a wall, common entryway, doorway, or other means of public ingress and/or egress. Applications for modifications of licensed premises shall be made on forms prescribed by the city manager and shall be accompanied by the application fee established by resolution of the city council. The city manager shall approve the proposed modification if it meets all requirements of this chapter and all other applicable state laws and city codes and ordinances, and will not present a threat to the public health, safety or welfare.

C. Change of Location.

1. A licensee may apply to the city manager to change the location previously approved for such local license to any other place in the city, but it is unlawful to engage in any commercial cannabis activity at any such place or location until express permission to do so is granted by city manager, the city has issued a conditional use permit to the licensee for the new location, and a certificate of occupancy has been issued for the new location. Applications for changes of location shall be made on forms prescribed by the city manager and be accompanied by the application fee established by resolution of the city council.

2. In permitting a change of location, the city manager may change any existing conditions of approval on the license and/or add new conditions of approval as determined appropriate by the city manager.

11.100.090 Renewal of local license.

A. A cannabis business that desires to renew its license shall apply for the renewal no less than sixty (60) calendar days prior to the local license's expiration date. If the cannabis business files a renewal application within sixty (60) calendar days prior to expiration, the cannabis business must provide a written explanation detailing the circumstances surrounding the late filing. The city manager may accept or reject such late filing in its discretion. The city manager may elect to administratively continue a local license past its expiration date, provided that the licensee has submitted a renewal application that is pending final action.

B. An application for renewal shall be submitted on forms provided by the city manager, accompanied by the application fee established by resolution of the city council. The following information shall be submitted as a part of the renewal application:

1. Proof that no changes to the ownership of the cannabis business has occurred since last approved by the city manager.

2. Proof that the licensee is still entitled to the possession and use of the licensed premises.

3. Any other information that the city manager deems necessary to determine whether to renew the local license.

C. The city manager shall renew a local license if the licensee has submitted a complete application and paid the application fee, unless the city manager finds that there are grounds to suspend or revoke the license as provided in Section 11.100.210. Notwithstanding the foregoing, the city manager in its discretion may elect not to renew any local license if it determines that the licensed premises has not been used for a cannabis business, without reasonable cause as determined by the city manager, during the term of the license.

D. Unless administratively continued pursuant to subsection A, a local license is immediately invalid upon expiration and the cannabis business shall cease operations. If a local license expires, the city manager may approve a renewal of the expired license at any time up to three months from the expiration date of the license. After the license has been expired for three months, the license may not be renewed by the city manager, and the holder of the expired license must apply for and obtain a new cannabis license to resume operations.

11.100.100 Appeal of decision on local license.

Any applicant may appeal the city manager's approval, conditional approval, or denial of an initial local license, renewal thereof, or a change to the license requested under Section 11.100.080, or a revocation or suspension of the license under Section 11.100.210. Such appeal shall be filed with the city clerk within ten calendar days of the date of the decision of the city manager and must state the basis for the appeal. The city clerk will give the appellant written notice of the date, time and place of the appeal hearing. A hearing officer shall hear the appeal de novo and shall not be limited by the rules of evidence. The hearing officer may affirm, amend or reverse the decision of the city manager.

11.100.110 Cannabis business operational requirements.

All cannabis business must comply with the requirements set forth in this section.

A. General Obligation to Operate in Compliance. A cannabis business shall operate in compliance with all applicable state and local laws and regulations governing cannabis businesses.

B. General Obligation to Pay Taxes. A cannabis business must pay all applicable taxes pursuant to federal, state, and local law, including but not limited to state and local sales and use taxes and state excise taxes.

C. General Obligation for Compliant Facilities. The licensed premises shall fully comply with all applicable rules, regulations, and laws including, but not limited to, building and safety codes, and the Americans with Disabilities Act.

D. Age Requirement. A cannabis business shall not allow an individual less than twenty-one years of age to work within the licensed premises or handle cannabis and cannabis products.

E. Age Restrictions. A cannabis business may not permit an individual less than twenty-one years of age to enter, or be within, its licensed premises, except that a cannabis business with an M-license from the state may allow persons eighteen years of age or older within the licensed premises if they are an ID card holder or qualified patient with physician's recommendation from a licensed physician.

F. Secure Storage of Product. Cannabis and cannabis products possessed by a cannabis business shall be kept and stored in a secured manner at all times.

G. Cannabis Consumption on Licensed Premises. Smoking, vaporizing, ingesting, or otherwise consuming cannabis and cannabis products at a licensed premises is prohibited. "Licensed premises" as used in this subsection includes the actual building, as well as any accessory structures, common areas and parking areas. A sign shall be posted at each entrance to a licensed premises that clearly and legibly states, "Smoking, vaporizing, ingesting, or otherwise consuming cannabis or cannabis products on these premises or in their vicinity is prohibited and a violation of the Pacific Grove Municipal Code."

H. Prohibition on Alcohol and Tobacco Sales, Distribution, or Consumption on Licensed Premises. A cannabis business shall not sell, provide, store, or distribute any alcoholic beverages or tobacco products, or allow such products to be consumed on the licensed premises.

I. On-Site Signage. On-site signage for a cannabis business that is viewable from the exterior of the cannabis business shall comply with all local signage laws applicable to the licensed premises, including Chapters 17.251 and 17.254 of this code. Signage may not be designed to appeal to children, or contain any false or misleading statements, or make any misrepresentations.

J. Advertising. A cannabis business shall not advertise in a manner intended to encourage persons under twenty-one years of age to consume cannabis or cannabis products. It shall be unlawful for any cannabis business to make any claims that a product is safe because it is tested. All advertisements, including off-site advertising signs, shall comply with Chapter 15 of MAUCRSA.

K. Display of License. A cannabis business shall display a copy of its local license issued pursuant to this chapter in a conspicuous place at or near the entrance to the licensed premises.

L. No Physician Evaluations on Licensed Premises. A cannabis business shall not permit a physician to evaluate potential medicinal cannabis patients or to provide a physician's recommendation for medicinal cannabis within its licensed premises. Cannabis businesses shall not offer or provide any form of remuneration to a physician who provides physician's recommendations for medicinal cannabis.

M. Community Relations Designee. A cannabis business must provide the city with the name, phone number, facsimile number, and email address of an on-site community relations representative or staff member or other representative whom the city can contact regarding operating concerns associated with the cannabis business. The cannabis business shall report any change in their community relations designee to the city within ten calendar days.

N. Accurate Weights and Measures. Scales and weighing mechanisms used by a cannabis business to weigh non-waste products must be able to weigh to within

1/100th of a gram, shall be maintained in good working order and shall be subject to annual inspection by either a Riverside County agricultural commissioner's office weights and measures official or a licensed scale company.

O. Chemical, Dangerous and Hazardous Waste. Disposal of chemical, dangerous or hazardous waste must be conducted in a manner consistent with federal, state and local laws, regulations, rules or other requirements. This may include, but is not limited to, the disposal of all pesticide or other chemicals used in the cultivation process, certain solvents or other chemicals used in the production of cannabis concentrate.

P. General Sanitary Requirements. A cannabis business must ensure that its licensed premises are maintained in a sanitary manner and activities on its licensed premises are conducted in a sanitary manner.

1. All facilities of a cannabis business must have adequate and sufficient access to bathrooms and hand-washing facilities with running water at a suitable temperature.

2. Hand-washing facilities shall be located where good sanitary practices require workers to wash or sanitize their hands, and provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices.

3. All workers that engage in the preparation or dispensing of edible cannabis products must comply with the provisions of all relevant state and local laws regarding the preparation, distribution, and sale of food.

Q. Security Requirements. The licensed premises of a cannabis business must comply with all of the following security requirements:

1. Video Surveillance. The licensed premises must be equipped with a video surveillance system that meets all of the requirements set forth in this subsection.

a. Security cameras and digital storage of recordings shall be maintained in good condition and used in an on-going manner, twenty-four hours per day, seven days per week.

b. The security system must maintain at least 90 days of digitally recorded video for each security camera in the licensed premises. Security footage should be stored in an MPEG4, MJPEG, H.264, or another format approved by the city manager in writing.

c. Security cameras must provide adequate and sufficient coverage for the facility, which must include, but need to be limited to, all limited access areas, all areas of ingress and egress, point of sale, the public areas, storage areas, and any other areas as required by this chapter and the MAUCRSA.

d. The video surveillance system must be equipped with a failure notification system that provides prompt notification to the manager of record of the licensed premises of the cannabis business of any surveillance interruption or complete failure of the surveillance system that lasts longer than fifteen minutes.

e. The video surveillance system shall have sufficient battery backup to support a minimum of fifteen minutes of recording in the event of a power outage.

2. Alarm System. The licensed premises shall have an audible interior and exterior security alarm system installed on all perimeter entry points and perimeter

windows, operated, and monitored by a security company licensed by the Department of Consumer Affairs, Bureau of Security and Investigative Services.

3. Signage Requirement. The licensed premises must comply with the following signage requirements.

a. A sign shall be posted in a conspicuous place near each point of public access which shall be not less than twelve inches wide and twelve inches long, composed of letters not less than one inch in height, stating "All Activities Monitored by Video Camera."

b. Limited access areas shall be clearly identified by the posting of a sign which shall be not less than twelve inches wide and twelve inches long, composed of letters not less than one-half inch in height, which shall state, "Limited Access Area—Authorized Personnel Only."

4. Lighting. The business entrance(s) and all window areas shall be illuminated during evening hours. The cannabis business shall comply with the city's lighting standards regarding fixture type, wattage, illumination levels, and shielding.

5. Commercial-Grade Locks. All points of ingress and egress to a licensed premises shall ensure the use of commercial-grade, nonresidential door locks or window locks.

6. Notification of City manager and Law Enforcement. A cannabis business shall notify the city manager and the appropriate law enforcement authorities within twenty-four hours after discovering any of the following:

a. Significant discrepancies identified during inventory;

b. Diversion, theft, loss, or any criminal activity involving the retailer or any employee or agent of the retailer;

c. The loss or unauthorized alteration of records related to cannabis, cannabis patients, primary caregivers, or retailer employees or agents; or

d. Any other breach of security.

R. Subletting Prohibited. Licensees are not authorized to sublet any portion of a licensed premises for any purpose, unless all necessary applications to modify the existing licensed premises to accomplish any subletting have been approved by the city manager.

S. Recordkeeping. Cannabis businesses shall keep and maintain all records specified in Chapter 16 of the MAUCRSA and shall make the same available for inspection and examination of the city manager or its duly authorized representatives during standard business hours of the licensed facility or at any other reasonable time. Cannabis businesses are required to exercise due diligence in preserving and maintaining all required records.

T. Transactions. Licensees shall only do business with cannabis businesses that licensed or permitted to do business in their respective jurisdictions.

U. Limited Hours of Operation. A retailer may only be open to the public and engage in sales between the hours of 8:00 a.m. and 10:00 p.m.

V. Window Displays. Cannabis, cannabis products and cannabis paraphernalia shall not be placed in a window display or otherwise placed in a manner primarily intended for individuals outside of the premises to view the products.

W. Age Restricted Entry. A retailer may not permit an individual less than twenty-one years of age into the licensed premises, except a retailer with an M-license from the state may permit an individual aged eighteen years or older into the licensed premises if the retailer verifies the individual is an ID card holder or qualified patient with a physician's recommendation.

X. Cannabis Paraphernalia Sales. Dispensaries may sell or otherwise provide equipment, supplies, and paraphernalia used to consume cannabis and cannabis products.

Y. Electronic Point-of-Sale System Required. Dispensaries must have an electronic point of sale system. The electronic point of sale system must be capable of producing an electronic or automatic paper record for all transactions associated with any product sold, rented, or otherwise provided to the customer.

Z. No Sales of Expired Product. A retailer may not sell any expired products, cannabis or cannabis products. A retailer shall not alter, edit, or adjust in any manner an expiration date on any item or product once affixed by its manufacturer.

AA. Handling of Edible Cannabis Products. A retailer that possesses edible cannabis products shall comply with the provisions of all relevant state and local laws regarding the storage, handling, and sale of food.

BB. Delivery of Cannabis and Cannabis Products. A retailer that provides delivery service shall comply with the following requirements:

1. The retailer shall not delivery cannabis or cannabis products to any location outside of California or to any location within California where the delivery of cannabis or cannabis products has been prohibited by the city or county.

2. The delivery service must be approved by the city manager as a part of the licensing process. The deliveries must be conducted in accordance with any relevant state laws, this code, any applicable local laws in the delivery location, and any conditions imposed upon the license.

3. The retailer must keep in place standard operating procedures that ensure the safety and security of those individuals engaging in delivery and the and security of all cannabis being delivered, including procedures to prevent diversion.

4. A retailer may only deliver cannabis to a specific street address requested by the purchaser. Delivery to parks, schools or any other public facilities is prohibited.

5. Upon arrival at the delivery address and prior to transferring any cannabis or cannabis products, the delivery person must verify and confirm that the identity of the recipient is the same as the person who requested the delivery and that the person is either twenty-one years of age or a qualified patient or primary caregiver.

6. A retailer shall report to the city manager and local law enforcement any vehicle accidents, diversions, losses, or other reportable incidents such as thefts or suspicious activity, that occur during transportation and delivery, within twenty-four hours.

7. The delivery shall keep a delivery manifest that includes the following information:

a. All cannabis that will be transported, accurately inventoried;

b. Departure date and approximate time of departure;

c. Arrival date and approximate time of arrival;

d. Name, address, local license number and CUP number of the originating cannabis business;

e. Name and address of the individual requesting the delivery;

f. Delivery vehicle make, model, and license plate number; and

g. Name and signature of the individual transporting the cannabis.

8. Sale of Live Plants. A retailer may sell and offer for sale seeds and immature cannabis plants, but shall not sell or offer for sale live mature cannabis plants. The retailer may provide light and water to immature cannabis plants being offered for sale but may not engage in any other cultivation activity unless the retailer is licensed and permitted by the State and the city to engage in cannabis cultivation. For the purposes of this provision, an immature cannabis plant is defined as a non-flowering cannabis plant that is shorter and narrower than 18 inches.

11.100.190 Limitations on City's liability.

To the fullest extent permitted by law, the city shall not assume any liability whatsoever, with respect to approving any local license pursuant to this chapter or the operation of any cannabis business approved for such local license pursuant to this chapter. As a condition of approval a local license granted under this chapter, the applicant or its legal representative shall:

A. Indemnify and hold the city harmless from any and all claims, damages, legal or enforcement actions, including, but not limited to, any actions or claims associated with violation of federal law associated with the operation of the cannabis business and delivery of cannabis as provided in this chapter; and

B. Maintain insurance in the amounts and of the types that are acceptable to the city pursuant to guidelines and policies set forth by the city manager; and

C. Name the city as an additionally insured on all city-required insurance policies; and

D. Defend, at its sole expense, any action against the city, its agents, officers, and employees related to the approval of a local license or the operation of the cannabis business; and

E. Reimburse the city for any court costs and attorney fees that the city may be required to pay as a result of any legal challenge (or federal enforcement action) related to the city's approval of a local license or conditional use permit. The city may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the operator of its obligation hereunder.

11.100.200 Inspections.

A. Recordings made by security cameras at any cannabis business shall be made immediately available to the city manager upon verbal request for law or

regulatory enforcement and criminal investigation purposes. Such recordings shall be considered confidential and shall not be released to the public pursuant to Government Code Section 6254(f) without the consent of the licensee.

B. The city manager shall have the right to enter all cannabis businesses from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this chapter. Such inspections shall be limited to observing the licensed premises for purposes of determining whether the cannabis business is being operated or maintained in compliance with this code, state law, and other applicable laws and regulations. Any cannabis business licensed pursuant to this chapter may be required to demonstrate, upon demand by the city manager that the source and quantity of any cannabis or cannabis products found upon the licensed premises is in full compliance with any applicable local or state law or regulation.

C. The city manager shall have the right to inspect records of medicinal cannabis patients and primary caregivers that have made purchases of medicinal cannabis or medicinal cannabis products from a retailer for the sole purpose of determining whether any and all such individuals are qualified to make such purchases. Such inspections of records shall not be used for any other purposes, nor shall the records be removed off-site by the city without a court order.

D. The city manager may delegate an act required to be performed pursuant to this section to any code enforcement officer or official of the city, including, without limitation, the chief of police, the fire chief, the building official, the finance director, the city attorney, or any designee of such officers or officials.

E. Applicants and licensees must cooperate with the city manager and his designees who are conducting inspections or investigations relevant to the enforcement of laws and regulations related to this chapter.

11.100.210 Enforcement; Suspension and Revocation of License.

A. The provisions of this chapter may be enforced by the city manager by any means provided for in Chapter 1.16 or Chapter 1.19 of this code in addition to any and all other remedies, civil, equitable or criminal, afforded to the city under the law. Any use or condition caused, or permitted to exist, in violation of any provision of this chapter is hereby deemed to be a public nuisance and may be summarily abated by the city pursuant to Code of Civil Procedure Section 731 or by any other remedy available to the city. Any violation of this chapter is declared to be a public nuisance per se contrary to the public interest and will, at the discretion of the city, be subject to a cause of action for injunctive relief.

B. Any violation of this chapter shall constitute a misdemeanor and a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof, and shall be enforced pursuant to Chapters 1.16 and 1.19 PGMC.

C. In addition to any other remedies available to the city under the law, a license issued under the terms of this chapter may be suspended or revoked by the city manager if he or she concludes any of the following:

1. The cannabis business or licensee has violated any of the requirements of this chapter, Chapter 23.92, or the applicable conditional use permit.

2. The cannabis business is being operated in a manner which constitutes a nuisance.

3. The cannabis business is being operated in a manner which conflicts with or violates State Laws.

4. A licensee's conditional use permit issued pursuant to Chapter 23.92 of this code has been terminated or revoked.

5. A licensee's state license has been suspended, terminated, or revoked.

11.100.220 Residential cannabis cultivation

A. All cannabis cultivation within city limits is prohibited except that a person, 21 years of age or older, may cultivate no more than six living cannabis plants inside a private residence, regardless of the number of persons that reside in the private residence, or inside a fully enclosed and secure accessory structure to a private residence located upon the grounds of that private residence. Such cultivation shall only occur in residences and accessory structures that are fully enclosed and secured against unauthorized entry.

B. The primary use of the property must be for a private residence, and cultivation must not prevent the property owner's primary use as a residential use. The property shall remain at all times a private residence with a legal and functioning kitchen, bathroom(s) and bedroom(s) for their intended use and such cultivation shall not prevent the property's primary use as a residential use. The cultivation activities shall be conducted in a manner that is child resistant.

C. If a private residence is not occupied or inhabited by the owner of the private residence, then no persons living in the residence may cultivate cannabis without written consent signed by the owner expressly allowing cannabis cultivation to occur at the private residence.

D. Persons cultivating cannabis in a residence shall comply with all applicable building code requirements set forth in the Pacific Grove Municipal Code.

E. There shall be no use of gas products (CO2, butane, propane, natural gas, etc.) on the property for purposes of cannabis cultivation.

F. All private cannabis cultivation under this section shall comply with Health and Safety Code Section 11362.2.

G. The cannabis cultivation area shall not adversely affect the health or safety of nearby residents by creating dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration or other impacts and shall not be hazardous due to the use or storage of materials, processes, products or wastes, or from other actions related to cultivation.

H. The outdoor cultivation of cannabis is prohibited within city limits.

11.100.230 Consumption of cannabis

Smoking and vaporizing of cannabis and cannabis products are prohibited in all public places and any place that is open to the public; reference Chapter 11.24 PGMC. Additionally, consumption and the use of any and all forms of cannabis, including edible cannabis product, shall be prohibited in all public places.

11.100.240 Exceptions

A. To the extent that the following activities are permitted by state law, nothing in this chapter shall prohibit a person 21 years of age or older from:

1. Possessing, processing, purchasing, transporting, obtaining or giving away to persons 21 years of age or older without compensation whatsoever not more than 28.5 grams of cannabis not in the form of concentrated cannabis; or

2. Possessing, processing, purchasing, transporting, obtaining or giving away to persons 21 years of age or older without compensation whatsoever up to eight grams of cannabis in the form of concentrated cannabis; or

3. Possessing, smoking or ingesting cannabis or cannabis products in a manner consistent with California Health and Safety Code Section 11362.3.

B. This chapter shall not prohibit any person from transporting cannabis through the jurisdictional limits of the city for delivery or distribution to a person located outside of the city, where such transport does not involve delivery or distribution within the jurisdictional limits of the city.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE, ADDING CHAPTER 23.92 TO THE PACIFIC GROVE MUNICIPAL CODE ESTABLISHING CANNABIS BUSINESS ZONING REGULATIONS

WHEREAS, in 1996, the voters of the State of California approved Proposition 215, which was codified as Health and Safety Code Section 11362.et seq., and entitled the Compassionate Use Act of 1996, which intended to enable seriously ill Californians to legally possess, use, and cultivate marijuana for medical use under limited, specified circumstances; and

WHEREAS, in 2004, the California legislature enacted Senate Bill 420, the Medicinal Marijuana Program (the "MMP"), which, as codified in California Health and Safety Code Section 11362.7 et seq., was intended to clarify the CUA's scope and immunize from criminal prosecution, under specified state laws, certain activities and conduct related to the provision of medicinal marijuana to qualified patients; and

WHEREAS, on November 8, 2016, the voters of the State of California approved Proposition 64, entitled the "Control, Regulate and Tax Adult Use of Marijuana Act," which legalizes and regulates recreational marijuana in California; and,

WHEREAS, the State has established an integrated licensing and regulatory system for both medicinal and recreational marijuana businesses consistent with Propositions 215 and 64 entitled the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"), codified in Business and Professions Code section 26000 et seq.; and,

WHEREAS, Business and Professions Code section 26200 expressly recognizes the ability of cities to completely prohibit all medicinal and recreational cannabis businesses or to allow and regulate such businesses; and,

WHEREAS, a majority of the voters in Pacific Grove who voted on Measure M at the November 8, 2022 election voted in favor of Measure M, which was an advisory measure asking whether the electors supported amending the Municipal Code to allow one cannabis retailer in the City at a location at least 1000 feet from any existing licensed daycare/preschool, youth center, or school; and

WHEREAS, in order to protect the public health, safety, and welfare, and consistent with the will of the voters of Pacific Grove, the City desires to amend the Municipal Code to allow one cannabis retailer to be located in the City consistent with Measure M.

THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA Findings. The City Council finds that the adoption of this Ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the common sense exemption (CEQA Guideline 15061(b)(3)) because it can be see with certainty that there is no possibility that permitting one cannabis retail location to operate within the City may have a significant effect on the environment. Cannabis retail operations are small footprint and retailers are likely to operate within an existing vacant location rather than engage in new construction, and would likely qualify for the in-fill development exemption (CEQA Guideline 15332). In the event the sole retailer permitted in Pacific Grove does not qualify for the in-fill development exemption or another CEQA exemption, CEQA review would be conducted concurrently with project processing, ensuring that any environmental impacts are less than significant.

SECTION 2. Zoning Ordinance Amendment Findings.

A. The proposed amendment is consistent with the general plan and, if applicable, the certified local coastal program.

[INSERT FINDING]

B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare zoning code.

[INSERT FINDING]

C. The proposed amendment is internally consistent with other applicable provisions of the zoning code.

[INSERT FINDING]

SECTION 3. Addition of Chapter 23.92

Chapter 23.92 (Cannabis Businesses) is hereby added to the Pacific Grove Municipal Code to read as shown in Exhibit A.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall take effect thirty (30) days after its passage by the City Council.

SECTION 6. Publication. The City Clerk shall cause this ordinance to be published or posted in accordance with Government Code section 36933.

Mayor

APPROVED AS TO FORM:

ATTEST:

Brian A. Pierik
City Attorney

City Clerk

STATE OF CALIFORNIA)
COUNTY OF MONTEREY)
CITY OF PACIFIC GROVE)

I, _____, City Clerk of the City of Pacific Grove, California, do hereby certify that the foregoing Ordinance No. ___ was duly introduced at a meeting of the City Council of the City of Pacific Grove, California, on _____, 2023, and adopted at a regular meeting of the City Council of the City of Pacific Grove, California, on _____, 2023, by the City Council of the City of Pacific Grove, California, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

_____

City Clerk
City of Pacific Grove

EXHIBIT A

CHAPTER 23.92 CANNABIS BUSINESSES

23.92.010 Purpose.

A. The purpose of this chapter is to regulate cannabis business land uses, as permitted by the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Section 26200 of the California Business and Professions Code), in a manner designed to minimize negative impacts on the city and neighboring uses, and promote the health, safety, morals, and general welfare of residents and businesses within the city.

B. This chapter is further adopted and established pursuant to the specific authority granted to Pacific Grove in Section 7 of Article XI of the California Constitution and Section 26200 of the California Business and Professions Code. This chapter shall govern all cannabis businesses within the jurisdiction of Pacific Grove.

23.92.020 Relationship to other laws.

A. In the event of any conflict between the provisions of this chapter and the provisions of Medicinal and Adult-Use Cannabis Regulation and Safety Act or any other applicable state or local law, the more restrictive provision shall control.

B. Except as expressly stated herein, cannabis businesses must comply with all other city codes and regulations. Nothing in this chapter shall be construed as permitting a cannabis business to operate at any time in a manner that is in violation of all other applicable state and local laws.

23.92.030 Definitions.

Unless otherwise defined herein, the terms in this chapter shall have the same meaning as set forth in Medicinal and Adult-Use Cannabis Regulation and Safety Act and any rules promulgated pursuant thereto. In addition, the following terms shall be defined as follows:

“Cannabis business” means any person engaged in commercial cannabis activity as defined in California Business and Professions Code Section 26001.

"Local license" means a license granted by the local licensing authority pursuant to Chapter 11.100 of this code.

"Local licensing authority" means the city manager or designee.

"Medicinal and Adult-Use Cannabis Regulation and Safety Act" or "MAUCRSA" means Division 10 of the California Business and Professions Code.

"State law(s)" shall mean and include California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996); California Health and Safety Code Sections 11362.7 to 11362.85 (Medical Marijuana Program Act); MAUCRSA, and all other applicable laws and regulations of the state of California.

23.92.040 Conditional use permit required.

A. No person may operate a cannabis business of any type in the city unless they are in compliance with the following:

1. A conditional use permit has been approved for the cannabis business and remains valid; and

2. A local license has been approved for the cannabis business and remains valid; and

3. A State license to operate the cannabis business has been approved and remains valid.

B. Section 23.70.080(a) of this code shall govern and apply to conditional use permits for cannabis businesses applied for or obtained pursuant to this chapter unless this chapter expressly states otherwise. All requirements contained in this chapter shall be in addition to the applicable requirements of Section 23.70.080(a).

23.92.050 Conditional use permit application.

A. An application for a conditional use permit shall be filed with the planning director on the official form supplied by the city and shall be accompanied by the application fee established by resolution of the city council, as may be amended from time to time.

B. An application for a conditional use permit shall include, but shall not be limited to, the following information:

1. Proof that the applicant has received a local license for the proposed premises, and the local license is in good standing, or a statement that the applicant is applying for a local license for the proposed premises concurrently with the conditional use permit application.

3. The address of the proposed cannabis business.

4. A site plan and floor plan of the cannabis business denoting all the use of areas of the cannabis business, including storage, employee areas, exterior lighting, restrooms, security cameras, areas of ingress and egress, signage, limited access areas, and restricted access areas, if included.

5. Plans and specifications for the interior of the proposed premises if the building to be occupied is in existence at the time of the application. If the building is not in existence or alteration to the building is required at the time of the application, the applicant shall file a plot plan and a detailed sketch for the interior and shall further submit an architect's drawing of the building to be constructed.

6. The name and address of the person that owns the real property upon which the cannabis business is to be operated. In the event the applicant does not legally own the property, the application must be accompanied by a notarized acknowledgement from the person that owns the property that a cannabis business will be operated on his or her property.

7. A description of the design of the proposed premises evidencing that the design conforms to applicable city laws.

8. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.

9. Authorization for the planning director to seek verification of the information contained within the application.

10. Any such additional and further information as is deemed necessary by the planning director to administer this section or this chapter.

C. The planning director and appropriate city staff shall review, verify and investigate all information on the application and prepare a report for the planning commission incorporating the findings of such investigation and verification, including, but not limited to, the suitability of the proposed location, and the applicant's compliance with the requirements of this chapter, Chapter 11.100 and Section 23.70.080(a).

23.92.060 Findings for approval of conditional use permit.

A. The planning commission shall not hold a public hearing on or approve any application for a conditional use permit to operate a cannabis business unless the applicant holds a local license in good standing.

B. In addition to the findings set forth in Section 23.70.080(a)(4) of this code, a conditional use permit for a cannabis business shall only be granted subject to the following additional findings:

1. The cannabis business fully complies with and meets all operating criteria required pursuant to state laws, Chapter 11.100 of this code, any other provisions of this code, and any specific, additional operating procedures and measures as may be imposed as conditions of approval in the conditional use permit; and

2. The cannabis business will be located in one of the following zones: [INSERT ZONES].

3. The cannabis business meets the locational requirements in Section 23.92.070.

4. The cannabis business will not engage in cultivation, manufacturing, distribution, or laboratory testing of cannabis, and will limit its commercial cannabis activities to those permitted by a State retail license.

C. The planning commission may deny an application for a conditional use permit if it determines that one or more of the findings required by Section 23.70.080(a)(4) or Section 23.92.060(b) of this code cannot be made.

D. Based on the information set forth in the application and city staff's report and testimony presented at the public hearing, the planning commission may impose reasonable conditions on the proposed cannabis business in addition to those specified in and required to be included in every conditional use permit granted under this chapter.

23.92.070 Locational requirements.

A. A conditional use permit for a cannabis business shall not be approved unless the proposed cannabis business will be located more than 1,000 feet from a day care center, a youth center, a preschool, or a public or private school.

B. All distances specified in this section shall be measured in a straight line, without regard to intervening structures or topography, from the nearest point on the property line on which the cannabis business is or will be located, to the nearest property line of the parcel where such use is located.

C. For the purposes of this section the following definitions apply:

1. "Day care center" means a child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school-age child care centers, and includes child care centers licensed pursuant to California Health & Safety Code Section 1596.951.

2. "Youth center" means any facility that is operated by a public agency or non-profit entity with the sole purpose of providing educational and/or recreational services to minors. Dance studios, gymnasiums, martial arts studios, or other similar uses that provide services to both adults and minors shall not be considered a youth center.

3. "Public or private school" means any location appearing in the California Department of Education School Directory as the location of a public or private school.

23.92.080 Conditions of approval.

A conditional use permit for a cannabis business shall be subject to the following conditions of approval.

1. The premises must be equipped with an odor absorbing ventilation and exhaust system so that odor generated inside the cannabis business that is distinctive to its operation is not detected outside the cannabis business, anywhere on adjacent property or public rights-of-way, on or about any exterior or interior common area walkways, hallways, breeze-ways, foyers, lobby areas, or any other areas available for common use by tenants or the visiting public, or within any other unit located within the same building as the cannabis business. As such, cannabis businesses must install and maintain the following equipment or any other equipment which local licensing authority determines has the same or better effectiveness:

a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or

b. An air system that creates negative air pressure between the cannabis businesses' interior and exterior so that the odors generated inside the cannabis business are not detectable outside the cannabis business.

2. The applicant or its legal representative shall indemnify and hold the city harmless from any and all claims, damages, legal or enforcement actions, including, but not limited to, any actions or claims associated with violation of federal law associated with the operation of the cannabis business; defend, at its sole expense, any action against the city, its agents, officers, and employees related to the approval of a

conditional use permit or the operation of the cannabis business; reimburse the city for any court costs and attorney fees that the city may be required to pay as a result of any legal challenge (or federal enforcement action) related to the city's approval of a conditional use.

3. All windows on the premises of the cannabis business shall be appropriately secured and cannabis securely stored.

4. All cannabis businesses shall comply with the city's lighting standards including, without limitation, fixture type, wattage, illumination levels, shielding, and secure the necessary approvals and permits as needed.

5. All cannabis businesses and all equipment used in the conduct of the business, must be operated in compliance with all applicable state and local laws and regulations, including all building, electrical, and fire codes, and in compliance with the businesses' state and local licenses.

23.92.090 Limitations on City's liability.

To the fullest extent permitted by law, the city shall not assume any liability whatsoever, with respect to approving any conditional use permit pursuant to this chapter or the operation of any cannabis business approved for such permit pursuant to this chapter.

23.92.100 Inspections.

A. Recordings made by security cameras at any cannabis business shall be made immediately available to the planning director upon verbal request for the purposes of determining compliance with this chapter and the cannabis business' conditional use permit.

B. The planning director shall have the right to enter all cannabis businesses from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this chapter and the cannabis business' conditional use permit. Such inspections shall be limited to observing the premises for purposes of determining whether the cannabis business is being operated or maintained in compliance with this code, state law, and other applicable laws and regulations.

C. Applicants and permittees must cooperate with employees and investigators of the city who are conducting inspections or investigations relevant to the enforcement of this chapter. No applicant or permittee shall by any means interfere with, obstruct or impede the any city official from exercising their duties under the provisions of this chapter and all rules promulgated pursuant to it.

23.92.130 Enforcement.

The operation of a cannabis business in violation of any conditions of approval or the provisions of this chapter or Section 23.70.080(a) is a violation of this code, and a public nuisance. The city may seek to remedy such violations by any means provided for in law or equity, including but not limited to the enforcement mechanisms and remedies provided for in Chapters 1.16 and 1.19 of this code, or take action to revoke the conditional use permit. Revocation may be effected by the planning commission

after a public hearing to which the operator has had 10 days' notice by certified mail, and in which the planning commission finds that the cannabis business has not complied with one or more use permit conditions or requirements of this chapter. In the event that service by certified mail is not effected, service may be by personal service on an owner, or if personal service is not effected, the property shall be posted with a notice of the hearing, and a copy of the notice shall be published in an official newspaper of this city.

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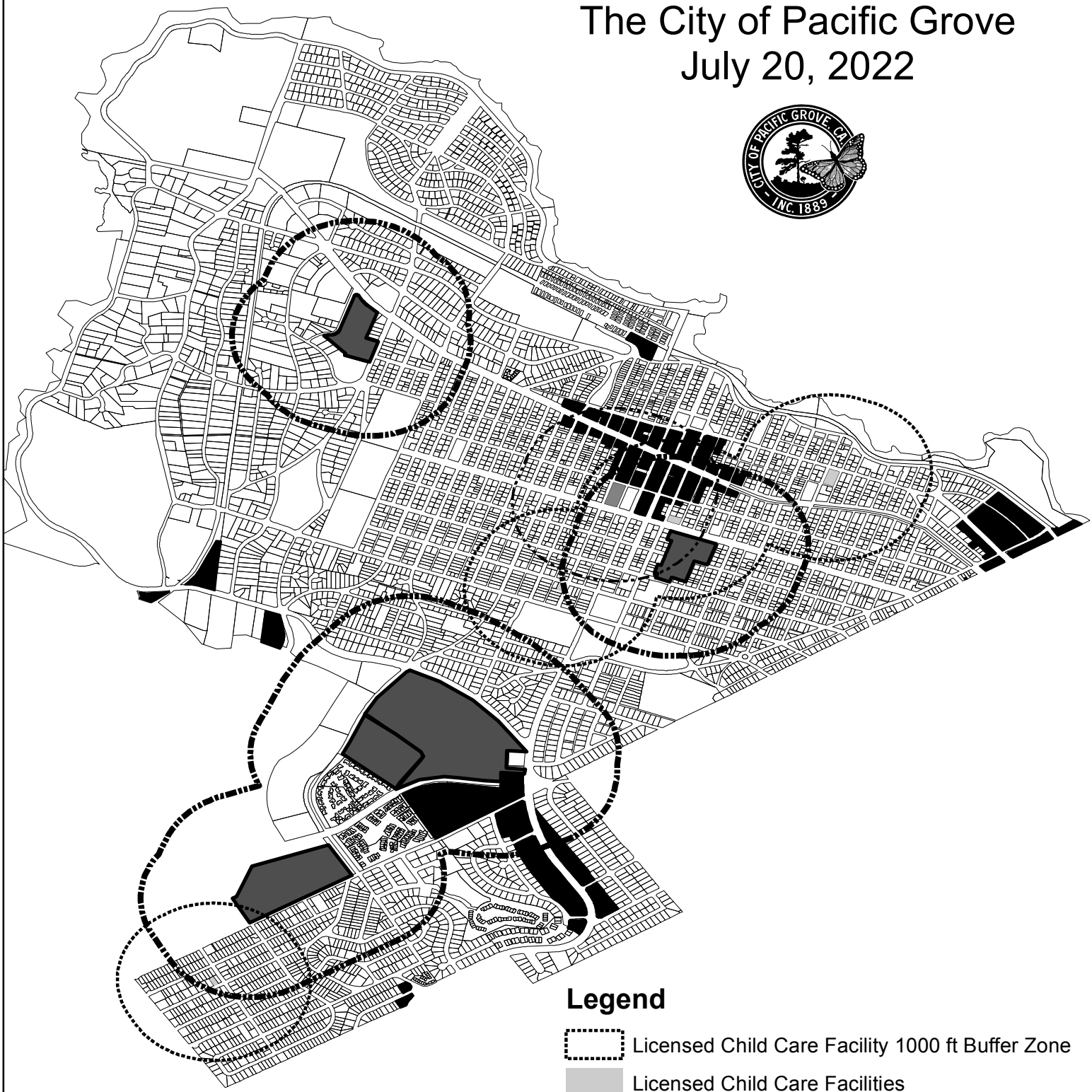
Map of Cannabis Buffer Zones
The City of Pacific Grove
July 20, 2022



Legend

- Licensed Child Care Facility 1000 ft Buffer Zone
- Licensed Child Care Facilities
- Pacific Grove Youth Center 1000 ft Buffer Zone
- Pacific Grove Youth Center
- Pacific Grove Schools 1000 ft Buffer Zone
- Pacific Grove Schools
- Commercial Zone
- Pacific Grove Parcels

0 1,000 Feet

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

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Katie Clark, Recreation Manager

MEETING DATE: May 17, 2023

SUBJECT: Pints on the Peninsula Special Event

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

RECOMMENDATION

1. Approve Pints on the Peninsula as a Full Cost Recovery Special Event for inclusion in the FY 2023-2024 Special Events Calendar.
2. Allow alcohol to be served in the confines of the fenced special event area attached to California Seltzer Company store front location of 631 Ocean Ave per Municipal Code Section 11.04.020, Consumption in Public Spaces.
3. Alternatively, discuss and take other action related to this item.

DISCUSSION

On February 15, 2023, City Council approved the FY 2023-2024 Special Event Calendar. On March 15, 2023, City Council approved an updated version of the FY 2023-2024 Special Event Calendar that included 1 additional event. On March 24, 2023, City staff received 1 additional special event application for Pints on the Peninsula from the California Seltzer Company. The application was reviewed by City staff for feasibility, safety and cost. On April 27, 2023, the application was presented to the Recreation Board for review. The Recreation Board recommends this event for inclusion in the FY 2022-2023 Special Event Calendar as a Full Cost Recovery Event. On May 1, 2023, the event organizers contacted City Staff and requested to change the date of the event from October 7, 2023 to September 30, 2023. The date change was requested after careful consideration of community requests.

Special Event Policy 900-1 was updated at the July 27, 2022 City Council meeting to include instructions for late or "off cycle" applications. Off cycle applications refer to any application received after the November 30 submission deadline. The policy specifies that off cycle applications must be received 150 days prior to event, cannot conflict with other special events, and will not be recommended as "City Sponsored" events. The application was received with more than 150 days remaining before the event. The newly proposed event date does not conflict or over overlap with any approved special events listed on the FY 2023-2024 Special Event Calendar.

Event information: The Pints on the Peninsula is sponsored by the California Seltzer Company and will take place on October 7, 2023 from 1:00 pm to 5:00pm. The event will take place at the California Seltzer Company building located at 631 Ocean View Blvd and extend out to include Ocean View Blvd

between Mermaid Ave and the driveway entrance to Borg's Motel and the triangle parking area next to Lover's Point Park. This will be a grand tasting event with art, music, 75 brews to sample and will include a VIP wine sampling tent. This event will be limited to those who are 21 years of age or older. There will be 30-40 vendors at the event and the anticipated attendance is 2,000-3,000 people. Tickets will be sold prior to the event and at the gate.

To meet Pacific Grove Municipal Code 11.04.020, event fencing will extend from both sides of the California Seltzer Company building and enclose the entire event footprint including the parking lot, Ocean Blvd, and triangle parking area. The express permission from City Council for the consumption of alcohol in a public space is also required.

The following safety and crowd control measures will be in place for this event. There will be 1 entry point where ID and bags will be checked and color coded wrist bands will be given to participants. There will be 3 exit points with no return allowed once a participant has left the event. The entry and exit points will be staffed with private security guards. 15 private security guards, 2 of the security guards are EMS certified, first aid table, and event fencing as previously mentioned. Clear bags and bag checks will be required for entry as well. Water barrels will be delivered by Public Works and placed at both ends of the event. Ocean View Blvd between Mermaid Ave and the intersection of Ocean View Blvd & 17th Street & Jewell Ave will be closed to through traffic. Ocean View Blvd from the driveway to Borgs Motel to the intersection of Ocean View Blvd & Sea Palm will also be closed to through traffic. The Police Department will provide 6 officers for the duration of the event and have 2 squad vehicles available. And the Fire Department will conduct safety inspections of all tented vendors.

OPTIONS

1. Take no action.
2. Provide alternate direction.

FINANCIAL IMPACT:

This event will require the following City staffing and resources. 6 Police Officers and 2 Police Vehicles will be required for 6 hours and will cost an estimated $9,563.28. 2 Public Works staff, 2 trucks, and general equipment will be needed to place no parking signs, barricades, water barrels, close and open Ocean Blvd, and attend to any complications that arise during the event. Public Works staffing will cost an estimated $1, 529.93. Public Works equipment usage will cost an estimated $627.64. Remaining fees for sound permit and application will be $885.00. The total estimated cost for this event will be $12,605.85. There is an additional $500.00 refundable sound permit deposit that is not included in this amount. City staff is recommending this event to be a Full Cost Recovery Special Event. If approved, all fees will be the responsibility of the event organizers.

FOCUSED PRIORITY AREA: Recreation Services

Attachments

FY 2023-2024 Special Event Calendar

FY 2023-2024 Special Event Cost Estimate

900-1 Special Events Policy

City of Pacific Grove
2023-2024 Special Events Calendar

#	Event	Organization	Day	Date	Time	Location
1	4th of July Celebration	Chamber of Commerce	Tuesday	July 4, 2023	11:00 AM	Jewell Park
2	Music in the Park #1	Chamber of Commerce	Thursday	July 27, 2023	5:30 PM	Jewell Park
3	Pet Parade	Youth Ambassadors	Friday	July 28, 2023	2:00 PM	Downtown (Lighthouse Ave)
4	Pacific Grove Summer Lights Dance	Youth Ambassadors	Friday	July 28, 2023	6:00 PM	Chautauqua Hall
5	Pacific Grove Summer Lights	Youth Ambassadors	Saturday	July 29, 2023	11:00 AM	Lovers Point Park & Pier
6	National Night Out	City of Pacific Grove	Tuesday	August 1, 2023	5:00 PM	Caledonia Park
7	Hiroshima-Nagasaki Remembrance Day	Women's International League	Saturday	August 5, 2023	7:00 PM	Lovers Point Beach & Pier
8	Celebration of Our Lady of Fatima	Lady of Fatima Society	Sunday	August 13, 2023	Varies	Downtown (Lighthouse Ave)
9	Classic Motorsports Kick-Off	Classic Motorsports	Tuesday	August 15, 2023	2:00 PM	Downtown (Lighthouse Ave)
10	Little Car Show	Marina Motorsports	Wednesday	August 16, 2023	10:00 AM	Downtown (Lighthouse Ave)
11	Legends of the Autobahn	BMW Car Club	Thursday	August 17, 2023	9:00 AM	Pacific Grove Golf Links
12	PG Concours Auto Rally	PG Rotary Club	Friday	August 18, 2022	12:00 PM	Downtown| Chautauqua Hall
13	Music in the Park #2	Chamber of Commerce	Friday	August 25, 2023	5:30 PM	Jewell Park
14	AIM for Awareness Walk & Rally	AIM Youth Mental Health	Sunday	September 10, 2023	1:00 PM	Lovers Point Park
15	Walk With Pride	PG Pride	Saturday	September 16, 2023	9:00 AM	Recreation Trail
16	Music in the Park #3	Chamber of Commerce	Friday	September 29, 2023	5:30 PM	Jewell Park
17	Pints on the Peninsula	California Seltzer Company	Saturday	September 30, 2023	1:00 PM	Ocean View Blvd
18	Butterfly Parade	PG Unified School District	Saturday	October 7, 2023	10:30 AM	Downtown (Lighthouse Ave)
19	Butterfly Days	PG Heritage Society	Sat / Sun	October 7-8, 2023	Varies	Downtown |Chautauqua Hall
20	Music in the Park #4	Chamber of Commerce	Friday	October 27, 2023	5:30 PM	Jewell Park
21	Veterans Day Ceremony	City of Pacific Grove	Friday	November 11, 2023	TBD	TBD
22	BSIM 3K/5K & Mty Bay Half Marathon	Big Sur International	Sat / Sun	November 11-12, 2023	Varies	Lovers Point | Ocean View
23	Holiday Tree Lighting Ceremony	City of Pacific Grove	Monday	November 27, 2023	6:00 PM	Jewell Park
24	Holiday Parade of Lights	Chamber of Commerce	Friday	December 1, 2023	6:00 PM	Downtown (Lighthouse Ave)
25	Stillwell's Holiday in the Park	Chamber of Commerce	Saturday	December 2, 2023	11:00 AM	Caledonia Park | Chautauqua Hall
26	Rudolph Run 1K & 5K Walk/Run	Arthritis Research Coalition	Saturday	December 9, 2023	7:30 AM	Lovers Point | Ocean View Blvd
27	Quilt Show	Monterey Peninsula Quilters	Fri -Sun	May 5-7, 2024	Varies	Chautauqua Hall
28	Good Old Days	Chamber of Commerce	Fri-Sun	May 5-7, 2024	Varies	Downtown | Jewell Park
29	Walk of Remembrance	Museum of Natural History	Saturday	May 11, 2024	1:00 PM	Central Ave | Rec Trail
City Sponsored - 22		Full Cost Recovery (F. C. R.) - 7				

2023-2024 Special Events Budget Estimate

	Event Name	Staff Costs								Total Staff Costs	Other Fees	Usage Fees	Unsubsidized
		Public Works		Police		Fire		Recreation			All other fees	Facility/Parks	Without City Sponsorship
		Hrs	Costs	Hrs	Costs	Hrs	Costs	Hrs	Costs				
1	4th of July Celebration	8	$ 815.96							$ 815.96	$ 541.00	$ 1,432.00	$ 2,788.96
2	Music in the Park #1	10	$ 1,019.50	6	$ 1,463.88					$ 2,483.38	$ 245.00	$ 2,148.00	$ 4,876.38
3	Pet Parade	20	$ 1,826.00							$ 1,826.00	$ 219.00	$ 156.00	$ 2,201.00
4	Pacific Grove Summer Lights Dance	6	$ 547.80							$ 547.80	$ 350.00	$ 2,568.00	$ 3,465.80
5	Pacific Grove Summer Lights	30	$ 2,952.90	50	$ 12,199.00					$ 15,151.90	$ 1,160.00	$ 3,640.00	$ 19,951.90
6	National Night Out	4	$ 365.20							$ 365.20	$ -	$ -	$ 365.20
7	Hiroshima-Nagasaki Remembrance Day									$ -	$ 304.00	$ -	$ 304.00
8	Celebration of Our Lady of Fatima	4	$ 365.20							$ 365.20	$ 395.00	$ -	$ 760.20
9	Classic Motorsports Kick-Off	18	$ 1,771.74	10	$ 2,439.80					$ 4,211.54	$ 672.00	$ -	$ 4,883.54
10	Little Car Show	18	$ 1,771.74	22	$ 3,903.68					$ 5,675.42	$ 672.00	$ -	$ 6,347.42
11	Legends of the Autobahn	8	$ 730.40	28	$ 6,831.44					$ 7,561.84	$ 1,344.00	$ -	$ 8,905.84
12	PG Concours Auto Rally	18	$ 1,771.74	28	$ 6,831.44					$ 8,603.18	$ 672.00	$ -	$ 9,275.18
13	Music in the Park #2	10	$ 1,019.50	6	$ 1,463.88					$ 2,483.38	$ 245.00	$ 2,148.00	$ 4,876.38
14	AIM for Awareness Walk & Rally									$ -	$ 304.00	$ 1,638.00	$ 1,942.00
15	Walk With Pride									$ -	$ 304.00	$ 1,820.00	$ 2,124.00
16	Music in the Park #3	10	$ 1,019.50	6	$ 1,463.88					$ 2,483.38	$ 245.00	$ 2,148.00	$ 4,876.38
17	Pints on the Peninsula	15	$ 1,529.93	36	$ 9,563.28					$ 11,093.21	$ 1,512.64	$ -	$ 12,605.85
18	Butterfly Parade	50	$ 4,565.00	21	$ 5,123.58					$ 9,688.58	$ 1,059.00	$ -	$ 10,747.58
19	Butterfly Days	11	$ 1,004.30							$ 1,004.30	$ 1,177.00	$ 9,454.00	$ 11,635.30
20	Music in the Park #4	10	$ 1,019.50	6	$ 1,463.88					$ 2,483.38	$ 245.00	$ 2,148.00	$ 4,876.38
21	Veterans Day Ceremony	8	$ 730.40							$ 730.40			$ 730.40
22	BSIM 3K/5K & Mty Bay Half Marathon	30	$ 2,952.90	80	$ 19,518.40					$ 22,471.30	$ 4,540.00	$ 4,368.00	$ 31,379.30
23	Holiday Tree Lighting Ceremony	6	$ 611.97							$ 611.97			$ 611.97
24	Holiday Parade of Lights	60	$ 5,691.90	10	$ 2,439.80					$ 8,131.70	$ 1,059.00	$ -	$ 9,190.70
25	Stillwell's Holiday in the Park	6	$ 611.97							$ 611.97	$ 654.00	$ 468.00	$ 1,733.97
26	Rudolph Run 1K & 5K Walk/Run	30	$ 2,952.90	15	$ 3,659.70					$ 6,612.60	$ 1,016.00	$ 2,912.00	$ 10,540.60
27	Quilt Show	8	$ 730.40							$ 730.40	$ 350.00	$ 7,704.00	$ 8,784.40
28	Good Old Days	100	$ 23,894.50	64	$ 15,614.72					$ 39,509.22	$ 3,590.00	$ 4,833.00	$ 47,932.22
29	Walk of Remembrance	3	$ 338.07	6	$ 1,463.88					$ 1,801.95	$ 428.00	$ 728.00	$ 2,957.95
									Totals	**$ 158,055.16**	**$ 23,302.64**	**$ 50,313.00**	

City Sponsored = 22 Events

Full Cost Recovery (F. C. R.) = 7 Events

Total Staffing Costs*	**$ (158,055.16)**
Full Cost Recovery Staffing*	**$ 52,315.69**
Full Cost Recovery Fees	**$ 18,701.64**
Total Net Loss**	**$ (87,037.83)**

*All estimates are based on projected hours & resources submitted in application by event organizers.

*Employee costs are based on Fully Burdened Rates for employees.

**Model reflects amount to be subsidized by the City with approval of proposed City Sponsored Events

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE NO.
Special Events	900-1	February 16, 2011	1 of 3

PURPOSE

The intent of this policy is to provide guidance for the conduct of special events in the City and ensure an appropriate balance between the number and scope of special events with the ability of City neighborhoods and facilities to adequately handle such events.

POLICY

I. General

The City shall have the discretion to limit the number of special events in any fiscal year.

All special events will be limited to those activities that benefit Pacific Grove residents or businesses.

Most special events are either one-time or annual. Certain special events, such as the Farmers' Market, are periodic and ongoing.

The Council reserves the right to take actions creating exceptions to this policy in the event of special circumstances.

Americans with Disabilities Act (ADA) Requirements

The ADA requires the City of Pacific Grove and public accommodations to provide equitable access for people with disabilities. Event organizers are expected follow ADA guidelines and provide and maintain access for people with disabilities. This may include providing a clear path of travel to and on sidewalks, curb cuts and restrooms; maintaining already-designated parking for people with disabilities, providing additional parking for people with disabilities if parking is provided; and providing accessible restrooms.

Non-Discrimination Policy

The City of Pacific Grove (City) requires that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity on the grounds of race, color, sex, age, disability or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) or due to breastfeeding in a public place, gender identity, marital status, political ideology, religion, sexual orientation, or military status or veteran status. The City of Pacific Grove also includes immigration status, ethnic background and Neurodivergent people, in its non-discrimination policy. The City further assures every effort will be made to ensure nondiscrimination and inclusivity in all of its programs and activities, whether those programs and activities are federally funded or not. Permitted special events must comply with the City's nondiscrimination policy and all applicable City, state and federal laws, rules and regulations.

*Neurodivergent or ND refers to variations in the human brain and cognition, for instance in sociability, learning, attention, mood and other mental functions.

II. Types of Special Events

The City will create an annual calendar of special events. Events included in the annual calendar shall have first priority for the scheduled locations and times. Requests for inclusion in the annual calendar shall be submitted to the City by November 30th for any event to be held during the following fiscal year.

Such events will not be approved if they conflict with already approved events. Events requiring City Council approval are those that:

- Require City sponsorship or other City support;
- Preclude others from using an entire outdoor public facility (e.g., Caledonia Park);
- Are likely to have a significant impact on substantial numbers of residents or businesses (e.g., closure of multiple or high-traffic streets for a significant amount of time, as determined by the City Manager); or
- Have other characteristics that warrant public consideration by the Council.

More limited events may be approved by staff. A neighborhood event, requiring closure only of a neighborhood street, for example, would not require Council approval. In these cases, those persons incurring the costs of the street closure are the same persons benefiting from the event.

III. Information Required

Each application for special events shall contain the following information:

A. A description of the proposed event.
B. A statement of the purpose of the event and its benefits to the City including actions of inclusivity that are reflective of the diverse community which we aim to be.
C. The name of the sponsoring organization.
D. The date, location, and time (to include preparation and clean up) of the event. In the case of a race or parade, a map of the proposed route shall be submitted.
E. An estimate of the number of participants and/or spectators.
F. A description of City facilities, support, and personnel required.
G. A list of personnel to be provided by the sponsor.
H. A description of parking arrangements for the event.
I. If electronic sound amplification equipment will be used, an application for the necessary permit shall be made as required by Chapter 11.94 of the Pacific Grove Municipal Code.
J. A description of the proposed refuse management and recycling program for plastics, glass, paper, and aluminum during the event.
K. A listing of accommodations provided by the sponsor pursuant to the Americans with Disabilities Act.
L. A listing of fees proposed to be charged, commercial sales, commercial filming, and the service or sale of food and/or alcohol.

III. Conditions of Permit

Once the Council approves an application, the sponsoring organization shall comply with the following conditions:

A. At least 30 days prior to the event, furnish the City with a certificate of insurance in an amount not less than $2 million naming the City of Pacific Grove as an additional insured. Such insurance shall be primary to any City insurance, and the City must have at least ten days' notice of cancellation.

B. The sponsoring organization shall reimburse the City for all direct and incidental expenses for the use of the City personnel and facilities. The sponsor has the option of using volunteers or other non-City personnel for some functions (e.g., placing barricades, emptying public trash cans, etc.) Other functions (e.g., Police security) require City personnel. The City has the absolute discretion to determine the number of personnel who will be provided for a particular event.

C. The sponsor is responsible for all sign removal, litter control, clean-up activities, and for providing necessary containers and personnel for recycling activities, as determined by the City.

D. The sponsor shall provide portable restroom facilities if deemed necessary by the City and in compliance with the ADA.

E. The sponsor shall be advised that the sponsor is responsible for determining what, if any, accommodations are required of sponsor pursuant to the American with Disabilities Act.

F. An approved Special Event Application is required for all groups and shall be in the possession of the sponsor or representative at the event.

G. The City will review applications and additional approvals may be deemed necessary.

H. If amplification is to be used a deposit of $500 will need to be paid along with the application fee. If it is determined that amplification exceeds allowable levels or has locations have not been preapproved by City Staff then the deposit may not be returned.

The City of Pacific Grove reserves the right to revoke permissions for an event at any time.

IV. Event Classifications

The Council established the following classification of events to be used in determining the events scheduled for each calendar year: Special Events and City Sponsored Events.

Special Events: These are Special Events that require exclusive use of City property and require support from Police, Fire and / or Public Works. Special Events will be deemed full cost recovery

City Sponsored Events: These events include traditional events that are primarily hosted by the Chamber of Commerce, the School District, or the City and shall receive full City Support. These events will be noted annually on the Special Events Calendar for approval by the City Council.

V. Review, Approval, and Scheduling of Events

All activities approved are authorized for the subsequent year only and, continued Council approval should not be assumed. Activities may be discontinued if they become too large or if they create problems that would substantially disrupt the peace and quiet of a neighborhood.

Should the City receive requests for more activities than may be accommodated, the City will establish an appropriate random drawing type of system or other suitable method for determining those activities to be approved.

Completed special event applications received by November 30 will be given priority for the upcoming fiscal year July 1 – June 30. Key dates for review and approval are:

- November – Recreation Department receives completed applications
- December – Staff prepares recommendation
- January – Recreation Board prepares recommendation
- February – Council approves events, calendar, and city sponsorship
- March – Staff publishes Special Events calendar

Completed special event applications received after November 30 (off-cycle) shall be considered if:

1. Not in conflict with approved special events or issued park/facility permit
2. Received a minimum 150 days in advance of the event
3. Off-cycle events brought forward for review will not be recommended as "City
4. Sponsored" special events.

Off-cycle applications will undergo the same review and approval process as for applications received by November 30.

Adopted: July 20, 2022 by Minute Order.
Adopted: July 6, 2022 by Minute Order
Adopted: April 16, 1986-Resolution No. 5705
Amended: January 7, 1987-Resolution No. 5787
Amended: February 5, 1992-Resolution No. 6238
Amended: March 3, 1993-Resolution No. 6331
Amended: November 15, 1995-Resolution No. 6489
Amended: November 5, 1997-Resolution No. 7-057
Amended: June 2, 2010-Resolution No. 10-044
Amended: February 16, 2011-Resolution No. 11-012
Amended: October 17, 2018 – Resolution 18-037

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

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Joyce Halabi, Deputy Public Works Director
MEETING DATE: May 17, 2023
SUBJECT: Lover's Point Pier Repair Project
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

1. Receive Report
2. Provide staff with direction on pursuing the interim repair design solution
3. Alternatively, discuss and take other action related to this item

DISCUSSION

Background

In January 2021, during winter storms the seaward tip of the Lovers Point Pier was damaged by wave runup and wave impact forces. A geotechnical and coastal engineering firm was consulted to provide repair recommendations. It was determined that because minimal information on the existing pier structure was available, additional exploration was needed prior to developing repair recommendations. The tip of the pier was closed to ensure safety and will remain closed until repairs can be made.

As part of the FY21/22 Capital Improvement Program (CIP), $100,000 was budgeted for the Lovers Point Pier Project. The intent of the project is to obtain information on the pier's construction and current condition through exploratory investigation and provide an analysis of possible repair options.

In December 2021, the City Council authorized an agreement with GHD in an amount not to exceed $99,852. The scope of services for this agreement included:

- Performing a pier investigation
- Developing a Conditions Assessment Report
- Develop an Interim Repair Design and a corresponding plan set, and
- Providing permit and grant support

Condition Assessment

Following execution of the agreement, GHD and their subconsultants Haro Kasunich and Associates (HKA) began the pier assessment and investigation. The pier investigation began with a review of historical documentation and assessment of the damage caused during the storms. The internal structures of the pier were assessed by boreholes and core samplings, which allowed for review of the

composition and strength of the pier structure. A wave runup analysis, riprap revetement size analysis and visual inspections were also performed. Additional details and information on these data inputs can be found in the Pier Condition Assessment, included as Attachment 1.

Assessment Takeaways
The pier is primarily a gravity structure that is not column supported or reliant on the strength of concrete beams. The gravity structure is comprised of interbedded layers of concrete, a matrix of concrete bonded to rip rap and rip rap rock. There are voids and joints within and between the interbedded layers due to the improvements made over the years to the 100+ year old structure. Some of the concrete is weak, other segments are strong.

The 1980s renovation, which reinforced concrete walls and slabs on the upper and lower decks, encased the weaker concrete and rip rap matrix that makes up a good chunk of the structure. These reinforced concrete walls and slabs provide a protective layer for the weaker legacy material. The reinforced concrete improvements included iron and carbon rebar which has corroded and expanded over time resulting in severe cracking and spalling of the concrete further exposing the rebar. The rebar supporting the concrete walls severely corroded at the east end of the upper deck and a panel of concrete dislodged and feel into the ocean during the large wave events.

Ultimately, the assessment reveals that the pier has performed as expected based on its construction. Although the gravity structure is not in danger of a catastrophic failure at this time, as the reinforced concrete walls continue to fail, exposing more of the vulnerable core of the gravity structure, the rate of deterioration will accelerate. If nothing is done to reinforce and stabilize the core of the structure, the damage will get worse in the coming decade.

The 100+-year-old pier structure has had a big influence on beach creation at Lovers Point, if the pier and rock jetty were to cease to exist, the sediment flow and accumulation patterns in the vicinity of the pier would be altered to the detriment of public access and recreational beach usage.

Ultimately, the report recommends implementation of the near-term repair solution (“interim repair”) as soon as possible.

Interim Repair Solution
As an element of the scope of work, GHD prepared an interim repair option and a set of plans. The interim repair solution will address the identified deficiencies and allow for improvements that will enhance the safety of the pier structure. The interim repair plan is included as Attachment 2.

The interim repair project scope of work includes:

- Installing reinforced shotcrete fascia on the existing pier wall face. This will act as a structural element as well as cosmetic surfacing that matches the adjacent concrete
- Replacement of the concrete at the edges and top of the pier with a sound concrete edge
- Replacing concrete footings and guard rail along the pier perimeter
- Demolish a 7” segment of the existing slab and pouring a new 7” thick monolithic slab on the seaward 75 feet of the upper deck
- Replacement of the concrete slab on the entire lower pier deck
- Reform and resurface the lower staircase that extends into the water from the lower pier deck

The engineers' estimate for the interim repair solution is $1.35 million. The interim repair solution is anticipated to last upwards of 20 years.

Permitting

This project will require permits from the California Coastal Commission. City staff has preliminarily discussed the interim repair solution with staff members at the California Coastal Commission. These high-level conversations have been intended to begin dialogue in advance of a formal application. A formal permit application will only be submitted if the City Council expresses interest in pursuing the interim repair option.

Grant Support
As an element of their scope of work, GHD is actively researching grant opportunities for the interim repair solution. The availability of grants is largely time dependent, as grants have specific periods for submittal. If the City Council expresses interest in pursuing the interim repair solution, GHD can take a deeper dive into the availability of grant funding currently available. Staff can return with updates and options for funding the interim repair solution.

Long Term Repair Options
As an element of the Conditions Assessment Report, some high-level long term repair alternatives were explored. The intention of this high-level analysis was to conceptually understand the methods by which a long-term repair solution could be achieved and the potential drawbacks of each approach. This list is not an exhaustive list of all potential long term repair options, nor is it a deep dive into how approaches could be implemented.

- Long-Term Repair Alternative 1 – Total removal of the pier & rip-rap revetment and construction of a new wharf supported by deep foundations
    - Not recommended as it will result in Lovers Point Beach shrinking and creating negative recreational impacts for the public
- Long-Term Repair Alternative 2 – Total removal of the pier & rip-rap revetment and construction of a new concrete gravity structure supported directly upon the granite bedrock formation that makes up the sea floor
    - Difficult from a constructability standpoint as there are several environmental impacts during construction
    - This alternative would also result in increased wave runup and overtopping due to removal of the rip-rap revetment
- Long-Term Repair Alternative 3 – Removal of existing concrete pier gravity structures above 0.0 feet NAVD88 and construction of new pier atop old concrete foundation elements and riprap.
    - Less of an environmental impact than option 2, but this alternative relies on older foundations and undersized riprap for support/protection and may leave the pier vulnerable
- Long-Term Repair Alternative 4- Total removal of the pier & rip-rap revetment & construction of a rip-rap jetty in the same footprint with adequately sized rock to an approximate elevation of +20.0 feet NAVD88. Construct a concrete gravity structure atop the rip-rap jerry as a causeway for recreational access
    - This alternative is preferred from a constructability, environmental impact, and long-term protection standpoint

Ultimately, a feasibility study and a deeper analysis of the long-term repair alternatives would need to be explored and detailed coastal engineering would be required if the City Council were to express interest in pursuit of a long-term repair option.

OPTIONS

1. Do nothing. This is not recommended as damage will continue, as well as accelerate and use of the pier will be beyond an ordinary level of risk
2. Pursue Near Term Repair. This option is preferred as it provides the City with a method to make a repair, reopen the pier and prevent accelerated damage. Moreover, the repair will provide a solution for the next 20 years. The immediate next step would be to explore grant and funding opportunities and necessary permitting.
3. Pursue Long Term Repair. Pursuit of a long-term repair will be a lengthy endeavor and would require significant funding to perform a feasibility study of the long-term options, and design, engineer and permit a long-term repair. Moreover, a long-term repair is anticipated to be significantly more costly than the interim repair.

FINANCIAL IMPACT:

There is no fiscal impact associated with receiving this report. This report was prepared, and all the subsequent investigative tasks, were performed under the existing agreement with GHD. To date, 89% of the budget has been expended.

If the Council expresses interest in the interim repair option, GHD will perform an analysis of available grants and staff will return with potential funding options.

FOCUSED PRIORITY AREA: Infrastructure

Attachments

Attachments 1-Conditions Assessment Report

Interim Repair Plans

Project No. M11897.1
13 March 2023

MEMORANDUM

To: GHD
669 Pacific Street
San Luis Obispo CA 93401

Attention: Robert Sherwood, PE (805-858-3142)

From: Mark Foxx, CEG 1493 and Moses Cuprill, CE 78904
Haro Kasunich and Associates Inc.

Subject: Lovers Point Pier Condition Assessment

Reference: Lovers Point Pier
Pacific Grove, CA

Dear Mr. Sherwood:

During the January 2021 winter storms, the seaward tip of the Lovers Point Pier was severely damaged by ocean wave runup and wave impact forces. Waves were reportedly observed breaking on the pier structure and wave runup was flowing across the concrete deck that forms the surface of the pier.

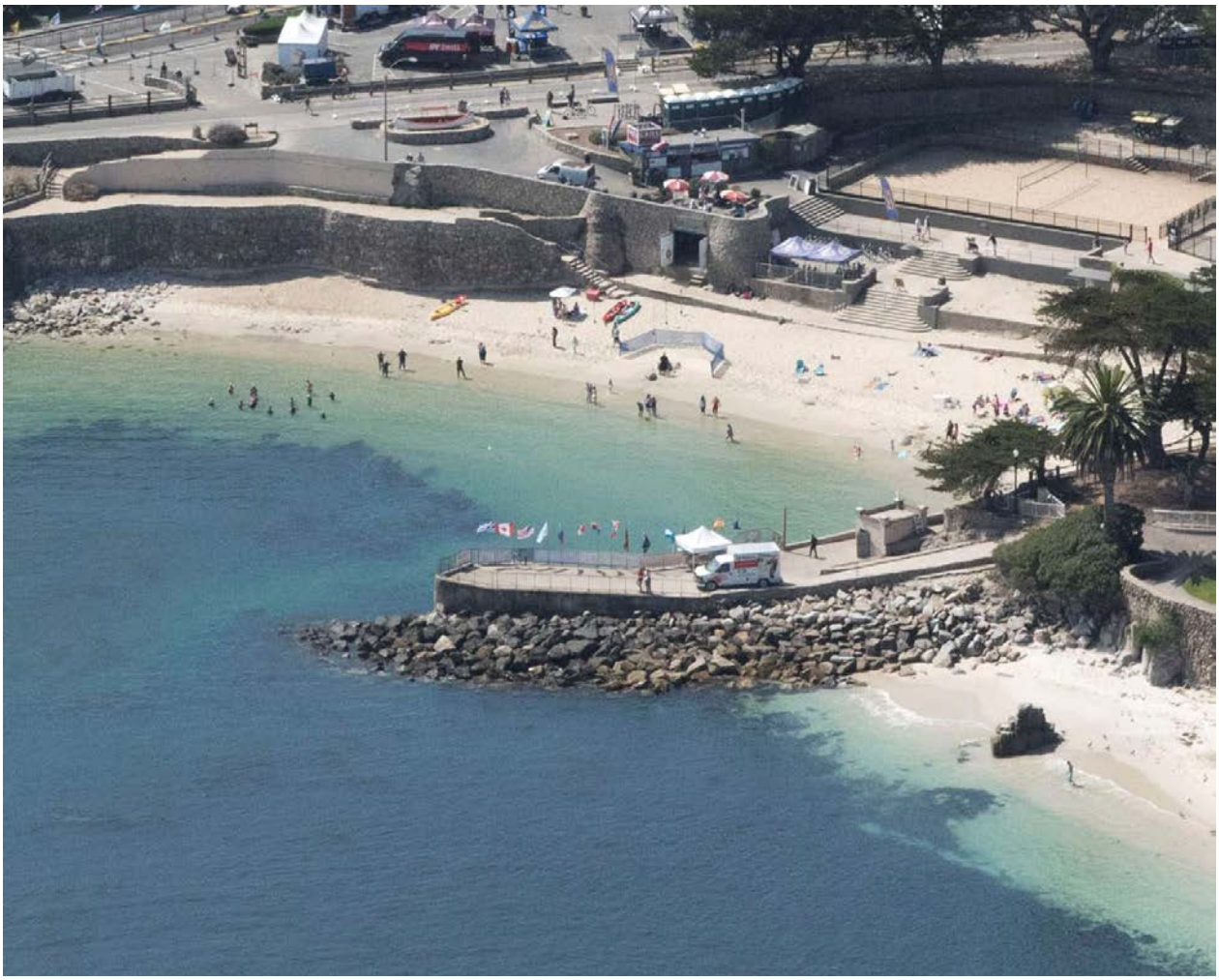
After that damage the City of Pacific Grove retained Haro Kasunich and Associates Inc. (HKA), who briefly evaluated the damage to the pier and recommended a more in-depth assessment of the pier's condition. In March 2022 the City of Pacific Grove retained GHD who in turn retained HKA to perform that assessment. This Memorandum presents the results of the assessment that evaluates the condition of the upper and lower deck of the pier.

In preparation of this assessment HKA made several site visits to observe the condition of the pier, had several working meetings with GHD, and had an additional in-house working meeting to develop alternatives. Based on review of historic documents HKA understands that circa 1900 there was originally a granite quarry at Lover's Point which enlarged the cove where the Lovers Point beaches exist today. Subsequently a “cement pier” was constructed before 1907, replacing an earlier wooden wharf. In 1909 the cement pier was extended further into the bay by constructing two large 25 to 30 feet tall concrete monoliths and tipping them off the end of the pier. The monoliths were covered with granite rocks and cement. Wooden piles were then driven into the end of the cement pier and founded upon the cemented granite rocks creating a wooden wharf extension for access. The pier was improved in the 1980’s with the construction of concrete walls and fascia creating a shell around the pier and lower dock, with that most recent renovative work on the pier utilizing plans by J. D. Raggett and Associates, dated 2-17-82.

The pier is oriented towards the northeast from where it joins the Lovers Point shoreline. It was founded in part on a small natural ridge of granitic bedrock that extends into Monterey Bay. The orientation of the pier and the presence of the prominent Lovers Point immediately to the northwest serves to protect it from the largest ocean swells that enter Monterey Bay from the west and northwest.

Despite the protection afforded by this location, the pier was damaged in January 2021 during a large wave event coincident with a king tide. The pier sustained damage from wave attack that fractured and dislodged large pieces of the concrete wall and fascia that was constructed in 1982, exposing the internal elements of the pier to more direct wave impact.

A photograph of the pier from September 2015, before the January 2021 damage occurred is shown below:



Photograph 1: September 2015 Aerial Photograph
(courtesy www.californiacoastline.org)

From our observations of the damaged pier, it appears that the pier was originally constructed partially as a wooden wharf that was subsequently surrounded with quarry stone and concrete, with rip rap boulders being placed along the side of the pier that is more exposed to the ocean. In January 2021, at the tip of the pier, several large pieces of concrete fascia were stripped off the structure by wave impact. The ends of two decayed wooden beams are visible where voids were created where the concrete fascia was stripped off the pier. The reinforcing ties that anchored the fascia to the concrete deeper within the pier structure are rusted away. This created a situation where the fascia was unattached or barely attached to the main bulk of the pier structure. The concrete fascia of the pier has been historically patched based on different fascia thicknesses and concrete types that are now visible. There is evidence that at least four generations of fencing that guard visitors from the drop offs at the edges of the pier have been installed at

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the edges of the upper pier surface for safety. Each generation of the fencing has been damaged by corrosion and wave impact, eventually leading to its replacement. A photo of the pier showing both the upper pier surface and lower pier surface, as well as the protective rip-rap revetment on the downcoast side is shown below:

Photograph 2: May 23, 2022 Aerial Photograph Showing Damage at End of Pier (Photo by HKA)

Two additional photos show other perspectives and details of the damage to the end of the pier.

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Photograph 3: 2022 Aerial Photograph
Showing Damage at End of Pier
(Photo by GHD)

Photograph 4: May 23, 2022 Aerial Photograph
Showing Damage at End of Pier
(Photo by HKA)

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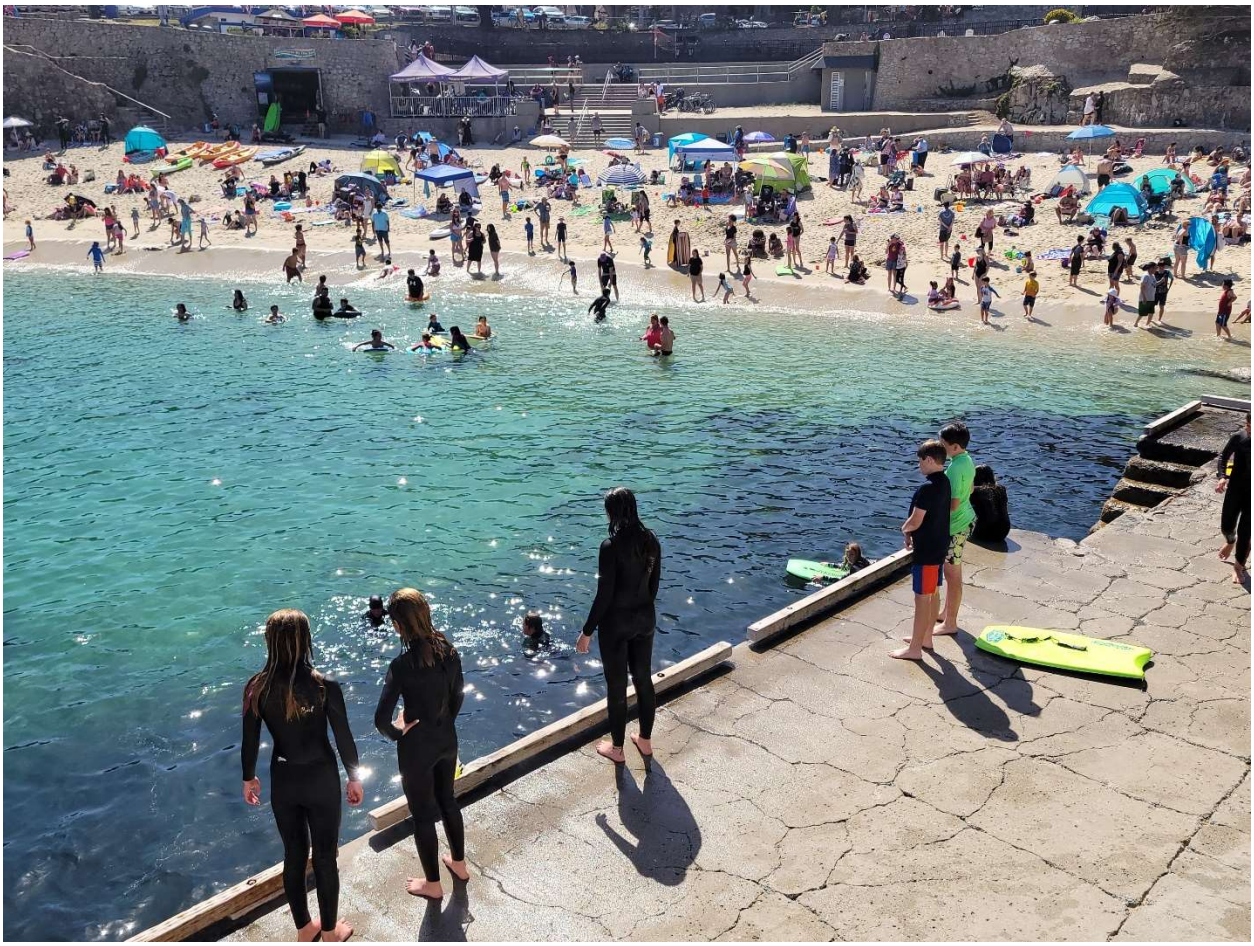
Since the 100+ year old pier structure and rock jetty structure had a big influence on beach creation at Lovers Point, if the pier and rock jetty were to cease to exist, then the littoral processes and coastal sediment flow and accumulation patterns in the vicinity of the pier will be altered, to the detriment of public access and recreational beach usage. The Lovers Point beach would be adversely affected, directly impacting public recreational beach usage. Photograph 5 below shows the public enjoying the beach in early April 2022.



Photograph 5: April 7, 2022 Aerial Photograph
Showing Public Beach Usage
(Photo by HKA)

To assess the internal structure of the pier we utilized a rotary percussion drill to advance three 2-inch diameter holes that were 9 to 11 feet deep. Two were drilled on the upper deck of the pier and one on the lower deck surface. The upper pier boreholes revealed concrete in the top 21 to 24 inches, with soft, relatively weak concrete with embedded granitic rubble down to a depth of about 6 feet. Below 6 feet was interbedded layers of granite rip rap, concrete, and concrete bonded to rip rap. Subsequently these two boreholes were drilled to refusal on granite bedrock or granite rip-rap at depths of 9 and 10 feet. On the lower elevation pier deck platform surface that faces southeast, a percussion borehole revealed an 18-inch-thick concrete section, with soft, relatively weak concrete down to a depth of about 3 feet, then harder concrete with embedded granitic rubble down to a depth of about 8 feet. The native granite bedrock formation was encountered below a depth of 8 feet deep.

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We subsequently diamond core drilled 3 holes in the pier in similar locations to the percussion drilled boreholes described above. We recovered continuous core samples from each hole, and this allowed visual inspection of the concrete, rubble, and other materials from the interior of the pier structure. At the conclusion of drilling, all holes were plugged with high strength concrete grout.

Laboratory testing of core samples derived from the diamond drilling were visually inspected and tested for compressive strength. One of the concrete samples from the upper deck had a compressive strength of over 7,000 psi. The remaining samples tested within the upper 5 feet had had test results that indicated between 3,100 and 4,400 psi, as well as weaker samples that were not tested, which is below the ACI 318-22 code required minimum of 5,000 psi. The weaker zones of concrete were easily drilled with the percussion drill and the concrete became disaggregated into a mixture of sand grains and cured cement.

Visual observation of the pier (see photographs 2, 3 and 4 above) shows that in the area where the concrete fascia has been stripped off, the internal structure of the pier is an assorted assemblage of sound concrete, granitic rubble in a weaker concrete matrix, occasional voids, and old wooden components. At the seaward end of the pier, both upcoast and downcoast from the damaged area, the remaining fascia exhibits fractures and differential displacement across the fractures. A network of cracks exists in the slabs that form the top of both the upper and lower pier walking surfaces. These cracks in the horizontal walking surfaces do not exhibit vertical displacement.

The lower pier deck has a dense network of surface cracks on its walking surface. Erosion and spalling of the concrete is occurring along the cracks. The 1982 Raggett plans specified a minimum of 1-1/2 inches of concrete cover over uncoated carbon steel reinforcing bar for the slabs and mostly 3 inches of concrete cover elsewhere, with mild steel welded wire mesh being used as reinforcing in thin air blown mortar fascia. Typical practice in more recent years involves epoxy coated, MMFX (Chromx) or stainless-steel rebar for most marine applications, with robust reinforcing and thickened wall sections capable of counteracting wave impact forces.

Severe corrosion of the reinforcing in the pier concrete and air blown mortar (shotcrete) is now evident in many places. Where corrosion has occurred and the iron in the reinforcing steel has oxidized forming iron oxide reddish brown staining is evident. This chemical alteration of the reinforcing steel involves the iron expanding in volume as it oxidizes and the rebar corrosion causing concrete deterioration through delamination and spalling of the concrete cover, reducing the cross-sectional area of the reinforcement, and reducing its bond to the concrete. These effects grossly reduce the strength of reinforced concrete and make concrete beams and columns vulnerable to deflection and rupture. The Lovers Point pier is primarily a massive gravity structure that is not column supported or reliant on the strength of concrete beams. One exception is the stairs going from the lower pier deck surface to the upper pier deck surface are built with a hollow area underneath, which does rely on reinforced concrete integrity to prevent its sudden structural collapse. The vertical concrete/shotcrete walls around the pier also rely on reinforced concrete integrity to prevent the pier from being eroded away, however that process is more incrementally progressive.

The pier is fronted on the Lovers Point side (downcoast side) by a rip-rap revetment. This revetment appears to have been enlarged and extended to protect the end of the pier between 1979 and 1987.

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Photograph 6: 1979 Aerial Photograph
Showing Rip-rap Revetment at Pier
(courtesy of californiacoastline.org)

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Photograph 7: June 1987 Aerial Photograph
Showing Enlarged Rip-rap Revetment at Pier
(courtesy of californiacoastline.org)

We field surveyed and prepared a 440-foot-long profile that extended from the upper pier deck surface (at about Elevation + 14 feet NAVD88) to the limit of the revetment (at about Elevation 0 feet NAVD88) to an elevation of about -23 feet NAVD88. We examined the quarry stone size (tonnage) and calculated the stability of the quarry stones in the steeply sloping toe of the structure. We utilized estimated extreme present-day ocean stillwater levels (9.9 Feet NAVD88) and used a low risk aversion with high emissions (these have a 66% probability of occurrence if predicted high emission scenarios are realized) stillwater level of 11.7 for year 2072 in our analysis. More extreme sea level rise is predicted to occur if lower probability (higher risk aversion) scenarios are realized. We note that the predicted 2072 (50 year) sea level rise scenario we utilized in our analysis has the ocean stillwater level (at extreme tide with storm surge and wave pileup conditions) at an elevation approximately 2.30 feet below the upper surface of the pier.

A wave runup analysis was conducted utilizing methodologies outlined in the 1984 Army Corps of Engineers Shore Protection Manual (SPM) and the computer program by Noble Coastal Engineers WRUP™. The analysis was performed on Cross Section A field surveyed by HKA as described above. Design still water levels of 9.9 feet NAVD88 (Year 2022) and 11.7 feet NAVD88 (Year 2072) where used in the analysis.

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In the analysis we allowed the software to iterate until the maximum breaking wave and corresponding wave runup elevation was determined. We also specified the deep-water wave height using a simulated near shore wave model from an adjacent project which predicted breaking waves closer to the structure. Both scenarios are possible and should be considered. A summary of results is presented in Table 1 below.

Table 1: Summary of results from Waverunup analysis

Year	*SWL (ft.)*	*Ho' (ft.)*	*T (sec.)*	*H_b (ft.)*	*d_b (ft.)*	*Breaking Wave Distance from Pier (ft.)*	*Runup Elevation (ft. NAVD88)*
2022	9.9	7.0	16	14.4	9.9	44.0	32.1
	9.9	9.3	16	15.5	16.2	122.6	37.5
2072	11.7	7.0	16	14.4	9.9	41.6	34.9
	11.7	10.9	16	17.3	18.2	129.0	44.5

Notes: SWL = Still Water Level
Ho' = Unrefracted Deep Water Wave Height
T = Wave Period
H_b = Breaking wave Height
d_b = Breaking wave depth

The results indicate that at present day during the worst-case storm conditions wave runup elevations can vary between 32 and 38 feet NAVD88. That equates to approximately 20 feet of vertical wave spray above the top of the pier which sits at elevation 14.5 feet NAVD88. In 50 years, wave runup elevations vary between 35 and 45 feet NAVD88 which equates to an average of 25 feet of vertical spray above the top of the pier. Detailed spreadsheets and raw data software outputs are included in Appendix B.

The larger of the breaking wave heights from the wave runup analysis where selected for each still water level scenario and a wave force analysis was performed to determine wave pressures acting on the existing vertical pier walls. Wave forces were calculated using the following methods.

1) Broken Waves Seaward of Stillwater Line (Shore Protection Manual Volume II, 1984)
2) Minikin Method (Shore Protection Manual Volume II, 1984)
3) Breaking Wave Loads on Vertical Wall (FEMA Coastal Construction Manual)

The results of the analysis indicate that presently during worst case storm conditions dynamic wave impact pressures can be up to approximately 500 psf for broken waves rolling into the pier as white water and 1000 psf for waves breaking as green water on the structure. In 50 years from now those forces may reach 600 psf and 1,660 psf for broken waves rolling into the structure and breaking waves on the structure, respectively.

Details and spreadsheets used for calculating wave pressures utilizing the three different wave force analysis methodologies are included in Appendix B.

A rip-rap size analysis was performed in the zone of maximum wave impact at the revetment fronting the pier. The weight and surface area of 122 boulders was inventoried and a mean boulder size of 2 tons was determined. Using the wave heights generated in the wave runup analysis the size requirement of rip rap was determined for the 10:1 (H:V) slope fronting the pier. In present day storm conditions 1 ton rock is required for large waves braking offshore and rolling in as white water. Larger 4-ton rock is required for moderate to large waves breaking directly on the revetment. In 50 years from now (2072) 6-ton rock is required for larger waves breaking on the rip rap at the 10:1 (H:V) slope. Our analysis indicates that the

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existing rip-rap revetment is marginally stable when compared with wave force analysis under present day stillwater levels. If sea level rise increases the stillwater level by nearly 2 feet as predicted in the coming 50 years (2072) the rip rap revetment structure will be considerably undersized for the wave forces. Undersized rip rap revetment structures are prone to having their boulders plucked by waves and ultimately slump to a flatter slope gradient becoming less effective. Since the existing revetment sits at a relatively flat gradient at present increased runup and overtopping will be the most prevalent change in the future. Actual sea level rise measured from tidal gauges over the past several decades indicate a much slower rate of sea level rise. However larger increments of sea level rise may occur as melting of ice sheets or other contributing factors occur in the future. Our conclusion is that we expect the existing revetment at the current slope gradient of 10H:1V will continue to perform well for 50 years. As the Stillwater level increases over time the revetment will slowly become less effective at reducing wave runup and overtopping and greater wave forces will occur against the concrete pier structure. Ultimately the revetment will need to be reinforced with a layer of larger quarry stones or precast concrete elements (e.g., dolos, tetra pods, tribars etc.) Refer to Appendix C for an inventory spreadsheet and rip-rap sizing calculations.

The pier is performing as expected for a massive gravity structure founded partly on concrete rubble and rip-rap and partly on granite bedrock. The gravity structure is comprised of interbedded layers of concrete, a matrix of concrete bonded to rip rap, and rip rap rock. There are void and joints within and between the interbedded layers. Some of the concrete is very punky/weak. The entire pier was renovated in the early 1980's with reinforced concrete walls and slabs on the upper and lower decks. These renovations encased the weaker concrete and rip rap matrix that makes up most of the gravity structure. The reinforced concrete walls and slabs provide a protective layer for the much weaker legacy material making up the mass. The reinforced concrete improvements included iron and carbon rebar which has corroded and expanded overtime resulting in severe cracking and spalling of the concrete further exposing rebar. The rebar hangars supporting the concrete walls are severely corroded at the east end of the upper deck and a panel of concrete dislodged and fell into the ocean during a large wave event. The gravity structure is not in danger of a catastrophic failure at this time. However, as the reinforced concrete walls continue to fail exposing more of the vulnerable core of the gravity structure, we expect that the rate of deterioration will accelerate. In other words, this damage will only get worse in the coming decade, if nothing is done to reinforce and stabilize the core of the gravity structure.

APPENDIX A to this MEMORANDUM shows numerous photographs of specific conditions found along the pier that warrant action.

Recommendations:

If nothing is done, then: a) Damage will continue as well as accelerate; b) Concrete debris will remain in the ocean water and more will follow; and c) Use of the pier by the public will be beyond an ordinary level of risk.

Ordinary risk is defined as the following:

- Failures only affecting owners/occupants of a structure rather than a substantial population.
- No significant potential for loss of life or serious physical injury.
- No collapse of structures; structural damage limited to repairable damage in most cases.

This alternative may present an unacceptable level of risk to the City assuming the pier would remain accessible for use by the public.

Appendix A to this Memorandum includes a detailed description of various elements of the pier, their location, our observation of their condition, problems that we noted, and conceptual recommendations that can be solutions to those problems.

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In addition to this Memorandum, we (HKA) have prepared a set of short-term ("Interim") repair plans for the pier which will remediate most of the problems with the pier for the near future (10 or perhaps 20 years). Those plans will be submitted separately.

Removing concrete debris should be considered. This includes the pieces of concrete fascia resting on the seafloor in shallow water, as well as loose pieces of fascia that are partly detached from the pier structure. The concrete in the ocean water appears to have been colonized with marine life, and the disturbance associated removal of part or all of it is likely to do more harm than good. Loose pieces of fascia that are partly detached from the pier structure can be removed with a small crane or perhaps an excavator operated from the intact part of the concrete pier deck. A workman would likely need to assist to place slings around or anchor bolts into the concrete debris pieces so they can be lifted, placed in a truck, and transported to an appropriate disposal site. This alternative is environmentally appropriate.

Development and installation of a short-term repair (an "Interim" repair) is warranted as soon as possible. This includes:

A. Monitor surf forecasts and close the entire pier to public use for temporary periods of time if adverse (dangerous) conditions are forecast. If wave overtopping of the pier deck or large waves are forecast during king tide periods, close the pier to public use. Monitoring should include tidal conditions, ocean swell size, direction, and period; This is prudent to maintain an acceptable level of risk.
B. Monitor future deterioration until the short-term "Interim" repair work is completed. This involves periodically inspecting the condition of the pier to assess if future damage is occurring. This is prudent no matter which other actions are taken. As part of the monitoring, supplemental recommendations should be made to the City, so those can be implemented as appropriate.
C. Design and installation of a new structural fascia that wraps around the tip of the pier and allows restoration of public use of the tip of the pier. The fascia should act as a short-term structural element as well as a cosmetic surfacing that matches the adjacent concrete surfaces. Inclusion of soil nail restraints within the fascia to enable it to act as a long-term retaining structure has been considered; however, this is more appropriate for consideration during development of a long-term repair plan for the pier.
D. Replacement of the concrete at the edges of and the tip of the pier with a sound concrete edge beam that replaces the cracked and split concrete there.
E. Replacement of the fencing along the margins of the pier, with the new fencing founded in the new concrete edge beam, which should be done in a manner that prevents corrosion of the fencing material from damaging the concrete. The fence posts should be embedded in the concrete in a manner that will minimize the chances of wave impact loading on the fence resulting in causing the edge beam to crack.
F. Replacement of the concrete slab on the seaward 75 feet of the upper pier deck.
G. Replacement of the concrete slab on the entire lower pier deck.
H. Reforming and resurfacing the stairs that extend into the water from the lower pier deck surface in a code compliant manner. A stainless-steel handrail should be provided.
I. Further evaluation of the stairs that extend from the upper pier deck surface to the lower pier deck surface by a structural engineer. If they must be replaced, that should be done in a code compliant manner. A stainless-steel handrail should be provided. If the structural engineer deems that repairs will be sufficient to allow use of the stairs, they should define those.
J. Consideration of whether a code compliant guard should be installed at the perimeter of the lower pier deck surface where there is an abrupt drop off into the ocean.
K. Maintaining new fencing in a location far enough landward of the damaged part of the pier so that users of the pier are only able to access the stable part of the pier. This involves placement of a new fence to prevent access to approximately the seaward 10 feet of the pier.
L. Further evaluation of the small building that is on the approach to the pier by a structural engineer. If it is unsafe to enter and must be replaced, that should be done in a code compliant manner. If the structural engineer deems that repairs will be sufficient to allow use of the building,

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they should define those. As an alternative the structure could be resurfaced with reinforced concrete and infilled with control density fill.

Long Term Repair Alternatives

Over the next 50 years the Lovers Point Pier will be subjected to an increase in sea-level rise, storm surge, wave runup, wave overtopping, and wave impact forces. We expect that the portion of the rip rap revetment at a 10H:1V slope gradient will perform well for the next 30 years. The pier structures even with the interim repairs implemented should be expected to deteriorate over the next couple of decades to the point that it will need to be repaired again with a similar interim concept or completely replaced with a new coastal structure. During this time frame the repair should be monitored at the beginning and end of each winter storm season as well as at the end of each large wave event accompanied with hightides. The monitoring should be conducted by a registered civil or structural engineer specializing in marine structures.

The interim repair will provide adequate time for an investigation, alternatives analysis, design, community outreach, permitting, and construction of a replacement coastal structure. We have developed several alternatives for the long-term repair of the pier structure for consideration. Each repair alternative will require a specific type of investigation:

Long-Term Repair Alternative 1. Total removal of the existing pier and rip-rap revetment and construction of a new wharf supported by deep foundations. The wharf would occupy a similar footprint to that of the existing pier. This alternative is not recommended because it would allow wave and tidal movement to propagate beneath the wharf and disrupt the littoral drift process which provides the Lovers Point beach with sand. Lack of sand build up in the cove will shrink the beach and create a negative recreational impact for the public.

Long-Term Repair Alternative 2. Total removal of the existing pier and rip-rap revetment and construction of a new concrete gravity structure in a similar footprint supported directly upon the granite bedrock formation that makes up the sea floor. The structure would bear directly upon the seafloor and prevent the movement of water beneath it. This alternative would not disrupt the littoral drift process, however, the environmental impacts during construction such as containing concrete from the tidal zone make this alternative not preferred from a constructability standpoint. This alternative would also generate higher wave runup and overtopping scenarios since the rip rap revetment would be removed.

Long-Term Repair Alternative 3. Removal of existing concrete pier gravity structures above 0.0 feet NAVD88 and construction of new pier atop old concrete foundation elements and rip rap. This alternative is preferable to alternative 2 from an environmental impact and constructability standpoint, however, the design relies on older foundations and undersized rip rap for support and protection. Over the next 50 years the existing rip rap may be dislodged from the pier base leaving it vulnerable undermining as well as increased impact from wave runup and overtopping events.

Long-Term Repair Alternative 4. Complete removal of existing pier and rip rap. Construct a rip rap jetty in the same footprint with adequately sized rock to approximate elevation +20.0 feet (+/- 5 feet) NAVD88. Construct a concrete gravity structure atop the rip-rap jetty as a causeway for recreational access. This alterative is preferred from a constructability, environmental impact, and long-term protection standpoint.

To properly design and permit Long-Term Repair Alternative 4, more subsurface investigation and more detailed coastal engineering analysis is required for site specific geometry of the proposed long-term

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repair. Haro, Kasunich & Associates, Inc. proposes six additional continuous cores drilled through the existing pier, rip-rap, and into the underlying bedrock, three additional field surveyed cross sections, and an in-depth coastal and geotechnical engineering analysis which includes alternative analysis and wave runup and force analysis on the chosen alternative geometry. Geotechnical design parameters for temporary shoring, retaining walls, and foundation would also be provided. A cost estimate can be prepared at your request.

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APPENDIX A

ANNOTATED PHOTOGRAPHS OF CONDITIONS FOUND ALONG THE LOVERS POINT PIER WITH OBSERVATIONS OF PROBLEMS AND RECOMMENDED SOLUTIONS

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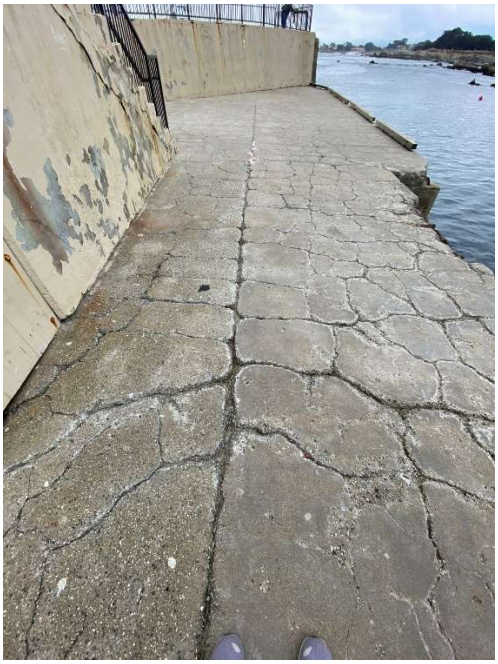
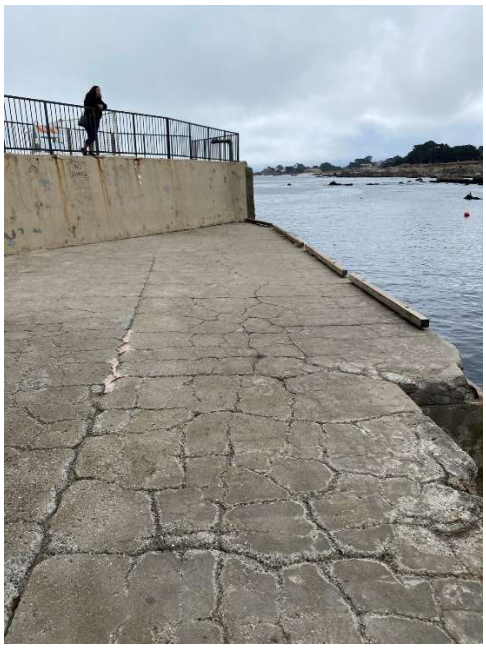
Annotated Photographs of Conditions Found Along the Lovers Point Pier With Observations of Problems and Recommended Solutions

Preliminary Draft 10-29-2022

Location 1 : Lower Pier Surface



Appendix A Photo 1: Lower Pier Surface



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Appendix A Photo 2: Lower Pier Deck Surface

Appendix A Photo 3: Lower Pier Deck Surface

Problems:

1) Extensive cracking of concrete slab. Large cracking appears to be combination of construction joint cracking and cracking from shrinkage during curing as well as concrete erosion and spalling.

2) Spalling from corrosion of reinforcing bar at slab edges.

3) Slab appears to slope toward the upper pier and may pond water.

4) Lack of fence or guard at drop off into ocean. Safety Hazard.

Solutions:

1) Remove corroded concrete in spalled areas, replace damaged reinforcing, reform damaged area, and pour new concrete.

2) Install new 6- to 8-inch-thick reinforced concrete topping slab over entire existing lower deck. Slope surface for positive drainage.

3) Use commercial marine grade elastomeric joint filler between new dock slab and bottom of upper pier wall.

4) Use heavy broom non-slip finish or similar on the new slab.

4) Resurface other repaired areas to match existing.

5) Install fence or guard at drop off

6) Install safety signage.

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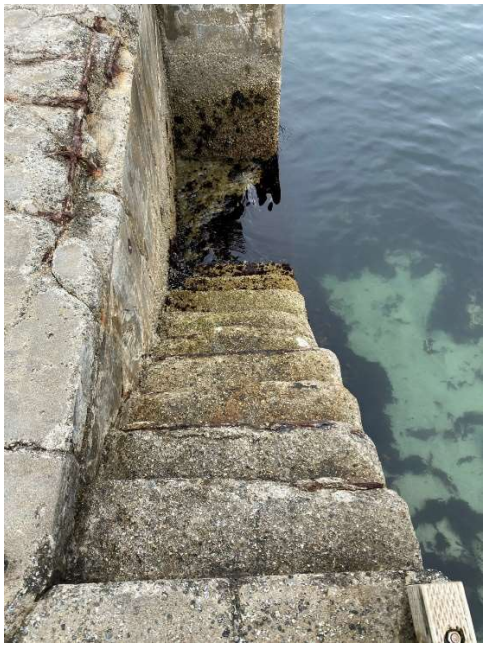
Location 2 : Stairs from Lower Pier Deck Surface to Ocean



Appendix A Photo 4: Stairs from Lower Pier Deck Surface to Ocean

Appendix A Photo 5: Stairs from Lower Pier Surface to Ocean

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Problems:

1) Spalling from corrosion of reinforcing bars.

2) Cracking of concrete.

3) Erosion and abrasion of stair treads. Safety Hazard.

4) Irregular stair rise and run. Safety Hazard.

5) Lack of handrail. Safety Hazard.

Solutions:

1) Remedy Safety Hazards with guards, handrail, and signage.

2) Reform and pour new concrete stairs with minimum 4-foot width, uniform rise and run of treads and aluminum or stainless-steel stair treads with nosing.

3) Remove eroded/corroded concrete, replace damaged reinforcing, reform damaged area, and pour new concrete in adjacent areas.

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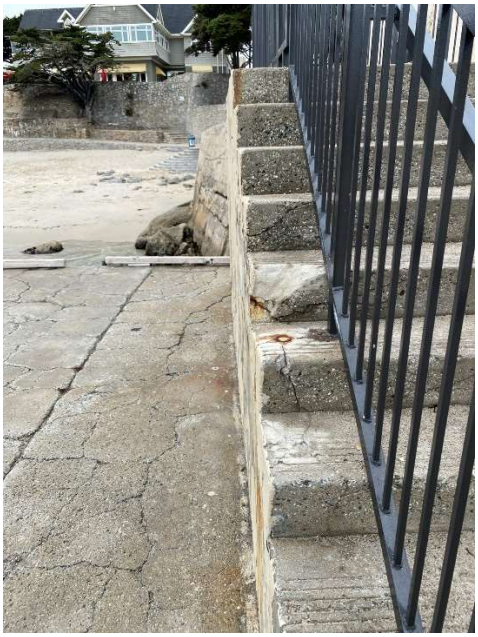
Location 3 : Stairs from Upper Pier Deck Surface to Lower Pier Deck Surface

Appendix A Photo 6: Stairs from Lower Pier Deck Surface to Upper Pier Deck Surface with Interior Storage Room Underneath



Appendix A Photo 7: Stairs from Lower Pier Deck Surface to Upper Pier Deck Surface with Interior Storage Room Underneath

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Appendix A Photo 8: Stairs from Lower Pier Deck Surface to Upper Pier Deck Surface with Interior Storage Room Underneath

Appendix A Photo 9: Stairs from Lower Pier Deck Surface to Upper Pier Deck Surface with Interior Storage Room Underneath

Appendix A Photo 10: Stairs from Lower Pier Deck Surface to Upper Pier Deck Surface with Interior Storage Room Underneath

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Problems:

1) Spalling from corrosion of reinforcing bar.

2) Cracking of concrete.

3) Structural distress from concrete reinforcing failure.

Solutions:

1) Inspect interior room.

2) Structural Engineer to evaluate stairs and stability of roof and walls of interior room. This evaluation may conclude a complete rebuild of the stairs is most cost effective or may find that resurfacing the concrete and completely filling the interior room under the stairs with concrete control density fill is adequate.

3) Remove corroded concrete, replace damaged reinforcing, sandblast surface, reform damaged area and pour new concrete.

4) Resurface repaired areas to match existing.

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Location 4 : Upper Pier Deck Surface

Appendix A Photo 11: Upper Pier Deck Surface Showing Cracking Of Slab

Appendix A Photo 12: Upper Pier Deck Surface Showing Construction Joint and Cracks

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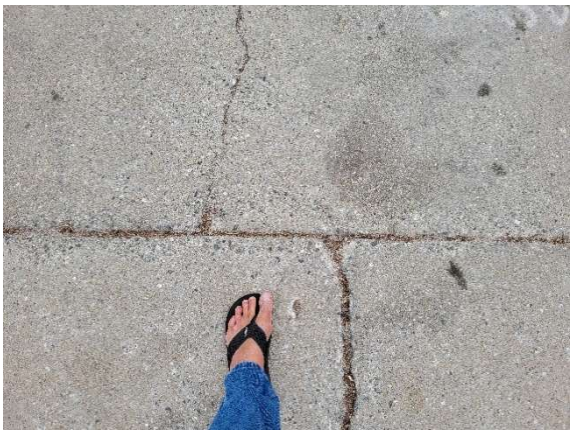

Appendix A Photo 13: Upper Pier Surface

Problems:

1) Extensive cracking of concrete slab. Cracking appears to be combination of construction joint cracking, cracking from shrinkage during curing as well as from settlement and flexure of the massive concrete structure.

2) Spalling from corrosion of reinforcing bar at slab edges.

Solutions:

1) Remove 8-inch of cracked concrete in the seaward 75 feet of pier surface area.

2) Install new 8-inch-thick reinforced topping slab over entire existing slab. Slope surface for positive drainage.

3) Utilize heavy broom non-slip finish on new slab.

4) Use marine elastomeric filler in new control joints.

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Location 5 : Upper Pier Deck Edge Toward Lower Pier Deck

Appendix A Photo 14: Upper Pier Deck Edge Toward Lower Pier Deck

Appendix A Photo 15: Upper Pier Deck Edge Toward Lower Pier

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Appendix A Photo 16: Upper Pier Deck Edge Toward Lower Pier Deck

Along this edge the upper pier deck concrete slab is at the same elevation as the top of the wall that descends to the lower pier deck surface. The concrete has spalled in numerous areas, often near the location of present or former railing posts and corroded rebar is visible.

Problems:

1) Extensive cracking of concrete slab. Cracking appears to be combination of construction joint cracking, cracking from shrinkage during curing as well as from settlement and flexure of the massive concrete structure.

2) Spalling from corrosion of reinforcing bar at slab edges.

Solutions:

1) Remove corroded concrete in spalled areas, replace damaged reinforcing, reform damaged area and pour new concrete.

2) Install new 8-inch-thick reinforced topping slab over entire existing slab. Slope surface for positive drainage.

3) Use marine elastomeric filler between new lower deck concrete slab and bottom of upper pier deck wall.

4) Resurface repaired areas to match existing.

5) Install fence or guard at drop off.

6) Install safety signage.

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Location 6 : Upper Pier Deck Edge Toward Lovers Point

Along this edge there is a wall along the edge of the pier and the upper pier concrete slab is about 6 inches in elevation below the top of the wall that descends to the adjacent rip-rap. The concrete has severely cracked in numerous areas due to corrosion (chemical alteration) of the reinforcing steel that involves the iron expanding in volume as it oxidizes and causes concrete deterioration by delamination and spalling of the concrete cover and reducing the cross-sectional area of the reinforcement and reducing its bond to the concrete. Prominent cracks often parallel with the wall and near the location of present or former railing posts. Cracking is also evident that crosses the top of the wall, and corroded rebar is visible.

Appendix A Photo 17: Showing Prominent Cracks Parallel to Top of Wall Along Upper Pier Edge Toward Lovers Point

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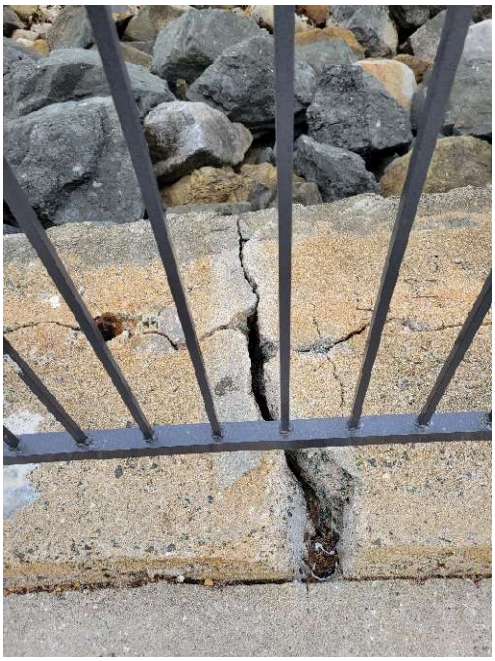
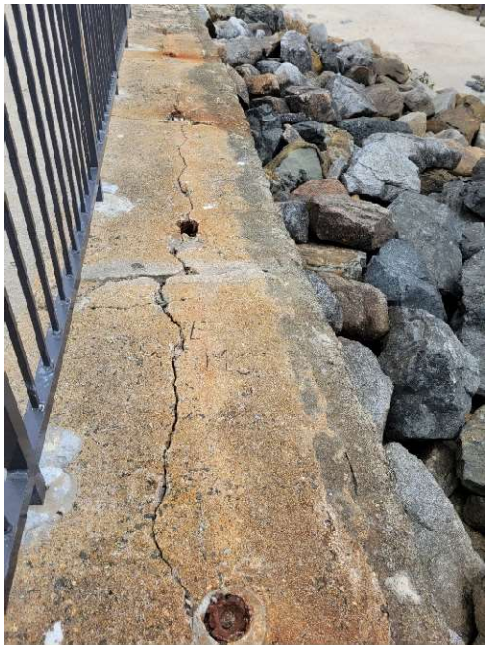


Appendix A Photo 18: Showing Prominent Crack Across Top of Wall Along Upper Pier Edge Toward Lovers Point



Appendix A Photo 19:Showing Crack Location Along Old Railing Post Alignment at Upper Pier Edge Toward Lovers Point

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Problems:

1) Extensive cracking of top of wall at upper pier deck edge toward Lovers Point. Large cracking appears to be associated with corrosion of former railing posts, as well as from settlement and flexure of the massive concrete structure. Concrete erosion is evident.

2) Spalling from corrosion of reinforcing bar in near surface areas.

Solutions:

1) Remove upper portion of wall at upper pier deck edge toward Lovers Point and reform a new concrete beam at the edges of and the tip of the pier with a sound concrete edge beam that replaces the cracked and split concrete there, so the new concrete beam can be used as a stable foundation for new corrosion resistant railings. After demolition, form new concrete beam designed as a gravity structure with an integrated sleeved foundation for new railings, and pour new concrete.

2) Integrate work so that the adjacent new 8-inch-thick reinforced topping slab is structurally tied to the new concrete beam with reinforcing bar.

3) Use marine elastomeric filler in upper portion of new railing foundation sleeves and in any required control joints.

4) Resurface repaired areas to match existing.

5) Install fence or guard at drop off.

6) Install safety signage.

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<u>Location 7</u> : Upper Pier Deck Railing

Appendix A Photo 20: Upper Pier Railing

Appendix A Photo 21: Upper Pier Deck Railing

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Appendix A Photo 22: Upper Pier Deck Railing

Appendix A Photo 23: Upper Pier Deck Railing Under Historical Wave Impact During Pier Construction (Photo Taken Prior to Construction of Lower Pier Deck Portion)

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Problems:

1) Four prior generations of railing are evident. Extensive concrete cracking has resulted from expansion of railing posts because of corrosion and from wave impact forces on the railings from ocean wave overtopping of the pier.

2) Railings are essential for pier user safety, and thus must be in a challenging corrosive environment that is subject to wave inundation and impact.

3) Railing will not protect users from wave uprush, impact, or overtopping.

3) Lack of fence or guard at drop off into ocean. Safety Hazard.

Solutions:

1) Install new corrosion resistant railings. Found them in the new concrete beam located at the edges of and the tip of the pier with an integrated sleeved foundation for the new railings.

2) Use marine elastomeric filler in upper portion of new railing foundation sleeves and in any required control joints.

3) Resurface repaired areas to match existing.

4) Close pier during extreme ocean wave conditions. Install safety signage.

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Location 8 : Seaward End of Lovers Point Pier

Appendix A Photo 24: Lovers Point Pier Showing Damage at Seaward End

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Appendix A Photo 25: Lovers Point Pier Showing Closer View of Damage at Seaward End

Appendix A Photo 26: Showing 2021 Damage at Seaward End of Pier

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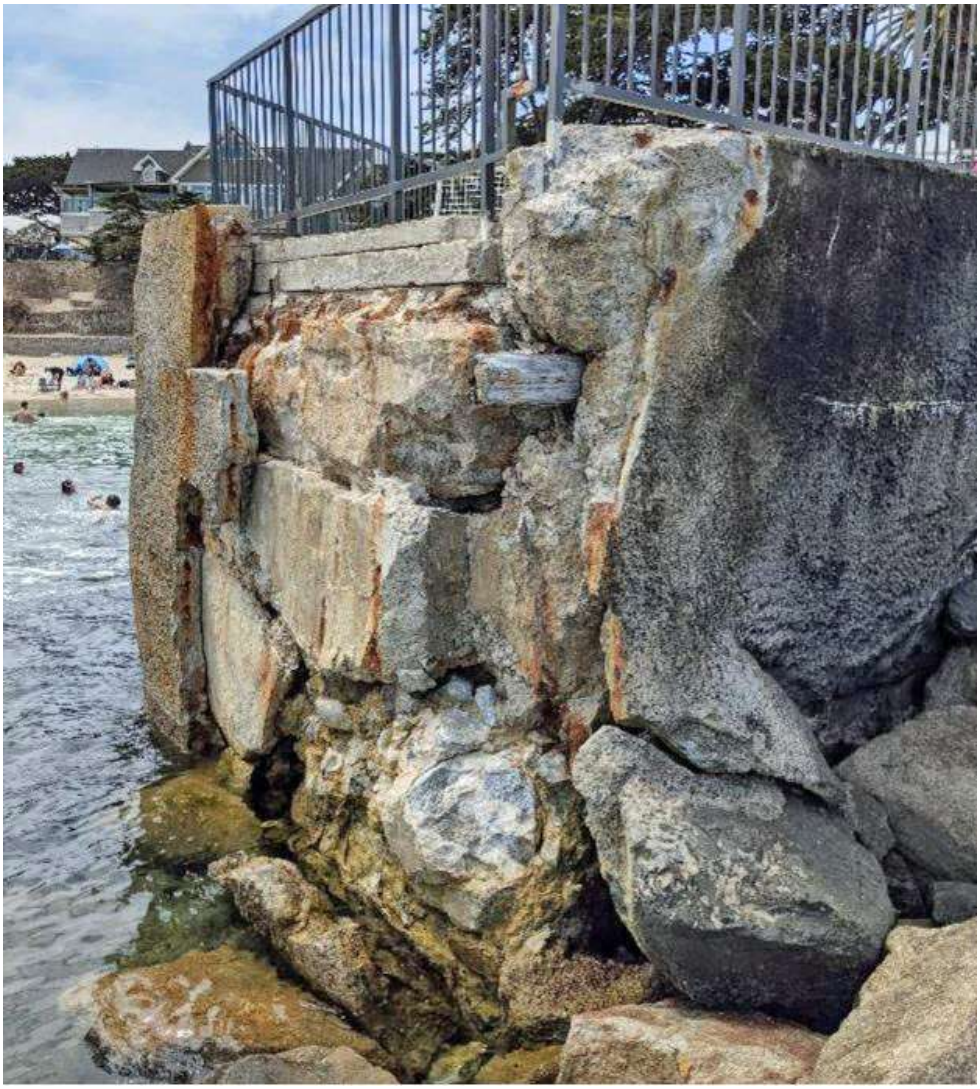

Appendix A Photo 27: Showing 2021 Damage at Seaward End of Pier

In January 2021, at the tip of the pier, several large pieces of concrete fascia were stripped off the structure by wave impact. The ends of two decayed wooden beams are visible where voids were created where the concrete fascia was stripped off the pier. The reinforcing ties that anchored the fascia to the concrete deeper within the pier structure are rusted away. This created a situation where the fascia was unattached or barely attached to the main bulk of the pier structure. The concrete fascia of the pier has been historically patched based on different fascia thicknesses and concrete types that are now visible.

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Problems:

1) Extensive cracking of concrete wall and facing. Large cracking appears to be caused by a combination of reinforcing bar and reinforcing tie failure and spalling. Under the stress of wave impact forces.

2) Exposed edges of facing and adjacent walls are delaminating and becoming detached from the core of the pier.

3) The core of the pier is exposed and subject to ongoing damage.

4) Foundation of existing fence at tip of pier is damaged, so it does not adequately guard the drop off into the ocean there. Safety Hazard.

Solutions:

1) Maintain existing additional safety fencing to prevent pedestrian access to the seaward 10 feet of the pier.

2) Close pier during extreme ocean wave conditions. Install safety signage.

3) Install new corrosion resistant railings. Found them in the new concrete beam located at the edges of and the tip of the pier with an integrated sleeved foundation for the new railings.

4) Demolish "Failing Area" of shotcrete facing shown in Photograph 26 (above).

5) Install new marine shotcrete fascia tied into core of existing pier and into new beam around upper pier perimeter. Take precautions to prevent concrete debris from any required demolition and any uncured fresh or hardened concrete from entering the ocean.

6) Resurface repaired areas to match existing adjacent surfaces.

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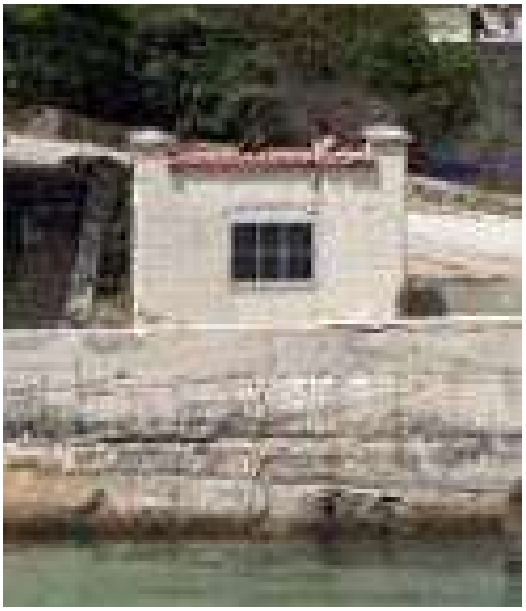
Location 9 : Small Building Located on Pier Approach



Appendix A Photo 28: Small Building Located on Pier Approach

Appendix A Photo 29: Door into Interior of Small Building Located on Pier Approach

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Problems:

1) Spalling from corrosion of reinforcing bar.

2) Cracking of concrete.

3) Structural distress from concrete reinforcing failure.

Solutions:

1) Inspect interior room.

2) Structural Engineer to evaluate stability of roof and walls of building. This evaluation may conclude a complete rebuild of the building is preferred or resurfacing of existing concrete and infilling of the room with concrete control density fill or may find that removal of the building is most cost effective.

3) Remove corroded concrete, replace damaged reinforcing, sandblast surface, reform damaged area and pour new concrete.

4) Resurface repaired areas to match existing.

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<u>Location 10</u> : Steps to Beach from Pier Approach

At the landward end of the approach to the pier, a set of steps with arcuate treads descends to the beach sand at the main Lovers Point Beach.

Appendix A Photo 30: Steps to Beach

Problems:

1) The noses of the treads have eroded and become broken off, resulting in irregular surfaces on the steps, which are partly covered in sand. This creates a slip and fall hazard.

2) No handrail exists.

Solutions:

1) Reconstruct steps that are code compliant.

2) Install code compliant handrail(s) for pedestrians to use.

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<u>Location 11</u> : Rip-rap Revetment

The rip-rap revetment downcoast of the pier is in good condition. It absorbs wave energy, decreases pier flooding which increases the time the pier is usable, and buttresses and supports the concrete pier structure. It is shown below.

Appendix A Photo 31: Rip-rap Revetment Downcoast of Pier

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Appendix A Photo 32: Closer View of Rip-rap Revetment Downcoast of Pier

Problems:

1) The toe of the revetment is at a much steeper gradient than the remainder and quarrystone at the toe will become unstable in the future.

Solutions:

1) Ultimately the revetment may need to be armored with a layer of larger quarry stones or precast concrete elements (e. g. dolos, tetra pods, tribars etc.)

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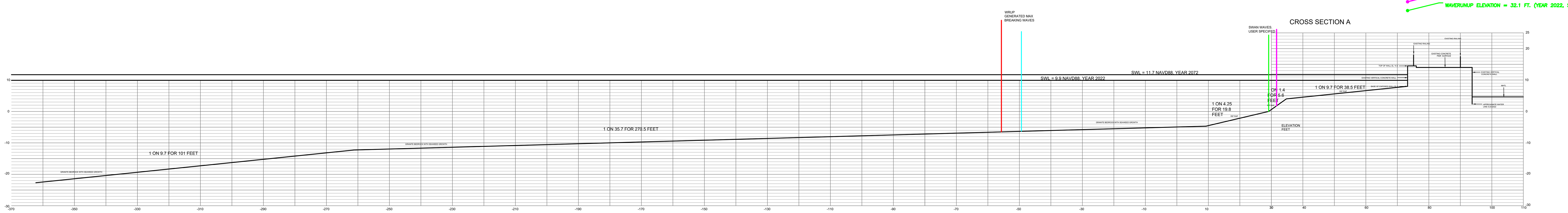
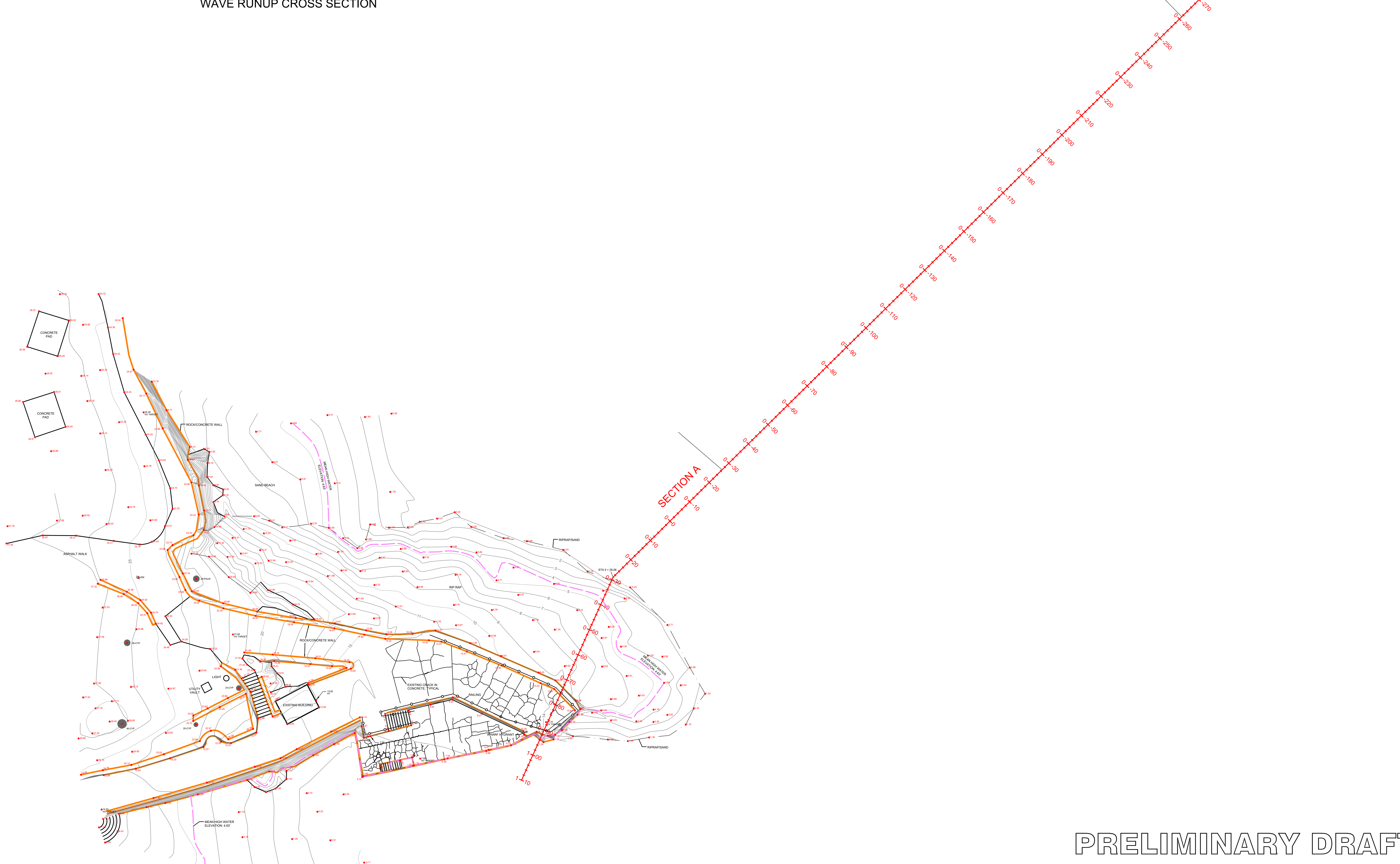
APPENDIX B
WAVE RUNUP AND FORCE ANALYSIS



WAVE RUNUP CROSS SECTION



PRELIMINARY DRAFT

REVISIONS	BY

TOPOGRAPHIC MAP & PLAN VIEW WITH WAVE RUNUP SECTION
LOVERS POINT PIER BAND-AID REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076 (831) 722-4175

Date 7-21-2022
Scale AS SHOWN
Drawn MF
Job
Sheet 1
OF 1 SHEETS

WAVE RUNUP AND FORCE ANALYSIS RESULTS SUMMARY

LOVERS POINT PIER

Date: October 2022
Job #: M11897
By: AK

Notes:

1) Analysis perfmored on WRUP™ wave runp software program 1984 using the composite slope method
2) All elevations reported in NAVD88
3) Analysis performed for existing and final wall configuration

Description of Terms:

Case No.	Case number from WRUP print outs
SWL (ft.)	Still water elevation
H_o' *(ft.)*	Unrefracted deepwater wave height
T (sec.)	Wave period
H_b *(ft.)*	Breaking wave height
d_b *(ft.)*	Breaking water depth
R (ft.)	Wave Runup. The vertical height above the still water level to which water from an incident wave will run up the face of a structure.
TWL (ft.)	Total Water Level in NAVD88 = Wave Runup (R) + Still Water Level elevation (SWL) in NAVD88

SECTION A, METHOD: CALCULATE MAXIMUM BREAKING WAVE HEIGHT GIVEN WAVE PERIOD.

Year	*SWL (ft.)*	*Ho' (ft.)*	*T (sec.)*	H_b *(ft.)*	d_b *(ft.)*	*R (ft.)*	*TWL (ft. NAVD88)*
2022	9.9	9.3	16	15.5	16.2	27.6	37.5
2072	11.7	10.9	16	17.3	18.2	32.8	44.5

SECTION A, METHOD: USER SPECIFIED DEEP WATER WAVE HEGIHT. WAVE HEIGHTS FROM SWAN ANALYIS.

Year	*SWL (ft.)*	*Ho' (ft.)*	*T (sec.)*	H_b *(ft.)*	d_b *(ft.)*	*R (ft.)*	*TWL (ft. NAVD88)*
2022	9.9	4.8	16	11.0	7.5	14.1	24
	9.9	6.2	16	13.2	9.1	19.1	29
	9.9	7.0	16	14.4	9.9	22.2	32.1
2072	11.7	4.8	16	11.0	8.3	13.5	25.2
	11.7	6.2	16	13.2	9.1	20.1	31.8
	11.7	7.0	16	14.4	9.9	23.2	34.9

SECTION A, SUMMARY OF WAVE FORCE ANALYSIS

Year	*Method*	*SWL (ft.)*	*Loading*
2022	Miniken SPM	9.9	992 psf
	Broken Waves SPM	9.9	518 psf
	Breaking Wave FEMA	9.9	961 lb/ft
2072	Miniken SPM	11.7	1661 psf
	Broken Waves SPM	11.7	582 psf
	Breaking Wave FEMA	11.7	3645 lb/ft

Lovers Point Pier

M11897
10-21-22

Summary of Cross-Section Data
(Variable Slope Profiles)

Profile Name	Slope #	Slope (1 on_)	Roughness Coefficient	Elevation at Bottom of Slope (ft NAVD88)
XS-A	1	0.00	1.00	8.00
	2	9.70	.50	4.00
	3	1.40	.50	0.00
	4	4.25	.50	-4.68
	5	35.70	.90	-12.26
	6	9.70	.90	

Lovers Point Pier

M11897
10-21-22

Input Conditions:
Variable Slope Cross-Section, 1 profile(s).
Stillwater Level, 2 condition(s).
Wave Conditions (T), 1 Hbmax wave combination(s).

Case 1
Profile XS-A
For SWL = 9.9 ft NAVD88
For Hbmax w/ T = 16.0 sec (Wave breaks on slope No. 5)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
*	9.3	16.0	15.5	16.2	1.7	.00113	35.7	2.8	3.71	1.12	.71	27.6	37.5	5

Case 2
Profile XS-A
For SWL = 11.7 ft NAVD88
For Hbmax w/ T = 16.0 sec (Wave breaks on slope No. 5)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
*	10.9	16.0	17.3	18.2	1.7	.00133	35.7	2.5	3.68	1.13	.72	32.8	44.5	5

* = Predominant wave period.
Note 5 = Composite slope method used.

Column Labels for Wave Runup Level 3 Output

Label 1 = Unrefracted deepwater wave height, H'0 in ft.
Label 2 = Wave period, T in sec.
Label 3 = Breaking wave height, Hb in ft.
Label 4 = Breaking water depth, db in ft.
Label 5 = ds/H'0 (db/H'0 when composite) for use in runup curves.
Label 6 = Wave steepness, H'0/gT2.
Label 7 = Slope that wave breaks on, 1 on __.
Label 8 = Runup slope calculations made on, 1 on__.
Label 9 = Relative runup factor, R/H'0, from SPM runup curves.
Label 10 = Scale correction factor, K, from SPM.
Label 11 = Slope roughness factor (composite factor if computed).
Label 12 = Runup relative to SWL, in ft.
Label 13 = Runup elevation, in ft NAVD88 .
Label 14 = Notes on calculations.

M11897
10-21-22

Input Conditions:
Variable Slope Cross-Section, 1 profile(s).
Stillwater Level, 2 condition(s).
Wave Conditions (H'0,T), 3 wave combination(s).

Case 3
Profile XS-A
For SWL = 9.9 ft NAVD88
For H'0 = 4.8 ft, T = 16.0 sec

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
*	4.8	16.0	11.0	7.5	1.6	.00058	1.4	1.9	4.47	1.13	.58	14.1	24.0	3,5

Case 4
Profile XS-A
For SWL = 9.9 ft NAVD88
For H'0 = 6.2 ft, T = 16.0 sec

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
*	6.2	16.0	13.2	9.1	1.5	.00075	1.4	1.5	4.44	1.14	.61	19.1	29.0	3,5

Case 5
Profile XS-A
For SWL = 9.9 ft NAVD88
For H'0 = 7.0 ft, T = 16.0 sec

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
*	7.0	16.0	14.4	9.9	1.4	.00085	4.3	1.4	4.43	1.14	.63	22.2	32.1	3,5

Case 6
Profile XS-A
For SWL = 11.7 ft NAVD88
For H'0 = 4.8 ft, T = 16.0 sec

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
*	4.8	16.0	11.0	8.3	1.7	.00058	1.4	2.0	4.30	1.13	.58	13.5	25.2	3,5

Case 7
Profile XS-A
For SWL = 11.7 ft NAVD88
For H'0 = 6.2 ft, T = 16.0 sec

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
*	6.2	16.0	13.2	9.1	1.5	.00075	1.4	1.4	4.46	1.14	.64	20.1	31.8	3,5

Case 8
Profile XS-A
For SWL = 11.7 ft NAVD88
For H'0 = 7.0 ft, T = 16.0 sec

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
*	7.0	16.0	14.4	9.9	1.4	.00085	1.4	1.3	4.45	1.14	.66	23.2	34.9	3,5

* = Predominant wave period.
Note 3 = Profile slope &/or wave steepness is outside of breaker height index curves, outer bound used.
Note 5 = Composite slope method used.

Column Labels for Wave Runup Level 3 Output

Label 1 = Unrefracted deepwater wave height, H'0 in ft.
Label 2 = Wave period, T in sec.
Label 3 = Breaking wave height, Hb in ft.
Label 4 = Breaking water depth, db in ft.
Label 5 = ds/H'0 (db/H'0 when composite) for use in runup curves.
Label 6 = Wave steepness, H'0/gT2.
Label 7 = Slope that wave breaks on, 1 on __.
Label 8 = Runup slope calculations made on, 1 on__.
Label 9 = Relative runup factor, R/H'0, from SPM runup curves.
Label 10 = Scale correction factor, K, from SPM.
Label 11 = Slope roughness factor (composite factor if computed).
Label 12 = Runup relative to SWL, in ft.
Label 13 = Runup elevation, in ft NAVD88 .
Label 14 = Notes on calculations.

WAVE FORCE RESULTS SUMMARY

LOVERS POINT PIER

Date: October 2022
Job #: M11897
By: AK

Broken Waves - Wall Seaward of Stillwater Line

Notes:

1) Analysis is based on Chapter 7.III.4.a/b pg. 7-192 of Shore Protection Manual Volume II by Army Corps of Engineers (1984)
2) T, H_b, and d_b taken from WRUP

Description of Terms:

P_m (psf)	Maximum dynamic pressure
H_b (ft.)	Breaking wave height
d_s (ft.)	Depth at the toe of the structure
d_b (ft.)	Depth of breaking wave
D (ft.)	Depth one wavelength in front of the wall
T (sec.)	Wave period
L_d (ft.)	Wave length in water of depth D
R_m (lb/ft)	Force represented by the area under the dynamic pressure distribution
M_m (ft-lb / ft)	Moment resulting from the dynamic component of pressure
R_s (lb/ft)	Hydrostatic component of breaking wave on a wall
M_s (ft-lb / ft)	Hydrostatic moment
R_t (lb/ft)	Total breaking wave force on wall per unit wall length
M_t (ft-lb / ft)	Total moment about the toe
w (pcf)	Unit weight of water = 64 pcf

SECTION A, SWL = 9.9	
TOW (ft.)	14.5
Toe Wall (ft.)	8
SWL (ft.)	9.9
d_s (ft.)	1.9
g (ft./s^2)	32.2

T (sec.)	H_b (ft.)	d_b (ft.)	h_c (ft)	P_m (psf)	R_m (lb/ft)	M_m (ft-lb / ft)	R_s (lb/ft)	M_s (ft-lb / ft)	R_t (lb/ft)	M_t (ft-lb / ft)
16*	15.5	16.2	12.1	518.4	6,267	49,795	6,263	29,207	12,530	79,002
16**	14.4	9.9	11.2	316.8	3,558	26,744	5,518	24,156	9,077	50,900

* WRUP Calculated maximm breaking waves height given wave period.
** User specified deepwater wave height. Wave hegiht from SWAN Analysis.

SECTION A, SWL = 11.7	
TOW (ft.)	14.5
Toe Wall (ft.)	8
SWL (ft.)	11.7
d_s (ft.)	3.7
g (ft./s^2)	32.2

T (sec.)	H_b (ft.)	d_b (ft.)	h_c (ft)	P_m (psf)	R_m (lb/ft)	M_m (ft-lb / ft)	R_s (lb/ft)	M_s (ft-lb / ft)	R_t (lb/ft)	M_t (ft-lb / ft)
16*	17.3	18.2	13.5	582.4	7,859	67,956	7,583	38,912	15,442	106,868
16**	14.4	9.9	11.2	316.8	3,558	26,744	5,518	24,156	9,077	50,900

* WRUP Calculated maximm breaking waves height given wave period.
** User specified deepwater wave height. Wave hegiht from SWAN Analysis.

The dynamic part of the pressure will be

$$p_m = \frac{wc^2}{2g} = \frac{wd_b}{2} \qquad (7\text{-}94)$$

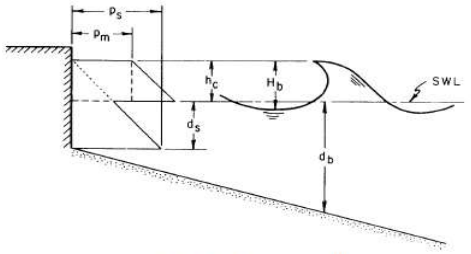


Figure 7-104. Wave pressures from broken waves: wall seaward of still-water line.

where w is the unit weight of water. If the dynamic pressure is uniformly distributed from the still-water level to a height h_c above SWL, where h_c is given as

$$h_c = 0.78H_b \tag{7-95}$$

then the dynamic component of the wave force is given as

$$R_m = p_m h_c = \frac{w d_b h_c}{2} \tag{7-96}$$

and the overturning moment caused by the dynamic force as

$$M_m = R_m\left(d_s + \frac{h_c}{2}\right) \tag{7-97}$$

where d_s is the depth at the structure.

WAVE FORCE RESULTS SUMMARY

LOVERS POINT PIER

Date: October 2022
Job #: M11897
By: AK

Section A Breaking Wave Forces on Vertical Wall Notes (SWL = 11.7 ft NAVD88):

Notes:

1) Analysis is based on Miniken Method (1955, 1963). Miniken method can give wave forces that are extremeley high (15 to 18 times those calculated for non breaking waves)

2) From Chapter 7 pg. 7-99 of Shore Protection Manual Volume II by Army Corps of Engineers (1984)

Description of Terms:

P_m *(psf)*	Maximum dynamic pressure
H_b *(ft.)*	Breaking wave height
d_s *(ft.)*	Depth at the toe of the structure
d_b *(ft.)*	Depth of breaking wave
D (ft.)	Depth one wavelength in front of the wall
T (sec.)	Wave period
L_d *(ft.)*	Wave length in water of depth D
R_m *(lb/ft)*	Force represented by the area under the dynamic pressure distribution
M_m *(ft-lb /*	Moment resulting from the dynamic component of pressure
R_s *(lb/ft)*	Hydrostatic component of breaking wave on a wall
M_s *(ft-lb /*	Hydrostatic moment
R_t *(lb/ft)*	Total breaking wave force on wall per unit wall length
M_t *(ft-lb /*	Total moment about the toe
w (pcf)	Unit weight of water = 64 pcf

SECTION A, SWL = 11.7, ds/D = 0.23, T = 16 sec

H_b (ft.)	P_m (psf)	R_m (lb/ft)	M_m (ft-lb / ft)	R_s (lb/ft)	M_s (ft-lb / ft)	R_t (lb/ft)	M_t (ft-lb / ft)
2	192	128	474	707	1107	835	1581
4	384	512	1894	1040	1975	1552	3870
6	576	1152	4262	1436	3208	2588	7471
8	768	2048	7578	1897	4870	3945	12447
10	960	3200	11840	2422	7024	5622	18864
11	1056	3872	14326	2708	8306	6580	22632
12	1152	4608	17050	3011	9735	7619	26785
14	1344	6272	23206	3664	13067	9936	36274
16	1536	8192	30310	4380	17084	12572	47394
17.3	1660.8	9577	35436	4881	20092	14458	55528
18	1728	10368	38362	5161	21849	15529	60211
20	1920	12800	47360	6006	27428	18806	74788

WAVE FORCE RESULTS SUMMARY

LOVERS POINT PIER

Date: October 2022
Job #: M11897
By: AK

Section A Breaking Wave Forces on Vertical Wall Notes (SWL = 9.9 ft NAVD88):

Notes:
1) Analysis is based on Miniken Method (1955, 1963). Miniken method can give wave forces that are extremeley high (15 to 18 times those calc
2) From Chapter 7 pg. 7-99 of Shore Protection Manual Volume II by Army Corps of Engineers (1984)

Description of Terms:

P_m *(psf)*	Maximum dynamic pressure
H_b *(ft.)*	Breaking wave height
d_s *(ft.)*	Depth at the toe of the structure
d_b *(ft.)*	Depth of breaking wave
D (ft.)	Depth one wavelength in front of the wall
T (sec.)	Wave period
L_d *(ft.)*	Wave length in water of depth D
R_m *(lb/ft)*	Force represented by the area under the dynamic pressure distribution
M_m *(ft-lb /*	Moment resulting from the dynamic component of pressure
R_s *(lb/ft)*	Hydrostatic component of breaking wave on a wall
M_s *(ft-lb /*	Hydrostatic moment
R_t *(lb/ft)*	Total breaking wave force on wall per unit wall length
M_t *(ft-lb /*	Total moment about the toe
w (pcf)	Unit weight of water = 64 pcf

SECTION A, SWL = 9.9, ds/D = 0.23, T = 16 sec

H_b (ft.)	P_m (psf)	R_m (lb/ft)	M_m (ft-lb / ft)	R_s (lb/ft)	M_s (ft-lb / ft)	R_t (lb/ft)	M_t (ft-lb / ft)
2	128	85	162	269	260	354	422
4	256	341	649	487	633	828	1281
6	384	768	1459	768	1255	1536	2714
8	512	1365	2594	1114	2191	2479	4785
10	640	2133	4053	1524	3504	3657	7557
11	704	2581	4905	1752	4322	4334	9227
12	768	3072	5837	1997	5259	5069	11096
14	896	4181	7945	2535	7520	6716	15464
15.5	992	5125	9738	2980	9585	8105	19324
16	1024	5461	10377	3136	10350	8598	20726
18	1152	6912	13133	3802	13814	10714	26946
20	1280	8533	16213	4532	17975	13065	34188

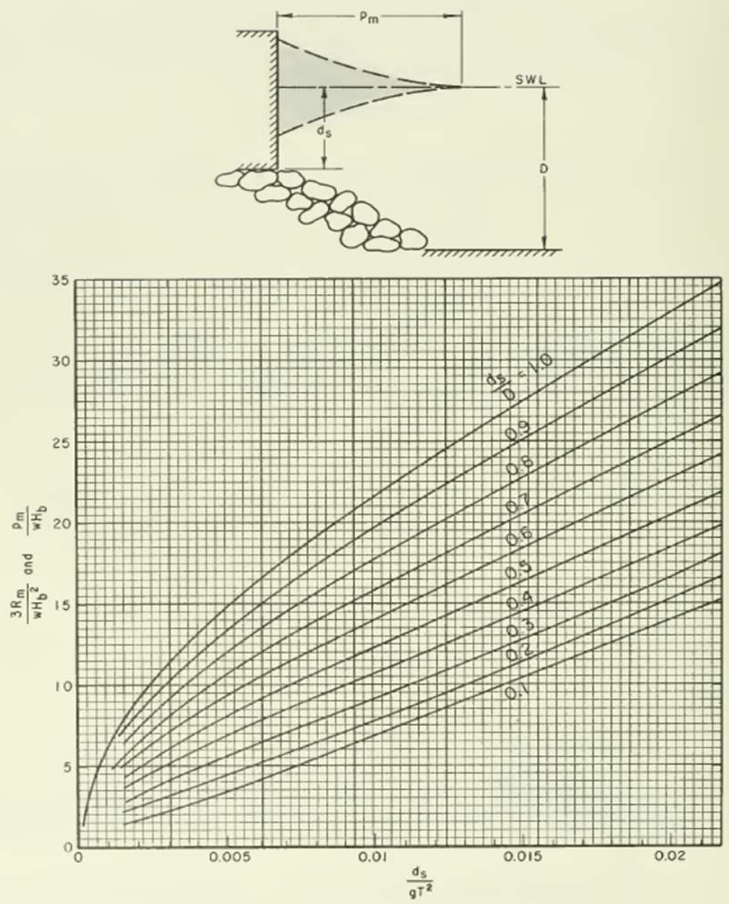


Figure 7-101. Dimensionless Minikin wave pressure and force.

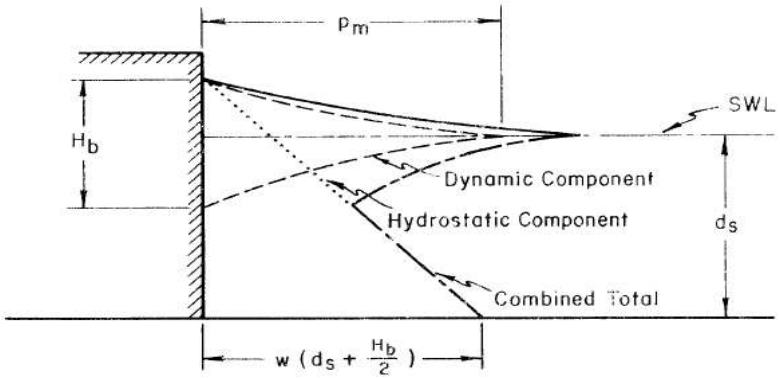


Figure 7-99. Minikin wave pressure diagram.

The maximum pressure assumed to act at the SWL is given by

$$p_m = 101\ w \frac{H_b}{L_D} \frac{d_s}{D} (D + d_s) \tag{7-85}$$

where p_m is the maximum dynamic pressure, H_b is the breaker height, d_s is the depth at the toe of the wall, D is the depth one wavelength in front of the wall, and L_D is the wavelength in water of depth D. The distribution of dynamic pressure is shown in Figure 7-99. The pressure decreases parabolically from p_m at the SWL to zero at a distance of $H_b/2$ above and below the SWL. The force represented by the area under the dynamic pressure distribution is

$$R_m = \frac{p_m H_b}{3} \tag{7-86}$$

i.e., the force resulting from dynamic component of pressure and the overturning moment about the toe is

$$M_m = R_m d_s = \frac{p_m H_b d_s}{3} \tag{7-87}$$

WAVE FORCE RESULTS SUMMARY FROM FEMA CCM VII

LOVERS POINT PIER

Date: October 2022

Job #: M11897

By: AK

Breaking Wave Loads on Vertical Walls FEMA Coastal Construction Manual Chapter 8.5.8.2

Note: Below calcs are based on case 1 (enclosed dry space behind wall see equation 8.6 below)

EQUATION 8.6. BREAKING WAVE LOAD ON VERTICAL WALLS

Case 1 (enclosed dry space behind wall):

$$f_{brkw} = 1.1 C_p \gamma_w d_s^2 + 2.4 \gamma_w d_s^2 \quad \text{(Eq. 8.6a)}$$

Case 2 (equal stillwater elevation on both sides of wall):

$$f_{brkw} = 1.1 C_p \gamma_w d_s^2 + 1.9 \gamma_w d_s^2 \quad \text{(Eq. 8.6b)}$$

where:

f_{brkw} = total breaking wave load per unit length of wall (lb/ft) acting at the stillwater elevation

C_p = dynamic pressure coefficient from Table 8-1

γ_w = specific weight of water (62.4 lb/ft³ for fresh water and 64.0 lb/ft³ for saltwater)

d_s = design stillwater flood depth (ft)

$$F_{brkw} = f_{brkw}(w) \quad \text{(Eq. 8.6c)}$$

where:

F_{brkw} = total breaking wave load (lb) acting at the stillwater elevation

f_{brkw} = total breaking wave load per unit length of wall (lb/ft) acting at the stillwater elevation

w = width of wall (ft)

SECTION A, CP = 1.6, WRUP CALCULATED MAXIMUM BREAKING WAVE GIVEN WAVE PERIOD				
SWL (ft.)	*TOW (ft.)*	*h (ft.)*	*d_s (ft.)*	*f_{brkw} (lb/ft)*
11.7	14.5	6.5	3.7	3645
9.9	14.5	6.5	1.9	961

SECTION A, CP = 1.6, USER SPECIFIED WAVE HEIGHT, WAVE HEIGHT FROM SWAN ANALYSIS				
SWL (ft.)	*TOW (ft.)*	*h (ft.)*	*d_s (ft.)*	*f_{brkw} (lb/ft)*
11.7	14.5	6.5	3.7	3645
9.9	14.5	6.5	1.9	961

Table 8-1. Value of Dynamic Pressure Coefficient (C_p) as a Function of Probability of Exceedance

C_p	Building Type	Probability of Exceedance
1.6	Buildings and other structures that represent a low hazard to human life or property in the event of failure	0.5
2.8	Coastal residential building	0.01
3.2	Buildings and other structures, the failure of which could pose a substantial risk to human life	0.002
3.5	High-occupancy building or critical facility or those designated as essential facilities	0.001

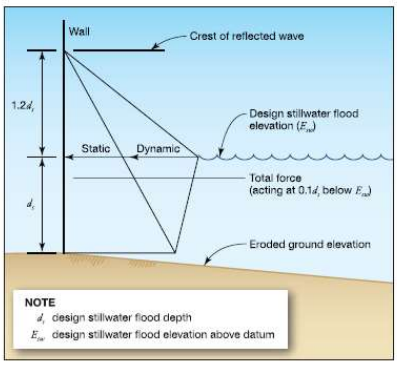


Figure 8-9. Breaking wave pressure distribution against a vertical wall

APPENDIX C
RIP RAP REVETMENT EVALUATION AND BOULDER SIZING

RED # = BOULDER INVENTORY NUMBER

GREEN # = PLAN VIEW AREA OF BOULDER (SF)

AREAS IN SQ FT

HKA CALC SHEET - NOT PART OF PLAN SET

0 5 10 15

FEET
1 inch = 5 ft.

REVISIONS	BY

HKA CALC SHEET - NOT PART OF PLAN SET
LOVERS POINT PIER BAND-AID REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076 (831) 722-4175

Date	10-20-2022
Scale	AS SHOWN
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Job	
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Lovers Point Rip Rap sample **October 20, 2022**

122 Boulders Measured Adjacent to

Boulder #	Top View Area Ft^2	Top View Radius^2 Ft^2	Top View Radius Ft	*Volume Ft^3	Tons
68	32.7	10.4	3.2	105.5	8.7
67	31.8	10.1	3.2	101.2	8.3
38	27.6	8.8	3.0	81.8	6.7
118	27.0	8.6	2.9	79.2	6.5
91	25.3	8.1	2.8	71.8	5.9
59	24.8	7.9	2.8	69.7	5.7
16	24.7	7.9	2.8	69.3	5.7
104	24.7	7.9	2.8	69.3	5.7
99	24.0	7.6	2.8	66.3	5.5
9	20.8	6.6	2.6	53.5	4.4
1	20.4	6.5	2.5	52.0	4.3
120	19.9	6.3	2.5	50.1	4.1
28	19.8	6.3	2.5	49.7	4.1
6	19.6	6.2	2.5	49.0	4.0
97	18.0	5.7	2.4	43.1	3.6
117	18.0	5.7	2.4	43.1	3.6
76	17.7	5.6	2.4	42.0	3.5
57	17.3	5.5	2.3	40.6	3.3
58	17.3	5.5	2.3	40.6	3.3
27	17.2	5.5	2.3	40.2	3.3
30	17.2	5.5	2.3	40.2	3.3
96	16.6	5.3	2.3	38.2	3.1
18	16.5	5.3	2.3	37.8	3.1
102	16.4	5.2	2.3	37.5	3.1
93	16.3	5.2	2.3	37.1	3.1
69	16.1	5.1	2.3	36.4	3.0
33	15.9	5.1	2.2	35.8	3.0
80	15.9	5.1	2.2	35.8	3.0
95	15.7	5.0	2.2	35.1	2.9
81	15.5	4.9	2.2	34.4	2.8
105	15.5	4.9	2.2	34.4	2.8
121	15.5	4.9	2.2	34.4	2.8
101	15.3	4.9	2.2	33.8	2.8
54	15.2	4.8	2.2	33.4	2.8
72	15.2	4.8	2.2	33.4	2.8
39	15.0	4.8	2.2	32.8	2.7
48	14.8	4.7	2.2	32.1	2.7
85	14.8	4.7	2.2	32.1	2.7
32	14.7	4.7	2.2	31.8	2.6
53	14.5	4.6	2.1	31.2	2.6
41	14.3	4.6	2.1	30.5	2.5
113	14.3	4.6	2.1	30.5	2.5

98	14.2	4.5	2.1	30.2	2.5
109	14.2	4.5	2.1	30.2	2.5
61	13.9	4.4	2.1	29.2	2.4
103	13.7	4.4	2.1	28.6	2.4
70	13.5	4.3	2.1	28.0	2.3
75	13.5	4.3	2.1	28.0	2.3
3	13.3	4.2	2.1	27.4	2.3
17	13.2	4.2	2.0	27.1	2.2
26	13.2	4.2	2.0	27.1	2.2
122	13.0	4.1	2.0	26.4	2.2
115	12.9	4.1	2.0	26.1	2.2
31	12.7	4.0	2.0	25.5	2.1
21	12.6	4.0	2.0	25.2	2.1
24	12.6	4.0	2.0	25.2	2.1
77	12.3	3.9	2.0	24.3	2.0
90	12.3	3.9	2.0	24.3	2.0
108	12.3	3.9	2.0	24.3	2.0
40	12.1	3.9	2.0	23.7	2.0
106	11.8	3.8	1.9	22.9	1.9
35	11.6	3.7	1.9	22.3	1.8
78	11.5	3.7	1.9	22.0	1.8
46	11.2	3.6	1.9	21.1	1.7
82	11.2	3.6	1.9	21.1	1.7
92	11.2	3.6	1.9	21.1	1.7
60	11.1	3.5	1.9	20.9	1.7
34	10.8	3.4	1.9	20.0	1.7
89	10.8	3.4	1.9	20.0	1.7
22	10.7	3.4	1.8	19.7	1.6
100	10.7	3.4	1.8	19.7	1.6
112	10.7	3.4	1.8	19.7	1.6
44	10.6	3.4	1.8	19.5	1.6
94	10.6	3.4	1.8	19.5	1.6
50	10.5	3.3	1.8	19.2	1.6
52	10.5	3.3	1.8	19.2	1.6
74	10.5	3.3	1.8	19.2	1.6
15	10.4	3.3	1.8	18.9	1.6
11	10.3	3.3	1.8	18.7	1.5
43	10.3	3.3	1.8	18.7	1.5
79	10.2	3.2	1.8	18.4	1.5
12	10.1	3.2	1.8	18.1	1.5
63	10.1	3.2	1.8	18.1	1.5
110	10.1	3.2	1.8	18.1	1.5
116	10.1	3.2	1.8	18.1	1.5
83	10.0	3.2	1.8	17.8	1.5
119	10.0	3.2	1.8	17.8	1.5
5	9.9	3.2	1.8	17.6	1.4
13	9.7	3.1	1.8	17.0	1.4

20	9.7	3.1	1.8	17.0	1.4
86	9.7	3.1	1.8	17.0	1.4
45	9.5	3.0	1.7	16.5	1.4
49	9.5	3.0	1.7	16.5	1.4
7	9.4	3.0	1.7	16.3	1.3
111	9.4	3.0	1.7	16.3	1.3
87	9.2	2.9	1.7	15.7	1.3
2	9.1	2.9	1.7	15.5	1.3
71	9.0	2.9	1.7	15.2	1.3
47	8.9	2.8	1.7	15.0	1.2
19	8.8	2.8	1.7	14.7	1.2
42	8.8	2.8	1.7	14.7	1.2
37	8.6	2.7	1.7	14.2	1.2
55	8.6	2.7	1.7	14.2	1.2
114	8.6	2.7	1.7	14.2	1.2
14	8.4	2.7	1.6	13.7	1.1
64	8.3	2.6	1.6	13.5	1.1
51	8.2	2.6	1.6	13.2	1.1
4	8.1	2.6	1.6	13.0	1.1
107	8.1	2.6	1.6	13.0	1.1
29	8.0	2.5	1.6	12.8	1.1
10	7.9	2.5	1.6	12.5	1.0
36	7.9	2.5	1.6	12.5	1.0
8	7.7	2.5	1.6	12.1	1.0
66	7.7	2.5	1.6	12.1	1.0
88	7.4	2.4	1.5	11.4	0.9
62	7.2	2.3	1.5	10.9	0.9
56	7.1	2.3	1.5	10.7	0.9
65	6.5	2.1	1.4	9.3	0.8
84	6.4	2.0	1.4	9.1	0.8
73	6.3	2.0	1.4	8.9	0.7
23	6.0	1.9	1.4	8.3	0.7
25	4.7	1.5	1.2	5.7	0.5

ASSUMPTION (field check suggests this is reasonable)

* Volume (ft^3)= plan view surface area of boulder (ft^2)times radius (ft)

boulders are typically placed lying flat; thinnest dimension is vertical

CATEGORIES

Weight Class	# of Boulders in Sam	Weight of Class	% By Weight of Total Sample
8+ Tons	2	17	6%
5 to 7 Tons	7	42	14%
4 to 5 Tons	5	21	7%
3 to 4 Tons	14	46	16%
2 to 3 Tons	32	80	27%
1 to 2 Tons	54	81	28%
0.5 to 1 Ton	8	6	2%
Total	122	293	

By Weight the Mean Boulder Size is about 2.75 Tons
By Number of Boulders Mean Boulder Size is about 2 Tons

Note than many boulders less than 0.5 Tons were NOT included in sample

Rip-Rap Sizing and Stability

Lovers Point Pier Repair

Date: Oct 2022
Job #: M11897
By: AK

Stability of Rubble Structures

Notes:

1) Analysis is based on Chapter 7.III.7 pg. 7-202 of Shore Protection Manual Volume II by Army Corps of Engineers (1984)
2) H taken from WRUP

Description of Terms:

W (lb)	Weight in pounds of an individual armor unit in the primary cover
w_r *(pcf)*	Unite weight of armor units (limestone & granite =~165pcf)
H (ft.)	Design wave height (from WRUP analysis)
S_r	Specific weight of armor unit, relative to the water at the site (w_r / w_w)
w_w *(pcf)*	Unit weight of water (seawater = 64 pcf)
θ (˚)	Angle of structure slope measured from horizontal in degrees
K_D	Stability coefficient (table 7-8)

SECTION A, Scour Profile	
w_r *(pcf)*	165.0
S_r	2.6
w_w *(pcf)*	64.0
θ (˚)	6.0
K_D	2.0

~10H:1V

$$W = \frac{w_r H^3}{K_D (S_r - 1)^3 \cot \theta} \qquad (7\text{-}116)$$

Section A, Method: Calculate Maximum Breaking Wave Height Given Wave Period

Year	SWL (ft)	H (ft.)	W (lb)	W (ton)
2022	9.9	15.5	8,216	4.1
2072	11.7	17.3	11,423	5.7

Reduced wave height to account for waves braking outside and rolling in as whitewater

Year	SWL (ft)	H (ft.)	W (lb)	W (ton)
2022	9.9	8.463	1,337	0.7
2072	11.7	9.4458	1,859	0.9

Section A, Method: User Specifeid Deep Water Wave Height: Wave Heights From Swan Analysis

Year	SWL (ft)	H (ft.)	W (lb)	W (ton)
2022	9.9	14.4	6,588	3.3
2072	11.7	14.4	6,588	3.3

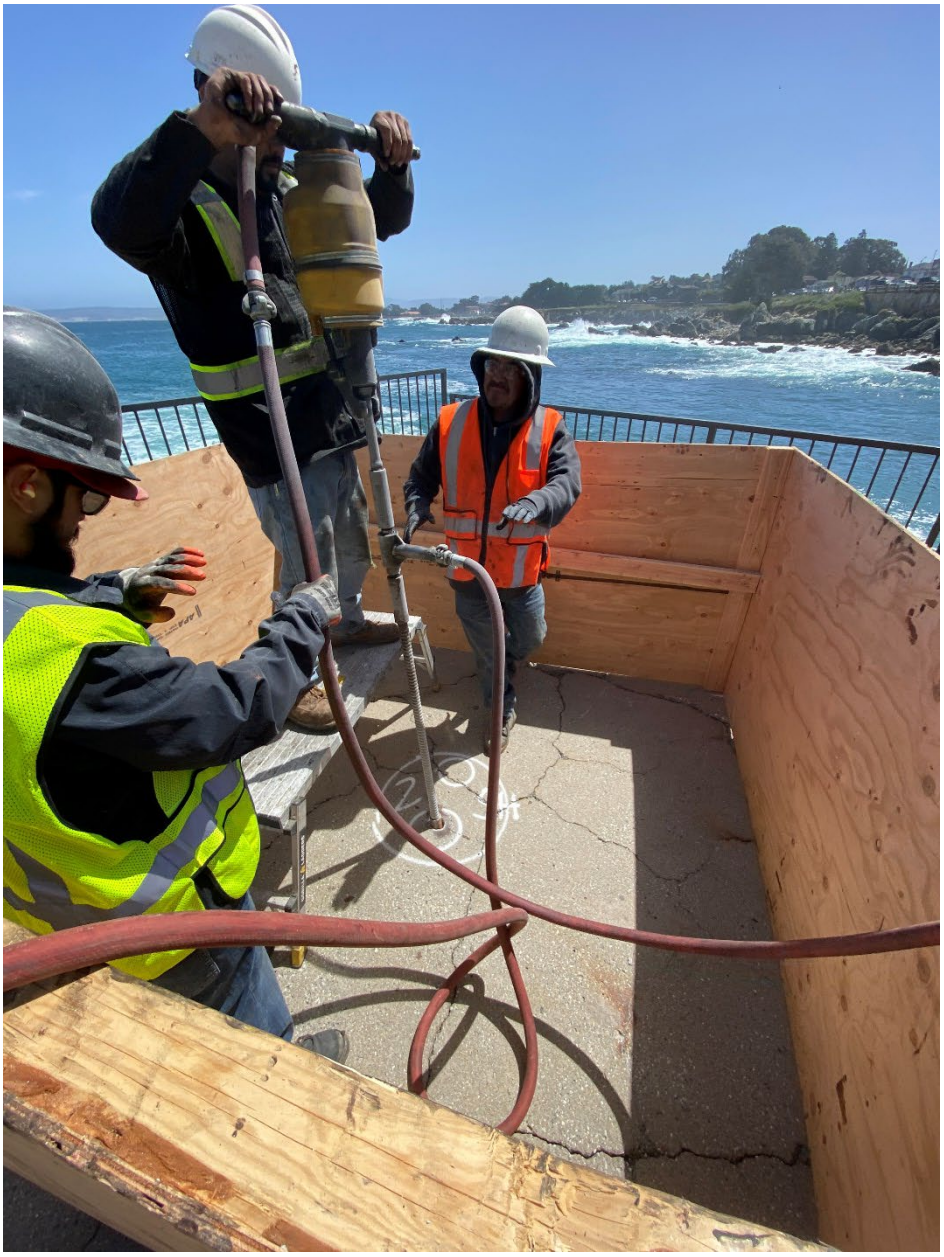
APPENDIX D
COASTAL AND GEOTECHNICAL ENGINEERING FIELD EXPLORATION

FOR UPPER AND LOWER DECK

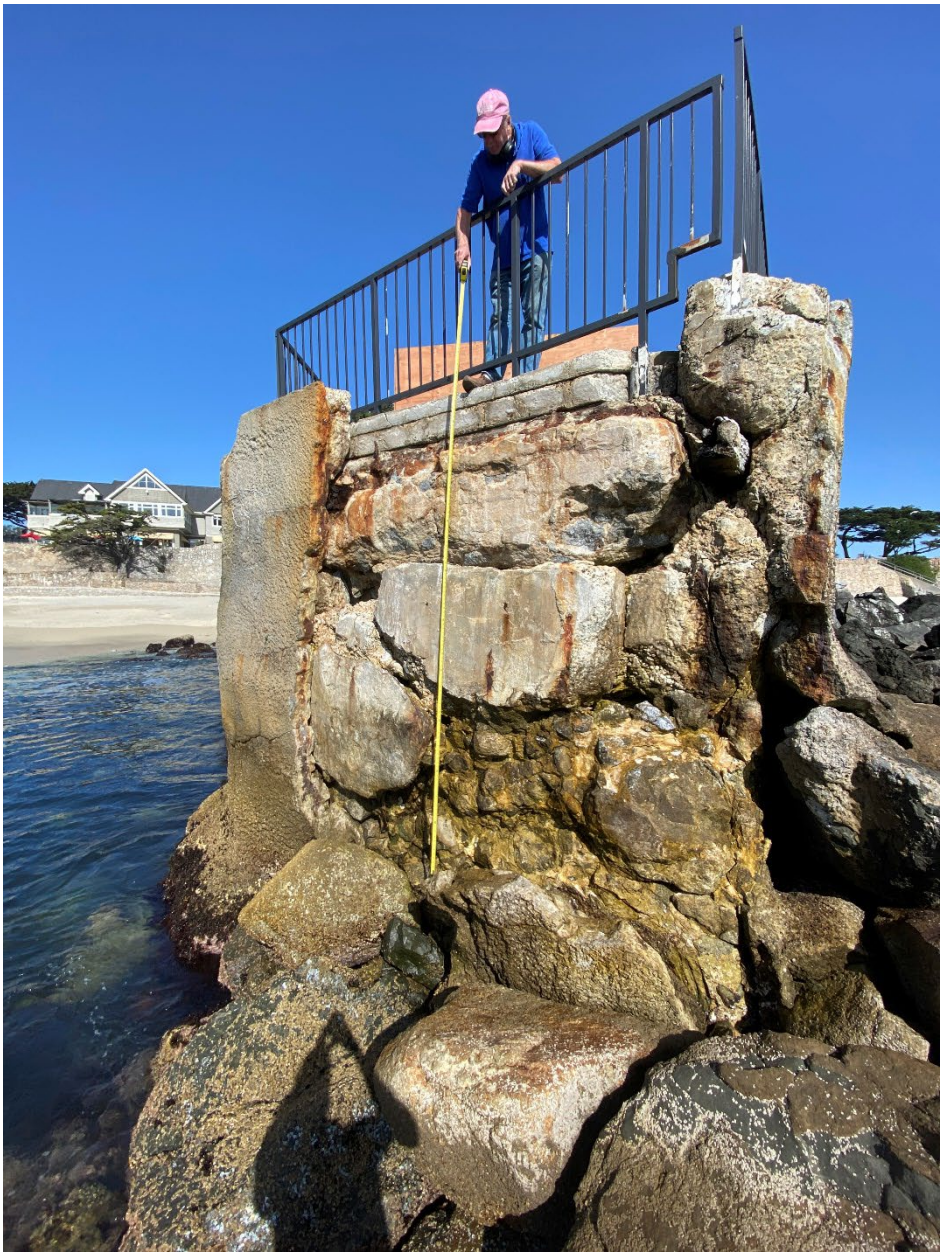
DRILLED HOLE 1 (DH-1) “UPPER DECK” 4-5-2022

DRILLED HOLE 2 “UPPER DECK” (DH-2) 4-5-2022

DRILLED HOLE 2 “UPPER DECK” (DH-2) 4-5-2022



COMPARING FINDINGS WITH OBSERVATIONS OF EXTERIOR



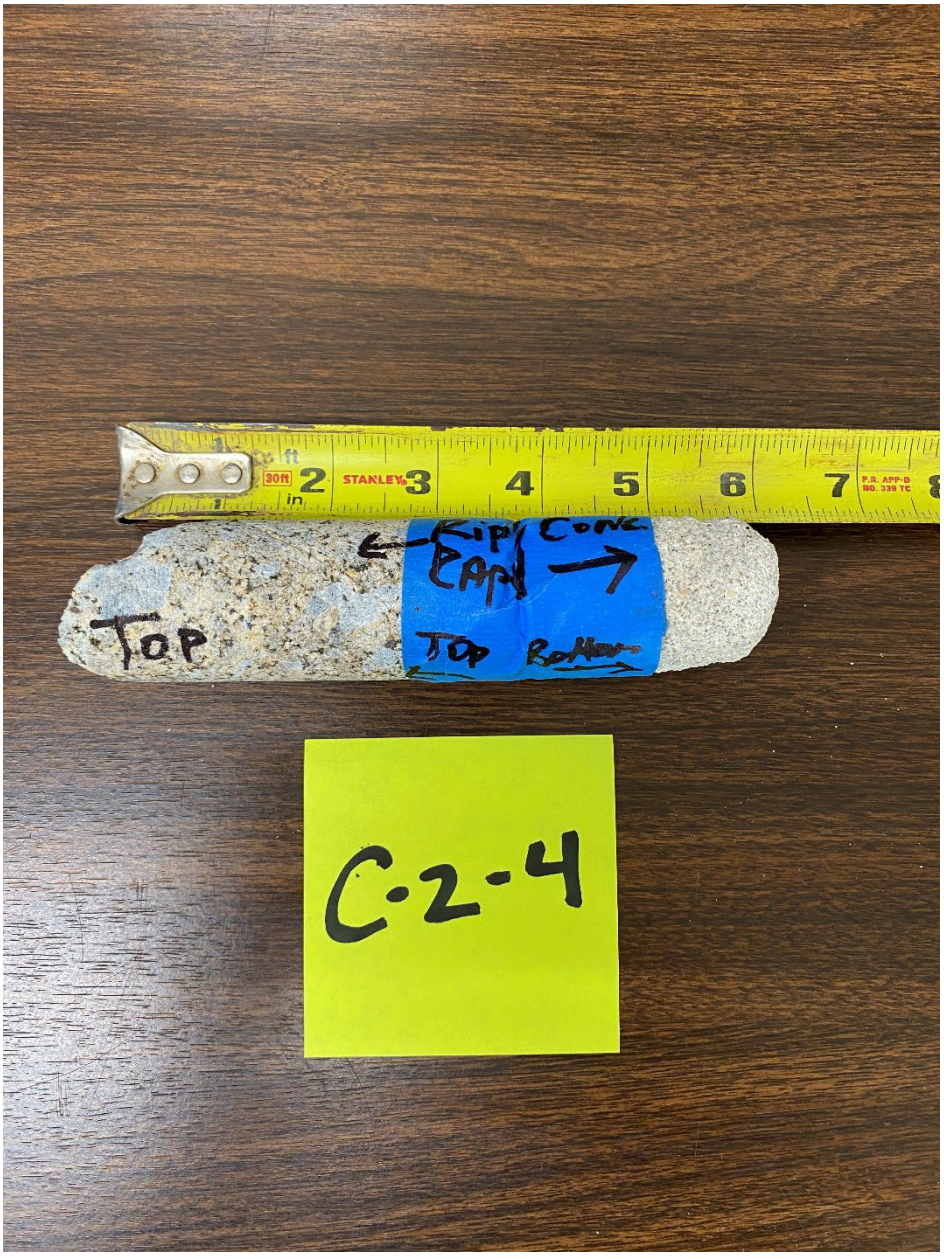
DRILLED HOLE 3 (DH-3) “LOWER DECK” 4-6-2022

CORE HOLE (CH-2) UPPER DECK 4-7-2022

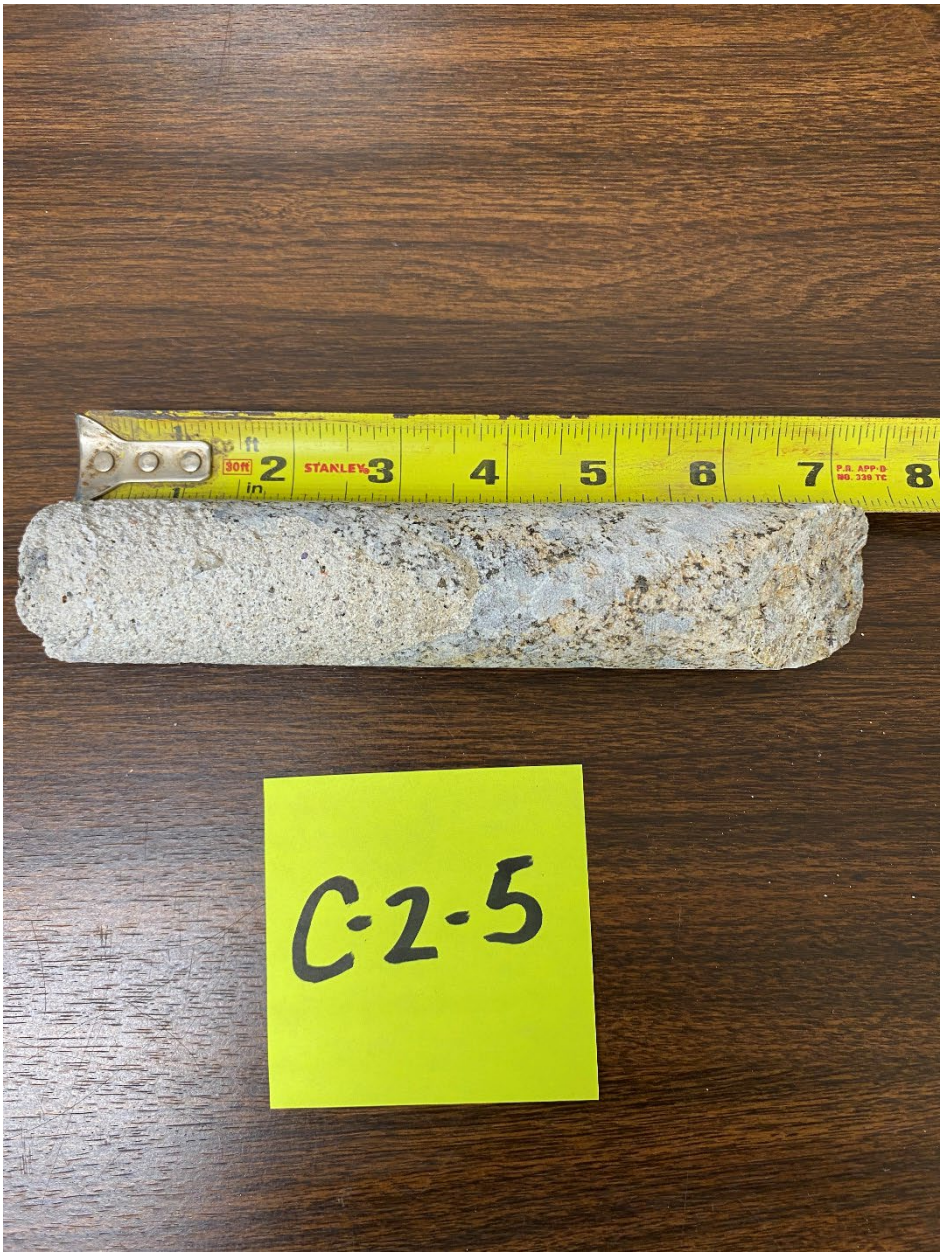
CORE HOLE 3 (CH-3) LOWER DECK

CORE C-2-3 UPPER DECK DEPTH = 40 INCHES

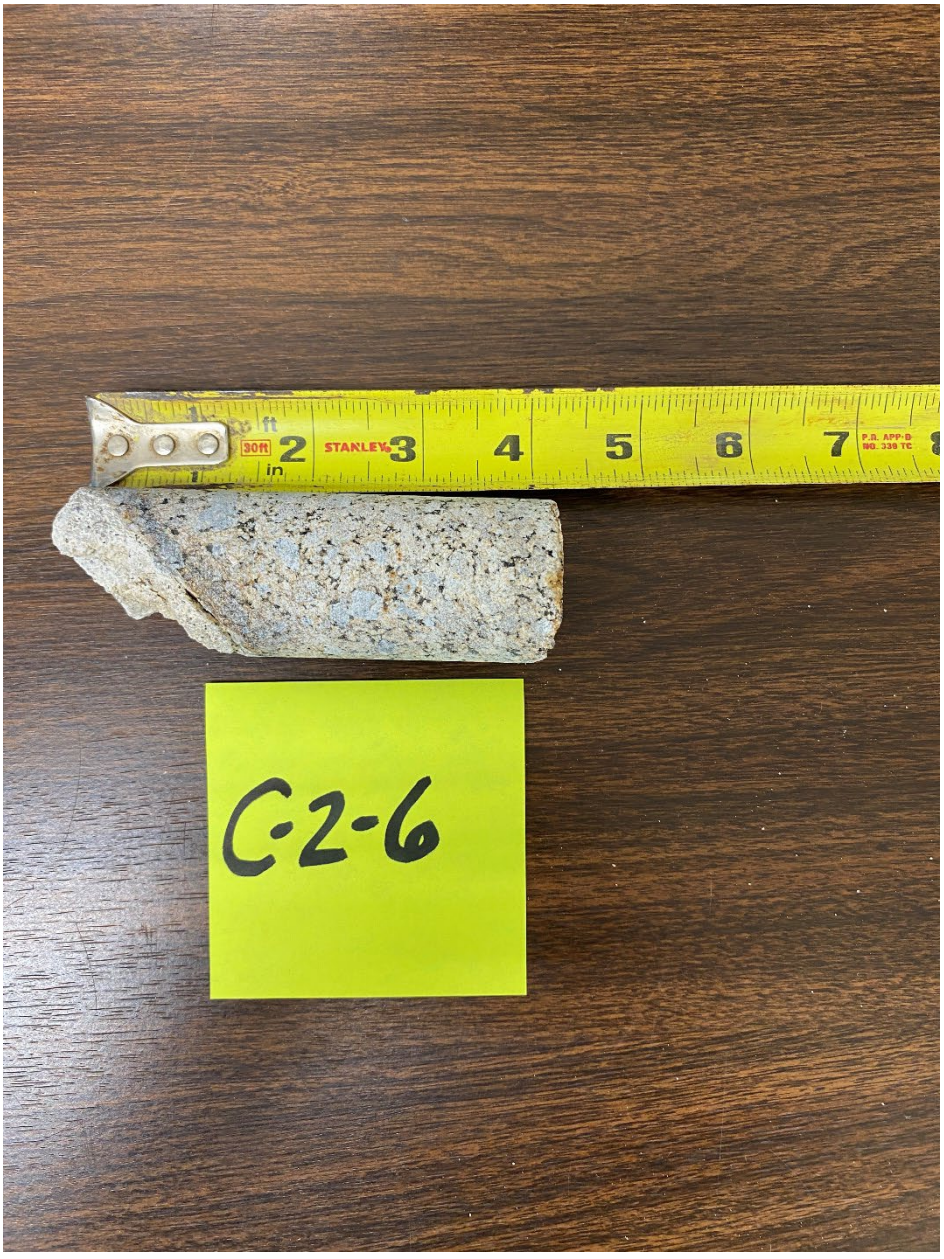
CORE C-2-4 UPPER DECK DEPTH = 67.5 INCHES



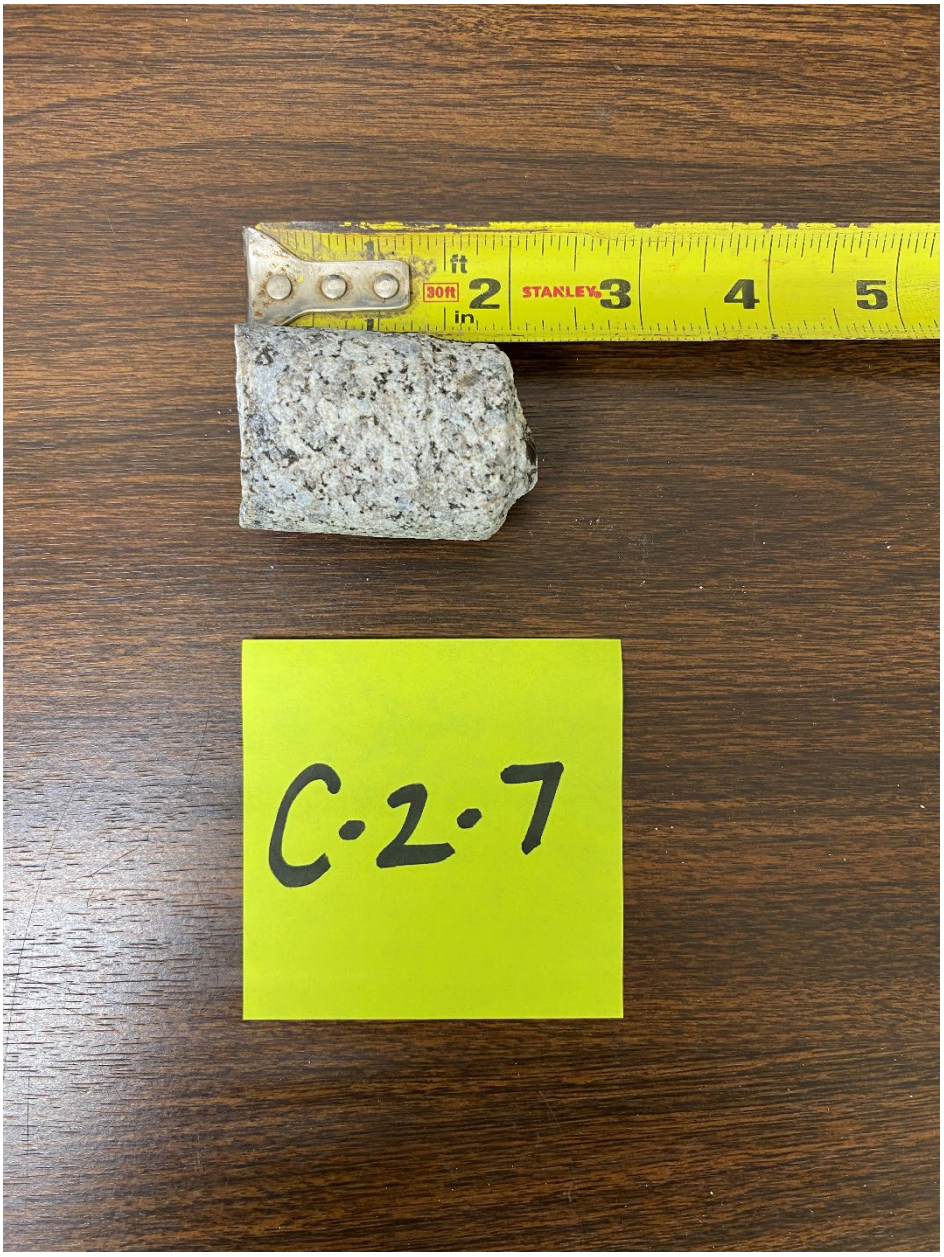
CORE C-2-5 UPPER DECK DEPTH = 40 INCHES



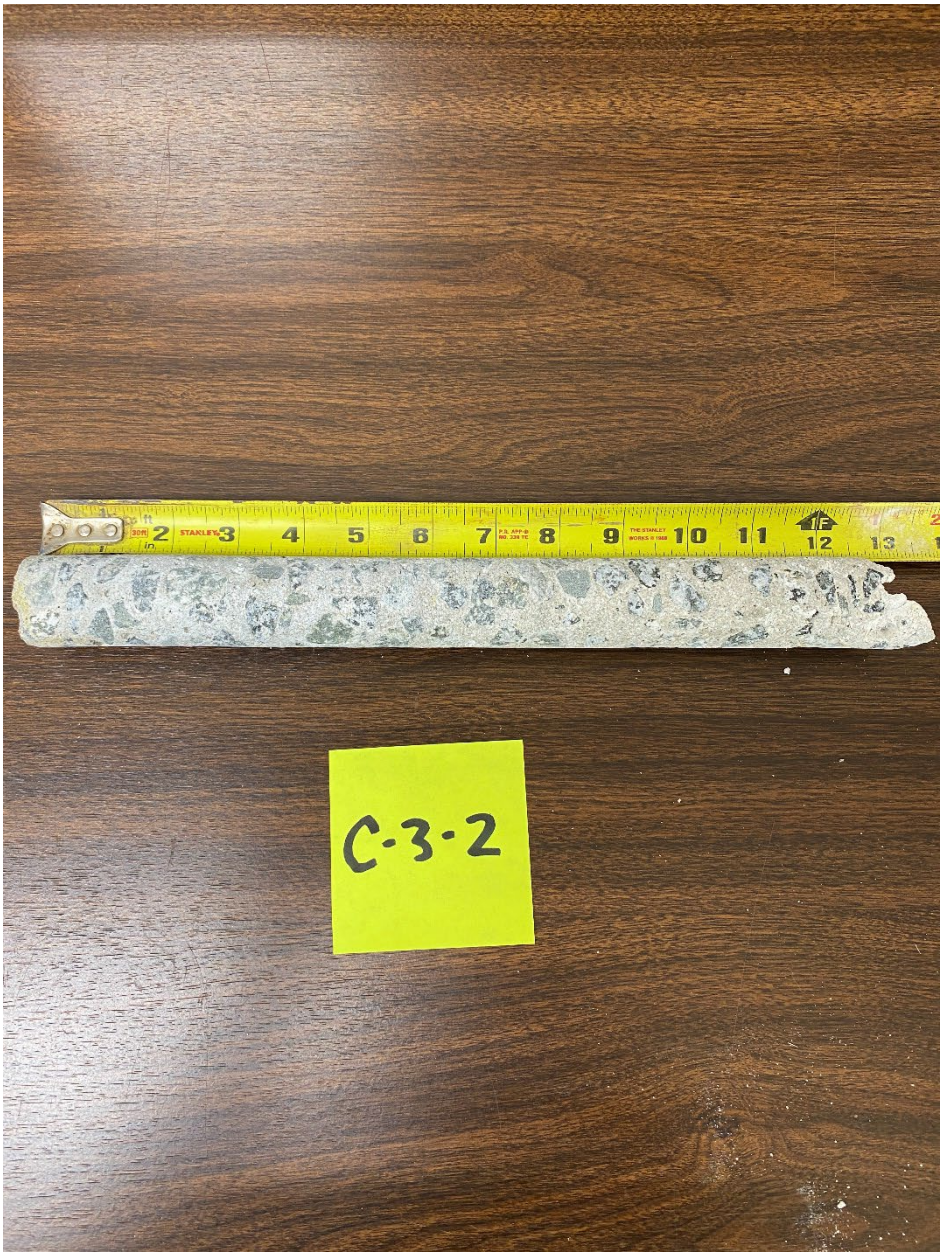
CORE C-2-6 UPPER DECK DEPTH = 75 INCHES



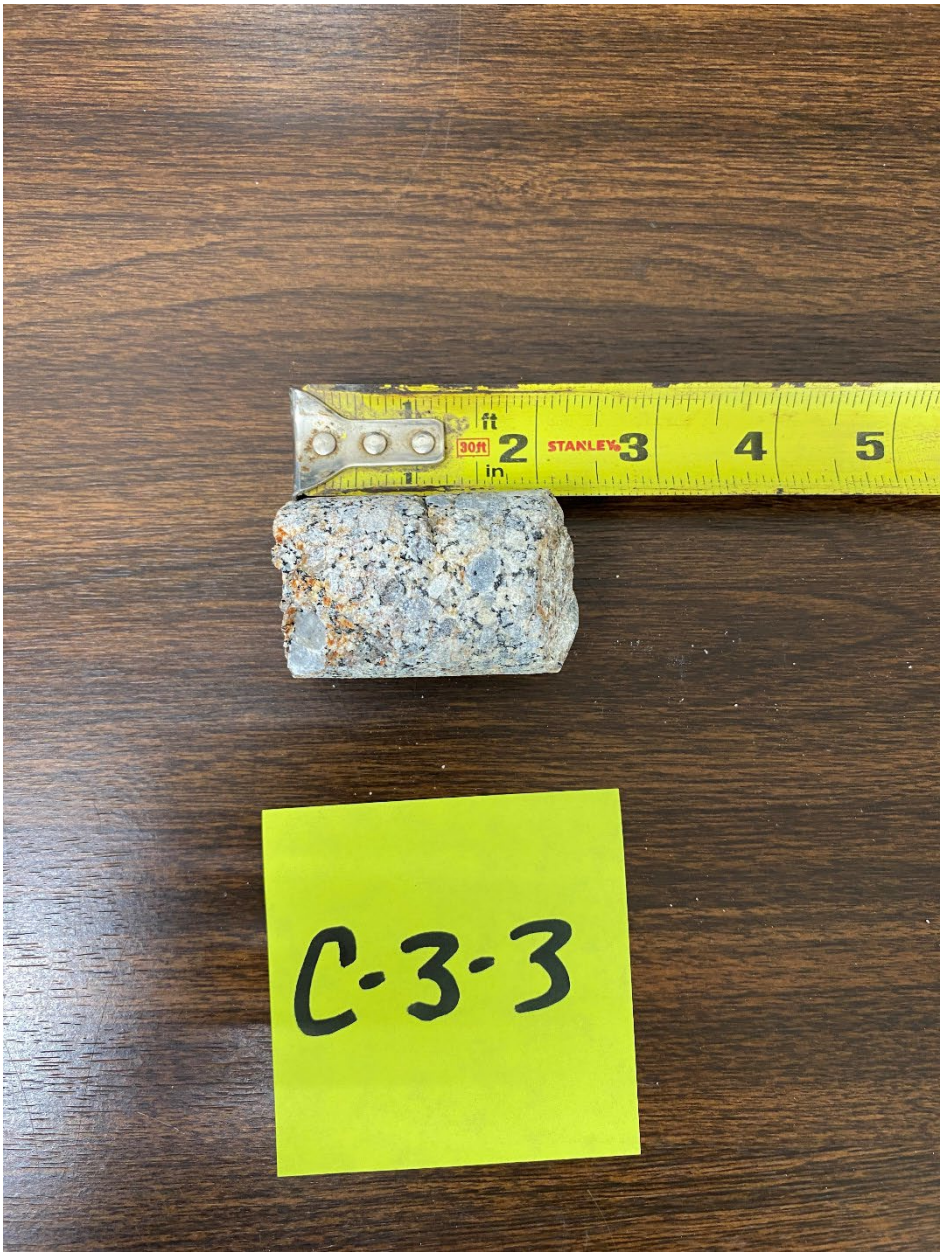
CORE C-2-7 UPPER DECK DEPTH 89 INCHES



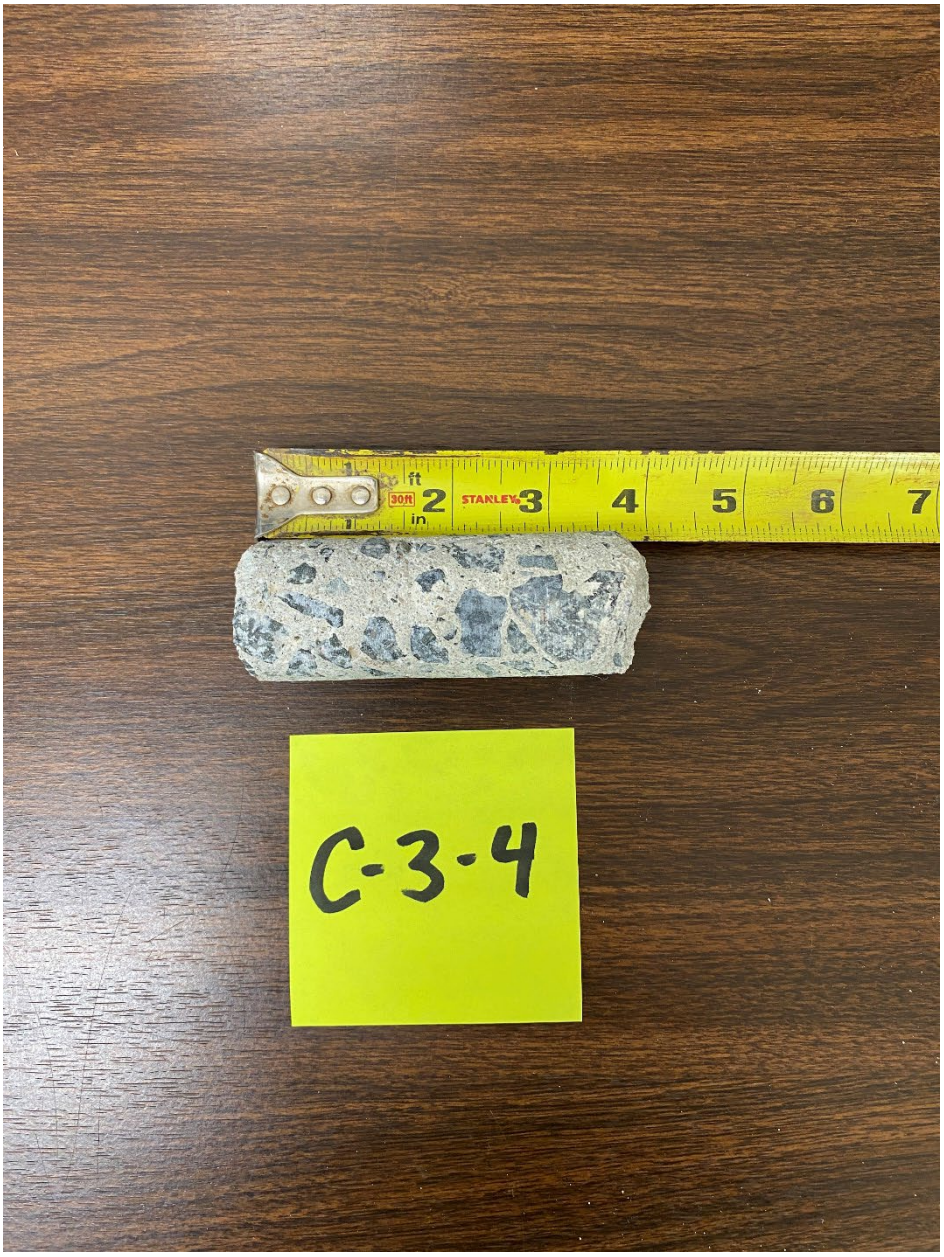
CORE C-3-2 LOWER DECK DEPTH = 22 INCHES



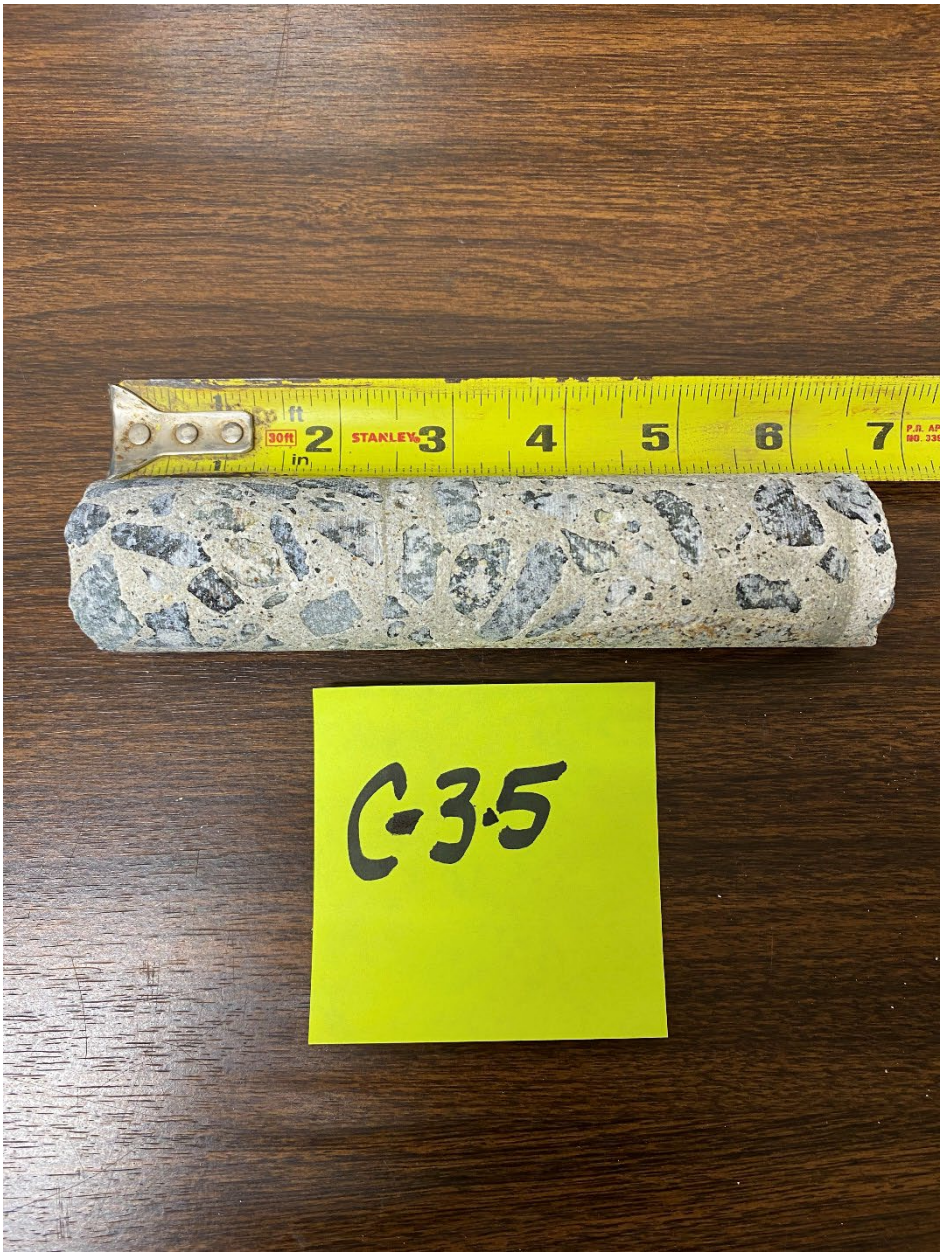
CORE C-3-3 LOWER DECK DEPTH = 38 INCHES



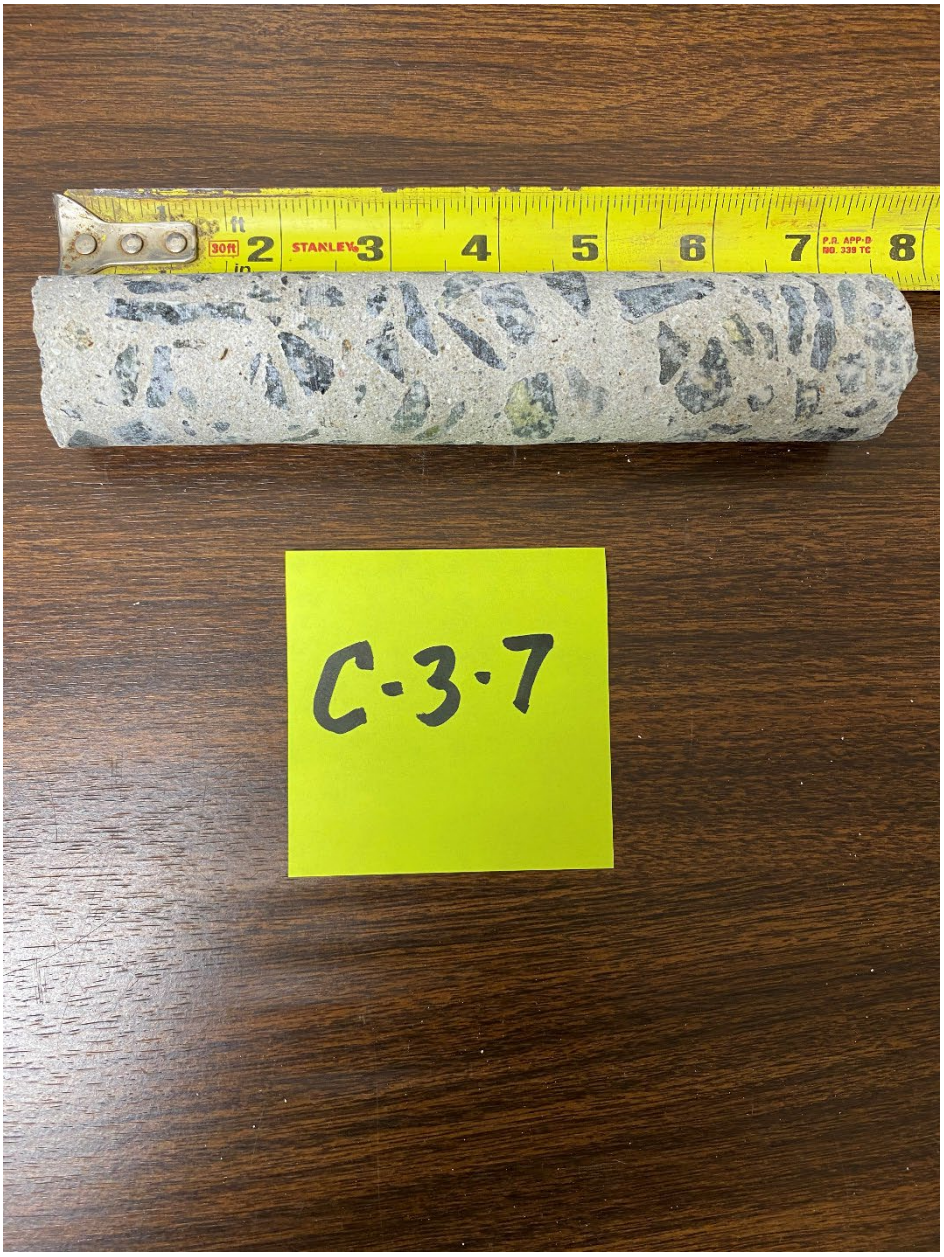
CORE C-3-4 LOWER DECK DEPTH = 45 INCHES



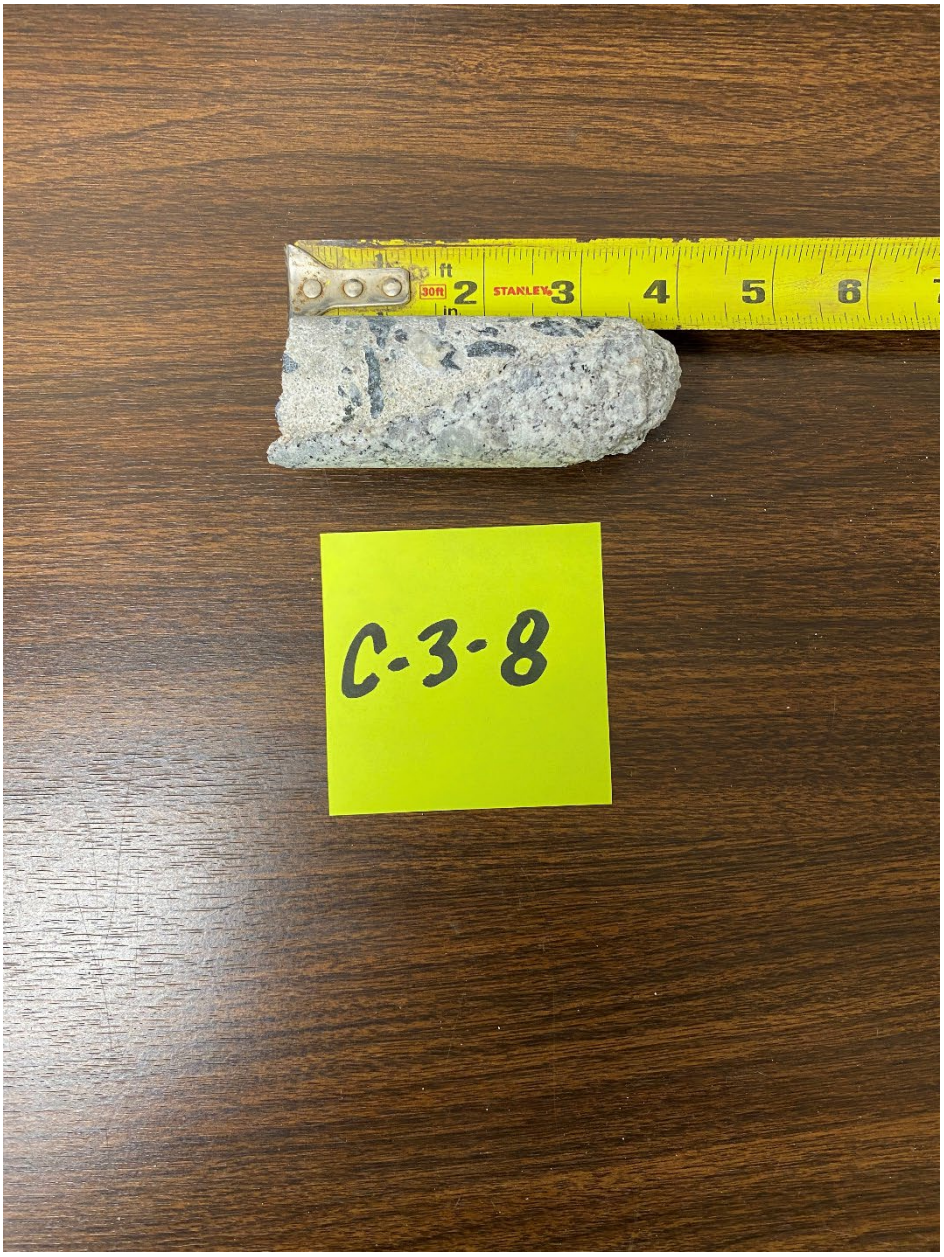
CORE C-3-5 LOWER DECK DEPTH = 52 INCHES



CORE C-3-7 LOWER DECK DEPTH = 59 INCHES



CORE C-3-8 LOWER DECK DEPTH = 83 INCHES



COMPRESSIVE STRENGTH
ASTM C39

Date: April 11, 2022 **Project:** Lovers Point Pier

Client: HKA **Project No:** 16129.26

Clients Project No: 11897.1 **Material Type:** Concrete

Sample Set No: C-21 **Sample Type:** 1" cylinder

Sample Location/Notes Lovers Point Pier - C21

Cylinder Capping Method Used: Sulfur Caps - C617

Cored Date:	4/7/2022	**Notes:**
Test Date :	4/11/2022	**Sample C-21: Diameter is 1.44", Uncut length is 4.01", no cutes grooves or voids in core.**
Cored By:	HKA	
Design Strength (psi):	N/A	
Sampling Method Used:	ASTM C42	

Sample No:	1
Date Tested:	4/12/2022
Time Tested:	10:01 AM
Age at Test (days):	**5**
Ave. Diameter (in.):	1.44
Cross-Sectional Area (in^2):	1.63
Length (in):	2.87
Total Load (lbs.):	5,070
Compressive Strength (psi):	**3110**
Type of Break (C39 - Fig. 2):	2
Average Compressive Strength (psi):	**3110**

Results relate only to the items inspected or tested. This report shall not be reproduced, except in full, without the proper written approval of Pacific Crest Engineering.

The above samples and tests performed are in compliance with the approved project plans and specifications.

Chris Johnson - Supervising Engineer | Tested By - Brian Apolinario | 4/12/22 Date Issued

COMPRESSIVE STRENGTH
ASTM C39

Date: April 11, 2022 **Project:** Lovers Point Pier

Client: HKA **Project No:** 16129.26

Clients Project No: 11897.1 **Material Type:** Masonry

Sample Set No: C-22 **Sample Type:** 1" cylinder

Sample Location/Notes Lovers Point Pier - C21

Cylinder Capping Method Used: Sulfur Caps - C617

Cored Date:	4/7/2022	**Notes:**
Test Date :	4/12/2022	**Sample C-22: Diameter is 1.45", Uncut Length is 6.34",sample has some large aggregate within it. No voids.**
Cored By:	HKA	
Design Strength (psi):	N/A	
Sampling Method Used:	ASTM C42	

Sample No:	1
Date Tested:	4/12/2022
Time Tested:	10:01 AM
Age at Test (days):	**5**
Ave. Diameter (in.):	1.45
Cross-Sectional Area (in^2):	1.65
Length (in):	2.82
Total Load (lbs.):	12,170
Compressive Strength (psi):	**7370**
Type of Break (C39 - Fig. 2):	2
Average Compressive Strength (psi):	**7370**

Results relate only to the items inspected or tested. This report shall not be reproduced, except in full, without the proper written approval of Pacific Crest Engineering.

The above samples and tests performed are in compliance with the approved project plans and specifications.

Chris Johnson - Supervising Engineer | Tested By - Brian Apolinario | 4/14/22 Date Issued

NYLON
COAT

1
2
3
4
U-22

COMPRESSIVE STRENGTH
ASTM C39

Date: April 11, 2022

Project: Lovers Point Pier

Client: HKA

Project No: 16129.26

Clients Project No: 11897.1

Material Type: Masonry

Sample Set No: C-31

Sample Type: 1" cylinder

Sample Location/Notes Lovers Point Pier - C21

Cylinder Capping Method Used: Sulfur Caps - C617

Cored Date:	4/7/2022
Test Date :	4/13/2022
Cored By:	HKA
Design Strength (psi):	N/A
Sampling Method Used:	ASTM C42

Notes:

Sample C-31: Diameter 1.37", Uncut Length 9.54", 3/8" - 1/2" Agg. Present. Sample to be cut 2.74" from top

Sample No:	1
Date Tested:	4/13/2022
Time Tested:	10:01 AM
Age at Test (days):	**5**
Ave. Diameter (in.):	1.37
Cross-Sectional Area (in^2):	1.47
Length (in):	2.82
Total Load (lbs.):	4,700
Compressive Strength (psi):	**3190**
Type of Break (C39 - Fig. 2):	3
Average Compressive Strength (psi):	**3190**

Results relate only to the items inspected or tested. This report shall not be reproduced, except in full, without the proper written approval of Pacific Crest Engineering.

The above samples and tests performed are in compliance with the approved project plans and specifications.

Chris Johnson - Supervising Engineer

Tested By - Brian Apolinario

4/14/22
Date Issued

C-31

1
2
3
4

COMPRESSIVE STRENGTH
ASTM C39

Date: April 11, 2022 **Project:** Lovers Point Pier

Client: HKA **Project No:** 16129.26

Clients Project No: 11897.1 **Material Type:** Masonry

Sample Set No: C-36 **Sample Type:** 1" cylinder

Sample Location/Notes Lovers Point Pier - C21

Cylinder Capping Method Used: Sulfur Caps - C617

Cored Date:	4/7/2022	**Notes:**
Test Date :	4/13/2022	**Sample C-36:** Diameter 1.44", Uncut Length 7.31", Various 3/8" - 3/4" Agg. Present. Some Voids.
Cored By:	HKA	
Design Strength (psi):	N/A	
Sampling Method Used:	ASTM C42	

Sample No:	1
Date Tested:	4/13/2022
Time Tested:	10:01 AM
Age at Test (days):	**5**
Ave. Diameter (in.):	1.44
Cross-Sectional Area (in^2):	1.63
Length (in):	2.83
Total Load (lbs.):	7,120
Compressive Strength (psi):	**4370**
Type of Break (C39 - Fig. 2):	3
Average Compressive Strength (psi):	**4370**

Results relate only to the items inspected or tested. This report shall not be reproduced, except in full, without the proper written approval of Pacific Crest Engineering.

The above samples and tests performed are in compliance with the approved project plans and specifications.

Chris Johnson - Supervising Engineer | Tested By - Brian Apolinario | 4/14/22 Date Issued

KOMELON
NYLON COAT

1
2
3
4

NOTES:
1. BASE MAP FROM GOOGLE EARTH 2020

KEY: C-# = CORING LOCATION

D-# = DRILLING LOCATION

DRILLING SITE PLAN

Lovers Point Pier
Pacific Grove
Monterey County

SCALE:	NTS
DRAWN BY:	AK
DATE:	OCT 2022
REVISED:	
JOB NO.	M11897

HARO, KASUNICH & ASSOCIATES, INC.
GEOTECHNICAL AND COASTAL ENGINEERS
116 E. LAKE AVENUE, WATSONVILLE, CA 95076
(831) 722-4175

FIGURE NO. D-1

PRIMARY DIVISIONS			GROUP SYMBOL	SECONDARY DIVISIONS
COARSE GRADED SOILS — MORE THAN HALF OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL — MORE THAN HALF OF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE	CLEAN GRAVELS (LESS THAN 5% FINES)	GW	WELL GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES.
			GP	POORLY GRADED GRAVELS OR GRAVEL-SAND MIXTURES, LITTLE OR NO FINES.
		GRAVEL WITH FINES	GM	SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES, NON-PLASTIC FINES
			GC	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES, PLASTIC FINES.
	SAND — MORE THAN HALF OF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE	CLEAN SANDS (LESS THAN 5% FINES)	SW	WELL GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES.
			SP	POORLY GRADED SANDS OR GRAVELLY SANDS, LITTLE OR NO FINES.
		SANDS WITH FINES	SM	SILTY SANDS, SAND-SILT MIXTYRES, NON-PLASTIC FINES.
			SC	CLAYEY SANDS, SAND-CLAY MIXTYRES, PLASTIC FINES.
FINE GRADED SOILS — MORE THAN HALF OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYES — LIQUID LIMIT LESS THAN 50%		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY.
			CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS.
			OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY.
	SILTS AND CLAYES — LIQUID LIMIT GREATER THAN 50%		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SANDY OR SILTY SOILS, ELASTIC SILTS.
			CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS.
			OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS.
HIGHLY ORGANIC SOILS			Pt	PEAT AND OTHER HIGHLY ORGANIC SOILS.

GRAIN SIZES

U.S. STANDARD SERIES SIEVE				CLEAR SQUARE SIEVE OPENINGS		
200	40	10	4	3/4"	2"	12"

SILTS AND CLAYS	SAND			GRAVEL		COBBLES	BOULDERS
	FINE	MEDIUM	COARSE	FINE	COARSE		

RELATIVE DENSITY

SANDS AND GRAVELS	BLOWS PER FOOT*
VERY LOOSE	0 - 4
LOOSE	4 - 10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	OVER 50

CONSISTENCY

SILTS AND CLAYS	STRENGTH (TSF)**	BLOWS PER FOOT*
VERY SOFT	0 - 1/4	0 - 2
SOFT	1/4 - 1/2	2 - 4
FIRM	1/2 - 1	4 - 8
STIFF	1 - 2	8 - 16
VERY STIFF	2 - 4	16 - 32
HARD	OVER 4	OVER 32

SAMPLING METHOD

STANDARD PENETRATION TEST	T	▨
MODIFIED CALIFORNIA	MC	◧
PITCHER BARREL	P	⊠
SHELBY TUBE	S	◨
BULK	B	◭

WATER

FINAL	▽
INITIAL	▼
WATER LEVEL DESIGNATION	

KEY TO LOGS
Lovers Point Pier
Pacific Grove
Monterey County

SCALE:	NTS
DRAWN BY:	AK
DATE:	OCT 2022
REVISED:	
JOB NO.	M11897

HARO, KASUNICH & ASSOCIATES, INC.
GEOTECHNICAL AND COASTAL ENGINEERS
116 E. LAKE AVENUE, WATSONVILLE, CA 95076
(831) 722-4175

FIGURE NO. D-2

CORING NUMBER C-2

Figure No.: 3

Haro, Kasunich and Associates, Inc.

CLIENT City of Pacific Grove
PROJECT NAME Lovers Point Pier Interim Repair
PROJECT NUMBER M11897
PROJECT LOCATION Pacific Grove, California
DATE STARTED 4/7/22 **COMPLETED** 4/7/22
GROUND ELEVATION 14 ft **HOLE SIZE** 2"
DRILLING CONTRACTOR HKA
GROUND WATER LEVELS:
DRILLING METHOD Coring
AT TIME OF DRILLING ---
LOGGED BY TA **CHECKED BY** MC
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	USCS	SAMPLE TYPE NUMBER	COMPRESSIVE STRENGTH (psi)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SIEVE ANALYSIS GRAVEL %	SAND %	FINES %	ATTERBERG LIMITS LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	Phi (deg)	COHESION (psf)
0.0		Concrete 1/4" to 1/2" angular gravels, good matrix with hard cementitious material, solid concrete		C-2-1	3,110										
				C-2-2	7,370										
2.5		Same as above but weaker													
		Concrete with granite gabion or riprap, poor matrix, weak or punky cementitious material		C-2-3											
5.0				C-2-4											
				C-2-5											
				C-2-6											
7.5		Hard granite riprap or bedrock		C-2-7											

Bottom of borehole at 7.5 feet.

GEOTECH BH COLUMNS - GINT STD US.GDT - 10/28/22 16:30 - H:\PROJECTS\11000S\11897 FOLDER, LOVERS POINT PIER FAILURE, CITY OF PACIFIC GROVE PUBLIC WORKS DEPT\APPENDIX\11897 BLOGS FINAL 10-28-22, FIG 3 - 7.GPJ

CORING NUMBER C-3

Figure No.: 4

Haro, Kasunich and Associates, Inc.

CLIENT City of Pacific Grove
PROJECT NAME Lovers Point Pier Interim Repair
PROJECT NUMBER M11897
PROJECT LOCATION Pacific Grove, California
DATE STARTED 4/7/22 **COMPLETED** 4/7/22
GROUND ELEVATION 8 ft **HOLE SIZE** 2"
DRILLING CONTRACTOR HKA
GROUND WATER LEVELS:
DRILLING METHOD Coring
AT TIME OF DRILLING ---
LOGGED BY TA **CHECKED BY** MC
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	USCS	SAMPLE TYPE NUMBER	COMPRESSIVE STRENGTH (psi)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SIEVE ANALYSIS GRAVEL %	SIEVE ANALYSIS SAND %	SIEVE ANALYSIS FINES %	ATTERBERG LIMITS LIQUID LIMIT	ATTERBERG LIMITS PLASTIC LIMIT	ATTERBERG LIMITS PLASTICITY INDEX	Phi (deg)	COHESION (psf)
0.0		Concrete, 1/4" to 1/2" angular gravel fair, matrix, some voids, fair to poor cementitious material, "solid concrete"		C-3-1	3,190										
		Same as above but weaker		C-3-2											
2.5		(GP) Granite riprap or gabion size rock	GP	C-3-3											
		Concrete, 1/4" to 3/4" angular gravel, fair matrix, fair cementitious material		C-3-4											
		Concrete bonded to gabion or riprap size granite, good concrete matrix, 1/4" to 3/4" gravel, hard cementitious material		C-3-5											
5.0		Concrete, 1/4" to 3/4" angular gravel, fair matrix, some voids, fair cementitious material		C-3-6	4,370										
				C-3-7											
		Cement bonded to granite gabion or riprap, fair matrix, fair cementitious material		C-3-8											
7.5		Native granite bedrock formation													

Bottom of borehole at 7.5 feet.

GEOTECH BH COLUMNS - GINT STD US.GDT - 10/28/22 16:30 - H:\PROJECTS\11000S\11897 FOLDER, LOVERS POINT PIER FAILURE, CITY OF PACIFIC GROVE PUBLIC WORKS DEPT\APPENDIX\11897 BLOGS FINAL 10-28-22, FIG 3 - 7.GPJ

BORING NUMBER DH-1

Figure No.: 5

Haro, Kasunich and Associates, Inc.

CLIENT City of Pacific Grove
PROJECT NAME Lovers Point Pier Interim Repair
PROJECT NUMBER M11897
PROJECT LOCATION Pacific Grove, California
DATE STARTED 4/5/22 **COMPLETED** 4/5/22
GROUND ELEVATION 14 ft **HOLE SIZE** 2"
DRILLING CONTRACTOR Sunstone Construction
GROUND WATER LEVELS:
DRILLING METHOD Percussion Drilling
AT TIME OF DRILLING ---
LOGGED BY TA **CHECKED BY** MC
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	USCS	SAMPLE TYPE NUMBER	COMPRESSIVE STRENGTH (psi)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SIEVE ANALYSIS			ATTERBERG LIMITS			Phi (deg)	COHESION (psf)
								GRAVEL %	SAND %	FINES %	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX		
0.0		Grey, cement, sand, gravel, fine to coarse grain, quartz "concrete"													
		(SW) White sand, fine to coarse grain, quartz, granite pieces, "granite and concrete," easier drilling	SW												
2.5															
5.0		Concrete and grainte rubble, harder drilling													
7.5		Hard granite riprap or bedrock													
		Bottom of borehole at 9.5 feet.													

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BORING NUMBER DH-2

Figure No.: 6

Haro, Kasunich and Associates, Inc.

CLIENT City of Pacific Grove
PROJECT NAME Lovers Point Pier Interim Repair
PROJECT NUMBER M11897
PROJECT LOCATION Pacific Grove, California
DATE STARTED 4/5/22 **COMPLETED** 4/5/22
GROUND ELEVATION 14 ft **HOLE SIZE** 2"
DRILLING CONTRACTOR Sunstone Construction
GROUND WATER LEVELS:
DRILLING METHOD Percussion Drilling
AT TIME OF DRILLING ---
LOGGED BY TA **CHECKED BY** MC
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	USCS	SAMPLE TYPE NUMBER	COMPRESSIVE STRENGTH (psi)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SIEVE ANALYSIS GRAVEL %	SIEVE ANALYSIS SAND %	SIEVE ANALYSIS FINES %	ATTERBERG LIMITS LIQUID LIMIT	ATTERBERG LIMITS PLASTIC LIMIT	ATTERBERG LIMITS PLASTICITY INDEX	Phi (deg)	COHESION (psf)
0.0		Grey sand, gravel, cement, quartz " concrete"													
2.5		White and grey sand, fine to coarse grain, quartz and gravel, concrete and granite riprap or gabion rock, easier drilling													
5.0		Grey white sand, quartz, fine to coarse grain, "concrete and riprap or gabion rock," harder drilling													
7.5		Grey coarse sand, quartz, feldspar, mica, native granite bedrock or riprap													
10.0		Bottom of borehole at 11.0 feet.													

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BORING NUMBER DH-3

Figure No.: 7

Haro, Kasunich and Associates, Inc.

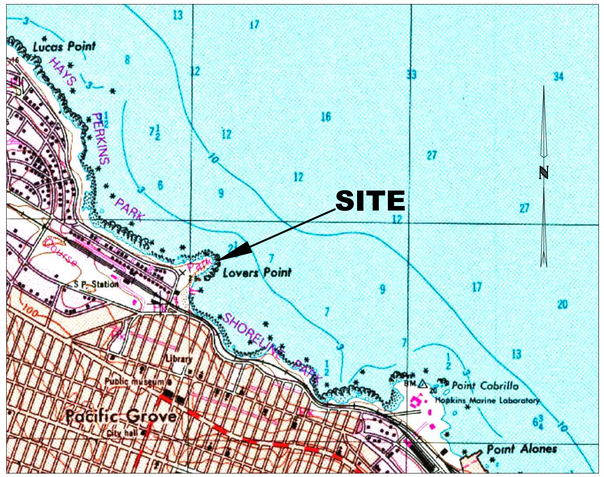
CLIENT City of Pacific Grove
PROJECT NAME Lovers Point Pier Interim Repair
PROJECT NUMBER M11897
PROJECT LOCATION Pacific Grove, California
DATE STARTED 4/6/22 **COMPLETED** 4/6/22
GROUND ELEVATION 8 ft **HOLE SIZE** 2"
DRILLING CONTRACTOR Sunstone Construction
GROUND WATER LEVELS:
DRILLING METHOD Percussion Drilling
AT TIME OF DRILLING ---
LOGGED BY TA **CHECKED BY** MC
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	USCS	SAMPLE TYPE NUMBER	COMPRESSIVE STRENGTH (psi)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	SIEVE ANALYSIS			ATTERBERG LIMITS			Phi (deg)	COHESION (psf)
								GRAVEL %	SAND %	FINES %	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX		
0.0		Grey sand, cement and gravel, fine to coarse grain "concrete"													
2.5		Grey white sand, gravel, quartz cement, fine to coarse grain, concrete and granite riprap or gabion rock, easier drilling													
5.0		Grey white sand, gravel, quartz cement, fine to coarse grain, concrete and granite riprap or gabion rock, harder drilling													
7.5		Grey and white and black, sand fine to coarse grain, quartz, mica, feldspar, native granite bedrock													
		Bottom of borehole at 9.0 feet.													

GEOTECH BH COLUMNS - GINT STD US.GDT - 10/28/22 16:30 - H:\PROJECTS\11000S\11897 FOLDER, LOVERS POINT PIER FAILURE, CITY OF PACIFIC GROVE PUBLIC WORKS DEPT\APPENDIX\11897 BLOGS FINAL 10-28-22, FIG 3 - 7.GPJ

LOVERS POINT PIER BAND-AID REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

100% PLANS



USGS TOPOGRAPHIC MAP

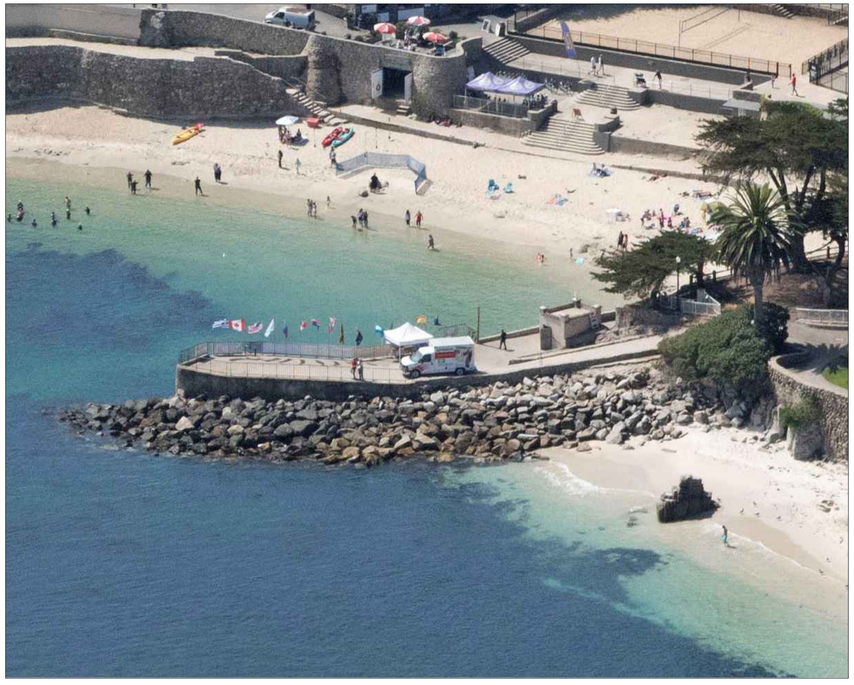
NO SCALE

PROJECT DATA

A.P.N. :	006-155-099 3.06 Acres
OWNER:	CITY OF PACIFIC GROVE
PROJECT SITE:	LOVERS POINT PARK OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

SHEET INDEX

SHEET 1 - TITLE SHEET
SHEET 2 - OBLIQUE AERIAL PHOTOS
SHEET 3 - STAGING AND ACCESS PLAN
SHEET 4 - EXISTING CONDITIONS
SHEET 5 - REPAIR SITE PLAN AND SECTIONS
SHEET 6 - EXISTING CROSS SECTIONS A & B
SHEET 7 - EXISTING CROSS SECTIONS C & D
SHEET 8 - FASCIA PATCH AND SLAB DETAILS
SHEET 9 - FOOTING AND SLAB DETAILS
SHEET 10 - GUARD AND HANDRAIL DETAILS
SHEET 11 - STRUCTURAL NOTES
SHEET 12 - GENERAL NOTES
SHEET 13 - CONSTRUCTION MANAGEMENT & BEST MANAGEMENT PLAN PROVISIONS
SHEET 14 - SPECIAL INSPECTION NOTES



OBLIQUE AERIAL PHOTOGRAPH FROM 2021

OBLIQUE AERIAL PHOTOGRAPH FROM 2021 SHOWING PIER DAMAGE

NO SCALE

Plan Preparers:
Moses Cuprill, C.E. 78904
HARO, KASUNICH & ASSOCIATES, INC.
116 East Lake
Watsonville, CA 95076
(831)722-4175

Prepared for:
CITY OF PACIFIC GROVE
Public Works Department
Attn: Daniel Gho, Public Works Director/ Deputy City Manager
2100 Sunset Drive
Pacific Grove, CA 93950
(831) 648-5722

VICINITY MAP

NO SCALE

REVISIONS	BY

TITLE SHEET
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076 (831) 722-4175

Date	03-13-2023
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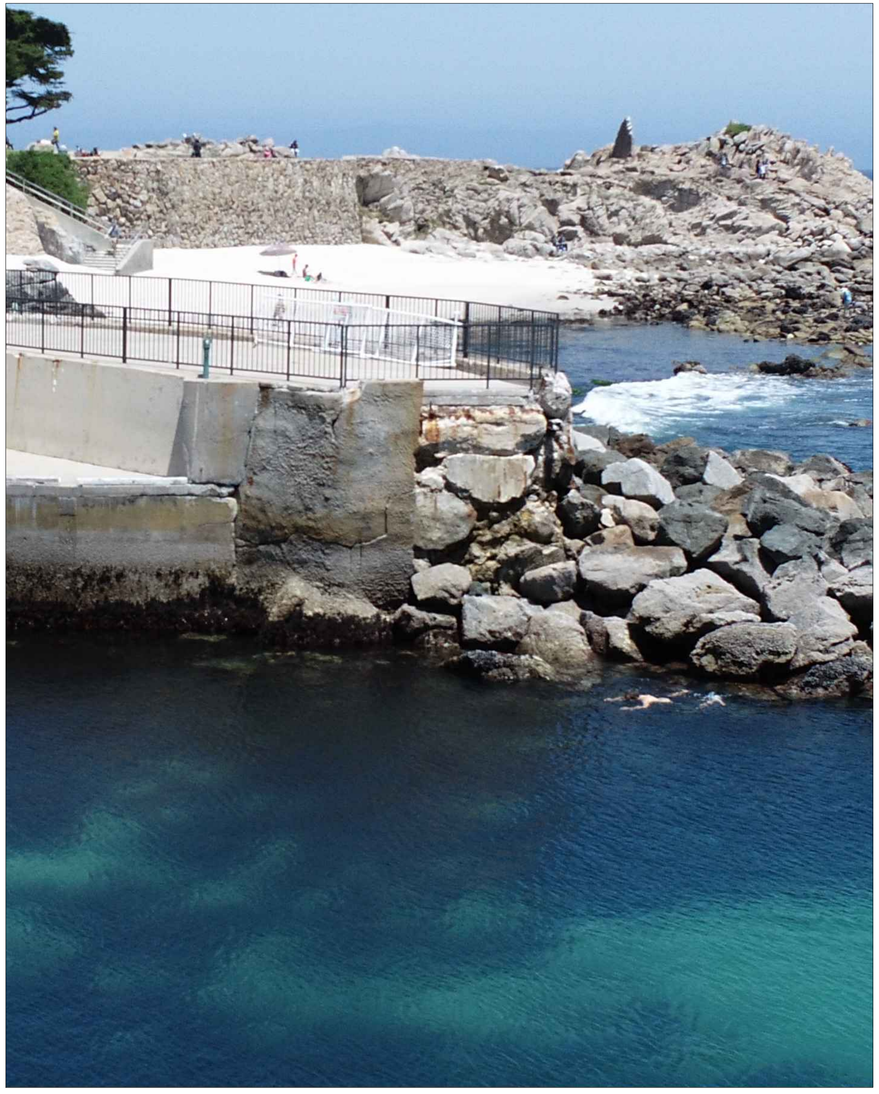
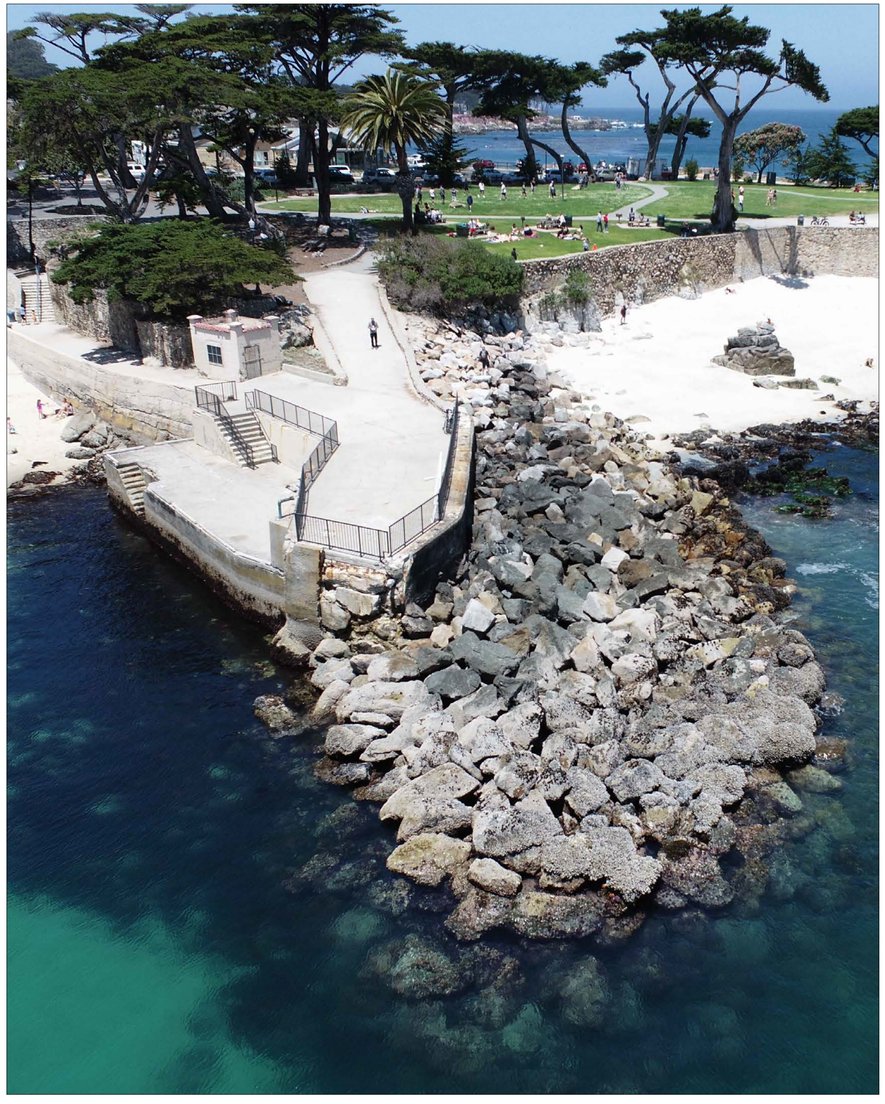
Job	11897
Sheet	1 OF 14 SHEETS





OBLIQUE AERIAL PHOTOGRAPHS FROM MAY 23, 2022 SHOWING AREA NEEDING REPAIR

NO SCALE

100% PLANS

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OBLIQUE AERIAL PHOTOS
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
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CONSTRUCTION ACCESS ROUTE AND STAGING AREA

NTS

GOOGLE IMAGE DATE 2/23/2021

100% PLANS

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STAGING AND ACCESS PLAN
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
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Date	03-13-2023
Scale	NTS
Drawn	MW
Job	11897
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MONTEREY BAY

SAND BEACH

(E) ROCK/CONCRETE WALL

MEAN HIGH WATER ELEVATION 4.63'

(E) RIP RAP

RIPRAP/SAND

(E) JOINT

(E) CONTROL JOINT

(E) CRACK IN CONCRETE, TYPICAL

(E) RAILING

(E) BUILDING

LIGHT

UTILITY VAULT

(E) WHARF HYDRANT

(E) RIPRAP/SAND

MEAN HIGH WATER ELEVATION: 4.63'

28-PALM

28-CYP

24-CYP

20-CYP

40-CYP

BASIS OF BEARINGS

BEARINGS FOR THIS SURVEY ARE BASED ON REALTIME KINEMATIC (RTK) GPS READINGS ON TWO CONTROL POINTS SET ONSITE FOR THIS PROJECT.

BASIS OF ELEVATIONS

ELEVATIONS FOR THIS SURVEY ARE BASED ON A RTK GPS TIE TO NGS BENCHMARK PID:GU-3229 (DESIGNATION 941 3450 TIDAL 3).

ELEVATIONS SHOWN ON THIS MAP ARE IN THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

MEAN HIGH WATER ESTABLISHMENT NOTE

THE MEAN HIGH WATER (MHW) ELEVATION FOR THIS SITE IS BASED ON BENCH MARK SHEET FOR 9413450, MONTEREY CALIFORNIA, AS LISTED ON THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) TIDES AND CURRENTS WEBSITE.

MEAN HIGH WATER (MHW) ELEVATION = 4.63 FEET (NAVD88)

SURVEY AND PHOTO NOTE

BACKGROUND IMAGERY IS AN ORTHORECTIFIED PHOTO MOSAIC. PHOTOGRAMMETRY AND GROUND SURVEY PERFORMED ON MAY 23, 2022. SURVEY CREATED BY ALPHA LAND SURVEYS, INC. ON JUNE 13 2022.

LEGEND

- MEAN HIGH WATER CONTOUR
- CONTOUR INTERVAL, MAJOR
- CONTOUR INTERVAL, MINOR
- RANDOM CONTROL POINT
- TREE, AS NOTED
- +99.99 SPOT ELEVATION

CONTOUR INTERVAL = 1 FOOT

0 10 20 30 40

FEET

100% PLANS

REVISIONS	BY

EXISTING CONDITIONS
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

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Date	03-13-2023
Scale	AS SHOWN
Drawn	MF
Job	11897
Sheet	4 OF 14 SHEETS

APPROXIMATE HANDRAIL AND GUARD QUANTITIES:
(N) HANDRAIL = 45± LINEAR FEET
(N) GUARD = 257± LINEAR FEET

MONTEREY BAY

0 10 20 30 40
FEET

(E) ROCK/CONCRETE WALL
SAND BEACH
MEAN HIGH WATER ELEVATION 4.63'
(E) BUILDING
(E) RIP RAP
RIPRAP/SAND
(E) RIPRAP/SAND
(E) WHARF HYDRANT
(E) RAILING
(E) JOINT
(E) CONTROL JOINT
(N) CONTROL JOINT, TYPICAL
(E) CRACK IN CONCRETE, TYPICAL
LIGHT
UTILITY VAULT
28–PALM
28–CYP
24–CYP
40–CYP
20–CYP
EM
HV TARGET
MEAN HIGH WATER ELEVATION: 4.63'

SECTION A
SECTION B
SECTION C
SECTION D

INSTALL NEW 6" REINFORCED SHOTCRETE FASCIA ON WALL FACE

REPLACE UPPER DAMAGED CONCRETE SECTION WITH NEW CONCRETE FOOTING AND INSTALL NEW GUARD

DEMOLISH EXISTING SLAB 7" DEEP AND POUR NEW 7" THICK MONOLITHIC SLAB

LIMIT OF NEW SLAB

INSTALL NEW 7" MONOLITHIC TOPPING SLAB OVER EXISTING SLAB

BEGIN 6" FASCIA

END 10" FASCIA / BEGIN 6" FASCIA

6" FASCIA LIMITS

BEGIN (N) GUARD

END (N) GUARD

(N) HANDRAIL LIMITS

(N) GUARD LIMITS, PER DETAIL 2 ON SHEET 10

INSTALL NEW GUARD

INSTALL NEW 10" REINFORCED SHOTCRETE FASCIA ON WALL FACE

END 6" FASCIA / BEGIN 10" FASCIA

INFILL DOORWAY IN STAIRWELL WALL & REPAIR & RESURFACE WALLS TO MATCH ADJACENT EXISTING WALLS

REFORM AND RESURFACE EXISTING STAIRS TO BE CODE COMPLIANT. INSTALL STAINLESS STEEL HANDRAIL AND GUARD.

REMOVE AND REPLACE WITH 6" FASCIA

INSTALL NEW 6" REINFORCED SHOTCRETE FASCIA ON WALL FACE

INSTALL NEW 6" REINFORCED SHOTCRETE FASCIA ON WALL FACE

100% PLANS

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REPAIR SITE PLAN AND SECTIONS
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

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Date	03-13-2023
Scale	AS SHOWN
Drawn	MF
Job	11897
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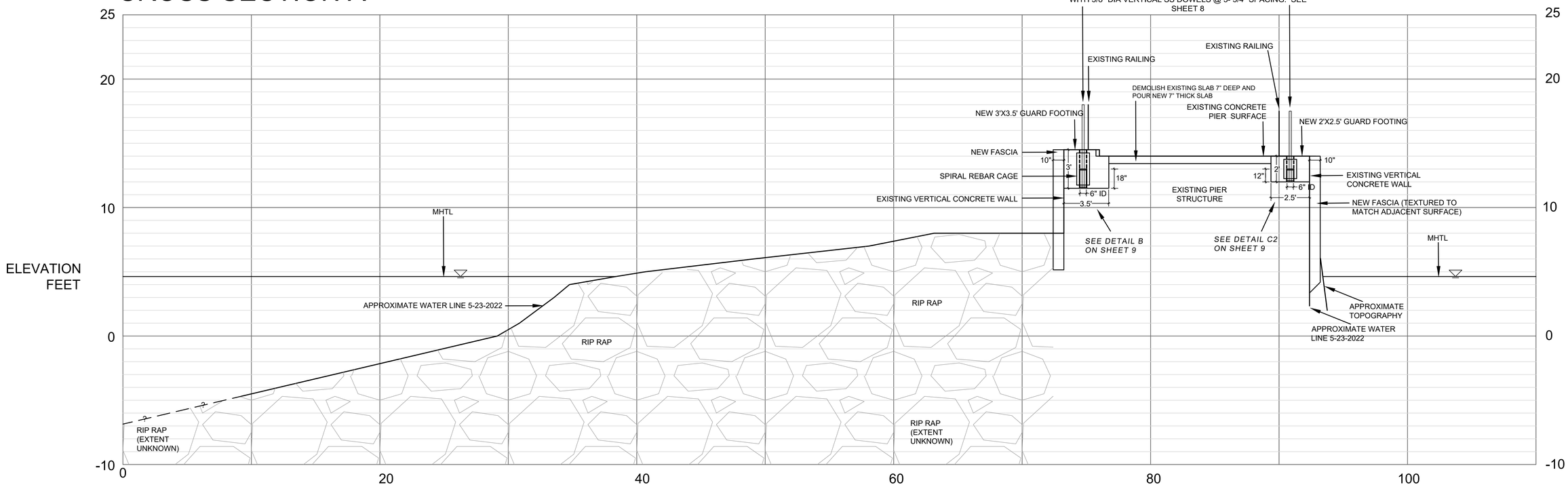
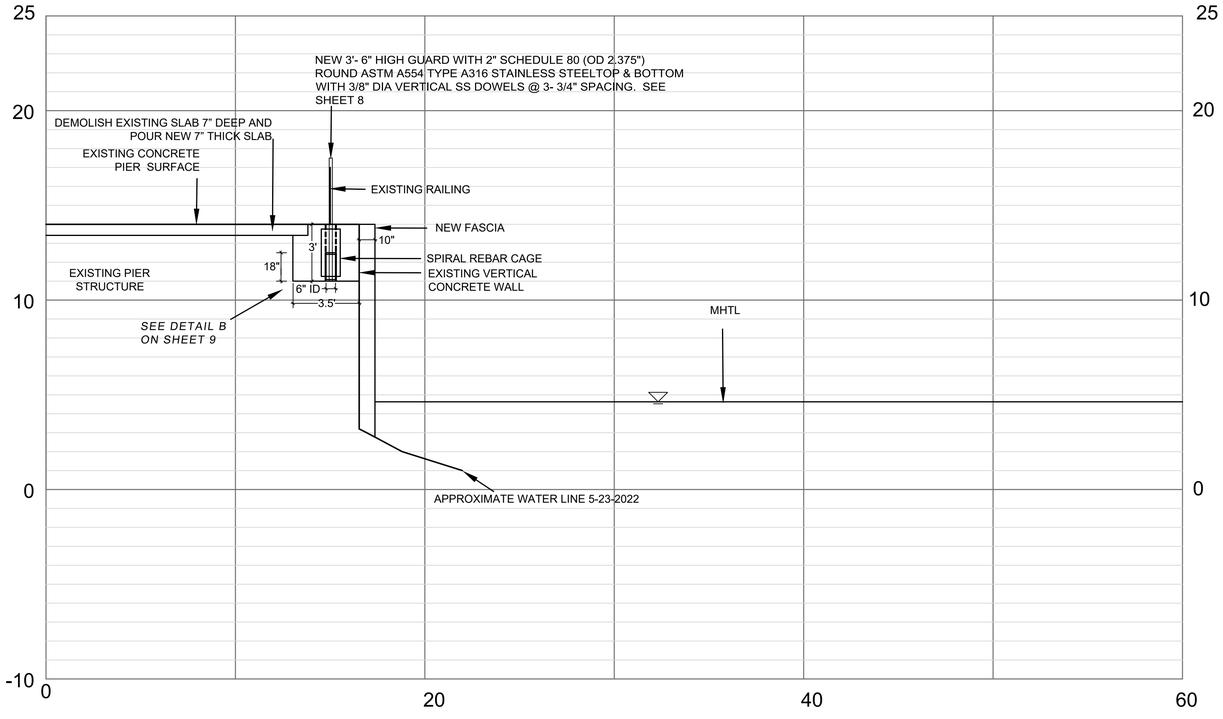
CROSS SECTION A



CROSS SECTION B



100% PLANS

REVISIONS	BY

EXISTING CROSS SECTIONS A & B
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

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Date	03-13-2023
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Job	11897
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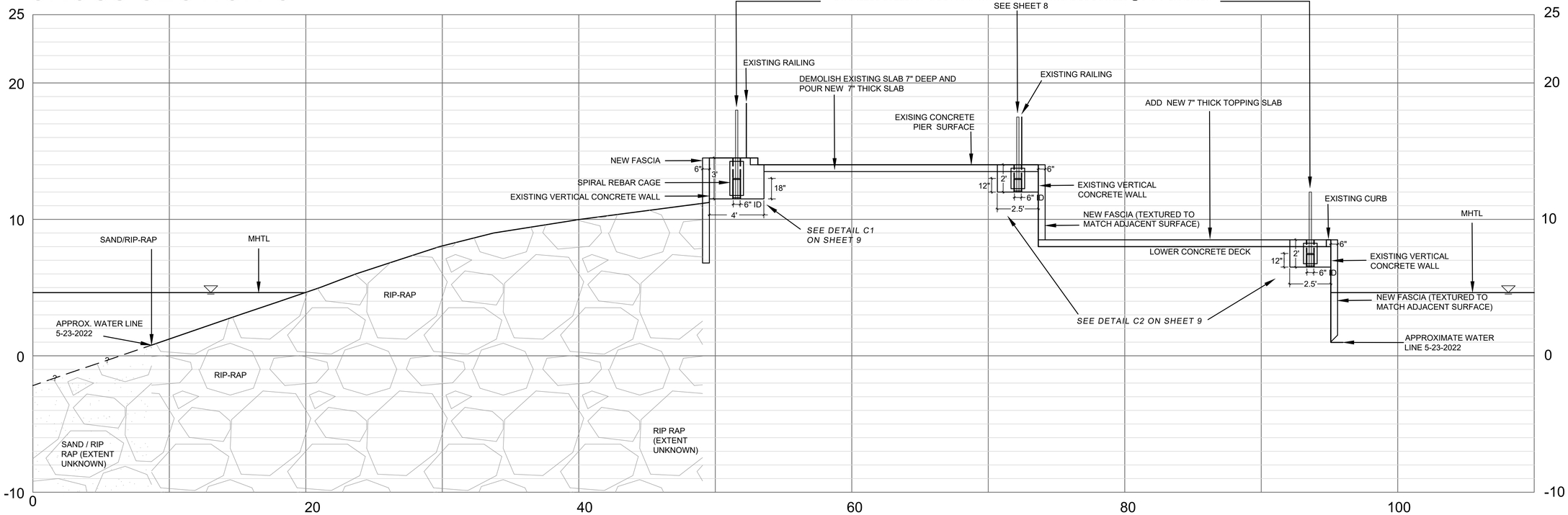
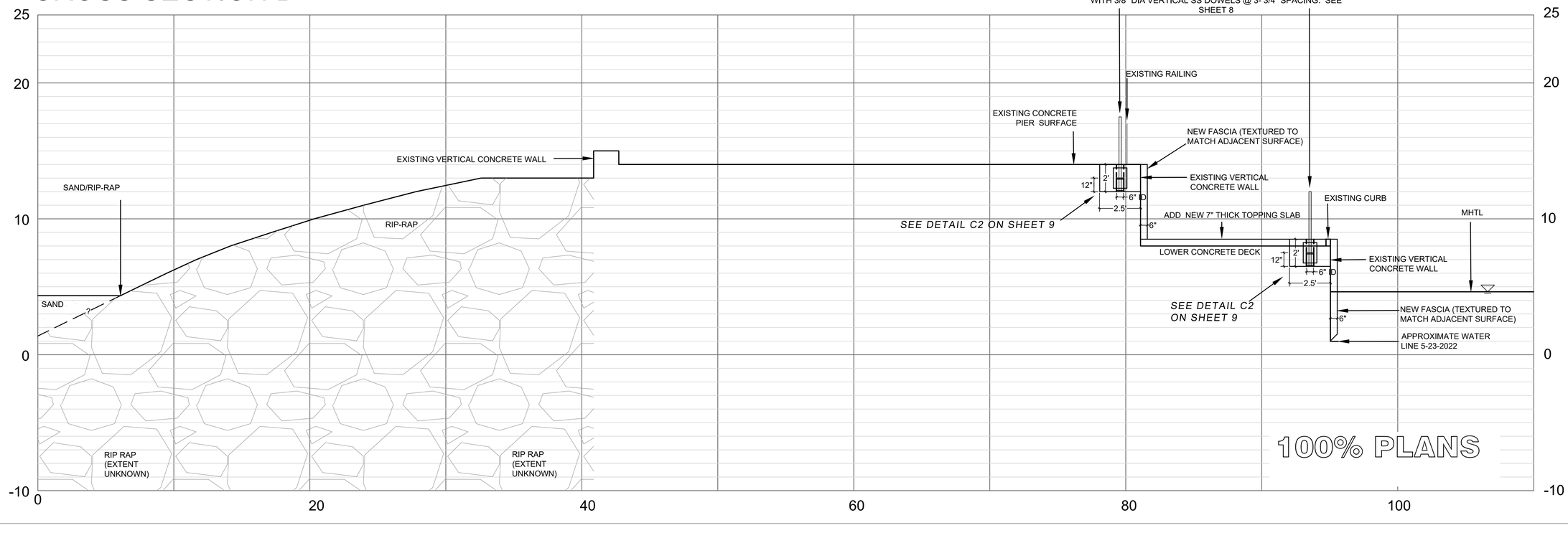
CROSS SECTION C



CROSS SECTION D



100% PLANS

REVISIONS	BY

EXISTING CROSS SECTIONS C & D
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

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Date	03-13-2023
Scale	AS SHOWN
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Job	11897
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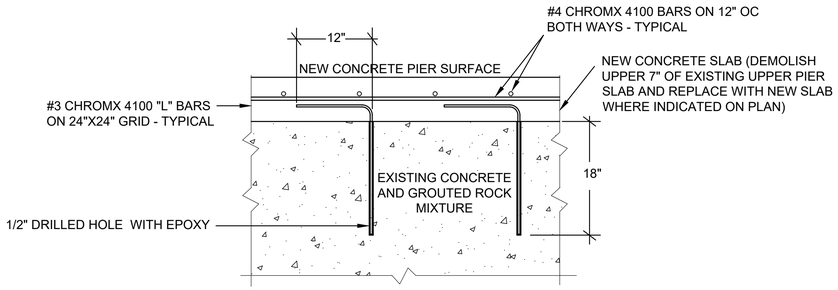
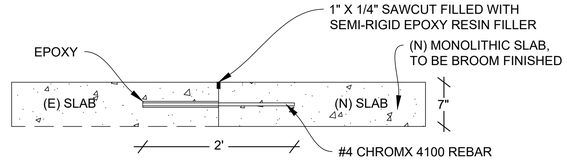


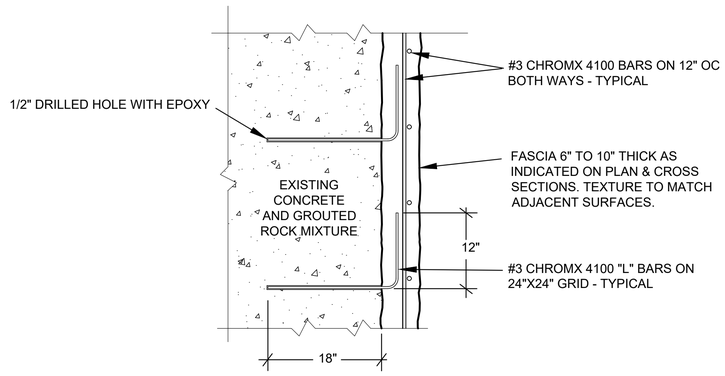
DETAIL 1
CROSS SECTION DETAIL OF NEW CONCRETE SLAB ON UPPER PIER - TYPICAL

SCALE: 1"=1'-0"



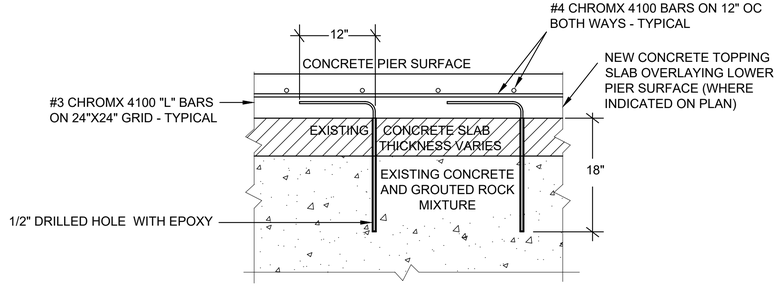
DETAIL 4
(E) SLAB AND (N) SLAB CONNECTION DETAIL

SCALE: 1"=1'-0"



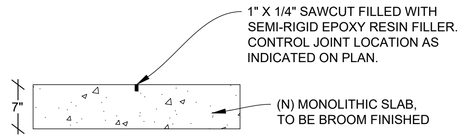
DETAIL 3
CROSS SECTION DETAIL OF NEW VERTICAL WALL FASCIA - TYPICAL

SCALE: 1"=1'-0"



DETAIL 2
CROSS SECTION DETAIL OF NEW CONCRETE TOPPING SLAB ON LOWER PIER - TYPICAL

SCALE: 1"=1'-0"



DETAIL 5
(N) SLAB CONTROL JOINT DETAIL

SCALE: 1"=1'-0"

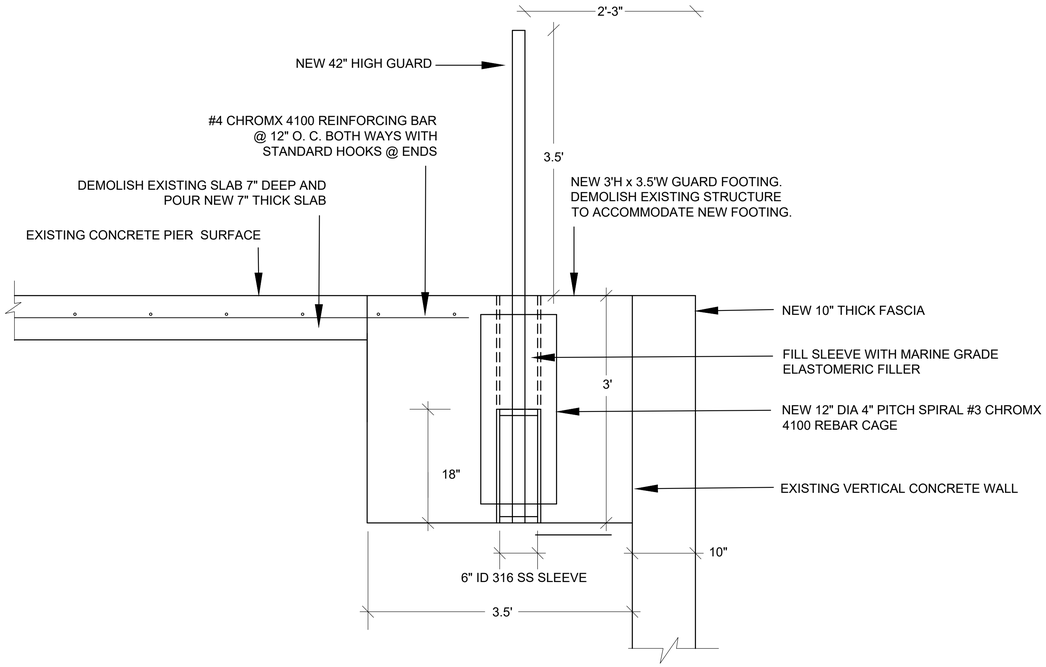
100% PLANS

REVISIONS	BY

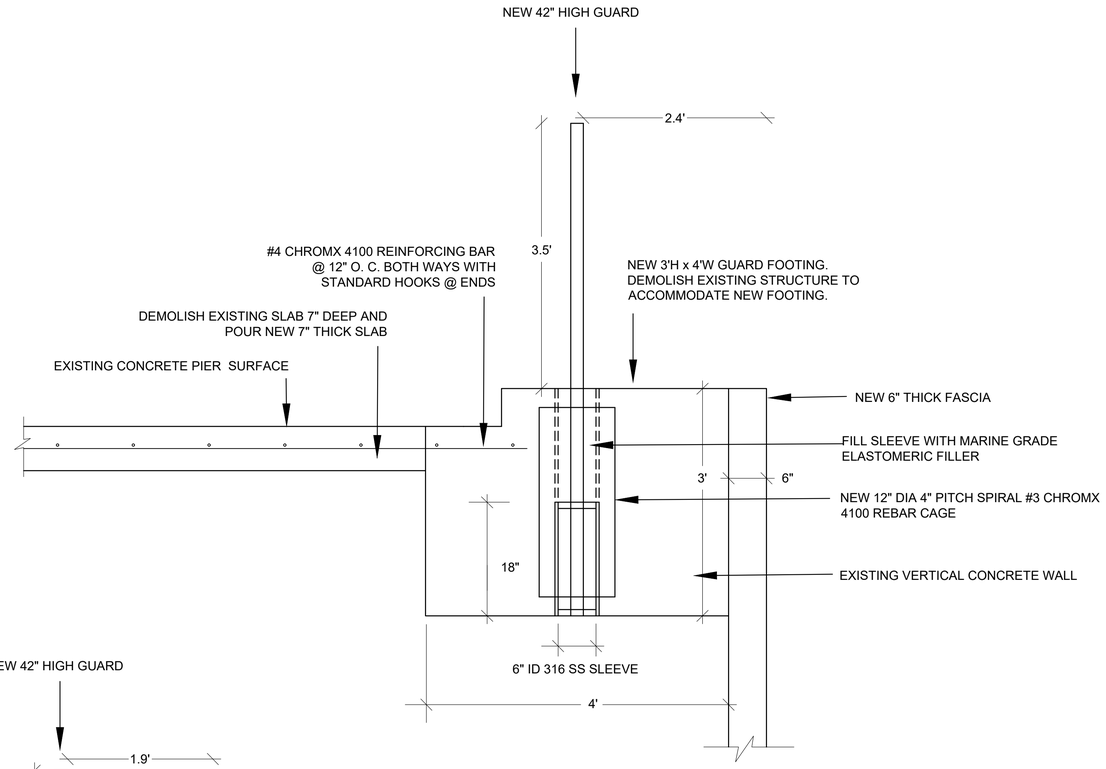
FASCIA PATCH AND SLAB DETAILS
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076 (831) 722-4175

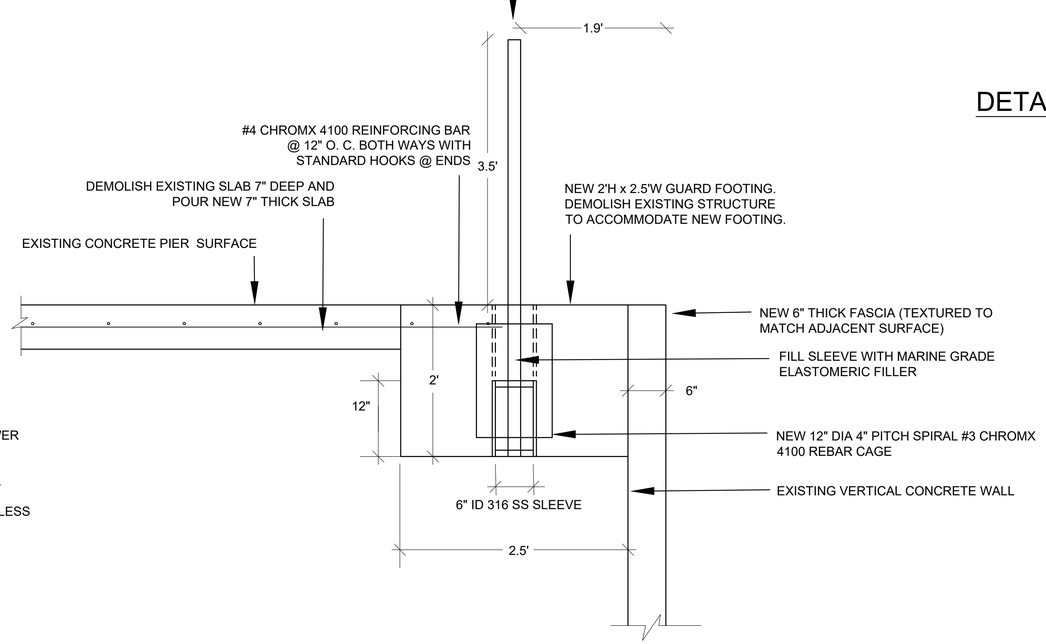
Date 03-13-2023
Scale AS SHOWN
Drawn MF
Job 11897
Sheet 8
OF 14 SHEETS



DETAIL B



DETAIL C1



DETAIL C2

SCALE: 1"=1'-0"

NOTES:

1. CONTINUOUSLY FILLET WELD TYPE A316 STAINLESS STEEL SLEEVE TO UPPER AND LOWER SLEEVE COLLARS

2. VERTICAL GUARD POSTS TO BE CONTINUOUS AND PENETRATE BOTH SLEEVE COLLARS.

3. GUARD POSTS AND CAP TO BE 2" SCHEDULE 80 (OD 2.375") ASTM A554 TYPE A316 STAINLESS STEEL

4. GUARD TO HAVE VERTICAL ½" BARS AT 4 INCH OC BETWEEN RAILING CAP AND LOWER HORIZONTAL RAILING BAR 3.5 INCHES ABOVE CONCRETE SURFACE.

5. SAW CUT REMOVED AREAS OF DEMOLISHED CONCRETE TO PREVENT CRACKING OF ADJACENT CONCRETE WORK TO REMAIN IN PLACE.

6. DOWEL NEW FOOTINGS TO EXISTING GROUTED ROCK AND CONCRETE AS DIRECTED BY ENGINEER DURING CONSTRUCTION.

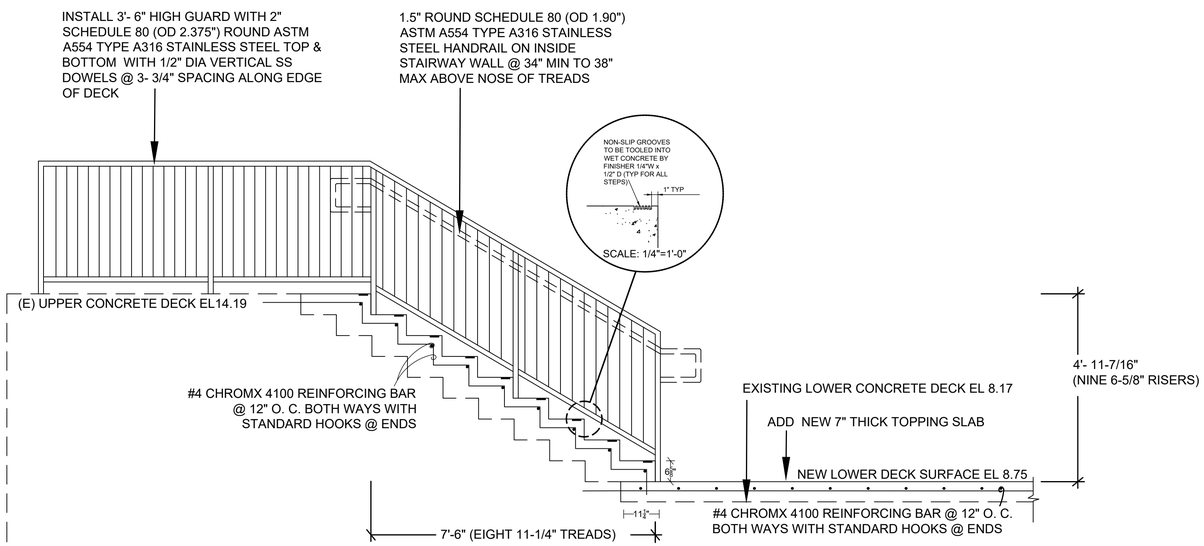
100% PLANS

REVISIONS	BY

FOOTING AND SLAB DETAILS
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076 (831) 722-4175

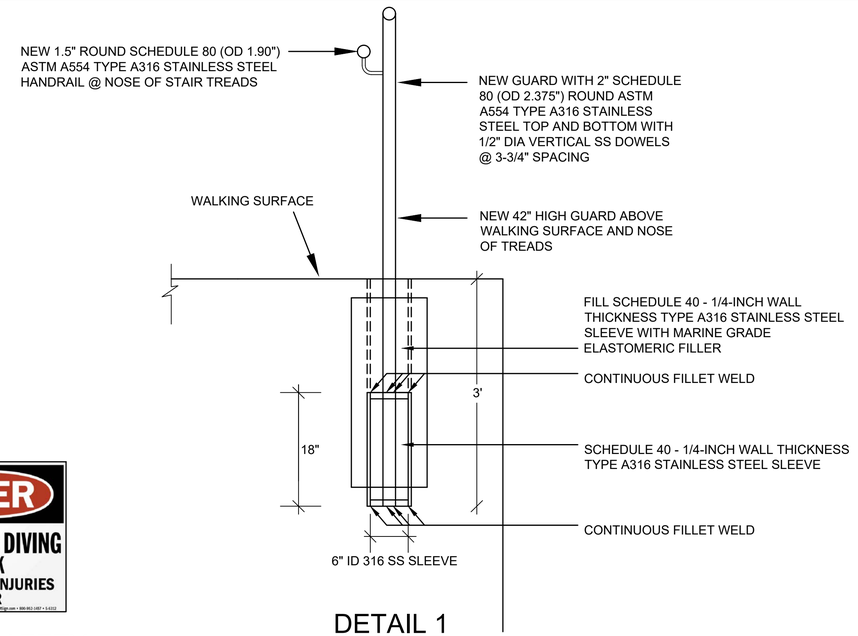
Date	03-13-2023
Scale	AS SHOWN
Drawn	MF
Job	11897
Sheet	9 OF 14 SHEETS



STAIRS FROM UPPER PIER SURFACE TO LOWER DECK

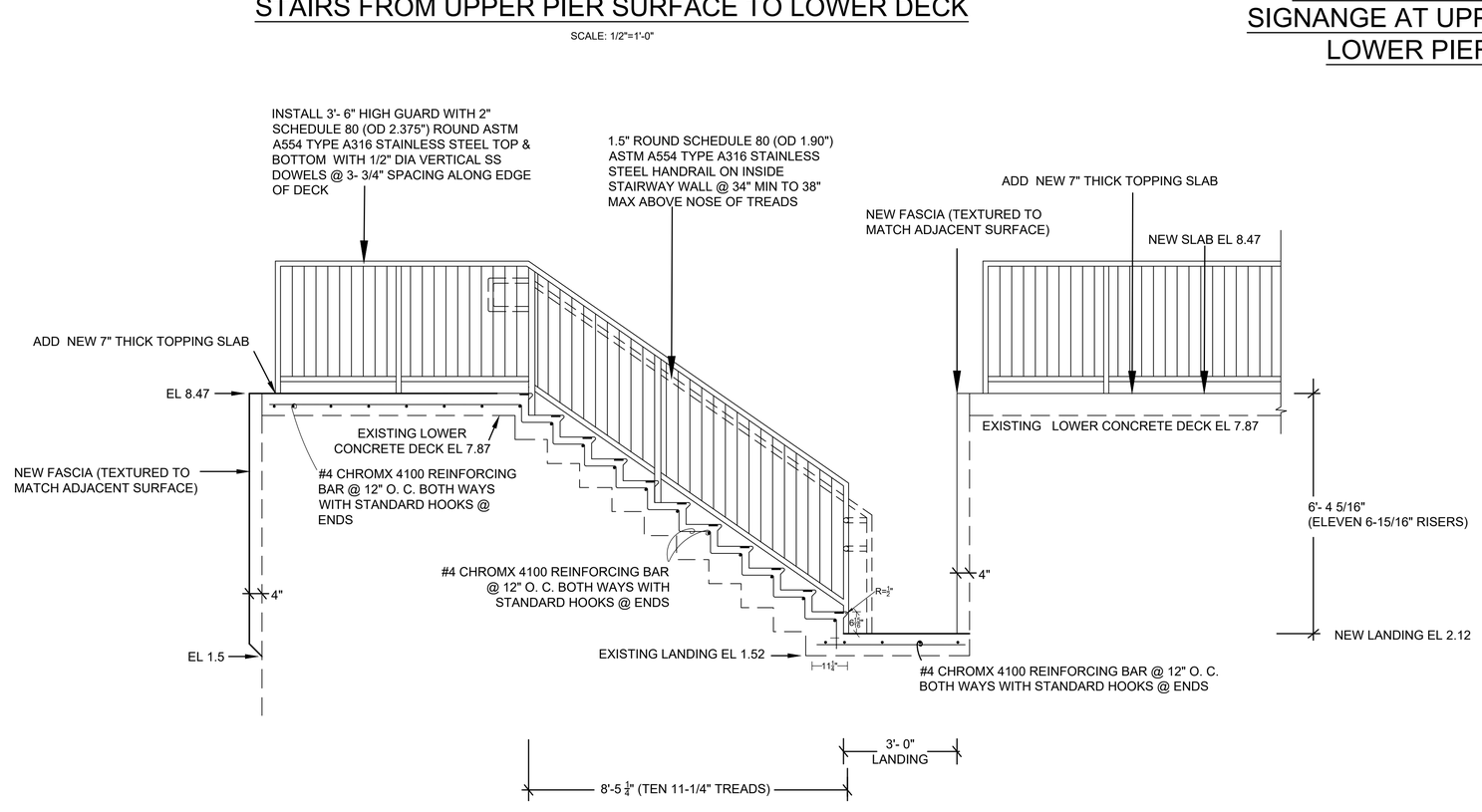
SCALE: 1/2"=1'-0"

REQUIRED SAFETY SIGNANGE AT UPPER AND LOWER PIERS



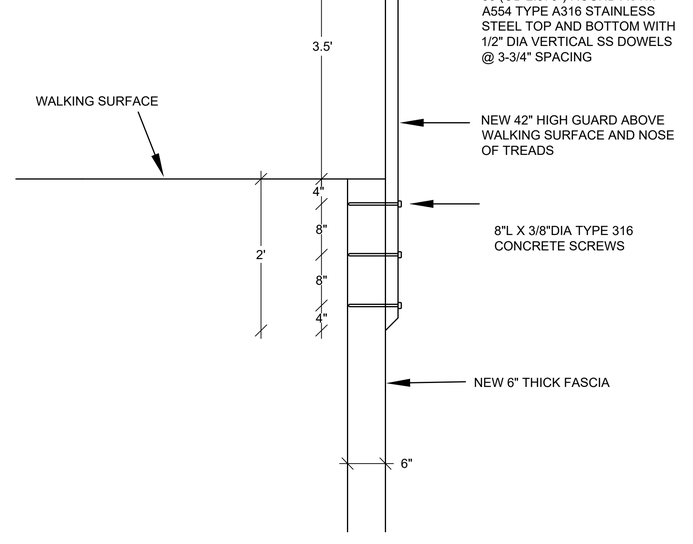
DETAIL 1
GUARD AND HANDRAIL DETAIL

SCALE: 1"=1'-0"



STAIRS TO WATER FROM LOWER DECK

SCALE: 1/2"=1'-0"



DETAIL 2
LOWER PIER GUARD AND HANDRAIL DETAIL AT LOWER STAIRS

SCALE: 1"=1'-0"

100% PLANS

REVISIONS	BY

GUARD AND HANDRAIL DETAILS
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
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Date	03-13-2023
Scale	AS SHOWN
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Sheet	10 OF 14 SHEETS

1. ALL DESIGN AND CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE 2019 CALIFORNIA BUILDING CODE [C.B.C.] AND ANY LOCAL CODE REQUIREMENTS. ALL DETAILS, SECTIONS AND NOTES SHOWN ON DRAWINGS ARE INTENDED TO BE TYPICAL AND SHALL APPLY TO SIMILAR SITUATIONS ELSEWHERE, UNLESS OTHERWISE NOTED.

THE CONTRACTOR SHALL RECOGNIZE THAT THE PLANS USED FOR THE DRAWINGS MAY DIFFER FROM THE ACTUAL PHYSICAL SITE. DIMENSIONS ARE APPROXIMATE. CHECK ALL DIMENSIONS IN RELATION TO SITE CONDITIONS PRIOR TO STARTING WORK. THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER AND SHALL BE RESOLVED BEFORE PROCEEDING WITH THE WORK. DURING THE CONSTRUCTION PHASE THE CONTRACTOR IS RESPONSIBLE FOR THE SAFETY OF CONSTRUCTION AND PERSONNEL. PROVIDE ADEQUATE SHORING, BRACING, IN ACCORDANCE WITH ALL NATIONAL, STATE AND LOCAL SAFETY ORDINANCES.

2. **DESIGN OF THE INTERIM REPAIR OF THE LOVERS POINT PIER** IS BASED ON RECOMMENDATIONS PROVIDED BY HARO, KASUNICH AND ASSOCIATES , INC. (HKA), GEOTECHNICAL AND COASTAL ENGINEERS, WATSONVILLE, CA (PROJECT NO. M11897.2). ANY STRUCTURAL DRAWINGS OR DETAILS NOT PREPARED BY HKA SHALL BE REVIEWED AND APPROVED BY HKA PRIOR TO CONSTRUCTION. EXISTING CONCRETE AND GROUTED ROCK SURFACES SHALL BE INSPECTED BY THE GEOTECHNICAL ENGINEER AND APPROVED PRIOR TO PLACEMENT OF STEEL AND CONCRETE.

3. **SHOTCRETE AND CONCRETE**

A. CONTRACTOR IS REQUIRED TO PROVIDE TEST PANEL PRIOR TO PLACEMENT AT THE SITE TO DEMONSTRATE PROPER MIX DESIGN

B. **STRENGTH:** SHOTCRETE AND CONCRETE SHALL DEVELOP A 28-DAY MINIMUM ULTIMATE COMPRESSIVE STRENGTH AS FOLLOWS:

ARTIFICIAL ROCK FASCIA 5,000 PSI

B. **SHOTCRETE AND CONCRETE MIXES:** PROVIDE THE FOLLOWING:

PORTLAND CEMENT: ASTM-A150, TYPE II, 8 SACKS/CY. MINIMUM.
POZZOLAN: MAY BE A MAXIMUM OF 20% OF THE 8 SACKS/CY. OF CEMENT.
AIR ENTRAINMENT: NOT ALLOWED FOR ANY SHOTCRETE OR CONCRETE.

SHOTCRETE FASCIA	
STRENGTH	5,000 PSI MIN
SACKS OF CEMENT	8 MIN
INTEGRAL COLOR	NO
ACCELERATOR	NOT WITHOUT ENG APPROVAL
AGGREGATE	3/8 MAX (PEAGRAVEL OK)
MAX WATER/CEMENT	0.40 MAX
WATER REDUCER	OK IF NEEDED
SEALER REQUIRED	NO
GRADE 100 REINF. COVER	3 INCH MIN
MAX. WATER-SOLUBLE CHLORIDE ION IN CONC.	0.15 PERCENT BY WEIGHT OF CEMENT
FLY ASH (POZZOLAN)	15% OF CEMENTITIOUS MATERIAL
SILICA FUME (MINERAL ADMIXTURE)	10% OF CEMENTITIOUS MATERIAL
CORROSION INHIBITOR	PER MANUFACTURER SPEC
MAX SLUMP	2 +/- 1 INCHES
AIR CONTENT	1-2% MAXIMUM (ENTRAPPED AIR ONLY)
PLASTICIZER	NOT PERMITTED

CONCRETE SLABS, BEAMS, AND STAIRS	
STRENGTH	5,000 PSI MIN
SACKS OF CEMENT	8 MIN
INTEGRAL COLOR	NO
ACCELERATOR	NOT WITHOUT ENG APPROVAL
AGGREGATE	3/4 MAX
MAX WATER/CEMENT	0.40 MAX
WATER REDUCER	OK IF NEEDED
SEALER REQUIRED	NO
GRADE 100 REINF. COVER	3 INCH MIN
MAX. WATER-SOLUBLE CHLORIDE ION IN CONC.	0.15 PERCENT BY WEIGHT OF CEMENT
FLY ASH (POZZOLAN)	15% OF CEMENTITIOUS MATERIAL
SILICA FUME (MINERAL ADMIXTURE)	10% OF CEMENTITIOUS MATERIAL
CORROSION INHIBITOR	PER MANUFACTURER SPEC
MAX SLUMP	4 +/- 1 INCHES
AIR CONTENT	1-2% MAXIMUM (ENTRAPPED AIR ONLY)
PLASTICIZER	AS SPECIFIED BY READY MIX COMPANY

SHOTCRETE AND CONCRETE SHALL BE MACHINE MIXED. SUBMIT CONCRETE MIX DESIGNS TO ENGINEERS FOR APPROVAL.

CONCRETE/SHOTCRETE TO COMPLY WITH ACI 318-22, TABLE 4.3.1 FOR EXPOSURE CLASS C2
CONTRACTOR TO SUBMIT TEST RESULTS INDICATING MIX DESIGN COMPLIES WITH MAXIMUM WATER-SOLUBLE CHLORIDE ION CONTENT IN CONCRETE PRIOR TO POUR OF CONCRETE AND/OR APPLICATION OF SHOTCRETE

PLACEMENT AND COVERAGE: ENSURE THAT REINFORCEMENT AND EMBEDDED ITEMS IN STRUCTURAL WALLS ARE NOT DISTURBING PLACEMENT OF SHOTCRETE/CONCRETE. MINIMUM SHOTCRETE AND CONCRETE COVERAGE TO REINFORCEMENT SHALL BE AS NOTED IN THE DRAWINGS. ARTIFICIAL ROCK FACING SHALL BE 6" TO 10" THICK COLORED & TEXTURED SHOTCRETE.

TESTING: CONCRETE MATERIALS SHALL BE TESTED BY A TESTING AGENCY APPROVED BY THE CITY OF PACIFIC GROVE AND HKA. ONLY TESTED CONCRETE SHALL BE USED. SPECIAL INSPECTION SHALL BE PROVIDED FOR CONCRETE PER CHAPTER 17 OF THE C.B.C. MAINTAIN COMPLETE RECORDS OF PLACED CONCRETE INCLUDING: DATE, LOCATION, QUANTITY AND TEST SAMPLES TAKEN. TAKE FOUR TEST CYLINDERS OR ONE TEST PANEL FOR SHOTCRETE PER 50 CU YARDS OF CONCRETE PLACED EACH DAY, BUT NO LESS THAN FOUR TEST CYLINDERS OR ONE SHOTCRETE PANEL FOR EACH DAY THAT CONCRETE IS PLACED.

PROTECTION: PROTECT SHOTCRETE AND CONCRETE FROM PREMATURE DRYING, MAINTAINING MINIMAL WATER LOSS AT A RELATIVELY CONSTANT TEMPERATURE FOR A PERIOD NECESSARY FOR HYDRATION OF CEMENT AND HARDENING OF SHOTCRETE/CONCRETE. IN CASE OF EXPOSURE TO SALT WATER, WASH THE SURFACE TO RECEIVE SHOTCRETE/CONCRETE WITH POTABLE WATER JUST PRIOR TO SHOTCRETE/CONCRETE PLACEMENT.

SHOTCRETE OR GUNITE: PROPORTIONING, MIXING AND PLACEMENT OF SHOTCRETE OR GUNITE SHALL COMPLY WITH ACI 506R. LAPPING OF THE REINFORCING SPLICES ARE PERMITTED IF THE SPACING AT THE REINFORCING IS OPEN ENOUGH TO ALLOW CLEAR, UNOBSTRUCTED ACCESS TO BOTH SIDES OF THE REINFORCING. IF NOT, THE LAPPED BARS SHOULD BE SPACED AT LEAST THREE TIMES THE DIAMETER OF THE LARGEST BAR AT THE SPLICE. CONTRACTOR SHALL HAVE A MINIMUM OF 5 YEARS EXPERIENCE WITH PROVEN PERFORMANCE RECORD ON SIMILAR TYPE OF PROJECTS, USING THE SAME QUALIFIED NOZZLEMAN, CREW AND EQUIPMENT.

BACKFORMING SHALL NOT BE PERMITTED DUE TO THE PRESENCE OF OVEREXCAVATION OR VOIDS. BACKFORMING COSTS SHALL BE INCLUDED IN THE CONTRACT PRICE. DAMPEN SURFACES TO RECEIVE SHOTCRETE. ALL REBOUND SHOTCRETE MATERIAL SHALL BE COLLECTED AND DISPOSED OF. NO SHOTCRETE MATERIAL SHALL BE DUMPED INTO OCEAN WATER OR LEFT ON BEACH. COVER SHOTCRETE WALL AREAS FOR CURING AND PROTECTION. LAYERS OF SHOTCRETE AND CONSTRUCTION JOINTS TO RECEIVE SHOTCRETE SHALL BE DAMPENED BY POTABLE WATER. IN CASE OF EXPOSURE TO SALTWATER, WASH UNDERLYING SHOTCRETE SURFACE TO RECEIVE ADDITIONAL SHOTCRETE WITH POTABLE WATER JUST PRIOR TO ADDITIONAL SHOTCRETE PLACEMENT.

4. REINFORCING STEEL

ALL REINFORCING STEEL SHALL BE CHROMX 4100 BY MMFX TECHNOLOGIES CONFORMING TO ASTM A1035/A 1035M GRADE 100. TIE WIRE SHALL BE 16 GA. ANNEALED WIRE. REINFORCING STEEL SHALL BE EPOXY COATED. REBAR SHALL BE RIGIDLY HELD IN PLACE WITH APPROVED DEVICES PRIOR TO PLACEMENT OF SHOTCRETE AND CONCRETE. USE PLASTIC REBAR CHAIRS AND BOLSTERS WITH STRENGTH TO WITHSTAND 300 LBS. CONCENTRATED LOAD WITHOUT PERMANENT DEFORMATION OR BREAKAGE. HOOKS, BENDS, FABRICATION AND PLACING SHALL BE IN ACCORDANCE WITH THE "MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURE" ACI NO. 315. REINFORCEMENT SHALL BE PROTECTED FROM SALT WATER MIST BY PROVIDING ADEQUATE BLANKET COVERING. REMOVE COVER JUST PRIOR TO SHOTCRETE/CONCRETE PLACEMENT. IN CASE OF EXPOSURE TO SALT WATER, WASH STEEL REINFORCEMENT WITH POTABLE WATER JUST PRIOR TO PLACEMENT.

5. REBAR EMBEDMENT & EPOXY BONDING

A. HOLE DIMENSIONS
THE ANNULAR SPACE BETWEEN THE REBAR AND HOLE SHOULD BE AS SMALL AS POSSIBLE, YET STILL PROVIDE EASE OF PLACEMENT.
THE MINIMUM DEPTH OF EMBEDMENT SHALL BE AT LEAST 8 INCHES. LOWER STRENGTH MATERIALS IN THE EMBEDMENT ZONE WILL REQUIRE 12 TO 18 INCHES.

B. SURFACE PREPARATION
REBAR MUST BE CLEAN, DRY AND DEGREASED.
DRY DRILLING: VACUUM OR BLOW OUT HOLE USING OIL-FREE COMPRESSED AIR
WET DRILLING: WASH OUT HOLE WITH CLEAN WATER TO REMOVE RESIDUE OF DRILLING SLURRY. REMOVE STANDING WATER AND ALLOW THE HOLE(S) TO DRY.
CLEAN OUT DRILLED HOLE WITH A WIRE BRUSH TO ENSURE ALL DEBRIS IS REMOVED,

C. MIXING
FOR EASE OF MIXING AND HANDLING, EPOXY SHOULD BE CONDITIONED TO 70°F. FOLLOW MANUFACTURER'S RECOMMENDATIONS FOR MIXING.

D. INSTALLATION
FOR HORIZONTAL SURFACES, TWO METHODS ARE ACCEPTABLE:
1- POUR EPOXY GROUT INTO THE HOLE AND INSERT REBAR AND WORK IT UP AND DOWN. LIGHTLY TAP TO ENSURE COMPLETE EMBEDMENT.
2- INSERT REBAR INTO DRILLED HOLE AND POUR EPOXY GROUT AROUND IT. USE TEMPLATE OR WEDGES IF NECESSARY TO HOLD IN POSITION.
FOR VERTICAL AND OVERHEAD SURFACES:
PLACE EPOXY GROUT INTO DRILLED HOLE WITH HAND OR POWER OPERATED BULK CAULKING GUN WITH LARGE DIAMETER TIP AND POLYETHYLENE EXTENSION TUB. INSERT BOLT, DOWEL OR REBAR AND WORK BACK AND FORTH TO ENSURE COMPLETE EMBEDMENT. POSITION IN PLACE WITH TEMPLATE OR WEDGES IF NECESSARY.

E. CURING
THE CURE TIME IS DEPENDENT UPON THE TEMPERATURE OF THE SUBSTRATE. TO ACCELERATE CURE (VERIFY THIS WITH MANUFACTURER), PRE-HEAT BOLTS TO APPROXIMATELY 150°F (66°C) AT THE TIME OF INSTALLATION AND MAINTAIN ARTIFICIAL HEAT ON BOLT AND SURROUNDING AREA.

6. GEOTECHNICAL ENGINEER'S RECOMMENDATIONS

EPOXY BONDED REBAR MUST BE INSTALLED AND GROUTED IN THE PRESENCE OF HKA.

CONCRETE SHALL BE SAMPLED AND TESTED AS PROVIDED ELSEWHERE IN THESE NOTES (SEE SHEET 14).

SHOTCRETE APPLICATION SHALL BE OBSERVED BY THE HKA AND SHALL BE SAMPLED AND TESTED AS REQUIRED BY THE ENGINEER (SEE SHEET 14).

SHEET 14 CONTAINS A SPECIAL INSPECTION SCHEDULE WITH FREQUENCY OF INSPECTIONS NOTED.

7. INSPECTIONS

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR ALL INSPECTIONS REQUIRED BY THE CITY OF PACIFIC GROVE BUILDING DEPARTMENT AND HKA INCLUDING ANY REQUIRED SPECIAL INSPECTIONS. SPECIAL INSPECTIONS INCLUDE STRUCTURAL CONCRETE TESTING AND SHOTCRETE TESTING. NOTE THE FOLLOWING REGARDING THE STRUCTURAL OBSERVATION:

A. PRIOR TO COMMENCEMENT OF OBSERVATIONS, THE STRUCTURAL OBSERVER SHALL SUBMIT TO THE BUILDING OFFICIAL A WRITTEN STATEMENT IDENTIFYING THE FREQUENCY AND EXTENT OF STRUCTURAL OBSERVATION.
B. PROVIDE NOTES AND SPECIFICATIONS ON THE PLANS INDICATING WHICH SIGNIFICANT CONSTRUCTION STAGES, INCLUDING THE COMPLETION OF THE STRUCTURAL SYSTEM, ARE TO BE VISUALLY OBSERVED. [§1705 CBC]
C. AT THE CONCLUSION OF WORK INCLUDED IN THE PERMIT, THE STRUCTURAL OBSERVER SHALL SUBMIT TO THE BUILDING OFFICIAL A WRITTEN STATEMENT THAT THE SITE VISITS HAVE BEEN MADE AND IDENTIFY ANY REPORTED DEFICIENCIES WHICH, TO THE BEST OF THE STRUCTURAL OBSERVER'S KNOWLEDGE, HAVE NOT BEEN CORRECTED.

8. HANDRAILS AND GUARDRAILS

HANDRAILS SHALL BE 1.5" INCH ROUND SCHEDULE 80 ASTM A554 TYPE A316 STAINLESS STEEL AS MANUFACTURED AND INSTALLED BY "AGS STAINLESS" OR APPROVED EQUIVALENT. GUARDS SHALL BE 2" SCHEDULE 80 ROUND ASTM A554 TYPE A316 STAINLESS STEEL MANUFACTURED AND INSTALLED BY "AGS STAINLESS" OR APPROVED EQUIVALENT.

STANDARD HOOKS & DEVELOPMENT LENGTH FOR TENSION BARS

90 DEGREE HOOK

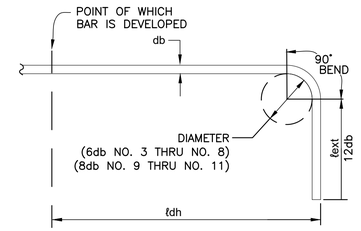
BAR SIZE	MIN. INSIDE DIAMETER (IN.)	STRAIGHT EXTENSION ℓext (IN.)
NO. 3	2.25	4.5
NO. 4	3.0	6.0
NO. 5	3.75	7.5
NO. 6	4.5	9.0
NO. 7	5.25	10.5
NO. 8	6.0	12.0

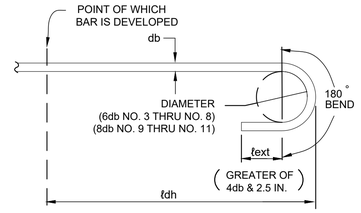
180 DEGREE HOOK

BAR SIZE	MIN. INSIDE DIAMETER (IN.)	STRAIGHT EXTENSION ℓext (IN.)
NO. 3	2.25	2.5
NO. 4	3.0	2.5
NO. 5	3.75	2.5
NO. 6	4.5	3.0
NO. 7	5.25	3.5
NO. 8	6.0	4.0

BARS IN TENSION
(fy=100 ksi & f'c=4.5 ksi)

BAR SIZE	ℓdh (IN.)
NO. 3	6.0
NO. 4	6.5
NO. 5	8.0
NO. 6	9.5
NO. 7	11.0





DEVELOPMENT LENGTH & SPLICE (BARS IN TENSION)

(CLEAR SPACING OF BARS OR WIRES BEING DEVELOPED OR LAP SPLICED AT LEAST 2db AND CLEAR COVER AT LEAST db) (fy=80 ksi & f'c=4.5 ksi)

BAR SIZE	ℓd (IN.)	CLASS B SPLICE ℓd (IN.)
NO. 3	24	32.0
NO. 4	31	40.5
NO. 5	39	51.0
NO. 6	47	61.1
NO. 7	68	88.5

100% PLANS

REVISIONS	BY

STRUCTURAL NOTES
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

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Date 03-13-2023
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Job 11897
Sheet 11 OF 14 SHEETS

GENERAL NOTES

PURPOSE AND OVERVIEW

The purpose of the Lovers Point Pier Interim Repair Project (Project) is to provide short-term structural repairs to the exterior of the Lovers Point Pier in Pacific Grove, CA to maintain the integrity of the core of the pier, and to replace the perimeter railing and stairways for public safety.

FREQUENTLY ASKED QUESTIONS AND THEIR ANSWERS

1) What heavy machinery is proposed to be used and at which phases of construction is heavy equipment required?

Equipment will be determined after selection of the Contractor.

2) Where is the construction staging area? Will construction equipment and materials be stored on the beach?

The staging area will be the parking lot delineated on Sheet 3, Staging and Access, per City request on 1/31/2023.

3) Will the construction be done primarily from the blufftop above, or will construction primarily take place from the pier?

Not applicable to this Project.

4) If construction will take place from the pier, how will heavy equipment gain access to the construction area?

The Contractor will drive equipment down to the pier via the access route delineated in Sheet 3, Staging and Access. The Contractor will remove the equipment from the pier at the end of each work day.

5) How much of the adjacent park and beach areas will be impacted by construction activities and for how long?

The area of the project where active construction operations are being performed should remain closed to public access during the work due to safety concerns. The Contractor is anticipating +/- (TBD) working days to complete their work. This will be adjusted as necessary to take advantage of favorable tide and daylight conditions and will be impacted by unfavorable conditions. The actual duration will be governed by these conditions.

6) If public access will be closed during construction, please describe why it will be necessary to close public access and the estimated duration of the closure.

As explained above, the pier area should remain closed to public access for the duration of the project to allow for public safety. When conditions are safe for the public to enter the work area, those areas will be reopened for public use.

7) Will construction equipment and activities enter the waters of the Monterey Bay?

The Contractor does not anticipate entering the water with any equipment. Contractor shall utilize means and methods to protect the waters of Monterey Bay and prevent any debris or wet concrete from entering those waters.

8) What will the duration and timing of construction be?

The duration of construction will be determined by the Contractor. The Contractor shall develop a schedule that is coordinated with the City of Pacific Grove Public Works Department prior to the start of construction an shall provide that schedule to the Engineer. The schedule for completing the required work may be dependent on tide levels and ocean wave runup and will be determined once all permits are in hand.

MARINE PROTECTION

To prevent any impacts upon the marine habitat, no non-native spoils or debris shall be allowed to enter these areas or shall be allowed to adversely impact the beach or enter the tidal waters. Under no circumstances shall use of equipment be allowed seaward of the Mean High Tide Line in areas where water is present. Equipment and vehicle use on the beach during construction shall be minimized. Contractor employee parking shall be permitted in designated parking areas only. Although construction activity will occur on the beach and near ocean areas, such activity must be strictly confined to the area where work is required. Any areas of loose or unstable soil must be stabilized immediately. Any heavy equipment operation must be conducted with care near the edge of the water to prevent damage to the habitat. Care must be taken so the inland and beach areas outside the work area are not damaged during construction. If a fuel or lubricant spill occurs, immediate notification of the Engineer and appropriate authorities shall be made. Any equipment driven onto the beach should be well maintained and inspected daily to verify that there are no fuel, hydraulic fluid or lubricant leaks.

ACCESS PROTECTION

The proposed access route is on The City of Pacific Grove property. Impacts to the access route must be minimized. The impacts to beach access and residential access must be minimized. Appropriate signage shall be used to make sure that beach users know what to do as they approach the work sites. The Contractor shall be responsible for the restoration of the access route and staging area to its original condition. The Contractor shall use access routes and staging areas as directed by the Owner and shall repair access routes and staging areas to pre-project condition or better as directed by the Owner. The Contractor shall not close or obstruct streets, walks, drives or other occupied or used spaces or facilities without the written permission of the Owner. Underground utilities are located under the access route and shall be protected from damage.

EXAMINATION OF JOB SITE, PLANS AND SPECIFICATIONS

A. The Contractor shall carefully examine the work site and the Plans and Specifications. The submission of a bid shall be conclusive evidence that the Contractor has investigated and is satisfied as to the conditions to be encountered, as to the character, quality, and scope of work to be performed, the quantities of materials to be furnished and as to the requirements of the Geotechnical and Coastal Engineering Investigation and Plans and these Specifications. The plans consist of 14 sheets.

B. The City of Pacific Grove is the Owner of the Project Area. Haro, Kasunich and Associates, Inc. (HKA), Consulting Geotechnical, Coastal and Civil Engineers, is the Engineer for the Project and will represent the Owner during design and construction of the Project.

C. The contractor shall recognize that the plans used for the drawings of the Pier Structure may differ from the actual physical site. Dimensions are approximate. Before proceeding with the work, it shall be the Contractor's responsibility to check the site in relation to the drawings and specifications. Report any discrepancies to the Owner and the Engineer.

D. The Contractor must attend a pre-bid meeting with the Engineer prior to submitting a proposal to complete the proposed work. The Contractor will be required to attend a pre-construction meeting with the Engineer prior to the commencement of construction. The purpose of these meetings is so the Contractor may ask questions concerning the work and to make sure the Contractor understands the permit conditions and environmental constraints.

COMPLIANCE WITH CODES:

A. All construction and materials shall be as specified and as required by the 2022 California Building Code, the Building Code Standards, locally enforced codes and authorities. All articles, materials and equipment shall be installed, applied and connected as directed by the manufacturer's latest written specifications except where otherwise noted.

B. The Contractor shall be fully informed of all applicable codes, laws, ordinances and regulations of any jurisdiction or authority, and shall adhere strictly thereto. Compliance with all laws, ordinances and regulations of Federal, State, County and Local agencies shall take precedence over all other Contract documents.

INSPECTIONS AND MAINTENANCE

HKA shall be called to perform construction observation and to make a final inspection of the site to assure that the work is completed according to plan. Winter storm inspections shall be conducted to identify problem areas and assess the need for corrective actions. Written documentation should be maintained that notes inspection dates, corrective actions needed and corrective actions taken. The Owner and their representatives shall have the right to inspect any material brought to the job site and shall have the right to reject any materials deemed defective or not conforming to the specifications. HKA shall be called to perform construction observation and to make a final inspection of the drainage and erosion control facilities to assure that the work is completed according to plan. Written documentation should be maintained that notes inspection dates, corrective actions needed and corrective actions taken.

NOTIFICATION OF ENGINEER

The Engineer should be notified at least fourteen (14) working days prior to any site clearing or grading so that the work in the field can be coordinated with the grading contractor, and arrangements for surveying, testing and observation can be made.

TIMETABLE

These plans show the proposed work to be implemented after review and approval from the City of Pacific Grove.

WORK HOUR RESTRICTIONS

Tidal conditions may restrict the available work hours. Wave runup related flood conditions may restrict the available work time. Hours of operation or movement of heavy construction equipment shall be limited to between 8:00 a.m. and 6:00 p.m., Monday through Saturday. Such operations shall not occur on Sundays or holidays unless otherwise approved by the City of Pacific Grove.

NOISE CONTROL

All equipment that will operate at the project site shall be equipped with residential type mufflers.

SITE DISTURBANCE

Disturbance of the property beyond the limits of the necessary work area shall be avoided. Sensitive habitat exists immediately adjacent to the work area. The Contractor should expect regulatory agencies to be particularly concerned about any impacts outside the work area.

STAKING AND LOCATION

1. A surveyor shall locate design locations and mark with stakes prior to construction, for review by Engineer and use during construction by contractor. The contractor shall pay for staking.

2. Reference points will be established by the Engineer or by the Surveyor. These reference points will be used to control placement of the structures relative to cultural features and to elevation. It shall be the Contractor's responsibility to furnish and set such additional marks and stakes as is determined necessary to establish lines and grades required for the completion of the work specified, as shown on the plans. The contractor shall have a grade checker on site to check elevations and control the position of the work.

3. Local survey control: Spikes will be set for use as elevation control points. Do not disturb spikes. The vertical elevation datum is NAVD1988.

DRAINPIPES AND UNDERGROUND UTILITIES

Existing drainpipes and underground utilities within the work area shall be located by the Contractor and avoided and/or protected during construction.
A. The Contractor shall locate, identify, and protect utilities from damage. Location of existing utilities shown on plans is approximate. The existing underground utility locations are not shown on the plans. The Contractor is responsible for locating all existing utilities prior to starting work and protecting utilities throughout course of work. The locations of any existing drain facilities shown on the plans are approximate. The contractor shall verify locations and protect in place, if within the limits of work. The contractor shall plug, cap, or reconnect /reinstall existing drainage facilities damaged during construction, as directed by engineer.
B. The Contractor shall not interrupt utilities serving occupied or used facilities without the written permission of the Owner and authorities having jurisdiction. If necessary, provide temporary utilities.
C. The Contractor shall notify the Owner prior to shut-off of existing utilities.

GRADING

No grading of earth materials is proposed as part of the project. Some demolition of concrete materials will occur. Demolished concrete materials shall be removed from the site and disposed of at an approved disposal site. No concrete rubble derived from demolition shall be allowed to enter the ocean waters.

EROSION CONTROL

During construction, erosion control measures shall be in place. These construction measures shall be in the form of dust control, straw mulch, straw bales and wattles placed at the appropriate areas of work as approved by the Engineer.

SUPPLEMENTAL RECOMMENDATIONS

If undesirable conditions are encountered during construction, or if the proposed construction will differ from that planned at this time, Haro, Kasunich and Associates, Inc., shall be notified so that supplemental recommendations can be given.

Deleterious Materials: The Contractor shall carefully excavate all materials necessary, of whatever nature, for construction of the work. Any material of an unsuitable or deleterious nature discovered during excavation shall be brought to the attention of the Geotechnical Engineer before proceeding with the work.

Voids: Any voids exposed during excavation work shall be backfilled as directed by the Engineer.

Excavation: Sands, soils and bedrock materials excavated during construction shall be exported to an approved dumpsite, as directed by the Engineer.

Temporary Cut Slopes: Maximum gradients shall not exceed 1.0:1.0 (H:V), except in hard bedrock. Temporary cut slopes must be inspected by the Engineer during excavation, to determine the need for temporary shoring or temporary underpinning of adjacent retaining structures and/or improvements. The Contractor shall be required to implement shoring as required by the Engineer and as required by OSHA and other regulatory agencies.

Drainage Pipes: All drainage discharge locations shall be approved by the Engineer.

DUST CONTROL

For dust control purposes, watering of exposed surfaces during clearing, excavation, stockpiling and grading, and in the late morning and the end of each workday shall be done. Grading activities shall be prohibited during periods of high winds greater than 30 miles an hour.

EROSION CONTROL

During construction, erosion control measures shall be in place in areas to be graded, as well as around the stockpiled soils. These construction measures shall be in the form of dust control, straw mulch, straw bales and wattles and/or silt fences placed at the appropriate areas of work as directed by the Engineer.

SUPPLEMENTAL RECOMMENDATIONS

If undesirable conditions are encountered during construction, or if the proposed construction will differ from that planned at this time, our firm shall be notified so that supplemental recommendations can be given.

100% PLANS

REVISIONS	BY

GENERAL NOTES
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076 (831) 722-4175

Date 03-13-2023
Scale AS SHOWN
Drawn MF
Job 11897
Sheet 12
OF 14 SHEETS

CONSTRUCTION MANAGEMENT PLAN PROVISIONS

The Lovers Point Pier Repair Project (Project) proposes short-term structural repairs to the exterior of the pier to maintain the integrity of the core of the pier, and replacement of the perimeter railing and stairways for public safety. The Project would include replacement of approximately 165 linear feet of railing on the upper platform, replacement of approximately 85 linear feet of low-profile bull rail on the lower platform, and reconstruction of the concrete stairs and topping slab on both the upper and lower pier platforms. The Project would also include installing up to 2,000 square feet (up to 40 cubic yards) of reinforced shotcrete around the perimeter of the pier to protect the integrity of the pier. Reconstruction of the topping slab includes removing 7 inches of the topping slab (walking surface) concrete on both the upper pier platform (approximately 1,150 square feet) and lower pier platform (approximately 900 square feet), doweling into the existing remaining concrete slab, and installing new reinforced concrete slab of same thickness. The reconstructed stairways will be built to current code standards and include guardrails and handrailing.

The Lovers Point Pier repair project would occur in a single phase and be scheduled to minimize impacts during the busy summer months between Memorial Day and Labor Day. The construction staging area will be located in the adjacent park and fenced off from the public, and have a contractor trailer, temporary utilities, and gated entrance.

The Project is within City limits and is a public area that falls under the City's recently updated Local Coastal Plan (LCP). The Project construction laydown and staging area will be in the adjacent park open space area and repairs are anticipated to be performed with only land-based equipment. The construction laydown and staging area is approximately 1,000 square feet, as shown in Sheet 3. Installation of the pier perimeter shotcrete will be done only during low tide and scaffolding will be installed on the sides of the pier for over water work. Construction best management practices (BMPs) will be implemented during the duration of the Project and include prevention measures related to over water work and the protection of adjacent waterways. Traffic along Ocean View Boulevard will be maintained except during material transfers during demolition and construction.

The Project shall conform to requirements of these plans and specifications, as well as permit obtained for the project with the more stringent requirements taking precedence.

All work shall take place during daylight hours, and lighting of the beach and ocean area is prohibited.

Grading of intertidal areas is prohibited, except removal of existing debris, concrete, rubble, etc., is allowed in these areas.

Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.

Equipment washing, servicing, and refueling shall not take place on the beach, and shall only be allowed at a designated inland location. Appropriate best management practices shall be used to ensure that no spills of petroleum products or other chemicals take place during these activities. Spill kits will be placed onsite.

The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain, including covering exposed piles of soil and wastes; dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).

All erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each workday. As needed, silt fences, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff and/or sediment from entering into Monterey Bay.

All public recreational use areas and all beach access points impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.

The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office at least three working days in advance of commencement of construction or maintenance activities and immediately upon completion of construction or maintenance activities.

Minor adjustments to these construction requirements may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources.

ADDITIONAL CONSTRUCTION REQUIREMENTS

Nothing in these additional construction requirements shall change the need to comply with the Coastal Commission requirements listed above. If questions arise, request clarification from the Project Engineer or Engineering Geologist.

Construction access shall be as directed by owner. Impacts to the access route must be minimized and disturbance along the access route must be restored to pre-construction conditions upon project completion. The following provisions shall apply to the work.

Any debris generated during construction shall be removed from the site.

All work shall take place during daylight hours and lighting of the beach area is prohibited unless, due to extenuating circumstances, the City of Pacific Grove Public Works Director or Executive Director of the California Coastal Commission authorizes non-daylight work and/or beach area lighting.

Construction work and equipment operations shall not be conducted seaward of the mean high water line, with the exception of removal of the existing rip rap that is seaward of the mean high water line.

All construction equipment shall remain as far landward as possible, and shall avoid contact with ocean waters and intertidal areas.

All erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each work day. Silt fences, or equivalent apparatus, may be installed at the perimeter of the construction site to prevent construction related runoff and/or sediment from entering into the Pacific Ocean. Fencing may be used on the beach for erosion and sediment controls as necessary to contain rock and/or sediments at the project site.

All construction materials and equipment placed on the beach shall be stored beyond the reach of waves and extreme tides, and shall be removed from the beach if necessary to avoid inundation. Materials that remain on the beach overnight must be located in the dry sand back shore area, as close to the toe of the bluff as possible. The extent of overnight storage areas shall be kept the minimum necessary.

No fueling, or fuel storage shall be allowed on the beach at any time.

The Contractor (and Permittee) shall monitor weather forecasts and move all construction equipment and materials off of the beach in advance of storm or extreme tidal events.

Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.

No work shall occur on the pier during weekends or Holidays unless, due to extenuating circumstances (such as tidal issues or other environmental concerns), and the City of Pacific Grove Public Works Director or Executive Director of the California Coastal Commission authorizes such work.

All heavy equipment used for concrete pouring shall be set at least 25 feet landward of the pier entrance and shall use flexible hoses or articulated booms to deliver concrete to the project site. Other heavy equipment may be used periodically atop the pier, but shall be removed from the pier when not in use.

Equipment washing, refueling, and/or servicing shall not take place on the beach, or within 50 feet of the shoreline.

Petroleum products and other hazardous materials will be kept on paved roads or a distance of at least 50 feet from the shoreline.

The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, cover open trash receptacles during wet weather, remove any construction debris from the beach).

All areas of beach disturbed by construction activities shall be restored to their original pre-construction condition. Upon completion of construction, the access route and staging area shall be restored to their original condition.

At all times during project construction activities, copies of each of the following shall be maintained in a conspicuous location at the construction job site (where such copies shall be available for public review) and all persons involved with the construction shall be briefed on the content and meaning of each prior to commencement of construction: (a) the signed coastal development permit; (b) the approved final plans; and (c) the approved construction management plan.

MARINE PROTECTION

To prevent any impacts upon the marine habitat, no overburden or wet cement may be allowed to adversely impact the beach or enter the tidal zone. Under no circumstances shall use of equipment be allowed seaward of the mean high tide line when seawater is present. Any areas of loose or unstable soil must be stabilized immediately after other portions of the project are finished. Any heavy equipment operation must be conducted with care near any bluff edges to prevent the destabilization of the substrate and additional erosion. Care must be taken so coastal bluffs outside the work area are not damaged during construction.

CONSTRUCTION COORDINATOR

Contractor shall provide a construction coordinator that can be contacted during construction, should questions arise during construction (in case of both regular inquiries and in emergencies). Their contact information (including their address and 24 hour phone numbers) shall be conspicuously posted at the job site in a manner so that the contact information is readily visible from public viewing areas. The posting shall indicate that the construction coordinator should be contacted to answer questions that arise during construction (in case of both regular inquiries and in emergencies). The construction coordinator shall record the name, phone number, nature of all complaints (if any) received during construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

BEST MANAGEMENT PLAN PROVISIONS

Appropriate protocols shall be implemented to manage all construction-phase Best Management Practices (including installation and removal, ongoing operation, inspection, maintenance, and training), to protect coastal water quality. The Contractor shall provide the SWPPP for the project. Additional Best Management Practices shall include the following:

Best Management Practices:

A. Minimize Erosion and Sediment Discharge. During construction, erosion and the discharge of sediment off-site or into coastal waters shall be minimized through the use of appropriate Best Management Practices including:

1. Land disturbance during construction (e.g., clearing, grading, and cut-and-fill) shall be minimized, and grading activities shall be phased, to avoid increased erosion and sedimentation.

2. Erosion Control Best Management Practices (such as mulch, soil binders, geotextile blankets or mats, or temporary seeding) shall be installed as needed to prevent soil from being transported by water or wind. Temporary Best Management Practices shall be implemented to stabilize soil on graded or disturbed areas as soon as feasible during construction, where there is a potential for soil erosion to lead to discharge of sediment off-site or to coastal waters. This should be done where staging, access, and construction activities occur.

3. Sediment Control Best Management Practices (such as silt fences, fiber rolls, sediment basins, inlet protection, sand bag barriers, or straw bale barriers) shall be installed as needed to trap and remove eroded sediment from runoff, to prevent sedimentation of coastal waters. This should be done where staging, access, and construction activities occur.

B. Minimize Discharge of Construction Pollutants. The discharge of other pollutants resulting from construction activities (such as chemicals, paints, vehicle fluids, petroleum products, asphalt and cement compounds, debris, and trash) into runoff or coastal waters shall be minimized through the use of appropriate Best Management Practices, including:

1. Materials Management and Waste Management Best Management Practices (such as stockpile management, spill prevention, and good housekeeping practices) shall be installed or implemented as needed to minimize pollutant discharge and polluted runoff resulting from staging, storage, and disposal of construction chemicals and materials. Best Management Practices shall include, at a minimum:

a) Covering stockpiled construction materials, soil, and other excavated materials to prevent contact with rain, and protecting all stockpiles from stormwater runoff using temporary perimeter barriers.

b) Cleaning up all leaks, drips, and spills immediately; having a written plan for the clean-up of spills and leaks; and maintaining an inventory of products and chemicals used on site.

c) Proper disposal of all wastes; providing trash receptacles on site; and covering open trash receptacles during wet weather.

d) Prompt removal of all construction debris from the beach.

e) Detaining, infiltrating, or treating runoff, if needed, prior to conveyance off-site during construction.

2. Fueling and maintenance of construction equipment and vehicles shall be conducted off site if feasible. Any fueling and maintenance of mobile equipment conducted on site shall not take place on the beach, and shall take place at a designated area located at least 50 feet from coastal waters, drainage courses, and storm drain inlets, if feasible (unless those inlets are blocked to protect against fuel spills). The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants. Equipment that cannot be feasibly relocated to a designated fueling and maintenance area (such as cranes) may be fueled and maintained in other areas of the site, provided that procedures are implemented to fully contain any potential spills, such as fueling the equipment with an impermeable visqueen catchment apron designed to capture any possible spills.

C. Minimize Other Impacts of Construction Activities. Other impacts of construction activities shall be minimized through the use of appropriate Best Management Practices, including:

1. The damage or removal of non-invasive vegetation (including trees, native vegetation, and root structures) during construction shall be minimized, to achieve water quality benefits such as transpiration, vegetative interception, pollutant uptake, shading of waterways, and erosion control.

2. Soil compaction due to construction activities shall be minimized, to retain the natural stormwater infiltration capacity of the soil.

3. The use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) shall be avoided, to minimize wildlife entanglement and plastic debris pollution.

D. Minimize Impact of Construction In, Over, or Adjacent to Coastal Waters and Habitat. Construction shall protect the coastal waters and habitat by implementing Best Management Practices, including:

1. No construction equipment or materials (including debris) shall be allowed at any time within the tidelands when ocean water is present there.

2. Construction activity shall not be conducted seaward of the Mean High Tide Line, unless tidal waters have receded, and the area is part of the authorized work area.

3. All work shall take place during daylight hours, and lighting of the beach and ocean area is prohibited.

4. All construction equipment and materials placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters.

5. Tarps or other devices shall be used to capture debris, dust, oil, grease, rust, dirt, fine particles, and spills to protect the quality of coastal waters.

6. All erosion and sediment controls shall be in place prior to the commencement of construction, as well as at the end of each workday. At a minimum, if grading is taking place, sediment control Best Management Practices shall be installed at the perimeter of the construction site to prevent construction-related sediment and debris from entering the ocean, waterways, natural drainage swales, and the storm drain system, or being deposited on the beach. Natural beach sand, cobbles, and bedrock materials shall not be removed from the beach.

7. Only rubber-tired construction vehicles shall be allowed on the beach; the only exception shall be that tracked vehicles may be used if the Executive Director agrees that they are required to safely carry out construction. When transiting on the beach, all construction vehicles shall remain as high on the upper beach as possible and shall avoid contact with ocean waters and intertidal areas.

8. All shotcrete and construction material debris resulting from construction activities shall be removed from the beach at the end of each workday.

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REVISIONS	BY

CONSTRUCTION MANAGEMENT & BEST MANAGEMENT PLAN PROVISIONS
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076 (831) 722-4175

Date 03-13-2023
Scale AS SHOWN
Drawn MF
Job 11897
Sheet 13 OF 14 SHEETS

SCHEDULE OF SPECIAL INSPECTION

SITE ADDRESS	Lovers Point Pier, Ocean View Blvd Pacific Grove	APN	006-155-099	BP#	TBD

PROJECT DESCRIPTION:
Lovers Point Pier Band-Aid Repair

Notation Used in Table:

Column headers:
C — Indicates continuous inspection is required.
P — Indicates periodic inspections are required. The notes and or contract documents should clarify.

Box entries:
X — Is placed in the appropriate column to denote either "C" continuous or "P" periodic inspections.
--- — Denotes an activity that is either a one-time activity or one whose frequency is defined in some other manner.

Additional detail regarding inspections and tests are provided in the project specifications or notes on the drawings.

Code Section	Verification and Inspection	C	P	NOTES
	1704 – SPECIAL INSPECTIONS			
1704.2.1	☐ Inspect fabricator's fabrication and quality control procedures.	---	---	
Table 1704.3 STEEL	1. Material verification of high-strength bolts, nuts, and washers.			
	☗ Identification markings to conform to ASTM stds specified in the approved construction documents.		X	
	☗ Manufacturer's certificate of compliance required.		X	
	2. Inspection of high-strength bolting:			
	☐ Bearing-type connections.		X	
	☗ Slip-critical connections	X	X	
	3. Material verification of structural steel:			
	☗ Identification markings to conform to ASTM stds specified in the approved construction documents.	---	---	
	☐ Manufacturer's mill test reports	---	---	
	4. Material verification of weld filler materials:			
	☐ Identification markings to conform to AWS designation listed in the WPS.	---	---	
	☐ Manufacturer's certificate of compliance required.	---	---	
	5. Inspection of welding for Structural steel			
	☐ Complete and partial penetration groove welds.	X		
	☐ Multipass fillet welds.	X		
	☗ Single-pass fillet welds > 5/16"	X		
	☐ Single-pass fillet welds ≤ 5/16"		X	
	☐ Floor and roof deck welds.		X	
	6. Inspection of welding for Reinforcing steel			
	☐ Verification of weldability of reinforcing steel other than ASTM A706.		X	
	☐ Reinforcing steel-resisting flexural and axial forces in intermediate and special moment frames, and boundary elements of special reinforced concrete shear walls, and shear reinforcement.	X		
	☐ Shear reinforcement.	X		
	☐ Other reinforcing steel		X	
	7. Inspection of steel frame joint details for compliance with approved construction documents: a. Details such as bracing and stiffening. b. Member locations. c. Application of joint details at each connection.		X	
1704.3 WELDING	1. ☐ Welded studs when used for structural diaphragms.		X	
	2. ☐ Welding of cold-formed sheet steel framing members.		X	
	3. ☐ Welding of stairs and railing systems.		X	

Code Section	Verification and Inspection	C	P	NOTES
1704.4 CONCRETE	1. ☗ Inspection of reinforcing steel, including prestressing tendons and placement.		X	
	2. ☐ Inspection of reinforcing steel welding in accordance with Table 1704.3 Item 5b.	---	---	
	3. ☗ Inspect bolts to be installed in concrete prior to and during placement of concrete where allowable loads have been increased.	X		
	4. ☗ Verifying use of required design mix.		X	
	5. ☗ At time fresh concrete is sampled to fabricate specimens for strength tests, perform slump and air content tests and determine the temperature of the concrete.	X		
	6. ☗ Inspection of concrete and shotcrete placement for proper application techniques.	X		
	7. ☗ Inspection for maintenance of specified curing temperature and techniques.		X	
	8. Inspection of prestressed concrete			
	☐ Application of prestressing forces.	X		
	☐ Grouting of bonded prestressing tendons in the seismic force-resisting system.	X		
	9. ☐ Erection of precast concrete members.		X	
	10. ☐ Verification of in-situ concrete strength, prior to stressing of tendons in postensioned concrete and prior to removal of shores and forms from beams and structural slabs.		X	
	11. ☗ Inspect formwork for shape, location, and dimensions of the concrete member being formed.		X	
Table 1704.5.1 LEVEL 1 MASONRY INSPECTIONS	1. At the start of masonry construction verify the following to ensure compliance:			
	☐ Proportions of site-prepared mortar.		X	
	☐ Construction of mortar joints.		X	
	☐ Location of reinforcement, connectors, prestressing tendons, and anchorages.		X	
	☐ Prestressing technique.		X	
	☐ Grade and size of prestressing tendons and anchorages.		X	
	2. Verify:			
	☐ Size and location of structural elements.		X	
	☐ Type, size, and location of anchors, including other details of anchorage of masonry to structural members, frames or other construction.		X	
	☐ Specified size, grade, and type of reinforcement.		X	
	☐ Welding of reinforcing bars.	X		
	☐ Protection of masonry during cold weather (temperature below 40 degrees F) or hot weather (temperature above 90 degrees F)		X	
	☐ Application and measurement of prestressing force.		X	
	3. Prior to grouting verify the following to verify compliance.			
	☐ Grout space is clean.		X	
	☐ Placement of reinforcement and connectors and prestressing tendons and anchorages.		X	
	☐ Proportions of site-prepared grout and prestressing grout for bonded tendons.		X	
	☐ Construction of mortar joints.		X	
	4. Grouting			
	☐ Verify grout placement to ensure compliance with code and construction document provisions.	X		
	☐ Observe grouting of prestressing bonded tendons.	X		

Code Section	Verification and Inspection	C	P	NOTES
Table 1704.5.3 LEVEL 2 MASONRY INSPECTIONS	5. ☐ Observe preparation of required grout specimens, mortar specimens, and/or prisms.	X		
	6. ☐ Verify compliance with required inspection provisions of the construction documents and the approved submittals.		X	
	1. From the beginning of masonry construction the following shall be verified to ensure compliance:			
	☐ Proportions of site-prepared mortar, grout, and prestressing grout for bonded tendons.		X	
	☐ Placement of masonry units and construction of mortar joints.		X	
	☐ Placement of reinforcement, connectors and prestressing tendons and anchorages.		X	
	☐ Grout space prior to grouting.	X		
	☐ Placement of grout.	X		
	☐ Placement of prestressing grout.	X		
Table 1704.5.3 LEVEL 2 MASONRY INSPECTIONS	2. Verify			
	☐ Size and location of structural elements.		X	
	☐ Type, size, and location of anchors, including other details of anchorage of masonry to structural members, frames and other construction.	X		
	☐ Specified size, grade, and type of reinforcement.		X	
	☐ Welding of reinforcing bars.	X		
	☐ Protection of masonry during cold weather (temperature below 40 degrees F) or hot weather (temperature above 90 degrees F).		X	
	☐ Application and measurement of prestressing force.	X		
	3. ☐ Preparation of any required grout specimens, mortar specimens, and/or prisms shall be observed.	X		
	4. ☐ Compliance with required provisions of construction documents and the approved submittals shall be verified.		X	
1704.6	1. ☐ Inspect prefabricated wood structural elements and assemblies in accordance with Section 1704.2	---	---	
	2. ☐ Inspect site built assemblies.	---		
1704.6.1 HIGH-LOAD DIAPHRAGMS	1. ☐ Verify grade and thickness of sheathing.	---		
	2. ☐ Verify nominal size of framing members at adjoining panel edges.	---		
	3. ☐ Verify: a. Nail or staple diameter and length, b. Number of fastener lines, c. Spacing between fasteners in each line and at edge margins.	---	---	
Table 1704.7 SOILS	1. ☐ Verify materials below footings are adequate to achieve the desired bearing capacity.		X	
	2. ☐ Verify excavations are extended to proper depth and have reached proper material.		X	
	3. ☐ Perform classification and testing of controlled fill materials.		X	
	4. ☗ Verify use of proper materials, densities and lift thicknesses during placement and compaction of controlled fill.	X		
	5. ☗ Prior to placement of controlled fill, observe subgrade and verify that site has been prepared properly.		X	
Table 1704.8 PILE FOUNDATIONS	1. ☐ Verify pile materials, sizes and lengths comply with the requirements.	X		
	2. ☐ Determine capacities of test piles and conduct additional load tests, as required.	X		
	3. ☐ Observe driving operations and maintain complete and accurate records for each pile.	X		

Code Section	Verification and Inspection	C	P	NOTES
Table 1704.8 PILE FOUNDATIONS	4. ☐ Verify locations of piles and their plumbness. a. Confirm type and size of hammer. b. Record number of blows per foot of penetration. c. Determine required penetrations to achieve design capacity. d. Record tip and but elevations and record any pile damage.	X		
	5. ☐ For steel piles, perform additional inspections in accordance with Section 1704.3.	---	---	
	6. ☐ For specialty piles, perform additional inspections as determined by the registered design professional in responsible charge.	---	---	
	7. ☐ For augered uncased piles and caisson piles, perform inspections in accordance with Section 1704.9.	---	---	
Table 1704.9 PIER FOUNDATIONS	1. ☐ Observe drilling operations and maintain complete and accurate records for each pier.	X		
	2. ☐ Verify locations of piers and their plumbness. Confirm: a. Pier diameters, b. Bell diameters (if applicable), c. Lengths, embedment into bedrock (if applicable), d. Adequate end strata bearing capacity.	X		
1704.10 SPRAYED FIRE-RESISTANT MATERIAL	1. ☐ Inspect surface for accordance with the approved fire-resistance design and the approved manufacturer's written instructions.	---	---	
	2. ☐ Verify minimum ambient temperature before and after application.	---	---	
	3. ☐ Verify ventilation of area during and after application.		X	
	4. ☐ Measure average thickness per ASTM E605 and Section 1704.10.3.	---	---	
	5. ☐ Verify density of material for conformance with the approved fire-resistant design and ASTM E605.	---	---	
	6. ☐ Test cohesive/adhesive bond strength per Section 1704.10.5.	---	---	
1704.11	☐ Mastic and Intumescent Fire-Resistant Coating	---	---	
1704.12	☐ Exterior Insulation and Finish Systems (EIFS)	---	---	
1704.13	☐ Alternate Materials and Systems	---	---	
1704.14	☐ Smoke Control System	---	---	
	SECTION 1705 – STATEMENT OF SPECIAL INSPECTIONS			
1705.3.4 [4.3] SEISMIC	☐ Suspended ceiling systems and their anchorage.	---	---	
1705.4.2 WIND	1. ☐ Roof cladding and roof framing connections.	---	---	
	2. ☐ Wall connections to roof and floor diaphragms and framing.	---	---	
	3. ☐ Roof and floor diaphragm systems, including collectors, drag struts and boundary elements	---	---	
	4. ☐ Vertical wind-force-resisting systems, including braced frames, moment frames, and shear walls.	---	---	
	5. ☐ Wind-force-resisting system connections to the foundation.	---	---	
	6. ☐ Fabrication and installation of systems or components required to meet the impact resistance requirements of Section 1609.1.2.	---	---	

Code Section	Verification and Inspection	C	P	NOTES
	SECTION 1707 - SPECIAL INSPECTION FOR SEISMIC RESISTANCE			
1707.2	☐ Special inspection for welding in accordance with AISC 341.	X		
1707.3 WOOD	☐ Inspect field gluing operations of elements of the seismic-force-resisting system.	X		
	☐ Inspect nailing, bolting, anchoring, and other fastening of components within the seismic-force-resisting system, including: a. wood shear walls, b. wood diaphragms, c. drag struts, braces, d. shear panels, e. hold-downs.		X	
1707.4 COLD-FORMED STEEL FRAMING	☐ Welding of elements of the seismic-force-resisting system.		X	
	☐ Inspection of screw attachments, bolting, anchoring, and other fastening of components within the seismic-force-resisting system including struts, braces, and hold-downs.		X	
1707.5 PIER FOUNDATIONS	1. ☐ Placement of reinforcing		X	
	2. ☐ Placement of concrete	X		
1707.6	☐ Anchorage of storage racks and access floors 8 feet or greater in height.		X	
1707.7 ARCHITECTURAL COMPONENTS	1. ☐ Inspect erection and fastening of exterior cladding weighing more than 5 psf.		X	
	2. ☐ Inspect erection and fastening of interior and exterior non-bearing walls weighing more than 15 psf.		X	
	3. ☐ Inspect erection and fastening of interior and exterior veneer weighing more than 5 psf.		X	
1707.8 MECHANICAL AND ELECTRICAL COMPONENTS	1. ☐ Inspect anchorage of electrical equipment for emergency or stand-by power systems.		X	
	2. ☐ Inspect anchorage of non-emergency electrical equipment.		X	
	3. ☐ Inspect installation of piping systems and associated mechanical units carrying flammable, combustible, or highly toxic contents.		X	
	4. ☐ Inspect installation of HVAC ductwork that contains hazardous materials.		X	
	5. ☐ Inspect installation of vibration isolation systems where required by Section 1707.8.		X	
1707.9	☐ Verify that the equipment label and anchorage or mounting conforms to the certificate of compliance when mechanical and electrical equipment must be seismically qualified.	---	---	
1707.10	☐ Seismic isolation system: Inspection of isolation system per ASCE 7 – Section 17.2.4.8		X	
	SECTION 1708.1 - STRUCTURAL MASONRY TESTING FOR SEISMIC RESISTANCE			
1708.1.1	☐ Verify certificates of compliance prior to construction.	---	---	
1708.1.2	☐ Verification of f'_m and f_{AAC} prior to construction.	---	---	
1708.1.4	☐ Verification of f'_m and f_{AAC} every 5000 square feet during construction.		X	
1708.1.4	☐ Verification of proportions of materials in mortar and grout as delivered to the site.	---	---	
1708.3	☐ Obtain mill certificates for reinforcing steel, verify compliance with approved construction documents, and verify steel supplied corresponds to certificate.	---	---	
1708.4	☐ Structural Steel: Invoke the QAP Quality Assurance requirements in AISC 341.	---	---	
1708.5	☐ Obtain certificate that equipment has been tested per Section 1708.5.	---	---	
1708.6	☐ Obtain system tests as required by ASCE 7 Section 17.8.	---	---	

100% PLANS

REVISIONS	BY

SPECIAL INSPECTION NOTES
LOVERS POINT PIER INTERIM REPAIR
CITY OF PACIFIC GROVE LOVERS POINT PARK
APN 006-155-099, OCEAN VIEW BLVD., PACIFIC GROVE, CA 93950

HARO, KASUNICH AND ASSOCIATES, INC.
CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
116 EAST LAKE AVENUE
WATSONVILLE, CA 95076 (831) 722-4175

Date	03-13-2023
Scale	AS SHOWN
Drawn	MF
Job	11897
Sheet	14 OF 14 SHEETS

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: May 17, 2023

SUBJECT: Local Water Project Operations and Maintenance Contract

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

RECOMMENDATION

1. Authorize an amendment to the Asset Management Agreement with PERC Water for the Operations & Maintenance of the Pacific Grove Local Water Project for a 5-year term (November 1, 2023 –October 31, 2028) at a monthly fixed cost of $32,896 and a variable cost of $247.24 per acre foot of influent flow to the plant.
2. Alternatively, discuss and take other action related to this item

DISCUSSION

PERC Water Corporation (PERC) was founded in January 1998 as an entity that provides services from initial design through construction of wastewater treatment and recycling facilities, and long-term operations for wastewater and recycling projects. In August 2015, the City entered into an agreement with PERC for the final design and construction of the Local Water Project (LWP). In November 2017, the City entered into an Asset Management Services Agreement with PERC for the operations and maintenance of the LWP for a term of 5 years.

The term of the original agreement expired on October 31, 2022. Section 2, "Term," of the agreement specifies that 9 months before the expiration of the operations period, PERC and the City will meet to discuss, in good faith, an extension upon the same terms and conditions of the Asset Management Services Agreement with such revisions as mutually agreed to by both parties.

In March 2022, City staff was approached by PERC and discussions began. The City requested PERC review their current operations and costs, as well as assess any operational efficiencies that could be implemented to decrease costs. Multiple discussion occurred with PERC. During these discussions, PERC shared those operational expenditures had risen due to significant increases in costs associated with the process chemicals, labor, fuel, monitoring and sampling, and operational facets.

At their October 19, 2022 meeting, the City Council authorized staff to enter into a one-year extension to the original O&M agreement with PERC. This one-year extension allowed City staff to continue negotiations with PERC with the expectation that a new proposals would be brought forth to the Council for consideration by May of 2023. This provided 6 months to discuss new terms with PERC. This also

provided staff with 6 months to proceed through the RFQ process and solidify a new agreement with a vendor if consensus could not be met with PERC.

City staff discussed operations of the LWP with PERC and received a proposal that is acceptable to bring forward to the City Council for consideration (Attachment 1).

The proposal has two options for Council consideration:

Options 1. The first option has a fixed monthly fee of $32,896, with a variable fee of $247.24 per acre foot, that is based on inflow water. This option is identical to the scope PERC currently provides but has an increase of $80,496 annually to cover rising expenses associated with insurances, staffing, fuel, and other various expenses associated with plant operations. In this option PERC provides day-to-day operation and management of the facility with 24-hour monitoring, as well as payment for all the consumables, internet and certified lab services. The City will continue to be responsible for the cost of replacement and repair parts.

Option 2. In the second option, PERC will provide all day-to-day operation and management of the facility with 24-hour monitoring. PERC has removed from their scope the cost of consumables and outside services such as certified lab for sample analysis, process chemicals and Internet service. In this scenario, these items would be directly billed to the City, avoiding a markup and contingency. All other services remain included in this option. The monthly fixed fee for this option is $30,726. It is anticipated that the cost of the consumables will be $79,000 per year.

Fees	Current	Option1	Option2
Monthly Service fee	$26,188.00	$32,896.00	$30,726.00
Variable Unit Fee	$247.24	$247.24*	$79,000**
Annual Cost	$338,905.82	$422,937.36	$447,712.00

*This cost estimate is based on the 2022 figure of 114 acre feet sold.
**estimated cost to for consumables that City will be billed directly for (also based on assumption of 114 acre feet sold)

The LWP requires that the operations have a Grade IV Wastewater Certified Operator to oversee the plant. PERC has the qualifications, knowledge, necessary skills, insurances, and workforce to continue operations of the LWP, the City does not have this level of expertise.

Staff is recommending the Council proceed with Option 1. It is the most cost-effective solution and will provide the City with a consistent high level of service to current day operations.

Option 2 is not advised because it is anticipated to be more costly with the cost of consumables. Moreover, this option does not account for added administration that would be transferred to City staff, associated with management of the consumables (invoicing, contract administrations, etc).

If approved, staff will enter into an amendment to the original Asset Management Agreement with PERC executed in November 2017 (Attachment 2) updating the terms and fee schedules.

OPTIONS

1. Do nothing. This is not recommended as we will not have an operator for the Local Water Project and the plant will not be able to produce irrigation water for the golf course, cemetery, and lighthouse grounds after the one-year term has expired.
2. Authorize staff to release a Request for Qualifications. This option is not advised as it is anticipated that proposal costs will be higher than the options provided through negotiations with PERC.

FINANCIAL IMPACT:

Staff will be proposing $400,000 through the FY 23/24 Budget process to allow for the operations of the Local Water Project. This proposed funding will allow for 4 months under the current agreement terms, expiring October 31, 2023, and the remaining 8 months for the newly proposed fees (option 1). Funds have been budgeted based on Option 1 for the new agreement utilizing 114-acre feet as the base line for the variable fee.

FOCUSED PRIORITY AREA: Infrastructure

Attachments

Amendment Proposal

Asset Management Agreement

May 2, 2023

Mr. Daniel Gho, Public Works Director
City of Pacific Grove
300 Forest Avenue
Pacific Grove, CA 93950

PERC Water Corporation (PERC Water) is pleased to provide this proposal to the City of Pacific Grove (City) to extend the current contract for the Operation Services of the Local Water Project.

PERC Water has provided operation and maintenance of the facility since startup completion in 2017. The Initial contract included a term of five years (2017 to 2022) and was extended in October 2022 for an additional 1-year period (Nov. 1, 2022 to Oct. 30, 2023). The extended period is approaching its expiration. Accordingly, we have initiated conversations with City staff to discuss a contract extension.

We have reviewed the current cost of operation in an effort to identify cost saving efficiencies. The fee for the scope of service we provide is largely based on the cost of labor, and in the current labor market, the cost of qualified operators has significantly increased. The second greatest cost factor for the facility operation is process chemical addition. The influent flow to the facility contains an abnormally high concentration of tannins. The tannins cause a decrease in UV transmissivity resulting in the inability to adequately disinfect the treated effluent. The treatment for high tannins is to dose aluminum sulfate to the influent flow. Utilizing aluminum sulfate was not anticipated during the original design and operation and has significantly increased our cost to operate.

Proposal Options

In the proposal to follow, we have provided two options for this service. The first option is a service offering identical to the scope we currently provide. In this option we provide day-to-day operation and management of the facility with 24-hour monitoring, as well as payment for all the consumables and certified lab services. The City will continue to be responsible for the cost of replacement and repair parts.

In the second option we also provide day-to-day operation and management of the facility with 24-hour monitoring. We have removed from our scope the cost of consumables and outside services such as certified lab for sample analysis, process chemicals and Internet service. These items can be direct billed to the City, avoiding our markup and contingency, thus reducing overall cost to the City. All other services remain included in this option.

Contract Term

To provide operational continuity and uninterrupted service, we propose a five-year (5) term for this new service agreement. A five-year term also helps us provide a meaningful commitment to our onsite staff as we recruit the professionals we need to operate and maintain the facility. This proposed term also allows us to look at the facility maintenance and capital improvements on a long-term basis for forward planning and budgeting.

Scope of Service

Proposal Option #1

PERC Water will operate the Local Water Project per the Scope of Services as detailed below, including staffing the facility as needed to provide uninterrupted service.

- Operate, maintain and or remotely monitor the facility seven days per week, 24 hours per day.
- Respond to alarms and callouts seven days per week, 24 hours per day with no more than 60-minute onsite response time if necessary.
- Communicate effectively with recycled water users at the Pacific Grove Golf Links and City staff.
- Coordinate recycled water production and distribution with recycled water users
- Provide certified operators as required by regulatory requirements.
- Provide sample collection and analysis for in-house process control.
- Provide sample collection and transportation to Certified Lab for sample analysis for regulatory reporting. The lab fees are included Option #1 PERC's pricing.
    - PERC Water will be using Monterey Bay Analytical Services for compliance sample analysis.
- Provide proper screening management and disposal.
- Provide internet service for operations staff and remote access
- Manage Waste Activated Sludge (WAS) operations in compliance with Regional Water Pollution Control Agency (MRWPCA) requirements.
- Maintain Emergency Response Plan (ERP) Contingency Plan to address spills overflows and system failures annually.
    - Provide copies of all plans to the City of Pacific Grove Public Works Department.
- Prepare and maintain site specific safety plan and adhere to Occupational Safety and Health Administration (OSHA) requirements.
    - Adopt and implement an OSHA Compliance Plan.
- Purchase and manage the usage of chemicals required for the operation of the facility and the cleaning of the membranes.
- Maintain site security, including security alarms, entrance gates and proper signage.
- Maintain facility access for City personnel and Public Works Staff.
    - Provide keys to the facility and security alarm codes as required.
- Maintain, update and store accessibly the Facility O&M Manual, Standard Operating Procedures (SOPs), site-specific log book, design plans, permits and all other documents specific to the facility including PERC Water's Contract Operator Certification issued by the Office of Operator Certification.
- Operate the WRF in conformance with the original equipment manufacturer (OEM) recommendations and maintain the equipment warranties to maximize equipment life cycle.
- Provide a Computerized Maintenance Management Software (CMMS) program for all preventive, predictive and corrective maintenance for all facility equipment and structures.
    - PERC Water currently uses a computerized software program called e-Maint, a cloud based software product designed for Wastewater Utilities.
- Perform PMs per OEM recommendations to maximize the life cycle of all facility equipment.
- Participate in annual budget process providing input for annual maintenance costs, repair, replacements, and capital improvements.
- Provide "out of scope" tasks as mutually agreed.

    - Cost based on actual equipment material and sub-contractor costs, Operator standard hourly rate and a maximum 10% administrative fee.
- Provide work orders per OEM recommendations and perform adequate operation and monitoring.
- Track all CMMS work orders and percent complete with a summary report to be included in the monthly report of operations.
- At all times keep the facility clean, neat and safe by removal and disposal of trash and debris including parking areas and perimeter fencing.

Monitoring, Reporting and Compliance

- Remote monitoring of critical alarms and processes (Operator in Charge, Chief Operator and Division VP).
- Provide a monthly report of operation to be presented to the City of Pacific Grove at a monthly in-person meeting and presented to City Council if desired. The Monthly report of operations shall include at a minimum:
    - A detailed narrative summarizing the O&M activities that took place during the month.
    - All equipment repairs and preventive maintenance tasks.
    - Water quality data for the month and for the preceding twelve months for comparison purposes. Identify any constituents of regulatory concern and discussion of a plan of action to respond to the concerns.
    - Monthly discharge schedules (Golf Course, Cemetery etc.).
    - Monthly power consumption and rolling twelve-month comparison
    - Waste Activated Sludge discharged to MRWPCA including concentration and any other requirements of MRWPCA. Provide a rolling twelve-month comparison.
    - Visitor log and safety and security report.
    - Facility maintenance summary.
    - Work orders issued, completed, and remaining open.
    - Equipment out of service.
    - Reclaimed water production and irrigation use.
    - Reclaimed water used by trucks.
    - Status of all capital improvements, maintenance and repairs performed or coordinated during the month.
- Prepare and submit monthly and annual regulatory reports in accordance with the Waste Discharge Requirements (WDR) and Monitoring and Reporting Plan. Meet all reporting and monitoring requirements of the Central Coast Region Water Quality Control Board. Upload reports top Geotracker as required.
- Provide alarm monitoring and response as needed with no more than 60 minute response time.
- Maintain monthly log of operation maintenance and laboratory analysis.
- Maintain monthly odor complaints and callout response log.
- Provide any additional reports required by law.
- Upon request provide reports for process operations and effluent water production.
- Facilitate annual flow meter calibration by certified technician in accordance with regulatory requirements. Cost for service to be paid by City.
- Provide an annual comprehensive assessment of facility equipment condition, projected life expectancy and estimated replacement cost of key equipment and components of each system.

Miscellaneous

- Remove and dispose of all trash and debris on the site including parking lots.
- Coordinate with City Staff to open, maintain and operate the recycled water storage and pickup station for commercial customers. PERC Water staff will check permits and licenses to ensure proper operation and monitoring of recycled water station and maintain all required records of recycled water distribution.

Proposal Option #2

PERC Water will operate the Local Water Project per the Scope of Services as detailed below, including staffing the facility as needed to provide uninterrupted service.

- Operate, maintain and or remotely monitor the facility seven days per week, 24 hours per day.
- Respond to alarms and callouts seven days per week, 24 hours per day with no more than 60-minute onsite response time if necessary.
- Communicate effectively with recycled water users at the Pacific Grove Golf Links and City staff.
- Coordinate recycled water production and distribution with recycled water users
- Provide certified operators as required by regulatory requirements.
- Provide sample collection and analysis for in-house process control.
- Provide sample collection for Certified Lab for sample analysis for regulatory reporting.
    - City to receive direct bill from lab.
- Provide proper screening management and disposal.
- Manage Waste Activated Sludge (WAS) operations in compliance with Regional Water Pollution Control Agency (MRWPCA) requirements.
- Maintain Emergency Response Plan (ERP) Contingency Plan to address spills overflows and system failures annually.
    - Provide copies of all plans to the City of Pacific Grove Public Works Department.
- Prepare and maintain site specific safety plan and adhere to Occupational Safety and Health Administration (OSHA) requirements.
    - Adopt and implement an OSHA Compliance Plan.
- Develop and implement Best Management Practices (BMPs) for the operation of the facility which will comply with all regulatory requirements.
- Order and receive delivery of process chemicals with City get direct bill from suppliers
- Maintain site security, including security alarms, entrance gates and proper signage.
- Maintain facility access for City personnel and Public Works Staff.
    - Provide keys to the facility and security alarm codes as required.
- Maintain, update and store accessibly the Facility O&M Manual, Standard Operating Procedures (SOPs), site-specific log book, design plans, permits and all other documents specific to the facility including PERC Water's Contract Operator Certification issued by the Office of Operator Certification.
- Operate the WRF in conformance with the original equipment manufacturer (OEM) recommendations and maintain the equipment warranties to maximize equipment life cycle.
- Provide a Computerized Maintenance Management Software (CMMS) program for all preventive, predictive and corrective maintenance for all facility equipment and structures.
    - PERC Water currently uses a computerized software program called e-Maint, a cloud based software product designed for Wastewater Utilities.

    - We will provide access to the system for one designated City employee for transparency purposes.
- Perform PMs per OEM recommendations to maximize the life cycle of all facility equipment.
    - PM costs are included in the Service Fee.
- Participate in annual budget process providing input for annual maintenance costs, repair, replacements, and capital improvements.
- Provide "out of scope" tasks as mutually agreed.
    - Cost based on actual equipment material and sub-contractor costs, Operator standard hourly rate and a maximum 10% administrative fee.
- Develop and maintain an all-inclusive asset inventory.
- Provide work orders per OEM recommendations and perform adequate operation and monitoring.
- Track all CMMS work orders and percent complete with a summary report to be included in the monthly report of operations.
- Work orders shall also be completed for buildings and hardscapes.
- At all times keep the facility clean, neat and safe by removal and disposal of trash and debris including parking areas and perimeter fencing.

Monitoring, Reporting and Compliance

- Remote monitoring of critical alarms and processes (Operator in Charge, Chief Operator and Division VP).
- Provide and maintain a laboratory quality assurance program as well as a laboratory manual including standard operating procedures.
- Provide a monthly report of operation to be presented to the City of Pacific Grove at a monthly in-person meeting and presented to City Council if desired. The Monthly report of operations shall include at a minimum:
    - A detailed narrative summarizing the O&M activities that took place during the month.
    - All equipment repairs and preventive maintenance tasks.
    - Water quality data for the month and for the preceding twelve months for comparison purposes. Identify any constituents of regulatory concern and discussion of a plan of action to respond to the concerns.
    - Monthly discharge schedules (Golf Course, Cemetery etc.).
    - Monthly power consumption and rolling twelve-month comparison
    - Waste Activated Sludge discharged to MRWPCA including concentration and any other requirements of MRWPCA. Provide a rolling twelve-month comparison.
    - Visitor log and safety and security report.
    - Facility maintenance summary.
    - Work orders issued, completed, and remaining open.
    - Equipment out of service.
    - Reclaimed water production and irrigation use.
    - Reclaimed water used by trucks.
    - Status of all capital improvements, maintenance and repairs performed or coordinated during the month.
- Prepare and submit monthly and annual regulatory reports in accordance with the Waste Discharge Requirements (WDR) and Monitoring and Reporting Plan. Meet all reporting and monitoring requirements of the Central Coast Region Water Quality Control Board. Upload reports top Geotracker as required.

- Comply with all monitoring requirements of the Air Pollution Control District.
- Provide alarm monitoring and response as needed with no more than 30 minute response time.
- Maintain monthly log of operation maintenance and laboratory analysis.
- Maintain monthly odor complaints and callout response log.
- Provide any additional reports required by law.
- Upon request provide any report required by City.
- Provide calibration of all monitoring equipment annually at a minimum and accordance with all regulatory requirements.
- Provide verification of accuracy and calibration of analytic monitoring equipment in accordance with EPA State and Laboratory QA/QC Program.

Provide an annual comprehensive assessment of facility equipment condition, projected life expectancy and estimated replacement cost of key equipment and components of each system

Miscellaneous

- Remove and dispose of all trash and debris on the site including parking lots.
- Coordinate with City Staff to open, maintain and operate the recycled water storage and pickup station for commercial customers. PERC Water staff will check permits and licenses to ensure proper operation and monitoring of recycled water station and maintain all required records of recycled water distribution.

Project Needs

During the extended term, PERC Water will work in partnership with the City to evaluate the possibility and cost of increasing production to enhance the revenue stream generated by sale of reuse effluent. We have outlined a few examples below.

Membrane System Capacity

During recent communication with Koch Membrane Systems (KMS), it was confirmed the Facility's membrane modules have an additional 25% capacity (75,000 GPD) as the existing system can accommodate the installation of additional membranes. This option will allow the facility to produce more reuse water for sale to increase the City's revenue stream. The increased cost to produce this additional reuse water would be nominal and would not require any additional labor.

Chemical Dosing System Upgrade

The original design of the facility did not accommodate for the addition of aluminum sulfate as described above. We have temporarily modified the facility to dose aluminum sulfate, and while this temporary approach has worked to date, we need to provide a permanent installation. The permanent system will include two small pumps and a dosing system that is flow paced to facilitate an effective and efficient treatment process.

Spare Parts Inventory

PERC Water will work with City staff to create a comprehensive spare parts inventory. The spare parts will include instruments and mechanical parts (UV bulbs, sleeves and miscellaneous parts and instruments). A proper spare parts inventory will minimize equipment downtime and water production interruption.

Fee and Compensation

Service Option #1

Monthly Fixed Fee	32,896
Monthly Variable Fee	$5,769*
Total Monthly	$38,665

Flow Based Variable Unit Price $247.24 per Acre Foot

- Price based on full flow (250,000 GPD)

Service Option #2

Monthly Fixed Fee	30,726

Variable cost paid by City through direct bill by vendors

Thank you for providing PERC Water with the opportunity to continue providing our O&M services to the City of Pacific Grove. We look forward to having the opportunity to work in partnership with you and your staff.

Sincerely,

PERC Water Corporation

Robert Nespeca, Vice President

ASSET MANAGEMENT SERVICES AGREEMENT

THIS ASSET MANAGEMENT SERVICES AGREEMENT ("**Asset Management Agreement**") is made and entered into as of November 1, 2017 (the "**Effective Date**"), by and between **PERC WATER CORPORATION,** a California Corporation ("**PERC**") and **CITY OF PACIFIC GROVE** ("**City**") (PERC and City are sometimes collectively referred to herein as the "**Parties**" and individually as a "**Party**").

RECITALS:

A. City and PERC have entered into that certain Design-Build Agreement dated August 6, 2015 (the "**DB Agreement**") for the design and construction of The Pacific Grove Local Water Project, including a new water recycling facility and other infrastructure, pumps and pump stations, storage tanks, system inter-ties, operational controls and software, other equipment and other structures used therein or connected thereto (collectively, the "**System**" or the "**Facility**") All capitalized terms not otherwise defined in this Asset Management Agreement shall have the meaning set forth in the DB Agreement.

B. City and PERC desire to enter into this Asset Management Agreement to provide for the operation, management and maintenance of the Facility owned by City and located in City upon the terms and conditions set forth herein.

C. Commencing on the Commencement Date of Operations and for a period of five (5) years (the "**Operations Period**"), City desires to engage PERC to perform the Services (as defined herein) and PERC desires to perform the Services upon the terms and conditions set forth herein.

NOW, THEREFORE, City and PERC mutually agree as follows:

1. **Services**. Subject to the terms and conditions of this Asset Management Agreement, PERC shall furnish to City the services specified in Exhibit "A" attached hereto (the "**Services**") with respect to the Facility during the Operations Period.

2. **Term**. This Asset Management Agreement shall commence as of the Commencement Date of Operations and shall continue until the expiration of the Operations Period or as sooner terminated as provided herein. No later than nine (9) months before the expiration of the Operations Period PERC and City will meet to discuss in good faith an extension of the term of this Asset Management Agreement substantially upon the same terms and conditions of this Asset Management Agreement with such revisions as mutually agreed to by the Parties.

3. **Termination.**

3.1. **For Cause.** Either party hereto may terminate this Asset Management Agreement following thirty (30) calendar days written notice to the other Party following an uncured material default by the other Party of such other Party's obligations under this Asset Management Agreement. The defaulting Party may cure such default during such thirty (30) calendar-day period (or ten (10) calendar-day period if the default is the nonpayment of money). If such default is not timely cured, this Asset Management Agreement shall terminate immediately without further notice upon the expiration of such cure period.

3.2. **Post Termination.** Following any termination of this Asset Management Agreement, PERC shall return to City all of City's materials and information received by PERC and City shall promptly pay to PERC all amounts due hereunder. Thereafter, this Asset Management Agreement shall terminate and be of no further force and effect except that Sections 11, 12 and 14 through 28, inclusive, shall survive such termination.

4. **Price and Payment Terms**. Subject to the terms and conditions of this Asset Management Agreement, PERC will render the Services for the compensation (the "**Fees**") set forth on Exhibit "B" attached hereto (the "**Fee Schedule**"). The Fees shall be paid as set forth in the Fee Schedule.

5. **Additional Terms of Performance**.

5.1. **General Provisions.** The Services performed by PERC hereunder shall be rendered only upon the terms and conditions contained in this Asset Management Agreement.

5.2. **Qualifications.** Each employee, consultant or other agent of PERC shall be well qualified to perform the Services and shall satisfy the applicable requirements set forth in Exhibit "A" attached hereto.

5.3. **PERC's Representations.** PERC warrants, represents, and covenants that: (i) PERC has the ability to perform the Services in compliance with this Asset Management Agreement; (ii) that Services shall be performed in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions; (iii) the execution, delivery and performance by PERC hereunder has been duly authorized and approved and will not conflict with or breach any other agreement or obligation of PERC; and (iv) this Asset Management Agreement has been duly executed and delivered by an authorized representative of PERC.

6. **Covenants of City.** During the Term, City shall provide such reasonable assistance and cooperation as PERC may reasonably request in connection with performance of the Services including, without limitation, the following:

(i) Provide payment for disposal of the dewatered grit and screenings and the waste water sludge ("**WAS**") generated by the operation of the Facility. The WAS will be pumped to the Coral Street wastewater pump station;

(ii) Provide payment for replacement and repair parts and equipment, as needed;

(iii) Provide potable water to the Facility as needed;

(iv) Provide payment for all utilities used in connection with the operation of the Facility including, without limitation, gas, electricity, water, diesel fuel, and high speed internet service;

(v) Obtain from the appropriate agency or agencies, and pay all fees and costs in connection with, any permits or licenses necessary and required to enable PERC, or its agent or independent contractors, to operate and maintain the Facility; provided, however, that PERC shall be solely responsible for obtaining and maintaining the Grade IV Wastewater Operator Certification as well as the State of California Contractor Operator Certification Number CO-0115 issued by the California State Water Resources Control Board;

(vi) City shall provide the right of entry upon the premises of the Facility to personnel of PERC, or its agents or independent contractors, as applicable, to perform the Services, subject to the observation of all safety, security and other rules of City applicable to the Facility. In addition to the foregoing, City shall provide for permanent clearances for immediate entry to and upon the Facility of a designated and identified number of personnel employed by PERC, or its agents or independent contractors, as applicable, to repair or service the Facility in the event of an emergency. The existence of an emergency necessitating immediate entry of said personnel to and upon the Facility shall be determined in the reasonable discretion of PERC, or its agent or independent contractor, as applicable; and

(vii) City will comply with all federal, state, and local laws, ordinances, statutes, rules, regulations and standards applicable to the Facility including, without limitation, all permits, easements, licenses and orders.

7. **Compliance with Laws**. PERC warrants that PERC's performance of the Services will comply with all applicable federal, state, and local laws, ordinances, statutes, rules, regulations and standards. PERC shall obtain and maintain in full force and effect all permits, approvals and licenses necessary to complete the performance of the Services.

8. **Ownership of Effluent and Materials.** All materials, documents, information, effluent and biosolids produced or generated by or in connection with the operation of the Facility and the System shall at all times be owned solely by City; provided, however, that ownership and the right to use the Construction Documents shall be determined in accordance with the DB Agreement.

9. **Warranties**. During the Operations Period and so long as PERC is performing the Services and City timely and completely performs all of its obligations under this Asset Management Agreement, PERC warrants to City that with respect to the Facility, all Acceptable Influent included within the parameters set forth in Exhibit "C" attached hereto shall be treated to produce and discharge Compliant Effluent within the parameters set forth in Exhibit "C" attached hereto (the "**Acceptable Influent Warranty**"). PERC makes no such warranty with respect to any influent received by the Facility that is not Acceptable Influent ("**Unacceptable Influent**") and City retains sole responsibility for the discharge of any effluent generated from all Unacceptable Influent ("**Noncompliant Effluent**"). The Acceptable Influent Warranty is the sole warranty made by PERC in connection with the Services and there are no other express or implied warranties made by PERC including, without limitation, any warranty of merchantability or fitness for a particular purpose or any warranty as to the compliance of the Facility under any applicable permit, regulation or order.

10. **Insurance Requirements.** PERC shall maintain 'and shall require all of its subcontractors, consultants, and other agents to maintain the insurance listed below. Any requirement for insurance to be maintained after completion of the work shall survive this Asset Management Agreement. City reserves the right to review any and all of the required insurance policies and/or endorsements, but has no obligation to do so. Failure to demand evidence of full compliance with the insurance requirements set forth in this Asset Management Agreement or failure to identify any insurance deficiency shall not relieve PERC from, nor be construed or deemed a waiver of, its obligation to maintain the required insurance at all times during the performance of this Asset Management Agreement.

10.1 Workers Compensation & Employers Liability Insurance.

- Workers Compensation insurance with statutory limits as required by the Labor Code of the State of California.
- Employers Liability with limits of $1,000,000 per Accident; $1,000,000 Disease per employee; $1,000,000 Disease per policy.
- The policy shall include a written waiver of the insurer's right to subrogate against City.
- Required Evidence of Coverage:
  1. Subrogation waiver endorsement; and
  2. Properly completed Certificate of Insurance.

10.2 General Liability Insurance.

- Commercial General Liability Insurance no less broad than Insurance Services Office (ISO) form CG 00 01.
- Coverage shall be on a standard occurrence form. Claims-Made forms are not acceptable without prior written consent. Modified, limited or restricted Occurrence forms are not acceptable without prior written consent.
- Minimum Limits: $10,000,000 per Occurrence; $10,000,000 General Aggregate; $10,000,000 Products/Completed Operations Aggregate. The General Aggregate shall apply separately to each project. The required limits may be provided by a combination of General Liability Insurance and Commercial Excess or Umbrella Liability Insurance. If PERC maintains higher limits than the specified minimum limits, City requires and shall be entitled to coverage for the higher limits maintained by PERC.
- Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds $25,000 it must be approved in advance by City. PERC is responsible for any deductible or self-insured retention and shall fund it upon City's written request, regardless of whether PERC has a claim against the insurance or is named as a party in any action involving City.
- Coverage shall be continued for one (1) year after performance by PERC of the Services has ceased.
- City shall be endorsed as an additional insured for liability arising out of ongoing and completed operations by or on behalf of PERC. City shall continue to be an additional insured for completed operations for (1) year after performance by PERC of the Services has ceased.
- The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard ("f" definition of insured contract in ISO form CG 00 01, or equivalent).
- The insurance provided to the additional insureds shall be primary to, and non-contributory with, any insurance or self-insurance program maintained by them.
- The policy shall cover inter-insured suits and include a "Separation of Insureds" or "severability" clause which treats each insured separately.
- The policy shall be endorsed to include a written waiver of the insurer's right to subrogate against all persons or entities that are, or are required to be, additional insureds.
- The policy shall not contain a Contractors' Warranty or other similar language which eliminates or restricts insurance because of a subcontractor's failure to carry specific insurance or to supply evidence of such insurance.
- Required Evidence of Coverage:
  1. Copy of the additional insured endorsement or policy language granting additional insured status;
  2. Copy of the endorsement or policy language indicating that coverage applicable to the additional insureds is primary and non-contributory;
  3. Properly completed Certificate of Insurance; and
  4. Completed and signed Agent/Broker Questionnaire with supporting documentation as required.

10.3 Automobile Liability Insurance.

- Minimum Limit: $1,000,000 combined single limit per accident.
- Coverage shall apply to all owned, hired and non-owned vehicles.
- City shall qualify as an insured.
- Required Evidence of Coverage:
  1. Copy of the endorsement or policy language indicating that City is an insured; and
  2. Properly completed Certificate of Insurance.

10.4 PERC's Pollution Liability Insurance.

- Minimum Limits: $1,000,000 per Pollution Incident; $1,000,000 Aggregate;
- Coverage shall apply to pollution incidents at or from any location at which PERC is performing work under this Asset Management Agreement.
- Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds $25,000 it shall be approved in advance by City. PERC is responsible for any deductible or self-insured retention and shall fund it upon City's written request, regardless of whether PERC has a claim against the insurance or is named as a party in any action involving City.
- City shall be endorsed as an additional insured for liability arising out of ongoing and completed operations by or on behalf of the PERC. Additional insured status shall continue for one (1) year after performance by PERC of the Services has ceased.
- The insurance provided to the additional insureds shall apply on a primary and non-contributory basis with respect to any insurance or self-insurance program maintained by them.
- If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the Commencement Date of Operations.
- The insurance shall be continued for one (1) year after performance by PERC of the Services has ceased. If the insurance is on a Claims-Made basis, the continuation coverage may be provided by: (a) renewal of the existing policy; (b) an extended reporting period endorsement; or (c) replacement insurance with a retroactive date no later than the Commencement Date of Operations.
- Required Evidence of Coverage:
  1. Copy of the additional insured endorsement or policy language granting additional insured status;
  2. Copy of the endorsement or policy language indicating that coverage for the additional insureds is primary and non-contributory;
  3. Properly completed Certificate of Insurance.

10.5 Professional Liability/Errors & Omissions Insurance.

- Minimum Limits: $3,000,000 per claim or per occurrence; $3,000,000 annual aggregate.
- Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds $25,000 it must be approved in advance by City.
- If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the Commencement Date of Operations.
- Coverage applicable to the work performed under this Asset Management Agreement shall be continued for five (5) years after performance by PERC of the Services has ceased. Such continuation coverage may be provided by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the Commencement Date of Operations.
- Required Evidence of Coverage: Properly completed Certificate of Insurance.

10.6 Standards for Insurance Companies and Documentation.

- Insurers, other than the California State Compensation Insurance Fund, shall have an A.M. Best's rating of at least A:VII.
- The Certificate of Insurance shall include the following reference:
  City of Pacific
  Local Water Project
- The name and address for Additional Insured endorsements and Certificates of Insurance is:
  City of Pacific Grove
  300 Forest Ave.
- Pacific Grove, CA. 93950
- PERC shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
- Current Evidence of Coverage shall be provided for the entire required period of insurance.
- Upon written request, certified copies of required insurance policies shall be provided within thirty (30) days.

Concurrent with the execution of this Asset Management Agreement, and not less than annually thereafter, PERC will provide written evidence satisfactory to City showing proof of insurance for the coverages required under this Section.

11. Indemnification; Limitation of Liability

11.1. **Indemnification**. PERC shall defend, indemnify and hold City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner which actually or allegedly arise out of or are incident to any alleged negligent acts, omissionsor willful misconduct of PERC, its directors, officials, officers, employees, agents, and subcontractors arising out of or in connection with the performance of this Asset Management Agreement, including without limitation the payment of all attorney's fees and other related costs and expenses except where caused by the active negligence, sole negligence, or willful misconduct of City, its officers, officials, employees and volunteers. PERC shall defend, at PERC's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against City, its officials, officers, employees, agents or volunteers. PERC shall pay and satisfy any judgment, award or decree that may be rendered against City, or its officials, officers, employees, agents or volunteers, in any such suit, action or other legal proceeding. PERC shall reimburse City and its officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. PERC's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by City, its officials, officers, employees, agents or volunteers.

11.2. **Duty to Defend; Exceptions to Indemnification.** The duty to defend shall be a separate and distinct obligation from the duty to indemnify and hold harmless and is enforceable regardless of fault or negligence of the indemnified party; provided, however, that to the extent the claim for which City is being defended results from the sole negligence, or willful misconduct of City, its officers, officials, employees and volunteers City shall promptly reimburse PERC for all costs, fees and attorneys' fees expended by PERC. PERC shall defend all claims and pay all costs and expenses incidental thereto, but City shall have the right, at its option and its sole cost, to participate in such defense without relieving PERC of any obligation under this Asset Management Agreement; provided, however, that PERC shall not be liable for any settlement terms or amounts agreed to by City without the prior written consent of PERC.

11.3. **Insurance.** The provisions of this Section shall not be construed to relieve any insurer of its obligations to pay any insurance claims in accordance with the provisions of any valid insurance policy.

12. **Limitation of Liability.** Notwithstanding anything to the contrary contained herein, and provided that PERC has maintained the insurance in accordance with Section 10 hereof, PERC shall not be liable under this Asset Management Agreement for: (i) any amount that exceeds the greater of: (A) Two Hundred Fifty Thousand Dollars ($250,000); or (B) all insurance proceeds available for the payment of any claim against PERC; or (ii) any consequential, indirect, punitive or exemplary damages including, without limitation, loss of profits. **Notices**. All notices and correspondence between parties shall be in writing and shall be personally delivered, sent via facsimile, electronic mail or overnight courier, or by United States registered mail addressed to the party to be served at the address set forth below, or such other address as may be designated by such party in a written notice to the other party.

If to PERC:	PERC Water Corporation 959 South Coast Drive Costa Mesa, California 92626 Attention: Brian D. Cullen, President Fax No.: (714) 352-7765 Email: bcullen@percwater.com
If to City:	City of Pacific Grove 300 Forest Ave Pacific Grove, CA 93950 Email: dgho@cityofpacificgrove.org

All notices hereunder shall be deemed given upon the earliest of: (i) receipt; (ii) one (1) business day after confirmed facsimile transmission, electronic mail transmission that is not rejected, or delivery to commercial overnight courier for next business day delivery; or (iii) three (3) calendar days after deposit in mail with sufficient postage.

13. **Assignment**. Neither party hereto shall assign or otherwise transfer its rights or obligations under this Asset Management Agreement, whether by operation of law or otherwise, or delegate any duties, nor assign any rights or claims under this Asset Management Agreement, or for breach of this Asset Management Agreement, without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned or delayed; provided, however, that no such consent shall be required if substantially all of the assets of such party are purchased or such party is a party to a merger in which such party is not the surviving company or in connection with any assignment of this Asset Management Agreement by City.

14. **Binding on Successors and Assigns**. Each and all of the provisions hereof shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and permitted assigns.

15. **Confidentiality**. PERC shall maintain in strict confidence, and shall use and disclose only as authorized by City, all information of a confidential or proprietary nature (collectively, "**Confidential Information**") that PERC receives in connection with the Services performed hereunder. PERC shall require its personnel to agree to do likewise. City shall take reasonable steps to identify for the benefit of PERC and its personnel all Confidential Information, including by using confidentiality notices in written material where appropriate. These restrictions shall not be construed to apply to: (i) information generally available to the public; (ii) information released by City generally without restriction; (iii) information independently developed or acquired by PERC or its personnel without reliance in any way on other protected information of City; or (iv) information approved for the use and disclosure of PERC or its personnel without restriction. Notwithstanding the foregoing restrictions, PERC and its personnel may use and disclose any information: (A) to the extent required by an order of any court or other governmental authority; or (B) as necessary for it or them to protect their interest in this Asset Management Agreement, but in each case only after City has been so notified in writing and has had the opportunity, if possible, to obtain reasonable protection for such information in connection with such disclosure.

16. **Independent Contractor**. PERC is an independent contractor and shall be deemed to be an independent contractor in all its operations and activities under this Asset Management Agreement. Neither PERC nor any of its employees, agents, or representatives of agents, employees, or representatives of City, and nothing in this Asset Management Agreement shall be construed to change the nature of the relationship between the parties. PERC shall not make any commitment or incur any charge or expense in City's name. Any employee furnished by PERC to perform the Services shall be deemed to be PERC's employee exclusively, without any relation whatsoever to City as employee or as independent contractor, and any such employee shall be paid by PERC. PERC shall be responsible for all insurance, obligations and reports relating to any such employee, social security, unemployment insurance, worker's compensation, income tax, and any other reports and deductions required by law or regulation.

17. **Force Majeure**. PERC shall not be liable for failure to perform Services when such performance is hindered by a Force Majeure Event.

18. **Severability.** Any invalidity, in whole or in part, of any provision of this Asset Management Agreement shall not affect the validity of any other of its provisions.

19. **Cumulative Remedies.** All rights and remedies under this Asset Management Agreement or in law or equity shall be cumulative and additional; and no right or remedy shall be exclusive of any other or further rights and remedies provided in this Asset Management Agreement or in law or equity.

20. **Entire Agreement; Conflict**. The terms and conditions of this Asset Management Agreement, the documents referred to herein and the Exhibits attached hereto, all of which are hereby incorporated by reference, constitute the entire agreement of the parties and supersede all previous negotiations, representations and agreements between the parties, whether written or oral. In the event there is a conflict or inconsistency between this Asset Management Agreement and any other document referred to herein including, without limitation, the DB Agreement, this Asset Management Agreement shall control.

21. **Amendment**. This Asset Management Agreement may be modified only by a written document executed by both City and PERC.

22. **Counterparts; Signatures**. This Asset Management Agreement may be executed in multiple counterparts, each of which shall be deemed an original but all of which taken together shall constitute but one and the same Asset Management Agreement. The exchange of copies of this Asset Management Agreement and of signature pages by facsimile or other electronic means shall constitute effective execution and delivery of this Asset Management Agreement by the parties. Signatures of the parties transmitted by facsimile or other electronic means shall be deemed to be their original signatures for all purposes.

23. **Governing Law**. This Asset Management Agreement shall be construed and enforced in accordance with the laws of the State of California.

24. **Dispute Resolution.** All claims, disputes and other matters in question between the City and PERC arising out of, or relating to this Asset Management Agreement or any breach under this Asset Management Agreement shall, if the Parties cannot resolve their differences, be resolved by Mediation followed by commencement of legal proceedings if such mediation is not successful. All mediations or legal proceedings shall occur in Monterey County.

25. **Mediation.** Disputes between the Parties shall be submitted to non-binding mediation. If the Parties cannot agree to an alternative form of mediation, then mediation will be administered by the American Arbitration Association. The Parties may, but are not required to be, represented by counsel in mediation. The requirement for mediation will not alter or modify the time limitations otherwise provided for claims under applicable law.

26. **Further Assurances.** Each of the parties hereto agrees on behalf of such party and such party's successors and assigns, that such party will, without further consideration, execute, acknowledge and deliver such

other documents and take such other action as may be necessary or convenient to carry out the purposes of this Asset Management Agreement.

27. **Waiver**. No delay or failure by either party to exercise any right, power or remedy with regard to any breach or default under this Asset Management Agreement by the other party shall impair any such right, power or remedy, and shall not be construed to be a waiver of any breach or default of the same or any other provision of this Asset Management Agreement. Any waiver, consent or approval of any party of or to any breach or default by the other party shall be effective only if in writing, and shall not be construed to be a waiver, consent or approval of or to any succeeding breach, default or waiver of any provision of this Asset Management Agreement.

28. **Due Authority**. Each of the signatories of the parties represent and warrant that they have the authority to duly execute and deliver this Asset Management Agreement on behalf of such party and that such party has duly authorized the execution, delivery and performance of this Asset Management Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have duly executed this Asset Management Agreement as of the date first above written.

CITY

City of Pacific Grove., a _____ Municipal Corporation

By: _____
Ben Harvey, City Manager

Title: City Manager

PERC

PERC WATER CORPORATION, a California Corporation

By: _____
Brian D. Cullen, President

EXHIBIT "A"

THE SERVICES

Staffing

- Staff the facility approximately six hours per day during weekdays and approximately two hours per day on weekends and holidays.
- Onsite staff will remotely monitor the Facility twenty-four (24) hours per day seven (7) days per week with emergency call out as needed.

Operation, Maintenance & Management

In performance of the operation, maintenance and management of the Facility, PERC Water shall provide:

- Operate, maintain and or remotely monitor the facility seven days per week, 24 hours per day.
- Respond to alarms and callouts seven days per week, 24 hours per day with no more than 30 minute onsite response time if necessary.
- Communicate effectively with recycled water users at the Pacific Grove Golf Links and the City staff.
- Coordinate recycled water production and distribution with recycled water users
- Provide sample collection and analysis for in-house process control.
- Provide sample collection and transportation to Certified Lab for sample analysis for regulatory reporting. PERC Water will be using Monterey Bay Analytical Services for compliance sample analysis.
- Provide proper screenings management and disposal.
- Assist the City in applying for acquiring and maintaining all approvals required for the disposal of waste activated sludge (WAS).
- Manage WAS operations in compliance with Regional Water Pollution Control Agency (MRWPCA) requirements.
- Maintain and update Emergency Response Plan (ERP) Contingency Plan to address spills overflows and system failures annually. Provide copies of all plans to the City of Pacific Grove Public Works Department.
- Prepare and maintain site specific safety plan and adhere to Occupational Safety and Health Administration (OSHA) requirements. Adopt and implement an OSHA Compliance Plan.
- Develop and implement Best Management Practices (BMPs) for the operation of the facility which will comply with all regulatory requirements.
- Purchase and manage the usage of chemicals required for the operation of the facility and the cleaning of the membranes.
- Maintain site security, including security alarms, entrance gates and proper signage. Verify alarm functionality monthly and confirm successful operation in the monthly Report of Operation.
- Maintain facility access for City personnel and Public Works Staff. Provide keys to the facility and security alarm codes as required.
- Operate the WRF in conformance with the original equipment manufacturer (OEM) recommendations and maintain the equipment warranties to maximize equipment life cycle.

Maintenance and Repair

- Identify, track, enforce and comply with all equipment warranties and guarantees.
- Provide and establish a Computerized Maintenance Management Software (CMMS) program for all preventive, predictive and corrective maintenance for all facility equipment and structures. PERC Water typically uses a computerized software program called e-Maint, a cloud based software product designed

for Wastewater Utilities. We will provide access to the system for one designated City employee for transparency purposes.

- All vendor submittals, shop drawings, record drawings and schematics will be provided to the City as required.
- Perform preventive maintenance (PM) per OEM recommendations to maximize the life cycle of all facility equipment. PM costs are included in the Service Fee as detailed in Exhibit B.
- Participate in annual budget process providing input for annual maintenance costs, repair, replacements and capital improvements.
- Provide "out of scope" capital improvement above the repair limit as mutually agreed. Cost based on actual equipment material and sub contractor costs, Operator standard hourly rate and a maximum 10% administrative fee.
- Develop and maintain an all-inclusive asset inventory.
- Develop, populate and maintain a CMMS program.
- Provide equipment maintenance work orders per OEM recommendations and perform adequate operation and monitoring.
- Track all CMMS work orders and percent complete with a summary report to be included in then monthly report of operations.
- Work orders shall also be completed for buildings and hardscapes.
- At all times keep the facility clean, neat and safe by removal and disposal of trash and debris including parking areas and perimeter fencing.

Monitoring, Reporting and Compliance

- Triple remote monitoring of critical alarms and processes (Operator in Charge, Chief Operator and Division VP).
- Maintain a detailed site specific log book of all facility operation, maintenance and repair activities. Standard log book entries will include facility visitors, security issues, odor issues if any occur, communication with off takers (Golf Course, Cemetery, etc.).
- Provide a monthly report of operation to be presented to the City of Pacific Grove at an in-person monthly meeting and presented to City Council if desired. The Monthly report of operations shall include at a minimum:
    - A detailed narrative summarizing the O&M activities that took place during the month.
    - All equipment repairs and preventive maintenance tasks.
    - Water quality data for the month and for the preceding twelve months as available for comparison purposes. Identify any constituents of regulatory concern and discussion of a plan of action to respond to the concerns.
    - Disinfection effectiveness and log reduction graph.
    - Monthly discharge schedules (Golf Course, Cemetery etc.).
    - Monthly power consumption and rolling twelve-month comparison as available – discussion on possible conservation opportunities
    - Waste Activated Sludge discharged to MRWPCA including concentration and any other requirements of MRWPCA. Provide a rolling twelve-month comparison.
    - Visitor log and safety and security report.
    - Membrane operational parameters and rolling twelve-month comparison to help estimate remaining membrane life.
    - Facility maintenance summary.
    - Work orders issued, completed and remaining open.
    - Equipment out of service.
    - Reclaimed water production and irrigation use.
    - Reclaimed water used by trucks.

Exhibit "A"

- Status of all capital improvements, maintenance and repairs performed or coordinated during the month.

- Prepare and submit monthly and annual regulatory reports in accordance with the Waste Discharge Requirements (WDR) and Monitoring and Reporting Plan. Meet all reporting and monitoring requirements of the Central Coast Region Water Quality Control Board. Upload reports top Geotracker as required.
- Comply with all monitoring requirements of the Air Pollution Control District.
- Provide alarm monitoring and response s needed with no more than 30 minute response time.
- Prepare and submit quarterly and annual laboratory reports as required by applicable law.
- Maintain monthly log of operation maintenance and laboratory analysis.
- Maintain monthly odor complaints and callout response log.
- Provide any additional reports required by law.
- Upon request provide any report required by City.
- Provide maintenance and operation of all monitoring equipment.
- Provide calibration of all monitoring equipment annually at a minimum and accordance with all regulatory requirements.
- Provide verification of accuracy and calibration of analytic monitoring equipment in accordance with EPA State and Laboratory QA/QC Program.
- Provide an annual comprehensive assessment of facility equipment condition, projected life expectancy and estimated replacement cost of key equipment and components of each system.

Miscellaneous

- Maintain all site landscape.
- Maintain all documents, manuals and reports in electronic format and available to the City of Pacific Grove through PERC Water Client Portal.
- Remove and dispose of all trash and debris on the site including parking lots.
- Maintain storm water site compliance.
- Coordinate with City Staff to open, maintain and operate the recycled water storage and pickup station for commercial customers. PERC Water staff will check permits and licenses to ensure proper operation and monitoring of recycled water station and maintain all required records of recycled water distribution.

Exhibit "A"

EXHIBIT "B"

FEE SCHEDULE

In consideration of the performance of the Services, City will pay to PERC monthly for the services provided as detailed below. Beginning on the first day of the month after the Commencement Date of Operations (pro rated for any partial month) PERC shall submit an invoice for the service provided during the preceding month and then continuing on the first (1st) day of each month thereafter during the Term, the amounts set forth below (the "**Fees**"). The City, or its Assignee, will pay each invoice within fifteen (15) days of submittal less any disputed amounts. Any disputed amounts shall be paid within fifteen (15) days following resolution of such dispute.

Monthly Fees

Monthly Fixed Services Fee	$20,164.00 per month
Flow Based Variable Unit Price	$196.00 per Acre Foot of all Influent (Acceptable Influent and Unacceptable Influent)

The amount of the Fees is current as of the date of this Asset Management Agreement. The amount of the Fees shall be adjusted annually as soon as possible following each anniversary of the Commencement Date of Operations based on Rider Levett Bucknall Quarterly Construction Cost Report local to Los Angeles as of the Third Quarter Report 2017. Any additional amount payable by City, as a result of the increase to the Fees, shall be paid by City with the next monthly payment of the Fees following calculation of the new Fees amount.

If City and PERC agree in writing, PERC will perform Services in addition to the Services hereunder and the time for such performance and the amount to be paid or reimbursed to PERC thereunder will be agreed to before any such additional work is commenced (the "**Additional Services**"). In addition, if necessary in the reasonable opinion of PERC due to an emergency situation related to public health or safety or regulatory compliance, PERC takes any action without prior notice to City in connection with the Facility, City agrees to reimburse PERC for all costs and expenses incurred in connection with such emergency together with an amount equal to fifteen percent (15%) of such amount reimbursed. Any amounts payable under this paragraph shall be paid to PERC no later than thirty (30) calendar days after receipt by City of an invoice for such amount.

If any payment required to be made hereunder is not paid when due, such payments shall bear interest thereon from the date such payment was due to the date of receipt of payment by PERC. Late payments shall bear interest at the rate of eight percent (8%) per annum. Additionally, if a sum that is not being disputed is not paid within thirty (30) calendar days after written notice that it is due, then a late charge equal to one percent (1%) per month of the sum past due shall be payable by City, and such late charge shall be paid within ten (10) calendar days after written demand from PERC.

Costs for equipment and other Facility replacement costs, fees and expenses are excluded from the Fees and will be paid by City as needed. The operations, replacement and maintenance of any other equipment, facilities or systems connected to or used by the Facility are excluded from the Services.

EXHIBIT "C"

ACCEPTABLE INFLUENT CHARACTERISTICS

Influent Design Parameters

Average Dry Weather Flow	0.30 MGD
Maximum Month Day Flow	0.30 MGD
Maximum Day Flow	0.30 MGD
Peak Hour Hydraulic Flow	0.30 MGD
Average BOD^5 (mg/L)	250 mg/L
Maximum BOD^5 (lbs/day)	521 lbs/d
Average TSS (mg/L)	340mg/L
Maximum TSS (lbs/day)	709 lbs/d
Maximum Ammonia (mg/L)	40 mg/L
Maximum Ammonia (lbs/day)	83lbs/d

The table above sets forth the Acceptable Influent characteristics that will be treated by the Facility and from which the Facility will produce Compliant Effluent that meet the Effluent Design Parameters below.

Effluent Design Parameters

Average Dry Weather Flow	0.30 MGD
Maximum Month Day Flow	0.30 MGD
Maximum Day Flow	0.30 MGD
Peak Hour Hydraulic Flow	0.30 MGD
BOD^5 (mg/L)	<5 mg/L
TSS (mg/L)	<2.5 mg/L
Ammonia (mg/L)	<1.5 mg/L
Turbidity (NTU)	0.2 NTU

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: May 17, 2023

SUBJECT: Agreement with Bowman for the Design and Environmental for Replacement of Pump Station 15.5

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

RECOMMENDATION

1. Authorize an agreement with Bowman for the Design and Environmental for Replacement of Pump Station 15.5 in an amount not to exceed $109,174.
2. Alternatively, discuss and take other action related to this item.

DISCUSSION

The City owns seven (7) lift stations located throughout the collection system, and Monterey One Water (M1W) owns two (2) lift stations at the downstream end of the City's collection system. The City contracts with M1W to maintain all nine (9) of the lift stations.

Pump Station 15.5 is a submersible wet well lift station located off Ocean View Boulevard that is used for the Crespi Pond bathroom. Crespi Pond bathroom is located adjacent to the Pacific Grove golf course's 17th hole. The lift station discharges through a 4-inch diameter ductile iron force main to manhole #982 at the intersection of Ocean View Boulevard and Asilomar Avenue.

In 2021, the City performed a Pump Station Master Plan to assess the conditions and operations of the lift stations. The full Pump Station Master Plan document is available on the City's Sewer Collection System page.

The Pump Station Master Plan revealed that Pump Station 15.5, the smallest of the City's lift stations, is in the worst condition of all 7 lift stations and is in need of replacement. At the time of the assessment, both pump motors at pump station 15.5 had very low megohm readings, which indicate the pumps should be replaced. There is no coating in the wet well and there is no valve vault. The ductile iron check valve and isolation valves are located inside the wet well. Due to the deleterious condition of the piping and valves, operations staff requested that the pumps not be removed for inspection. Electrical conduits were not sealed off from the lift station, possibly allowing corrosive and volatile gases to be introduced. The recommendation is to replace the lift station or install a septic tank. The City requires connections to our sanitary sewer system so a septic tank is not an option.

On January 23, 2023, the City issued a Request for Qualifications (RFQ) for the Design, Environmental and Permitting of Pump Station 15.5 Replacement. On February 23, 2023, the RFQ period closed. Two statements of qualifications were received:

Firm	Proposal
Bowman	$109,174*
Wallace Group	$146,933.08

**The original Bowman proposal submitted was $118,774. The City was able to negotiate with Bown to omit permitting from the scope of services for the consultant. City staff will prepare the necessary permit applications through the City's local coastal program once final design and environmental documents have been prepared.*

Bowman is well qualified to perform this scope of work and the proposal is within the $110,000 project budget. As such, Staff recommends authorizing an agreement with Bowman, in an amount not to exceed $109,174, for the Design and Environmental for the Pump Station 15.5 Replacement project.

SCOPE OF SERVICES

The scope of work for this agreement includes all labor and materials required to provide design/engineering, environmental, and permitting for replacement of Pump Station 15.5. This includes, but is not limited to:

PROJECT MANAGEMENT
• Oversight and project management through the duration of the contract and services, including check-ins with City staff

DESIGN
• Preliminary Design
o The consultant shall work with the City to establish design criteria for the lift station including inward flow to the lift station, emergency storage response time, and various other technical specifications
o The City will review the preliminary design materials and, with the consultant, develop a final set of specifications for final engineering design

• Final Design, including Plans, Specifics and Estimates
o Including civil and electrical design drawings for bid and installation. These documents will be used for construction bidding purposes following environmental review/assessment, permitting and approvals.

ENVIRONMENTAL REVIEW & ASSESSMENT
• Based on final design, the selected consultant will perform and develop the necessary environmental review documents in compliance with the California Environmental Quality Act (CEQA).

PERMITTING
Please note that the scope of work in the agreement does not include permitting, as originally requested in the RFQ. Both proposals originally came in over the project budget and this item was omitted to get the project within the allocated budget.

Contract
If approved, the City's standard professional services agreement (reviewed and approved by the City Attorney, Risk Management, and the California Joint Powers Insurance Authority) will be prepared for the Mayor's signature per the standard contracting process.

Timeline
It is anticipated that completion of design and environmental will take a significant portion of the FY23/24 Fiscal Year. Updates on the progress of the project will be provided on the City's transparency platform, Clear Gov project pages. The link is available at www.cityofpg.org/finance

OPTIONS

1. Do nothing; This is not recommended as continued deterioration of the current pump station will continue; this could lead to a sanitary sewer overflow or the discontinued use of the Crespi Pond bathroom
2. Provide alternative direction

FINANCIAL IMPACT:

$110,000 was allocated to the Pump Station 15.5 Replacement Project through the FY22/23 Capital Improvement Program. This initial allocation for this multi-year project will allow for the engineering, design and permitting of the project. The project would return for an additional funding allocation, to allow for construction, in a subsequent year CIP following completion of this initial phase.

FOCUSED PRIORITY AREA: Infrastructure