NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

SPECIAL MEETING AGENDA

Wednesday, May 7, 2025, 5:00 P.M.

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

Under the Brown Act, public comment for matters on the agenda must relate to that agenda item and public comments for matters not on the agenda must relate to the subject matter jurisdiction of this legislative body. This is a warning that if a member of the public attending this meeting remotely or in-person violates the Brown Act by failing to comply with these requirements of the Brown Act, then the Mayor or Chair may request that speaker be muted. If a member of the public attending this meeting in-person engages in disruptive behavior that disturbs the orderly conduct of the meeting, they may be removed from the meeting after a warning, pursuant to Council Policy 000-17.

PACIFIC GROVE MEETINGS ARE CONDUCTED IN PERSON AT CITY HALL COUNCIL CHAMBER AND VIRTUALLY.

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.

Join the Zoom Meeting to participate live at:
https://www.cityofpacificgrove.org/Zoom_Closed

Please click here for directions to dial into the meeting audio.

AGENDA

CALL TO ORDER

SPECIAL MEETING

PUBLIC COMMENT ON SPECIAL MEETING MATTERS

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

A. Public Employment, (Government Code § 54957)
Title: City Manager Performance Evaluation

1. Written Public Comment

ADJOURNMENT

NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING AGENDA

Wednesday, May 7, 2025, 6:00 P.M.

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

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

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

Under the Brown Act, public comment for matters on the agenda must relate to that agenda item and public comments for matters not on the agenda must relate to the subject matter jurisdiction of this legislative body. This is a warning that if a member of the public attending this meeting remotely or in-person violates the Brown Act by failing to comply with these requirements of the Brown Act, then the Mayor or Chair may request that speaker be muted. If a member of the public attending this meeting in-person engages in disruptive behavior that disturbs the orderly conduct of the meeting, they may be removed from the meeting after a warning, pursuant to Council Policy 000-17.

PACIFIC GROVE COUNCIL MEETINGS ARE CONDUCTED IN PERSON AT CITY HALL COUNCIL CHAMBER AND VIRTUALLY.

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

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:
https://www.cityofpacificgrove.org/Zoom_CC

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AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE: Councilmember Poduri

1. **APPROVAL OF AGENDA**

2. **PRESENTATIONS**

A. Pacific Grove Golf Links / CourseCo Presentation **PG 8**
Reference: Chief Executive Officer Michael Sharp
Recommended Action: Receive the presentation.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. National Public Works Week **PG 18**
Reference: Nick Smith, 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**
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. Written General Public Comment

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 City Council April 16, 2025 Regular Meeting **PG 20**
Reference: Staphany Arriola, Management Analyst
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 of Intention to Levy the Annual Assessment for the Hospitality Improvement District (HID) **PG 26**
Reference: Lori Frati, Finance Manager
Recommended Action:

1. Approve a resolution of intention to levy an assessment for the Hospitality Improvement District for Fiscal Year 2025-26.
2. Direct staff to notice a public hearing to be held on May 21, 2025 for the purpose of hearing any protests and determining whether to levy the assessment.

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

B. Resolution of Intention to Levy the Annual Assessment for the Downtown Business Improvement District (BID) **PG 30**
Reference: Lori Frati, Finance Manager
Recommended Action:

1. Approve the attached Resolution of Intention to Levy an Assessment for the Downtown Business Improvement District for Fiscal Year 25-26
2. Hold a public hearing on May 21, 2025 to hear protests and determining whether to levy the assessment.

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

C. Acceptance of Conservation Easement Deeds for 1661 Sunset Drive and 236 Asilomar Avenue, Pacific Grove (APNs 007-041-036 and 007-041-035)
Reference: Joseph Sidor, Contract Planner **PG 34**

Recommended Action: Staff recommends the City Council:
a. Find that accepting the Conservation Easement Deeds is categorically exempt per Section 15317 of the CEQA Guidelines;
b. Accept the Conservation Easement Deeds to satisfy Condition of Approval No. 7 of Coastal Development Permit Amendment No. 24-0186;
c. Adopt the resolution authorizing the City Manager to accept the deeds or grants conveying an interest in or easement upon the subject real property or real estate; and
d. Direct the City Manager to accept and submit the Conservation Easement Deeds to the County Recorder for recordation with all applicable recording fees paid by the applicant.

CEQA: Categorical Exemption, CEQA Guidelines Section 15317, Class 17, Open Space Contracts or Easements

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. Monterey Salinas Transit Minutes for March 10, 2025 **PG 104**

Reference: Joe Amelio, Mayor Pro Tem

Recommended Action: Receive minutes.

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

B. Housing Element Monthly Status Update **PG 111**

Reference: Joseph Sidor, Contract Planner

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

9. **REPORTS – REQUIRING ACTION**
Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

A. Pedestrian Safety - Central/Fountain Ave & Grand/Fountain Ave **PG 113**

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

Recommended Action:

1. Approve the Central, Grand and Fountain Avenue reconfiguration; and
2. Authorize staff to issue a call for bids for the project.
3. 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** *Items pulled from this section will be placed under 13. New Business*

A. Beautification and Natural Resources Commission Minutes: November 19, 2024, January 21, 2025 and February 18, 2025 **PG 128**
Reference: George Fuerst, Environmental Program Manager
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. Update Regarding Changes to Government Code Section 36516 (City Council Compensation) and Consideration of Potential Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers and Providing Medical Benefits Available to City Management Employees **PG 138**
Reference: Brian Pierik, City Attorney
Recommended Action:

1. Discuss Potential Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers and Providing Medical Benefits Available to City Management Employees. If the Council directs to proceed with the Potential Ordinance, then the following are the recommended actions.
2. Request the City Attorney read the title of the ordinance.
3. Motion to waive further reading of the ordinance.
4. Introduce and hold a first reading of an Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers and Providing Medical Benefits Available to City Employees.
5. Direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.
6. Other action related to this Agenda Item

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

12. **UNFINISHED AND ONGOING BUSINESS**

A. Authorization of Interim Fuel Management Activities in George Washington Park
Reference: Daniel Gho, Public Works Director/Deputy City Manager **PG 176**
Recommended Action:

1. Determine the Project to be exempt from CEQA and authorize interim fuel management activities in George Washington Park in accordance with the CEQA memo prepared by Denise Duffy & Associates.
2. Alternatively, discuss and take other action related to this item.

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

13. **NEW BUSINESS**

A. Five-Year CIP Recap **PG 198**
Reference: Joyce Halabi, Deputy Public Works Director
Recommended Action: Receive presentation.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. FY25/26 - FY26/27 Capital Improvement Plan & SB1 Project List **PG 199**
Reference: Joyce Halabi, Deputy Public Works Director
Recommended Action:

1. Receive and approve the Fiscal Year 25/26 - 26/27 Capital Improvement Plan (CIP) for inclusion in the Budget, and
2. Approve a resolution adopting the FY25/26 Senate Bill 1 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

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: Sandra Kandell, City Clerk/DEI Coordinator

MEETING DATE: May 07, 2025

SUBJECT: Pacific Grove Golf Links / CourseCo Presentation

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

RECOMMENDATION

Receive the presentation.

Attachments

PPT



PACIFIC GROVE GOLF LINKS

COURSECO

May 2025



COURSECO CORE VALUES

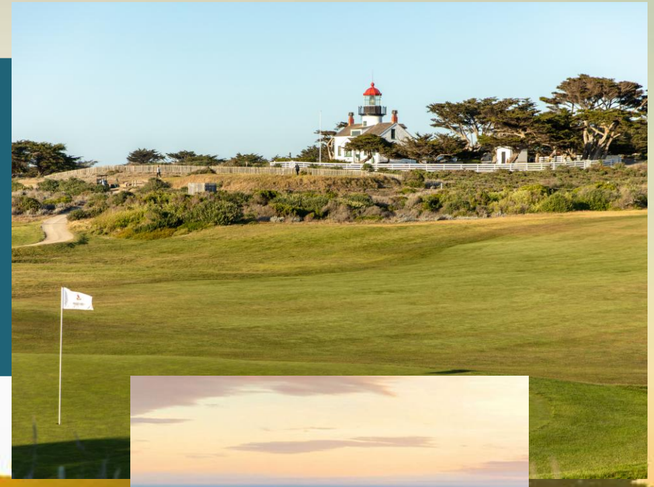
- Financial Performance
- Environmental Stewardship
- Stakeholder Communication
- Community Inclusion

CourseCo

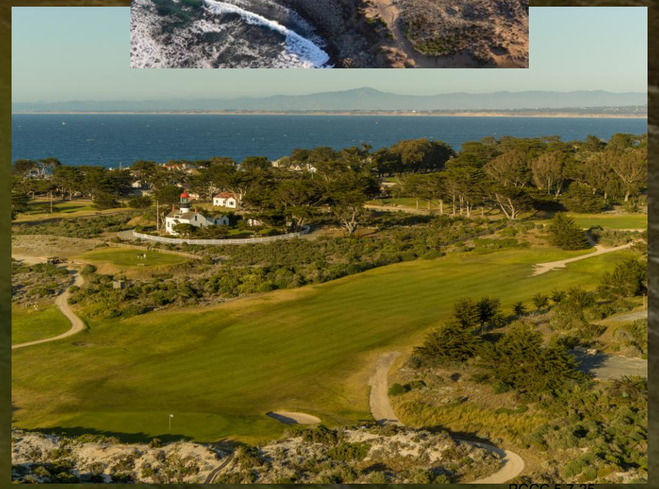
PACIFIC GROVE
GOLF LINKS

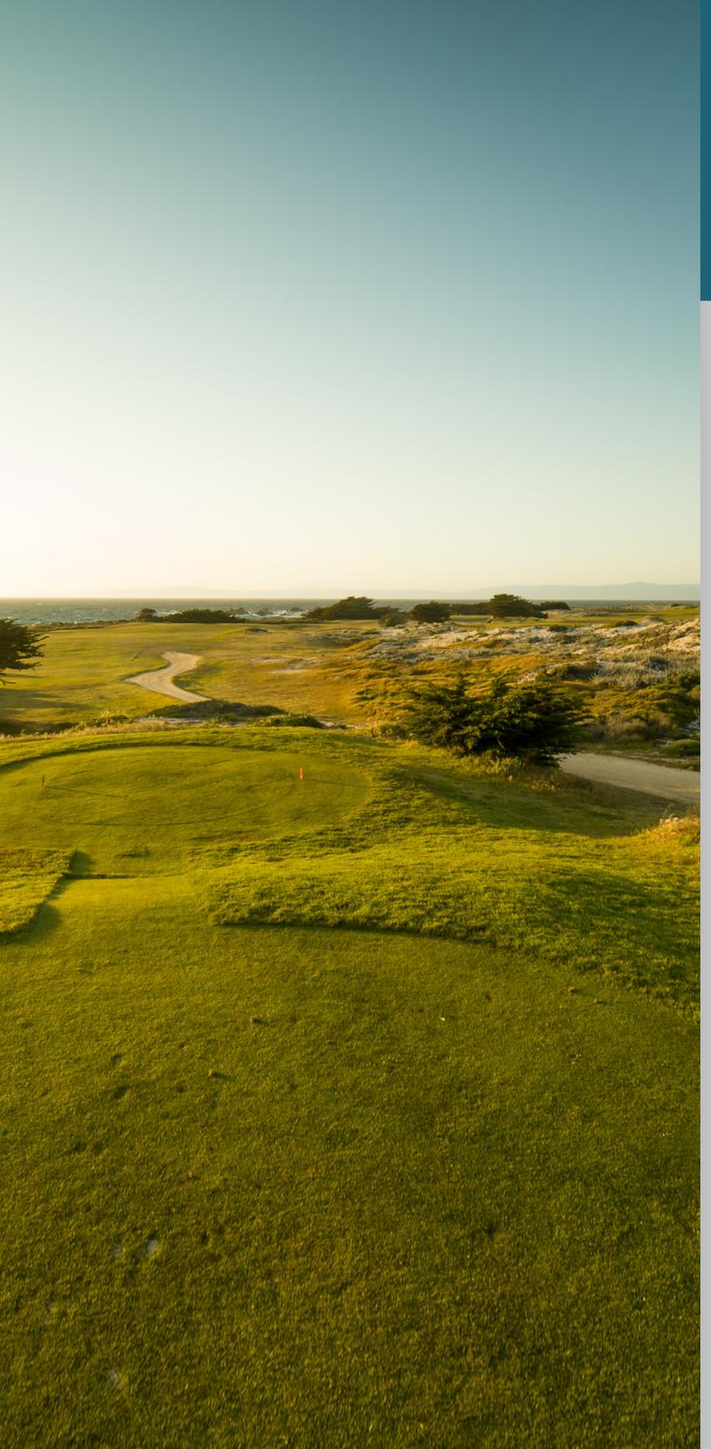
HISTORY

- Front 9 built in 1932. Back 9 was built in 1960.
- CourseCo lease commenced 10/1/2014.
- Lease includes operation and maintenance of the golf course, pro shop (retail), and driving range.
- Food and Beverage operated independently.
- CourseCo pays Base Rent yearly to operate facility plus percentage rate based on Gross Revenue at Year's End.









CAPITAL PROJECT HISTORY

- **2015** Irrigation System Improvements, Range Machine and Range Netting replacement
- **2016** Select Bunker & Tee Renovation, Range Tee Improvement, Tree Maintenance
- **2017** Bunker Renovations
- **2018** Select Tee Renovation, Irrigation Computer & GPS, Cart Path addition, Range Net Repair, Tree Maintenance
- **2019** Asilomar Split Fence Replacement, Tree Maintenance
- **2020** Tree Maintenance
- **2021** Cart Path Addition, Irrigation Drainage Hole 6, Tree Maintenance
- **2022** Tree Maintenance, Property Net Maintenance, Clubhouse Landscaping, Tee Box Enlarge #4
- **2023** Tree Maintenance, Maintenance Safety Lift & Installation, Cart Path Replacement Holes 7, 8, 18
- **2024** Tee Leveling/Expansion Hole 10, Fence Replacement Hole #6, Tree Maintenance

ENVIRONMENTAL STEWARDSHIP

- Systemic Restoration of Native Dunes on the Back 9 involving removal of non-native ice plant
- Tree planting program
- GCSAA/Golf Digest Environmental Leaders in Golf Award
- Rob Esposo – Superintendent of the Year 2023
- Conversion of potable water to recycled water for course irrigation – 2018
- Recycling Program
- Hosted Multiple First Green Events
- Certified Audubon Cooperative Sanctuary - December 2022

Audubon International

COMMUNITY EVENTS





















ROUNDS, REVENUE, RENT HISTORY

	Paid Rounds	Gross Revenue	Rent Paid to City
2015	54,375	$2,723,517	$300,000
2016	50,411	$2,658,048	$300,000
2017	48,190	$2,693,517	$301,250
2018	47,332	$2,852,439	$306,250
2019	48,240	$2,971,792	$311,250
2020	57,796	$2,956,802	$267,003
2021	65,593	$3,808,776	$587,265
2022	62,371	$4,235,019	$718,502
2023	56,408	$4,235,682	$619,012
2024	59,953	$4,615,379	$793,656

VISION FOR THE FUTURE

- Ongoing Investment in the golf course.
- Ensuring Pacific Grove Golf Links remains affordable and accessible for the residents.
- Focus on remaining a leader in community programming and environmental stewardship.
- Continued model private-public partnership providing financial stability.

QUESTIONS?



CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Nick Smith, Mayor

MEETING DATE: May 07, 2025

SUBJECT: National Public Works Week

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

RECOMMENDATION

Receive the presentation.

Attachments

Proclamation



National Public Works Week Proclamation

May 18–24, 2025
"People, Purpose, Presence"

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life, and well-being of the people of City 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 City of Pacific Grove to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

RESOLVED, I, Mayor Nick Smith, do hereby designate the week of May 18–24, 2025, 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 advancing quality of life for all.

Nick Smith, Mayor

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Staphany Arriola, Management Analyst (Confidential)

MEETING DATE: May 07, 2025

SUBJECT: Minutes of the City Council April 16, 2025 Regular Meeting

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

RECOMMENDATION

Approve minutes.

Attachments

Draft Minutes 4-16-25

DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING

Wednesday, April 16, 2025, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:
https://www.cityofpacificgrove.org/Zoom_CC

CALL TO ORDER
Mayor called the meeting to order at 6:01 p.m. Present in Chamber: Mayor Smith, Mayor Pro Tem Amelio, Councilmembers Garfield, McDonnell, Rau, and Walkingstick. Absent: Councilmember Poduri.

PLEDGE OF ALLEGIANCE:
Mayor Smith led the pledge of allegiance.

1. **APPROVAL OF AGENDA**
Action: Upon motion by Councilmember Garfield and seconded by Mayor Pro Tem Amelio, Council voted 6-0-1, Councilmember Poduri absent, to approve the agenda**.**

2. **PRESENTATIONS**
A. Mayor's Proclamation: Arbor Day
Action: Council received the presentation.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Service Awards
Action: Council received presentations.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

3. **COUNCIL AND STAFF ANNOUNCEMENTS (City-Related Items Only)**
Council and staff made general announcements.

4. **GENERAL PUBLIC COMMENT**
Public comment received from unknown caller, Michelle Raine, Jaine Haines, Kim and Lisa Ciani.

A. Written General Public Comment

CONSENT AGENDA
Action: Consent Agenda item 8B was pulled and considered immediately following the Consent Agenda.

Action: Upon motion by Mayor Pro Tem Amelio and seconded by Councilmember Rau Council

voted 6-0-1, Councilmember Poduri absent, to approve the Consent Agenda as modified.

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

A. Minutes of the March 19, 2025 Special and Regular meeting and April 2, 2025 Regular Meeting
Action: Approved minutes.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

6. **RESOLUTIONS**

7. **ORDINANCES**

A. Ordinance Amending the City's 2024-25 Budget, removing the allocation of one Program Manager Classification in the City Manager's Office and replacing with one Deputy City Manager Classification in the City Manager's Office
Action: Held second reading and adopted Ordinance No. 25-006 to amend the City's 2024-25 Budget, removing the allocation of one Program Manager classification in the City Manager's Office and adding one Deputy City Manager classification to the allocation plan in the City Manager's Office to be funded in 2024-25 with current budget savings.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

8. **REPORTS – INFORMATION ONLY**

A. Community Human Services March 2025 Meeting Board Highlights
Action: Received the highlights.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Check Register March 2025 ***This item was pulled and considered immediately following the Consent Agenda.***
Action: Received the Check Register.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

C. Housing Element Monthly Status Update
Action: Received the report.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

9. **REPORTS – REQUIRING ACTION**

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

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8.B. Check Register March 2025 ***This item was pulled and considered immediately following the Consent Agenda.***
Action: Received the Check Register.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines

DRAFT

Section 15378

REGULAR AGENDA

11. **PUBLIC HEARINGS**

A. Housing Element - Affirmatively Further Fair Housing Review
Public comment received from Christie Thomas and Jaine Haines

Action: Received the Housing Element Affirmatively Further Housing Review.
CEQA: Environmental Impact Report

12. **UNFINISHED AND ONGOING BUSINESS**

A. AB 481 Military Equipment Annual Report for 2024
No public comment received.

Action: Received the AB 481 Annual Report for 2024.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Stain Glass Butterflies Window Donation ***This item was not ready to be heard and was moved to end of the agenda and heard after 13A.***
Reference: Matthew Mogensen, City Manager
Recommended Action: Receive art donation application for one stained-glass window and provide direction.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

C. Financial Obligation and Reserve Policy Review ***This item was moved from New Business to Unfinished and Ongoing Business.***
No public comment received.

Action: Council received the report and provided staff feedback regarding potential options for further consideration to address the City's Financial Obligations and Reserve Policy.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

D. Archaeological Resources Review and Tribal Monitoring Protocol ***This item was pulled and will be brought back at a later meeting.***
Reference: Joyce Halabi, Deputy Public Works Director Public Works
Recommended Action:

1. Receive Update
2. Provide direction; authorize staff to proceed with option 1, 2, or 3 as outlined in the staff report
3. Alternatively, discuss and take other action

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

DRAFT

13. **NEW BUSINESS**

A. Financial Obligation and Reserve Policy Review ***This item was moved up and heard directly after 12A.***
Reference: Fred Marsh, Administrative Services Director
Recommended Action: Receive the report and provide staff feedback regarding potential options for further consideration to address the City's Financial Obligations and Reserve Policy.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Stain Glass Butterflies Window Donation ***This item was moved from Unfinished and Ongoing Business.***
Public comment received from Annet Cochrane, Evaleto Kahan, Lee Willoughby, Robert Ralph, Diane Willoughby, Sally Moore, David Dillworth, Inge Lorentzen Daumer, Lisa Ciani, and Kris Lindstom.

Action: Upon motion by Mayor Pro Tem Amelio and seconded by Councilmember Rau the Council voted not to receive the art donation application for one stained-glass window.

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

AYES: Mayor Smith, Mayor Pro Tem Amelio, Councilmembers Garfield, McDonnell, Rau and Walkingstick.
NOES: None.
ABSENT: Councilmember Poduri.

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

14. **FULL PRESENTATIONS**

15. **CLOSED SESSION**

ADJOURNMENT
Council adjourned the regular meeting at 8:39pm.

Respectfully Submitted,

Staphany Arriola, Management Analyst
for Sandra Kandell, City Clerk

DRAFT

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: Lori Frati, Finance Manager

MEETING DATE: May 07, 2025

SUBJECT: Resolution of Intention to Levy the Annual Assessment for the Hospitality Improvement District (HID)

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

RECOMMENDATION

1. Approve a resolution of intention to levy an assessment for the Hospitality Improvement District for Fiscal Year 2025-26.
2. Direct staff to notice a public hearing to be held on May 21, 2025 for the purpose of hearing any protests and determining whether to levy the assessment.

DISCUSSION

In 2007, the City established the Hospitality Improvement District (HID), appointed an advisory board, and established an assessment for the District. On November 18, 2018, City Council passed Resolution No. 18-047, amending the Hospitality Improvement District assessment be set at $2.00 per room night for full-service lodging establishments and $1.00 per room night for all others, effective January 1, 2019. Pacific Grove has no full-service hotels or bed and breakfast establishments that collect the $2.00 per room night fee. (Resolution 12-014 defines full service 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"). HID assessment revenues are exclusively used for the support and benefit of the hospitality economy of Pacific Grove.

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) 2025-26, and requests the levy of an assessment for FY 2025-26. The annual report prepared by the HID will be included in the May 21, 2025 agenda report. No changes to HID boundaries are recommended for FY 2025-26.

At the public hearing on May 21, 2025, the Council will have the opportunity to hear and evaluate any protests received and determine whether to levy the assessment. The Council will also have the opportunity to appoint an advisory board.

OPTIONS

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

FINANCIAL IMPACT:

There is no fiscal impact. The City acts as the administrative pass-through to See Monterey and HID. Assessment revenues may only be used for HID purposes.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

HID Resolution

RESOLUTION NO. 25-xxx

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE STATING THE CITY'S INTENTION TO LEVY AN ASSESSMENT FOR THE PACIFIC GROVE HOSPITALITY IMPROVEMENT DISTRICT FOR FISCAL YEAR 2025-26

FINDINGS

1. In 2007 the City of Pacific Grove established the Pacific Grove Hospitality Improvement District (HID); and

2. The HID has been approved for continuation each year since it was first established, and has proved to be of benefit to the Community in terms of promoting tourism and the hospitality economy; and

3. The Pacific Grove Chamber of Commerce has requested continuation of the HID for the 2025-26 fiscal year; and

4. The Action proposed by this Resolution does not constitute a "Project" as that term is defined under California Environmental Quality Act (CEQA), CEQA Guideline section 15378.

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

1. The City Council finds each recital set forth above to be true and correct, and by this reference incorporates each as an integral part of this Resolution.

2. It is the intention of the City to levy and collect assessments for the Fiscal Year 2025-26 within the Pacific Grove Hospitality Improvement District (HID), as described in Section 6.54 of the Pacific Grove Municipal Code. The proposed assessment, equal to $2.00 per room night for full-service establishments and $1.00 per room night for other establishments, will be collected by the City from lodging establishment owners when Transient Occupancy Taxes are paid.

3. On May 21, 2025, the City Council will receive an annual report prepared by the HID's Advisory Board, which contains detail of expenditures in 2024-25 and a description of the anticipated costs, revenue, number of licenses, and activities to be provided in Fiscal Year 2025-26. Copies of the report will be on file with the City Clerk and available at the offices of the Pacific Grove Chamber of Commerce.

4. There is no change to the boundaries of the district as established and set forth in Section 6.54.030 of the Pacific Grove Municipal Code.

5. The Council hereby sets the public hearing to consider the levy of the proposed Fiscal Year 2025-26 assessment for the HID for May 21, 2025, at 6:00 pm, or as soon thereafter as the item may be called, at the Pacific Grove City Hall, 300 Forest Avenue, Pacific Grove, California.

6. At the public hearing, the City Council shall hear and consider any and all protests against the Fiscal Year 2025-26 levy of assessments for the HID. The rules and procedures used in receiving and considering protests will comply with those set forth in Streets and Highways Code sections 36524, 36525 and 36534. Following the hearing, the Council may adopt a resolution approving the levy.

7. The City Clerk is hereby directed to give a summary notice of the public hearing by causing this resolution of intention to be published once in a newspaper of general circulation not less than seven days before the public hearing.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 7th day of May 2025, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

_____
NICK SMITH, 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, Finance Manager

MEETING DATE: May 07, 2025

SUBJECT: Resolution of Intention to Levy the Annual Assessment for the Downtown Business Improvement District (BID)

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

RECOMMENDATION

1. Approve the attached Resolution of Intention to Levy an Assessment for the Downtown Business Improvement District for Fiscal Year 25-26
2. Hold a public hearing on May 21, 2025 to hear protests and determining whether to levy the assessment.

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, each year in July. Since 2000, the BID and assessments have been reauthorized annually, without exception.

Pursuant to State law and the City Council Resolution forming the BID, an Annual Report is required that reports on District revenues and expenditures for the prior fiscal year, proposes a budget, and requests the levy of an assessment for the next year. The annual report will be included in the May 21, 2025 agenda report. No changes to BID boundaries are recommended for Fiscal Year 2025-26.

At the public hearing on May 21, 2025, the Council will have the opportunity to hear and evaluate any protests received and determine whether to levy the assessment. The Council will also have the opportunity to appoint an advisory board.

OPTIONS

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

FINANCIAL IMPACT:

The assessed funds may only be used for BID purposes. These revenues may not be used for any other City purpose.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

BID Resolution

RESOLUTION NO. 25-xxx

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE STATING THE CITY'S INTENTION TO LEVY AN ASSESSMENT FOR THE PACIFIC GROVE BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2025-26

FINDINGS

1. In 2000 the City of Pacific Grove established the Downtown Pacific Grove Business Improvement District (BID); and

2. The BID has been approved for continuation each year since it was first established, and has proved to be of benefit to the City in terms of promoting the downtown professional and retail business economy; and

3. The Pacific Grove Chamber of Commerce has requested continuation of the Downtown BID for the 2025-26 fiscal year; and

4. The action proposed by this Resolution does not constitute a "Project" as that term is defined under California Environmental Quality Act (CEQA), CEQA Guideline section 15378.

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

1. The City Council finds each recital set forth above to be true and correct, and by this reference incorporates each as an integral part of this Resolution.

2. The City intends to levy and collect assessments for Fiscal Year 2025-26 within the Downtown Pacific Grove Improvement District (BID), as described in Section 6.50.010 of the Pacific Grove Municipal Code. The proposed assessment would be collected by the City from the business owners when the business license tax is paid in 2025-26. Excepting catalog sales establishments, each and every business in the district will pay an assessment equal to 35% of its business license tax for fiscal year 2025-26.

3. On May 21, 2025, the City Council will receive an annual report prepared by the BID's Advisory Board, which contains details of expenditures in 2024-25 and a description of the anticipated costs, revenue, number of licenses, and activities to be provided in Fiscal Year 2025-26. These activities include, but are not limited to, promotion, marketing, and advertising of businesses in the district, support for special events, and general maintenance to benefit businesses within the BID.

4. Copies of the report will be on file with the City Clerk and are also available at the offices of the Pacific Grove Chamber of Commerce.

5. There is no change to the boundaries of the district as established and set forth in Section 6.5.020 of the Pacific Grove Municipal Code.

6. The Council sets the public hearing to consider the levy of the proposed Fiscal Year 2025-26 assessment for the BID for May 21, 2025 at 6:00 pm, or as soon thereafter as the item may be called, at the Pacific Grove City Hall, 300 Forest Avenue, Pacific Grove, California to be conducted under public hearing Zoom Meeting protocols.

7. At the public hearing, the City Council shall hear and consider all protests against the Fiscal Year 2025-26 levy of assessments for the BID. The rules and procedures used to receive and consider protests will comply with Streets and Highways Code sections 36524, 36525 and 36534. Following the hearing, the Council may adopt a resolution approving the levy.

8. The City Clerk is hereby directed to give a summary notice of the public hearing by causing this resolution of intention to be published once in a newspaper of general circulation not less than seven days before the public hearing.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 7th day of May 2025, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

_____
NICK SMITH, 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:	Joseph Sidor, Contract Planner
MEETING DATE:	May 07, 2025
SUBJECT:	Acceptance of Conservation Easement Deeds for 1661 Sunset Drive and 236 Asilomar Avenue, Pacific Grove (APNs 007-041-036 and 007-041-035)
CEQA:	Categorical Exemption, CEQA Guidelines Section 15317, Class 17, Open Space Contracts or Easements

RECOMMENDATION

Staff recommends the City Council:
a. Find that accepting the Conservation Easement Deeds is categorically exempt per Section 15317 of the CEQA Guidelines;
b. Accept the Conservation Easement Deeds to satisfy Condition of Approval No. 7 of Coastal Development Permit Amendment No. 24-0186;
c. Adopt the resolution authorizing the City Manager to accept the deeds or grants conveying an interest in or easement upon the subject real property or real estate; and
d. Direct the City Manager to accept and submit the Conservation Easement Deeds to the County Recorder for recordation with all applicable recording fees paid by the applicant.

DISCUSSION

Pursuant to the City's certified Local Coastal Program, the Planning Commission required the proposed conservation easements (attached) as a condition of approval of a Coastal Development Permit (CDP) Amendment for a project approved by the Planning Commission on November 14, 2024 (CDP Amendment No. 24-0186, attached as Exhibit B to the proposed conservation easement deeds). The proposed conservation easements satisfy Condition of Approval No. 7, and are consistent with Land Use Plan Policy BIO-24(d), which states the following:

> "As a condition of coastal development permit approval, all other areas of the lot outside of the Residential Development Envelope shall be restored/enhanced and maintained in a natural dune condition within which the only allowed development, use, and activities are those associated with dune restoration/enhancement and protection. All dune restoration, enhancement, and protection areas shall be covered by both a dune restoration, enhancement and protection plan prepared by a qualified dune restoration professional, as well as a deed restriction or other similar legal restriction adhering to the property (i.e., a conservation easement, etc.) designed to limit allowed development, use, and activities in perpetuity to those associated with dune restoration, enhancement, and protection."

The Applicant has submitted the conservation easement metes and bounds legal descriptions and maps showing the general location of the easements on the properties (attached as Exhibits C1 and C2 to the proposed conservation easement deeds). The City would hold the easement in perpetuity for the benefit of the people of the State of California; however, per the terms of the deeds, the public would not have physical access to the private property. Per the terms of the Conservation Easement Deeds, all costs and expenses for maintenance or improvement of the conservation easement areas would be the responsibility of the property owner (i.e., the Grantor). The City (i.e., the Grantee) would not be obligated to maintain, improve, or otherwise expend any funds in connection with the conservation easement areas. Potentially, the City could incur costs associated with monitoring the terms of compliance of the deeds if the property owner fails to maintain the conservation areas. If the conservation areas are not maintained per the terms of the conservation easement deeds, then compliance monitoring would be a function of code enforcement, and costs incurred could be recouped via the levying of fines or other enforcement mechanism.

California Environmental Quality Act (CEQA)
In reviewing this action, the City has followed the CEQA statute adopted by the State of California as published in the California Public Resources Code, Division 13, §21000, et seq., and the associated guidelines as published in the California Code of Regulations, Title 14, §15000, et seq. (i.e., CEQA Guidelines). The acceptance of the conservation easement deeds is found to be categorically exempt under the CEQA Guidelines Section 15317, Class 17, Open Space Contracts or Easements. The Class 17 categorical exemption consists of the acceptance of easements in order to maintain the open space character of the area. The exceptions to exemptions in Section 15300.2 of the CEQA Guidelines pertaining to location, cumulative impacts, significant effects, scenic highways, hazardous waste sites, and historical resources do not apply to this acceptance of the conservation easements. Also, no adverse environmental effects were identified and there is no substantial evidence of an unusual circumstance because there is no feature or condition of the project that distinguishes the project from the exempt class. No further environmental analysis is required.

OPTIONS

1. Accept the Conservation Easement Deeds to satisfy Condition of Approval No. 7 of Coastal Development Permit Amendment No. 24-0186 and adopt the resolution authorizing the City Manager to accept the deeds or grants conveying an interest in or easement upon the subject real property or real estate; or
2. Discuss and take other action related to this item.

FINANCIAL IMPACT:
All costs associated with maintenance of and/or improvement to the conservation easement areas will be borne by the property owner, not the City.

FOCUSED PRIORITY AREA: Environmental Stewardship

Attachments

Proposed Resolution
Conservation Easement Deed, including Exhibits - 1661 Sunset Drive
Conservation Easement Deed, including Exhibits - 236 Asilomar Avenue

RESOLUTION NO. 25 - XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AUTHORIZING THE CITY MANAGER TO ACCEPT THE CONSERVATION EASEMENT DEEDS TO SATISFY CONDITION NO. 7 OF COASTAL DEVELOPMENT PERMIT AMENDMENT NO. 24-0186 CONVEYING AN INTEREST IN REAL ESTATE OR REAL PROPERTY TO SAID CITY AND TO CONSENT TO THE RECORDATION THEREOF.

WHEREAS, the City of Pacific Grove is a charter city and municipal corporation organized and existing pursuant to the Constitution and laws of the State of California; and

WHEREAS, Section 27281 of the Government Code of the State of California provides that deeds or grants conveying any interest in or easements upon real estate or real property to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its resolution of acceptance or certificate of acceptance pursuant to its resolution authorizing an officer or agent to accept and consent to the recordation of such deeds and grants, attached to or printed on the deed or grant; and

WHEREAS, the City of Pacific Grove is a governmental agency within the purview of Section 27281 of the Government Code of the State of California;

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

SECTION 1. The above recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The City Manager of the City of Pacific Grove is hereby authorized to accept deeds or grants conveying an interest in or easement upon real property or real estate at 1661 Sunset Drive and 236 Asilomar Avenue to the said City.

SECTION 3. The City Manager of the City of Pacific Grove is hereby authorized to consent to the recordation of deeds or grants conveying an interest in or easement upon real estate or real property at 1661 Sunset Drive and 236 Asilomar Avenue to the said City, on behalf of the City Council of said City.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 7th day of May, 2025 by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

_____
NICK SMITH, Mayor

ATTEST:
DATED: _____

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____
BRIAN A. PIERIK, City Attorney

When recorded return to:
CITY OF PACIFIC GROVE
COMMUNITY DEVELOPMENT DEPT.
Attn: Joseph Sidor
300 Forest Avenue
Pacific Grove, CA 93950
(831) 648-3199

No fee document pursuant to Government Code Section 27383.

Space above for Recorder's Use

Permit No.:	**Amendment 24-0186**
Resolution No.:	**Planning Commission Permit No. 24-0186**
Owner Name:	**Elstob Family Investments, LP**
Project Planner:	**Joseph Sidor**
APN:	**007-041-036-000**

The Undersigned Grantor(s) Declare(s):
DOCUMENTARY TRANSFER TAX OF $ 0
[ ] computed on the consideration or full value of property conveyed, OR
[ ] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[ ] unincorporated area; and
[X] Exempt from transfer tax,
Reason: Transfer to a governmental entity

CONSERVATION EASEMENT DEED (COASTAL)

THIS CONSERVATION EASEMENT DEED (this "Easement Deed") is made this _____ day of _____, 2025, by and between ELSTOB FAMILY INVESTMENTS LP, as Grantor, and the CITY OF PACIFIC GROVE, a political subdivision of the State of California, as Grantee.

WITNESSETH:

WHEREAS, Grantor is the owner in fee of the real property more particularly described and depicted in Exhibits "A1" and "A2" attached hereto and made a part hereof, situated in the City of Pacific Grove, County of Monterey, State of California (hereinafter the "Property"); and

WHEREAS, a portion of the Property comprises the Conservation Easement, and includes environmentally sensitive area and environmentally sensitive habitat area, as those terms are defined under the California Coastal Act of 1976 (the "Act") and the City of Pacific Grove Local Coastal Program ("LCP"), (referred to herein, collectively, as "ESHA"), and also provides natural scenic beauty and open space values; and

WHEREAS, the Grantor and the Grantee desire to preserve and conserve for the public benefit the Conservation Easement area, including for its ESHA, its great natural scenic beauty, and its open space values, in such a way as to ensure enhancement, protection, and management of such areas as protected and self-functioning habitat areas in perpetuity; and including because such ESHA protection is essential to the health and well-being of the Asilomar Dunes, not only in terms of the value of the resources themselves, but also in terms of fostering a natural environment within which the Dune's residential and visitor-serving commercial uses can thrive; and

WHEREAS, the Act requires that any coastal development permit approved by the City must be consistent with the provisions of the certified LCP; and

WHEREAS, pursuant to the Act, and the LCP, Grantor applied to the City for a permit to undertake development as defined in the LCP; and

WHEREAS, an Amendment to a previously approved Coastal Development Permit was granted (Community Development Department File Number 24-0186, hereinafter referred to as the "Permit") on November 14, 2024, by the City of Pacific Grove Planning Commission pursuant to the Findings, Evidence, and Conditions contained in Permit No. 24-0186, attached hereto as Exhibit "B" and hereby incorporated by this reference in its entirety (hereinafter the "Permit"), subject to the following condition:

> "Condition of Approval No. 7 – Recordation of Deed Restriction(s). Owner shall cause to be recorded on forms to be provided by the City two (2) deed restrictions, one on each resultant parcel, that delineate all areas outside the approved 15% Primary Coverage Area+Outdoor Use Area (new driveways and access roads are included in the PCA) development areas specifically for restoration and protection of archaeological and cultural resources. The westerly merged property (007-041-033 and -034)

shall have recorded a deed restriction encompassing ± 78,206 square feet (~ 1.80 acre) of the property outside the PCA+OUA and existing access road; the easterly property (007-041-035) of 57,237 square feet (~ 1.31 ac) shall also identify a 15% PCA+OUA and record a deed restriction encompassing approximately 47,901 square feet (~ 1.1 acre), to protect the undeveloped portions of the property.

This condition is required pursuant to LUP Policy BIO-24(d). As a condition of coastal development permit approval, all other areas of the lot outside of the Residential Development Envelope shall be restored/enhanced and maintained in a natural dune condition within which the only allowed development, use, and activities are those associated with dune restoration/enhancement and protection. All dune restoration, enhancement, and protection areas shall be covered by both a dune restoration, enhancement and protection plan prepared by a qualified dune restoration professional, as well as a deed restriction or other similar legal restriction adhering to the property (i.e., a conservation easement, etc.) designed to limit allowed development, use, and activities in perpetuity to those associated with dune restoration, enhancement and protection.

WHEREAS, the areas being protected include natural, scenic, and open space qualities and features valuable for plant and wildlife habitat; and

WHEREAS, the City, acting on behalf of the People of the State of California and pursuant to the Act, and in accordance with the findings contained in the Permit, granted the Permit to the Grantor upon the condition described above (hereinafter the "Condition") requiring, inter alia, that the Grantor record a conservation easement affecting the Conservation Easement and agree to restrict development on and use of the Conservation Easement so as to enhance, protect, preserve, and manage the habitat, open space, scenic, and overall natural resource values present in the Conservation Easement as protected and self-functioning habitat areas in perpetuity, including to prevent any adverse direct and cumulative effects on these resources; and

WHEREAS, the City has placed the Condition on the Permit because a finding must be made under the law that the proposed development is in conformity with the provisions of the certified LCP and that in the absence of the protections provided by the Condition said finding could not be made; and

WHEREAS, Grantor has elected to comply with the Condition and execute this Easement Deed so as to enable Grantor to undertake the development authorized by the Permit; and

WHEREAS, it is intended that this Easement Deed be irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8, of the California Constitution and that this Easement Deed shall thereby qualify as an enforceable restriction under the provision of the California Revenue and Taxation Code, Section 402.1; and

WHEREAS, the Grantor is willing to execute this Easement Deed for the conservation and scenic use as herein expressed of the Conservation Easement, and thereby enhance, protect, preserve, and manage the habitat, open space, scenic, and overall natural resource value by the restricted use and enjoyment of the Conservation Easement by the Grantor through the imposition of the restrictions hereinafter expressed; and

WHEREAS, the recitals set forth above are hereby incorporated in and made a part of this Easement Deed by this reference.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant and convey unto Grantee for the benefit of the People of the State of California, an estate, interest, and conservation easement in perpetuity for the purpose of habitat protection and resource conservation over the Conservation Easement area in accordance with the following provisions (the “Conservation Easement”); and to that end and for the purposes of accomplishing the intent of the parties hereto, Grantor covenants on behalf of itself, its heirs, successors, and assigns, with the Grantee, its successors and assigns, to do and refrain from doing severally and collectively upon the Conservation Easement the various acts hereinafter mentioned.

A. PROPERTY SUBJECT TO EASEMENT. The Property of the Grantor hereinabove referred to and to which the provisions of this instrument apply is situated in the City of Pacific Grove, County of Monterey, State of California, and is particularly described and depicted in Exhibits “C1” and “C2””, attached hereto, and made a part hereof, hereinafter referred to as the “Conservation Easement”.

B. RESTRICTIONS, EXCEPTIONS, AND RESERVATIONS. Upon recordation of this Easement Deed and thereafter in perpetuity, the use of the Conservation Easement shall be limited to natural open space for habitat protection and resource conservation uses. No “development” (as defined in Land Use Plan Section 1.10 of the LCP), including, but not limited to, removal of trees and other major or native vegetation, grading, paving, installation of structures such as signs, buildings, etc., and no grazing or agricultural activities shall occur or be allowed on the Conservation Easement with the exception of the following (subject to compliance with any applicable governmental regulatory requirements):

1. The right to maintain, repair, and use all existing roads, trails, public service and utility lines, pipes, and transmission facilities (including those for gas, electricity, telephone, water, sewer, and cable television), and facilities for drainage and erosion and sedimentation control, upon the Conservation Easement area.

2. The right to the construction, maintenance, repair, and use of new public service and utility lines, pipes, and transmission facilities (including those for gas, electricity, telephone, water, sewer, and cable television), and facilities for drainage and erosion and sedimentation control, when such public service, utility, and drainage pipes and facilities are found to be infeasible to be located outside of such conservation areas, and, if infeasible, when such facilities are the minimum necessary.

3. Conduct of public and private scientific study, consistent with the intent of this Conservation Easement.

4. The use and occupancy of the Conservation Easement area not inconsistent with the conditions and restrictions herein imposed, such as public and private visitation, hiking, and similar passive or low-impact outdoor recreational uses.

5. Management of resources within the Conservation Easement area in accordance with a Native Botanical & Habitat Restoration Plan dated/revised

February 27, 2024 (incorporated herein by reference and a copy of which is maintained in the Community Development Department of the City).

For any allowable use and development, Grantor shall provide Grantee with copies of all Site and Construction Plans (e.g. Site, Grading, Utility, Drainage, Erosion Control, and Landscape plans, etc.) showing the location of existing and proposed facilities and the materials and specifications for proposed grading and construction within the Conservation Easement area. Grantor shall give advance notice to Grantee whenever maintenance or construction activities will occur within the Conservation Easement area.

C. SUBJECT TO APPLICABLE LAWS. Land uses and development permitted or reserved to the Grantor by this instrument shall be subject to all applicable laws regulating the use of land.

D. BENEFIT AND BURDEN. This Conservation Easement shall run with and burden the Conservation Easement area, and all obligations, terms, conditions, and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Conservation Easement from the date of recordation of this document and shall bind the Grantor and all of its successors and assigns. This Conservation Easement shall benefit Grantee and its successors and assigns on behalf of the People of the State of California forever.

E. RIGHT OF ENTRY. The Grantee, the Coastal Commission, or their agents may enter onto the Conservation Easement area to ascertain whether the use restrictions set forth above are being observed at times reasonably acceptable to the Grantor.

F. ENFORCEMENT. Any act or any conveyance, contract, or authorization, whether written or oral, by the Grantor which uses or would cause to be used or would permit use of the Conservation Easement area contrary to the terms of this Easement Deed will be deemed a breach hereof. The Grantee or the Coastal Commission may bring any action in court necessary to enforce this Easement Deed, including, but not limited to, injunction to terminate a breaching activity and to force the restoration of all damage done by such activity, or an action to enforce the terms and provisions hereof by specific performance. It is understood and agreed that the Grantee or the Coastal

Commission may pursue any appropriate legal and equitable remedies. The Grantee or the Coastal Commission shall have sole discretion to determine under what circumstances an action to enforce the terms and conditions of this Easement Deed shall be brought in law or in equity. Any forbearance on the part of the Grantee or the Coastal Commission to enforce the terms and provisions hereof in the event of a breach shall not be deemed a waiver of Grantee's or the Coastal Commission's rights regarding any subsequent breach.

G. MAINTENANCE. The Grantee shall not be obligated to maintain, improve, or otherwise expend any funds in connection with the Conservation Easement or any interest or easement created by this Easement Deed. All costs and expenses for such maintenance, improvement, use, or possession shall be borne by the Grantor, except for costs incurred by Grantee for monitoring compliance with the terms of this Easement Deed. Grantor and its successors and assigns shall manage and maintain the Conservation Easement area in accordance with the standards of a Native Botanical & Habitat Restoration Plan dated/revised February 27, 2024, as well as any other standards and requirements of whatever kind that may from time to time be legitimately imposed on the Conservation Easement subject to all required approvals, including entitlement approvals for any development, including changes in intensity of use.

H. LIABILITY AND INDEMNIFICATION. This conveyance is made and accepted upon the express condition that the Grantee, the Coastal Commission, and their agencies, departments, officers, directors, agents, employees, and authorized volunteers are to be free from all liability and claim for damage by reason of any injury to any person or persons, including Grantor, or property of any kind whatsoever and to whomsoever belonging, including Grantor, from any cause or causes whatsoever, except matters arising out of the sole negligence or intentional misconduct of the Grantee or the Coastal Commission while in, upon, or in any way connected with the Conservation Easement, Grantor hereby covenanting and agreeing to indemnify and hold harmless the Grantee, the Coastal Commission, and their agencies, departments, officers, directors, agents, employees, and authorized volunteers from all liability, loss, cost, and obligations on account of or arising out of such injuries or losses however occurring, except to the extent caused by the sole negligence or intentional misconduct

of such entities or persons. The Grantee and the Coastal Commission shall have no right of control over, nor duties and responsibilities with respect to, the Conservation Easement which would subject the Grantee or the Coastal Commission to any liability occurring upon the Conservation Easement area by virtue of the fact that the Grantee and the Coastal Commission have the right to enter the Conservation Easement area, as such right is strictly limited to preventing uses inconsistent with the interest granted. The parties acknowledge and agree that the Conservation Easement area is not "property of a public entity" or "public property", and Grantee's and Coastal Commission's rights herein do not include the right to enter the Conservation Easement area for the purposes of correcting any "dangerous condition" as those terms are defined by California Government Code Section 830.

I. TRANSFER OF TITLE. Grantor shall have the absolute right to transfer its right, title, and interest in and to all or any portion of the Conservation Easement area and upon such a transfer the transferee, by acceptance of the deed (whether or not so stated in the deed), shall have assumed and shall be obligated to perform all of the covenants of Grantor under this Easement Deed and shall have all of the rights and obligations of and be deemed to stand in the place of the Grantor for all purposes under this Easement Deed, with respect to the land transferred; and upon such a transfer Grantor shall be fully relieved and discharged from all of Grantor's obligations under this Easement Deed with respect to the land transferred.

J. ASSIGNMENT.

1. Grantor shall have the right to assign its rights or delegate its obligations under this Easement Deed, in whole or in part. No such assignment or delegation by Grantor, however, shall relieve the fee owner or owners of the Conservation Easement area from the obligations to perform the covenants of Grantor in this Easement Deed, and such covenants shall continue as covenants running with the land as specified in Paragraph D above.

2. Grantee shall have the right to assign its rights and delegate its obligations under this Easement Deed, but only to a public agency, private association, or corporation which agrees to accept such rights and assume such obligations and is approved in writing in advance by the City, the Executive Director of the California

Coastal Commission, and Grantor. Grantee shall not abandon the Conservation Easement, but may assign the Conservation Easement in accordance with the preceding sentence.

K. PUBLIC ENTRY AND USE OF CONSERVATION AREA. This Easement Deed does not govern access to or use of the Conservation Easement Area by members of the public.

L. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this conveyance shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

M. SEVERABILITY. If any provision of this Easement Deed is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

N. AMENDMENT/MODIFICATION. This Easement Deed may be amended, modified, or changed only with the written consent of the Grantor and the Grantee. In addition, an amendment to the Permit may be required, if necessary, as determined by the City. Any amendment of this Easement Deed and any necessary amendment to the Permit shall be void and of no effect without the written consent of the two entities.

Executed this _____ day of _____, 2025, at _____, California.

GRANTOR

By: _____
(Signature)

Mark Elstob, General Partner
Elstob Family Investments, LP

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On _____, 2025, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by the easement deed or grant dated _____ from Mark Elstob, General Partner of the Elstob Family Investments LP, to the City of Pacific Grove, a political corporation and/or governmental agency, is hereby accepted by the City Council of the City of Pacific Grove on _____, (or by the undersigned officer or agent on behalf of the City of Pacific Grove pursuant to authority conferred by resolution of the City Council of the City of Pacific Grove (Resolution No. 25 - ___) adopted on _____,) and the grantee consents to recordation thereof by its duly authorized officer.

DATED: _____ _____
(Signature)

MATTHEW MOGENSEN, City Manager

ATTEST:
DATED: _____ _____
SANDRA KANDELL, City Clerk

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On _____, 2025, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

Document Form/Content Acceptable:

_____ Dated: _____

BRIAN A. PIERIK, City Attorney

EXHIBIT A1
Legal Description
Of
Merged Parcels I & II Fronting on Sunset Drive
(APN'S 007-041-033/034) Into a Single Parcel
Parcel A (APN **007-041-036-000**)
PLN Permit No. CDP 24-0186

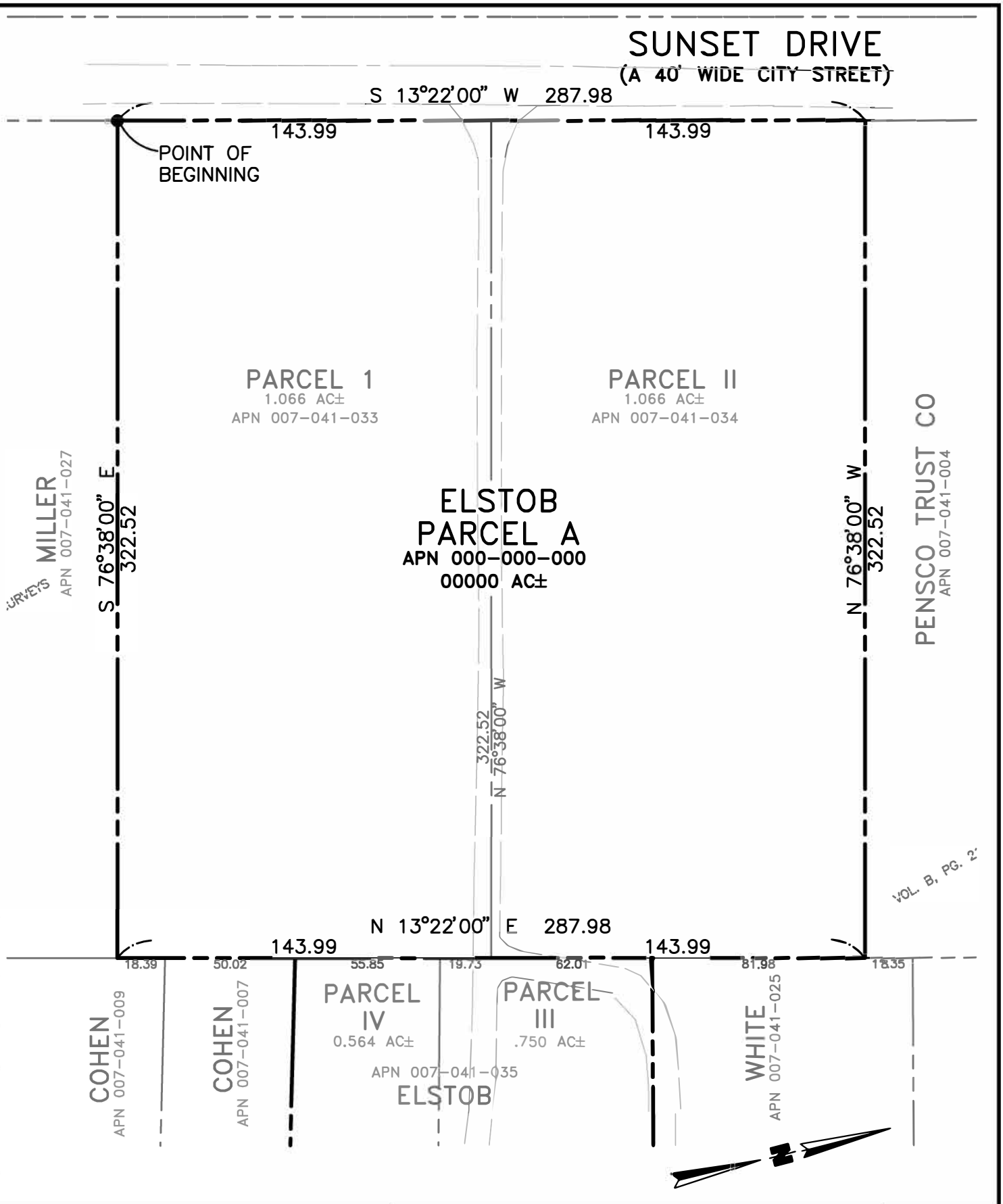
Certain Real Property in the City of Pacific Grove, the County of Monterey, State of California, Described as follows:

Beginning at a point on the East Boundary of Sunset Drive and being the westerly corner of that certain property granted from HYH Properties LP to Elstob Family Investments L.P. per Grant Deeds 2021074913 & 2021074914 recorded on 11/02/2021 with Recorder of Monterrey County, California; thence Southeasterly along the Southwest boundary of said Property

1. South 76° 38´00¨ East, 322.52 feet to the Southery corner of said property, thence along the Southeast boundary of said property
2. North 13° 22´00¨ East, 287.90 feet to the Easterly corner of said property, thence along the Northeast boundary of said property
3. North 76° 38´00¨ West, 322.52 feet to the Northerly corner of said property, thence along the Northwest boundary of said property also being the Southeast boundary of Sunset Drive
4. South 13° 22´00¨ West, 287.98 feet to the Point of Beginning.

Date: 4 December 2024
H. Patrick Ward
Registered Civil Engineer #29811
State of California

H Patrick Ward



Nobody will ever find this drawing because you did not update this stamp!

CIVIL ENGINEERING - SURVEYING - LAND PLANNING
9701 BLUE LARKSPUR LANE, MONTEREY, CALIFORNIA 93940
831.373.2941 831.649.4118F

PREPARED FOR: Elstob

EXHIBIT A2
CDP 24-0186

COUNTY OF MONTEREY, CALIFORNIA

SCALE:	1"= 50'
DATE:	11/21/24
SHEET:	1 OF 1
WO:	6752.02

EXHIBIT B

Amendment 24-0186

Docusign Envelope ID: 6985D5BD-CC59-4D39-A701-9489A0CC57E1

CITY OF PACIFIC GROVE

Community Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

T: 831.648.3183 • F: 831.648.3184 • www.ci.pg.ca.us/cdd

AMENDMENT (24-0186) TO ARCHITECTURAL PERMIT, COASTAL DEVELOPMENT PERMIT, AND PARCEL MERGER (AP/CDP/PM 19-0645) TO MODIFY THE PREVIOUSLY-APPROVED COASTAL DEVELOPMENT PERMIT AND PARCEL MERGER TO: AMPLIFY AND CLARIFY THE FACTS AND EVIDENCE REGARDING VISUAL RESOURCES, BIOLOGICAL RESOURCES, LOT LEGALITY, AND WATER SUPPLY; ALLOW THE MERGER OF THE TWO LEGAL LOTS UNDER APN 007-041-035; AND ADD RELATED CONDITIONS OF APPROVAL.

FACTS

1. The subject site is located at 1661 Sunset Drive, Pacific Grove, 93950; APNs 007-041-033, -034, and -035.
2. The subject site has a land use designation of Low Density Residential (1 - 2 du/ac) in the adopted and certified City of Pacific Grove Land Use Plan (LUP).
3. The subject site is located in the R-1-B-4 zoning district.
4. The subject site is located in the Coastal Zone and within the Asilomar Dunes Residential Area which is considered an Environmentally Sensitive Habitat Area (ESHA). The site is also within an archaeologically sensitive area.
5. The subject site is located outside of the Monarch butterfly habitat area and the Area of Special Biological Significance (ASBS).
6. The project area consists of four (4) separate legal parcels with a combined size of approximately 3.47 acres. The two (2) vacant parcels abutting Sunset Drive (APNs 007-041-033 and -034) were issued Unconditional Certificates of Compliance in 2008. APN -035 abutting Asilomar Avenue is comprised of two (2) legal lots of record and was developed with the existing single-family residence in 1930. The existing residence was found to be ineligible for the Historic Resources Inventory (HRI) in 2019. This determination is further supported by a Historical Resources Evaluation Update prepared by Rincon Consultants, Inc. (July 8, 2022).
7. The Planning Commission approved Architectural Permit, Coastal Development Permit, and Parcel Merger (AP/CDP/PM 19-0645) on August 12, 2021. This approval allowed the demolition of the existing single-family residence on the eastern portion of the property (APN -035 adjacent to Asilomar Avenue) and the construction of a 5,912 square foot split-level single-family residence on the western portion of the property (APNs -033 and -034 adjacent to Sunset Drive), and the merger of APNs 007-041-033 and -034. The Planning Commission also considered and adopted the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Plan (MMRP) prepared for the project.
8. As proposed, the amendment would modify the previously-approved Coastal Development Permit (CDP) and Parcel Merger (PM) to: 1) amplify and clarify the facts and evidence regarding visual resources, biological resources, lot legality, and water supply; 2) allow the merger of the two legal lots under APN 007-041-035; and 3) add conditions of approval related to the CDP and PM. No changes are proposed to the Architectural Permit (AP) and the AP is not under reconsideration by the Planning Commission.
9. As amended, the project would consist of the demolition of the existing single-family residence on the eastern portion of the site (APN -035 adjacent to Asilomar Avenue) and the construction of a 5,912 square foot split-level single-family residence on the western portion of the site (APNs -033 and -034 adjacent to Sunset Drive), the merger of APNs 007-041-033 and -034, and the merger of the two legal lots under APN 007-041-035.
10. Pursuant to Pacific Grove Municipal Code (PGMC) Sections 23.90.050, City CDP Determinations, and 23.90.040, CDP Exemptions, Community Development Department (CDD) staff determined the proposed

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changes would require an Amendment to the previously-approved Coastal Development Permit (CDP) and forwarded this determination to the Coastal Commission on August 15, 2024.

11. Per PGMC Section 23.90.140, Coastal Hazards, Community Development Department (CDD) staff reviewed LUP Figure 3 (Coastal Hazards and Areas of Potential Sea Level Rise), aerial and topographic imagery, plan set, and conducted a site visit on August 15, 2024, and determined the site and proposed development, as amended, would not be subject to coastal hazards over its lifetime. The lowest point of the area of proposed development on the subject property is at an elevation of approximately 42 feet above mean sea level and over 300 feet from the shoreline. In this case, submittal of a Coastal Hazards Report is not required or warranted.
12. Per PGMC Section 23.90.150, Water Quality and Marine Resources, the applicant prepared a Grading, Drainage, and Erosion Control Plan (plan sheets C1 and C2). As designed, stormwater runoff would be retained and dissipated on site and the proposed project would not result in water quality impairment.
13. Per PGMC Section 23.90.160, Scenic Resources, CDD staff reviewed LUP Figure 4 (Scenic Areas), aerial and street view imagery, and conducted a site visit on August 15, 2024. This review determined the site is within a designated scenic view area and development would be visible from Sunset Drive and the shoreline trails. To minimize potential impacts to the public viewshed, the previously-approved development/design would maintain a maximum ridge height of 16 feet, 2 feet below the maximum allowed height of 18 feet in the Asilomar Dunes Residential Area. The project plan set includes a site-specific visual analysis (plan sheets A-7.1 through A-7.4) and an exterior lighting plan (plan sheet EL-1). As previously approved, the project includes minimal landscape planting areas immediately adjacent to the residence; therefore, in this case, a landscape plan is not required or warranted. As designed and conditioned, the approved development/design would not result in adverse visual impacts as viewed from Sunset Drive or other public vistas. The project also includes approximately 1,340 cubic yards (cy) of grading which will be balanced onsite for landscaping and restoration purposes.
14. As required by PGMC Section 23.90.170, the application includes a Biological Assessment and a Restoration Plan (Froke, revised 02-27-2024). The Asilomar Dunes Residential Area is considered dune habitat and an environmentally sensitive habitat area. The area to be disturbed as a result of new construction will be minimized and deed restrictions will be recorded to place areas outside the development envelopes under permanent conservation easement. The areas outside the development envelope will also be restored. The qualified professional biologist who prepared the biological assessment and restoration plan concluded that the proposed development will not impact sensitive species and will not have a significant negative effect on the environment. Mitigation measures for the protection of biological resources and restoration have been applied to the project as required by the LCP. Therefore, as conditioned and mitigated, the approved development would minimize impacts to natural habitats and biological resources.
15. As required by PGMC Section 23.90.200, the project includes an archaeological report prepared by a qualified archaeologist, Patricia Paramoure, RPA/MA. The Phase I report resulted in the expansion of a known recorded site into the proposed development envelope. This triggered the preparation of a Phase 2 report which involveds a complete, subsurface survey and testing of identified sites sufficient to determine their horizontal and vertical boundaries, their cultural and scientific importance, and the site's eligibility for listing on the National Register of Historic Places (NRHP). The site work was completed in March 2021 with monitors from both the Esselen Tribe of Monterey County (Esselen) and the Ohlone-Costanoan Esselen Nation (OCEN) onsite throughout. The Phase 2 report resulted in a finding that the site is ineligible for listing on the NRHP. The project is conditioned to require onsite Tribal and archaeological monitoring for all ground disturbing activities.
16. The property slopes gently from Asilomar Avenue on the east toward Sunset Drive to the west. Currently, natural drainage from the property is to the existing facility in the Sunset Drive right of way. The project includes a Grading, Drainage, and Erosion Control Plan (plan sheets C1 and C2) which indicates that any stormwater created by the proposed development can be accommodated onsite. See also Fact 12 above.

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17. As required by PGMC Section 23.90.180(C)(4)(d), the areas outside the proposed Residential Development Envelope (RDE) on the merged parcels (-033, -034) will be restored and further enhanced to pre-development conditions. Furthermore, the easterly parcel (-035), a separate legal parcel, where the existing home is proposed to be demolished, will also be restored and an appropriate deed restriction(s) will be recorded over both resultant properties. The deed restriction on -035 may allow a 15% RDE and 750 square foot Outdoor Use Area (OUA) to be retained as it is a separate legal parcel and may be developed in the future once potable water is available.
18. The proposed demolition is required in order to transfer the existing water meter from the existing single-family residence on APN -035 to the proposed single-family residence on APN -034. The City received a letter from California American Water (Cal Am) dated October 13, 2020, indicating that the relocation of the existing water meter to the adjacent property under the same ownership is acceptable. The Monterey Peninsula Water Management District confirmed the allowed relocation of the existing water meter via letter dated 02-02-2024. See also CDP Finding No. 8 below.
19. The Architectural Review Board (ARB) held a noticed public hearing on June 8, 2021. At that meeting, the applicant's architect proposed a 2-foot reduction in height resulting in a maximum height from finished grade of 16 feet. The ARB recommended that the Planning Commission approve the project with the modification to height and based on the findings, conditions of approval, and the IS/MND and MMRP provided for consideration.
20. The IS/MND and MMRP were prepared in accordance to Article 6, CCR Title 14, California Environmental Quality Act (CEQA) Guidelines and circulated for public review. See also the CEQA Finding below.
21. Following the Planning Commission's decision on August 12, 2021, an interested party appealed the decision of the Planning Commission to the City Council. On March 24, 2023, the appellant withdrew the appeal prior to a hearing before the City Council and the prior decision of the Planning Commission remained in effect.
22. Following the withdrawal of the appeal, CDD staff prepared and submitted a Final Local Action Notice (FLAN) to the California Coastal Commission (CCC) on March 28, 2023. On April 12, 2023, the CCC filed an appeal to the Planning Commission's decision. To allow time for the applicant and the CCC to discuss and resolve questions related to the project, CDD staff rescinded the FLAN on May 16, 2023. On August 13, 2024, following discussions between the applicant and CCC staff, the applicant submitted an application to the City to amend the project per CCC staff direction.
23. As proposed, the current application would amend the CDP and PM. No changes are proposed to the AP. Per PGMC Section 23.72.020, permits involving concurrent permit processing allow for a clear permitting and decision-making path. Since the Planning Commission was the final review authority for the original project, this amendment returns to the Planning Commission for consideration. See also Fact No. 8 above.
24. AP/CDP/PM 19-0645 was approved for a period of two (2) years; however, the appeal of the Planning Commission's decision placed the timeline in abeyance pending resolution of the appeal. The appeal was withdrawn on March 24, 2023, so the revised permit expiration date would be March 24, 2025. On August 13, 2024, the applicant applied to amend the original permit.

FINDINGS

Architectural Permit findings per PGMC Section. 23.70.060

1. The architecture and general appearance of the completed project are compatible with the neighborhood.

   The proposed 5,310 square foot split-level home with an attached 602 square foot garage will be of a "contemporary craftsman" style situated on the property to take full advantage of the ocean views to the west. The highest portions of the roof will be 16 feet which is 2 feet below the maximum allowed height of 18 feet in the Asilomar Dunes Residential Area. The property slopes from the east down toward the coastline;

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the maximum 16-foot height will be achieved through the grading of approximately 1,340 cubic yards (cy) of cut which will be balanced on the site for landscaping and restoration. There are several covered outdoor living areas, walkways, and patios that are included in the RDE, in addition to the 750 square foot OUA. A materials sheet is included showing the use of stone pavers, King City stone wall materials, metal door and window samples, heavy timber beams, painted stainless steel gutters and downspouts, and horizontal wood siding. The roof pitch will be 4:12. The general appearance will be compatible to the eclectic mix of homes along Sunset Drive.

2. The completed project will neither be detrimental to the orderly and harmonious development of the City nor impair the desirability of investment or occupation in the neighborhood.

   The merger of the two (2) western parcels into one helps to reduce the development potential within the fragile dune system. The development of one home on the merged parcels which will align in its placement with the other homes to the north and south will not be detrimental to the orderly and harmonious development of the City. The replacement of one large custom home with another large custom home will contribute to the desirability of investment in the Asilomar Dunes neighborhood.

3. The Commission has been guided by and has made reference to applicable provisions of the architectural review guidelines in making its determinations on single-family residences.

   The proposed design references many of the recommendations in the Guidelines including, but not limited to Nos. 1, 10-12, 13, 16, 24, and 37. The plan set includes visual simulations showing the proposed building in relation to existing nearby buildings, a lighting plan, and a materials sheet.

Demolition per PGMC Section 23.70.060

Per 23.70.060(c)(2), Within the coastal zone, architectural permits for new construction, major and minor alterations to existing structures, or demolition and reconstruction of structures, including an amendment to an approved architectural permit. The demolition of the existing home on APN -035 requires an Architectural Permit. The four (4) separate legal parcels that comprise the project site are under the same ownership. In order to transfer the existing water meter from the existing home to the proposed new home, the existing home must be demolished. The result will be a net zero increase in development on the overall site. The existing home has been determined ineligible for the City's Historic Resources Inventory (HRI). This determination is further supported by a Historical Resources Evaluation Update prepared by Rincon Consultants, Inc. (July 8, 2022).

Exceptions for Chimneys per PGMC Section 23.90.160(b)(1)(B)

Although not a finding, per se, this section allows minor height exceptions as follow:

Exceptions are allowed only for chimneys, vents, and similar vertical extensions, not to exceed an additional four feet, and not to comprise more than five percent of a building's roof area. In all cases, heights may be further limited in order to meet LCP scenic resource protection requirements.

The project includes one (1) chimney that exceeds the 16-foot height limit by approximately 3 feet. Given the topography of the site, the transects shown in the architectural elevations include a variety of heights. This is based on the definition of height in the LCP which is defined as "the vertical distance measured between legally established existing grade and the top-most portion of the development above existing grade."

Coastal Development Permit findings per PGMC Section 23.90.080

1. LCP Consistency. The project is consistent with the LCP.

   The project meets the requirements of the LCP including, but not limited to, the applicable Coastal Resource Protection Standards (PGMC 23.90.130) of the Implementation Plan (IP) and the Biological,

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Cultural, Scenic, and Community Design policies of the Land Use Plan (LUP). These standards and policies are discussed further in the following findings.

2. Public Views. The project protects or enhances public views.

   Per PGMC Section 23.90.160, Scenic Resources, CDD staff reviewed LUP Figure 4 (Scenic Areas), aerial and street view imagery, and conducted a site visit on August 15, 2024. This review determined the site is within a designated scenic view area and development would be visible from Sunset Drive and the shoreline trails. To minimize potential impacts to the public viewshed, the previously-approved development/design would maintain a maximum ridge height of 16 feet, 2 feet below the maximum allowed height of 18 feet in the Asilomar Dunes Residential Area. Additionally, the removal of the existing large, two-story house at the east side of the project site and its replacement with a 16-foot high home downslope from Asilomar Avenue will improve the existing public views toward the coast from Asilomar Avenue. Although the residence will be visible looking to the east from Sunset Drive, the protected views seaward along Sunset Drive will not be affected. As designed and conditioned, the approved development/design would not result in adverse visual impacts as viewed from Sunset Drive or other public vistas. See also Fact No. 13 above.

3. Habitat Protection. The project protects vegetation, natural habitats, and natural resources consistent with LCP.

   As required by PGMC Section 23.90.170, the application includes a Biological Assessment and a Restoration Plan (Froke, revised 02-27-2024). The Asilomar Dunes Residential Area is considered dune habitat and an environmentally sensitive habitat area. The area to be disturbed as a result of new construction will be minimized and deed restrictions will be recorded to place areas outside the development envelopes under permanent conservation easement. The areas outside the development envelope will also be restored. The qualified professional biologist who prepared the biological assessment and restoration plan concluded that the proposed development will not impact sensitive species and will not have a significant negative effect on the environment. Mitigation measures for the protection of biological resources and restoration have been applied to the project as required by the LCP. Therefore, as conditioned and mitigated, the approved development would minimize impacts to natural habitats and biological resources. See also Fact No. 14 above.

4. Design Consistency. The design, location, size, and operating characteristics of the proposed development are consistent with applicable LCP design requirements, including design plans and area plans incorporated into the LCP.

   The size of the project's Residential Development Envelope (RDE), which consists of both the Primary Coverage Area (PCA) and the Outdoor Use Area (OUA), complies with the applicable limits in the LCP. Site coverage includes, but is not limited to, covered living areas, driveway, parking, walkways and patios. This area encompasses 14.97% of the total (merged) lot area. The allowed maximum is 15%. The 750 square foot OUA is allowed in addition to this PCA coverage area. The residence is designed to meet the design standards in PGMC Section 23.90.180.

5. Coastal Access. The project protects or enhances public access to and along the coast.

   The project will have no effect on coastal access to or along the coast.

6. Visitor Serving. The project supports the LCP goal of providing for visitor-serving needs as appropriate, including providing low and no cost visitor and recreational facilities.

   The project consists of the development of a single-family residence and, therefore, will have no visitor-serving features, but may qualify for a Short-Term Rental (STR) license given its location within the Coastal zone. As of this writing, there is no indication that the applicant intends to pursue an STR license.

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7. Appropriate Use. The project is consistent with the allowed LCP uses associated with the property.

   One single-family residence is allowed. The project will result in the replacement of one, two-story home on one parcel with a new, split-level home on the other adjoining and merged parcel under the same ownership.

8. Coastal Resources. The proposed development protects or enhances coastal resources, where applicable.

   The approximately 3.45-acre project site is currently in a significantly degraded state primarily covered in invasive ice plant. As conditioned, the project will result in the onsite restoration and enhancement of approximately 126,107 square feet (~ 2.9 acres).

   Regarding water supply and service for the new residence, the Monterey Peninsula Water Management District (MPWMD) rules allow the use of water credits anywhere on a "site" comprised of contiguous parcels under common ownership (confirmed by MPWMD letter dated February 2, 2024). Demolition of the existing residence located at 1661 Sunset Drive will result in a water use credit that may be applied to future water use on that site within a ten-year period. Therefore, the water use credits generated by the demolition of the existing residence may be utilized to permit construction of a new residence within ten years of the demolition date. The estimated water use credit of 33.5 fixture units can be applied toward the new residence and exterior water demand. Additional demand could be obtained by purchasing a Water Entitlement from the City of Pacific Grove. Also, the existing water meter may be relocated to support the new location of the residence (confirmed by Cal-Am letter dated October 13, 2020).

Parcel Merger findings per PGMC Section 24.06.040 and Subdivision Map Act §§ 66451.10 - 66451.24

The four legal lots of record consist of Lots 7 (Parcel II) and 8 (Parcel I) in Block 317, Lot 6 (Parcel III) in Block 318, and a portion of Lot 7 (Parcel IV) in Block 318, as identified on the map entitled "Map of Pacific Grove Acres", filed on June 2, 1919, in Volume 3 of Maps, "Cities and Towns", Page 13, Records of Monterey County. The Subdivision Map Act (SMA) governs the subdivision of property and provides the framework for determining when a legal lot or record has been created. SMA Section 66412.6 relates to separate conveyances of property prior to 1972 and provides that:

> *"For purposes of this division or of a local ordinance enacted pursuant thereto, any parcel created prior to March 4, 1972, shall be conclusively presumed to have been lawfully created if the parcel resulted from a division of land in which fewer than five parcels were created and if at the time of the creation of the parcel, there was no local ordinance in effect which regulated divisions of land creating fewer than five parcels."*

Parcel I was conveyed by Del Monte Properties Company to Amy Bowen Hittell separately from any other parcel, on February 11, 1924. The deed was recorded in Volume 34, Page 145, Official Records. In each successive transfer of this parcel, the parcel is separately described in the legal description of the grant deeds. On June 15, 2008, the City of Pacific Grove recorded a certificate of compliance confirming that the parcel is a separate legal lot of record.

Parcel II was conveyed by Del Monte Properties Company to Amy Bowen Hittell separate from any other parcel on February 6, 1924. The deed was recorded in Volume 34, Page 105, Official Records. In each successive transfer of said parcel, the parcel is separately described in the legal description of the grant deeds. On June 15, 2008, the City of Pacific Grove recorded a certificate of compliance confirming that the parcel is a separate legal lot of record.

Parcel III was conveyed by Del Monte Properties Company to Amy Bowen Hittell separately from any other parcel, on June 14, 1923. The deed was recorded in Volume 19, Page 182, Official Records. In each successive transfer of said parcel, the parcel is separately described in the legal description of the grant deeds. Therefore, the City of Pacific Grove recognizes the parcel as a separate legal lot of record in compliance with the relevant provisions of the Subdivision Map Act, including Section 66412.6.

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Parcel IV was conveyed by Del Monte Properties Company to Paul Ehlert on July 13, 1923. The deed was recorded in Volume 22, Page 43, Official Records. On April 29, 1948 M.D. King and Lillian Kent conveyed a portion of the parcel to David and Eileen Chew. In each successive transfer the remainder of the parcel is separately described noting "excepting therefrom the portion deeded to Chew" in the legal description of the grant deeds. Therefore, the City of Pacific Grove recognizes the parcel as a separate legal lot of record in compliance with the relevant provisions of the Subdivision Map Act, including Section 66412.6.

In accordance with the Subdivision Map Act Section 66412(d), approval of a lot-line adjustment (i.e., a lot merger in this case) shall be based upon a determination by the director that the following criteria are in evidence:

(a) The adjustment involves four or fewer adjoining parcels that were legally created and will not result in the creation of more parcels than originally existed.

As proposed, the merger of the four (4) existing legal lots will result in a total of two (2) separate, legal parcels.

(b) Each resulting parcel is viable in supporting existing or planned land uses based on applicable general plan and other applicable zoning regulations.

The resultant parcels will be viable in supporting existing or planned land uses.

(c) The resulting parcels and any structure(s) or parking space(s) located thereon will comply with the requirements of the zoning district in which the parcel is located and with applicable building regulations, except that where an existing parcel(s) or structure(s) is nonconforming with respect to zoning regulations, a lot-line adjustment may be approved if the degree of nonconformance is not increased.

The resultant parcels will have adequate room for permitted structures and required parking.

(d) The adjustment will not impair any existing public-street or private-access easement or create parcels without legal access to a public street and the number of lots fronting on a public street is not being reduced.

The merged parcels will have legal access to a public street and will not impair the existing access easement which benefits the neighbor to the north (1663 Sunset Drive).

(e) The adjustment will not require substantial alteration of any existing public easements or improvements.

There are no known public easements or improvements that will require alteration as a result of these mergers.

(f) The adjustment will not result in a utility service line being located on any property other than the lot being served, unless the service line is contained in a recorded utility easement.

Utilities will be extended from their existing location(s) across a property under the same ownership. No easement is needed at this time.

(g) Each resulting parcel has been, or can be, provided with adequate sewage-disposal facilities.

The resultant parcels will be connected to the public sewer in Sunset Drive.

PGMC 23.90.180(c)(3) - Coastal Community Design for the Asilomar Dunes Residential Area (ADRA)

In addition to all other applicable LCP policies, the following design standards for development within the Asilomar Dunes Residential Area have been addressed in the application materials: the Residential Development Envelope which includes the Primary Coverage Area (PCA) and the Outdoor Use Area (OUA); the Restoration and Protection of the ADRA dune environment; Fencing (none); Heights and Articulation; Off-Street Parking; Setbacks; Accessory Structures (none); Off-Site Mitigation; Subdivisions (none); Nonconforming (none) and Conforming Development; and Views.

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California Environmental Quality Act (CEQA)

An Initial Study and Mitigated Negative Declaration (IS/MND), and a Mitigation Monitoring and Reporting Plan (MMRP) were prepared for AP-CDP-PM 19-0645 in accordance to Article 6, CCR Title 14, California Environmental Quality Act (CEQA) Guidelines and circulated for public review/comment and to the State Clearinghouse (SCH#2021040697).

As amended, the project is consistent with the previously-adopted final IS/MND for the project (AP-CDP-PM 19-0645), adopted by the Planning Commission on August 12, 2021. Pursuant to Section 15162 of the CEQA Guidelines, the Planning Commission has reviewed the project, considered the final IS/MND, and finds that the project does not require subsequent environmental analysis based on the following:

a) No substantial changes are proposed in the project which will require major revisions to the previous IS/MND due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified impacts;

b) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions to the previous IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; and

c) No new information of substantial importance has been provided which was not known at the time of the previous IS/MND.

The following facts remain as adopted by the Planning Commission on August 12, 2021 and as considered on November 14, 2024:

a) The final IS/MND was completed in compliance with CEQA;

b) The final IS/MND was presented to the Planning Commission, and that the decision-making body reviewed and considered the information contained in the final IS/MND prior to approving the project and amendment;

c) The final IS/MND reflects the lead agency's independent judgment and analysis; and

d) The custodian for these documents shall be the Community Development Department for the City of Pacific Grove found at 300 Forest Avenue, Pacific Grove, California 93950.

Site Plan Review Committee (SPRC) Meeting

In compliance with the requirements of PGMC Section 23.70.050, an SPRC meeting was held on February 2, 2021. Members commented on stormwater, sewer, gross floor area, and demolition truck routes. These items have been addressed in the conditions of approval.

PERMIT

AMENDMENT (24-0186) OF ARCHITECTURAL PERMIT, PARCEL MERGER, COASTAL DEVELOPMENT PERMIT AP/PM/CDP 19-0645

To modify the previously-approved Coastal Development Permit and Parcel Merger to: amplify and clarify the facts and evidence regarding visual resources, biological resources, lot legality, and water supply; allow the merger of the two legal lots under APN 007-041-035; and add related conditions of approval.

As amended, the resulting project would allow the demolition of the existing single-family residence on the eastern portion of the property (APN -035) and the construction of a 5,912 square foot split-level single-family residence on the western portion of the property, and the merger of APNs 007-041-033 and -034, and the merger of the two legal lots under APN -035.

Docusign Envelope ID: 6985D5BD-CC59-4D39-A701-9489A0CC57E1

CONDITIONS OF APPROVAL

General Conditions

1. **Conformance to Plans.** Development and uses of the site shall conform to the approved plans for the HPH Properties, LP, Project dated April 24, 2023, on file with the Community Development Department and to the Building Code, with the exception of any subsequently-approved changes. Minor plan changes shall be subject to review and approval by the Community Development Director and/or Public Works Director as appropriate, prior to implementation. Major plan changes may also require review and approval of the Planning Commission. Project revisions may require additional CEQA analysis. The final building permit site plan shall accurately reflect 15% lot coverage in compliance with BIO-24(b).
2. **Permit Expiration.** The project permits shall expire and be null and void if a building permit has not been applied for within two (2) years from and after the date of approval. Application for extension of this approval must be made prior to the expiration date.
3. **Construction Compliance.** All construction must occur in general compliance with the proposal as set forth in the application, subject to any special conditions of approval herein. Any deviation from approvals must be reviewed and approved by staff and may require subsequent discretionary approval.
4. **Terms and Conditions.** These terms and conditions shall run with the land and bind to all future owners and possessors of the subject property, unless amended. Amendments to this permit may be achieved only if an application is made and approved, pursuant to the Zoning Code.

Prior to Issuance of the Demolition Permit

5. **Encroachment Permit.** The project proponent shall obtain an encroachment permit prior to any work within the public right-or-way. The encroachment permit application shall be submitted for review and approval by the Chief Building Official and Public Works Director.
6. **Temporary Fencing.** Prior to the start of construction, temporary fencing shall be installed to delineate the Construction Zone for the purpose of protecting surrounding dune habitat. The Project Biologist shall oversee the installation of the temporary fencing. Temporary fencing shall be maintained in good condition and remain in place until all construction on site is completed and final building inspection approval has been received. Removal or changing the location of the fence, to accommodate onsite restoration activities, for example, will require the concurrence of the Project Biologist. After confirming that final building approval has been received, the Project Biologist shall oversee removal of the fencing.

Prior to Issuance of Building Permits

7. **Recordation of Deed Restriction(s).** Owner shall cause to be recorded on forms to be provided by the City two (2) deed restrictions, one on each resultant parcel, that delineate all areas outside the approved 15% Primary Coverage Area+Outdoor Use Area (new driveways and access roads are included in the PCA) development areas specifically for restoration and protection of archaeological and cultural resources. The westerly merged property (007-041-033 and -034) shall have recorded a deed restriction encompassing ± 78,206 square feet (~ 1.80 acre) of the property outside the PCA+OUA and existing access road; the easterly property (007-041-035) of 57,237 square feet (~ 1.31 ac) shall also identify a 15% PCA+OUA and record a deed restriction encompassing approximately 47,901 square feet (~ 1.1 acre), to protect the undeveloped portions of the property.

   This condition is required pursuant to LUP Policy BIO-24(d). As a condition of coastal development permit approval, all other areas of the lot outside of the Residential Development Envelope shall be restored/enhanced and maintained in a natural dune condition within which the only allowed development, use, and activities are those associated with dune restoration/enhancement and protection. All dune restoration, enhancement, and protection areas shall be covered by both a dune restoration, enhancement and protection plan prepared by a qualified dune restoration professional, as well as a deed restriction or other similar legal restriction adhering to the property (i.e., a conservation easement, etc.) designed to limit

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allowed development, use, and activities in perpetuity to those associated with dune restoration, enhancement and protection.

8. **Adobe Shed Protection.** The small adobe shed at the east end of APN -035 shall be retained.
9. **Grading Plan.** All grading-phase related conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the grading plan set submitted to the Building Division.
10. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the construction plan set submitted to the Building Division.
11. **Public Works, Fire, and Building.** Review and approval by the Public Works Department, Fire Department, and Building Division are required prior to issuance of a building permit. Work taking place in the public right-of-way shall require an encroachment permit prior to issuance of the building permit.
12. **Other Utilities.** The existing water meter at Asilomar Avenue will remain with a new lateral extended to the new home. The existing sewer lateral to Sunset Drive will remain and be extended to the new home. Existing PG&E utilities (gas and electric) will be extended underground along the south property line to the new home. The existing driveway pavement will be replaced without expanding the prism or impervious areas.
13. **Glare Reduction.** Westerly facing windows and glass doors shall use bird-safe and anti-glare glass to minimize bird impacts and to reduce afternoon and evening glare.
14. **Exterior Lighting.** Exterior lighting shall be positioned so that no direct light extends onto neighboring properties. Exterior lighting shall be screened to confine light splay to the site and shall be at a wattage level that sufficiently limits light glare. After installation, the City may require lamps to have a lower wattage level in order to limit the glare levels of the light fixtures. As an ongoing requirement, all exterior lighting shall conform with LUP Policy DES-6.
15. **Construction Noise Reduction.** Prior to the issuance of demolition or grading permits, the City shall ensure that the project applicant includes the following on all construction plans and contracts for the proposed project:

    Construction Hours. All noise-generating construction activities, as well as delivery and removal of materials and equipment associated with those construction activities, are limited to the hours of 8:00 a.m. to 6:00 p.m., Monday through Saturday, and 10:00 a.m. to 5:00 p.m. on Sunday.

    Construction Equipment. Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The developer shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions.

    Vehicle and Equipment Idling. Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.

    Stationary Equipment. All noise-generating stationary equipment such as air compressors or portable power generators shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers shall be designed to reduce construction noise levels by at least 10 dBA.

    Construction/Demolition Route. All construction and demolition traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible.

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Workers' Radios. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity.

Prior to Demolition Activities

16. **Preconstruction Bird Surveys.** Should demolition or grading activities begin during the local bird nesting season (January 1 through July 31), the applicant shall retain a qualified wildlife biologist or ornithologist to conduct a preconstruction nesting survey of the project area to ascertain whether nesting birds and their active nest could be jeopardized by the new activities. This survey shall take place no more than 15 days before the start of the potentially disruptive work. Should nesting be detected where there would be a threat to the nest/~~,~~ eggs/nestlings, the biologist will coordinate with the owner and contractor to work out an alternative work pattern or calendar to provide time necessary for the birds to complete their nesting effort.
17. **Archaeological and Tribal Monitors Under Contract.** Prior to any grading or other ground-disturbing activities, the applicant shall provide to the Community Development Department copies of the executed contracts with both a qualified registered archaeologist and qualified Tribal monitors of either the Esselen Tribe of Monterey County (Esselen) and/or the Ohlone-Costanoan Esselen Nation (OCEN).

Prior to Grading or Any Ground-Disturbing Activities

18. **Pre-Construction Meeting (Archaeo/Cultural).** Prior to demolition and again at the start of construction of the new home, the Project Archaeologist and Tribal monitor (if interested) shall conduct an educational meeting to explain the purpose of the monitoring, to show the construction personnel what is being monitored and to explain what will happen in the incidence of locating an artifact during construction activities. The Project Archaeologist will briefly explain the history of the area. The construction personnel will be shown a photo of the items that have already been observed onsite and asked to be prepared to immediately stop demolition/construction activity if an inadvertent discovery is made. This meeting may be concurrent with the similar pre-construction meeting for biological resources.
19. **Pre-Construction Meeting (Bio).** Prior to demolition and again at the start of construction of the new home, the Project Biologist shall conduct an educational meeting to explain the purpose of the monitoring, to show the construction personnel what is being monitored and to explain what will happen in the incidence of locating a species of special concern during construction activities. The Project Biologist will explain the life history of the species of special concern, why they may be found on the property, and what construction staff should do if one is spotted on the project site. The construction personnel will be shown a photo of the species of special concern and asked to be prepared to immediately stop demolition activity if a species of special concern is discovered and wait until the species is safely removed from the construction zone before restarting. This meeting may be concurrent with the similar pre-construction meeting for archaeological /Tribal resources.

During Construction and Prior to Final Inspection

20. **On-Going Site Management.** All activities associated with construction, trenching, storage of materials, and disposal of construction waste and excavated soil shall not impact areas protected by fencing. The areas protected by the fence shall remain in a trash-free condition and not used for material stockpiling, storage or disposal, or vehicle parking. All construction personnel shall be prohibited from entering the areas protected by fencing.
21. **Construction & Biological Remediation Monitoring for Archaeological Resources.** Archaeological and Tribal monitoring shall be conducted by both a qualified archaeologist and a Native American monitor from the Esselen and/or OCEN for all ground-disturbing activities occurring between 0 to 4-feet below the ground surface. This includes: 1) field preparation and iceplant remediation activities that include the use of any heavy equipment; and 2) for utility and stormwater trenching. The following standard protocols shall be followed:

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a) ***Procedures for Inadvertent Discovery of Archaeological Resources*** - if any unanticipated precontact or historic-era cultural deposits and/or features are encountered during construction activities, all ground disturbing work within 100-feet of the find shall be halted and directed away from the discovery, until a Secretary of the Interior qualified archaeologist assesses the significance of the resource. The archaeologist, in consultation with the property owner, the City of Pacific Grove and Tribal consultants, should make the necessary plans for treatment of the find(s) and for the assessment and mitigation of impacts, if the finds are found to be eligible to the National or California Registers, qualify as a unique archaeological resource under CEQA Section 21083.2, or determined to be a tribal cultural resource, as defined in Section 21074.

b) ***Procedures for Inadvertent Discovery of Human Remains*** - If human remains are encountered during Project-related earth-disturbing activities, all work within 100-feet of the discovery area shall cease immediately, nothing is to be disturbed, and the area shall be secured. The Monterey County Coroner's Office, the SHPO, and the City of Pacific Grove must be notified immediately. The Coroner will determine if the remains are pre-contact Native American or of modern origin, and if there are any criminal or jurisdictional questions.

If the Coroner believes the remains to be those of a precontact Native American, they shall contact the Native American Heritage Commission (NAHC) by telephone within 24-hours. The NAHC will notify the person it believes to be the most likely descendant (MLD) of the remains.

The MLD has 48-hours to make recommendations to the landowner for treatment or disposition of the human remains. If the descendant does not make recommendations within 48-hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the property owner does not accept the descendant's recommendations, the owner or the descendant may request mediation by the NAHC. According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains is a felony (Section 7052). An archaeologist(s) should also be retained to evaluate the historical significance of the discovery, the potential for additional remains, and to provide further recommendations for treatment of the site in coordination with the MLD.

22. **Biological Remediation Activities.** Site reclamation and restoration activities shall be conducted in compliance with the Restoration Plan prepared for this project (*Native Botanical & Habitat Restoration Plan* (Califauna, amended February 2, 2024). Installation of plants shall be completed prior to final building permit inspection approval and granting of occupancy.

23. **During-Construction Pollution Prevention (a):** During construction, the developer shall employ storm water best management practices (BMPs) for erosion and sediment control, prevention of non-stormwater discharges, and implement good housekeeping and construction waste management practices to protect the storm drainage system and water quality as required by City Code Section 9.30.130(c), the City Phase II NPDES Permit, State Water Resources Control Board (SWRCB) Construction General Permit (CGP), and the Monterey Regional Storm Water Management Program (MRSWMP).

24. **During-Construction Pollution Prevention (b)**: Construction activities subject to BMP requirements shall continuously employ measures to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality, contamination, or unauthorized discharge of pollutants.

25. **During-Construction Pollution Prevention (c):** Whenever construction activity is being done contrary to and in violation of Municipal Code Chapter 9.30, the Public Works/Community Development Director may order that construction activity to stop by posting a written notice on the premises. All persons shall immediately stop such work unless or until the Public Works Director authorizes removing the stop work order and allows construction activity to proceed.

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Prior to Certificate of Occupancy

26. **Biological Restoration.** The completion of the "planting and seeding" phase described in the project's *Native Botanical & Habitat Restoration Plan* (Califauna, amended February 2, 2024) shall be completed prior to the issuance of a Certificate of Occupancy.

Ongoing Operational Conditions

27. **Stormwater Treatment Measure.** The stormwater treatment measures shall be maintained by the property owner in perpetuity. City staff shall be allowed access to inspect all stormwater treatment measures on an annual basis.

28. **Maintenance of Landscaping and Lighting.** All landscaping and lighting shall be maintained in good condition for the life of the project. Any plants that die or are diseased shall be promptly removed and replaced. Groundcover shall be similarly maintained as needed. All lighting equipment, bulbs, conduit, shall be maintained and replaced in-kind as needed. Any deficiencies noted by City staff shall be addressed within 7 calendar days of written notice of non-compliance by the City.

29. **Onsite Habitat Restoration Maintenance and Monitoring.**

    Following satisfactory installation of the new landscape, a 5-year maintenance and monitoring program shall commence, overseen and directed by the Project Biologist.

    Monitoring - the Project Biologist will conduct: (a) Monitoring would follow standard protocol: the project biologist will conduct:

    (a) bi-weekly site check for the first two months after plantings are completed [4 visits];

    (b) three quarterly inspections for the following nine months [3 visits]; and

    (c) for the following 4 years (yrs 2-5 of 5) at two visits [15]. Total = 17 visits (estimated total of 8 hrs); with a final report and verification to the City of Pacific Grove at the completion of the 5-year monitoring effort.

    (CALIFAUNA *Native Botanical & Restoration Plan,* revised February 2, 2024)

30. **Final Archaeological Report.** At the discretion of the professional archaeologist, a report suitable for compliance documentation may be prepared and provided to the appropriate State agencies. This report will document the field methodology and findings and make management recommendations, as necessary. If required, this report shall be completed within six (6) months of completion of monitoring.

31. **Mitigation Measures** – All Mitigation Measures, including monitoring and compliance measures, and long-term compliance measures contained in the Mitigation Monitoring and Reporting Plan as adopted by the Planning Commission, and in association with the Initial Study/Mitigated Negative Declaration, are incorporated herein and enforceable under this instrument.

32. **Notice of Permit Approval.** The applicant shall record a Permit Approval Notice. This notice shall state: "An Amendment (Permit No. 24-0186) to a previously-approved Parcel Merger, Architectural Permit, and Coastal Development permit (Permit No. PM/AP/CDP 19-0645) was approved by the City of Pacific Grove Planning Commission for Assessor's Parcel Numbers 007-041-033, -034, and -035 on November 14, 2024. The permit was granted subject to thirty-six (36) conditions of approval which run with the land. A copy of the permit is on file with the City of Pacific Grove Community Development Department." Proof of recordation of this notice shall be furnished to the Community Development Department prior to issuance of building permits.

33. **Remove fencing and entry posts located on Sunset Drive.** Prior to issuance of a building permit, the fencing and entry posts located along Sunset Drive shall be removed.

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34. **Off-Site (Right-of-Way) habitat restoration along Sunset Drive and Asilomar Avenue.** The property frontage along both Sunset Drive and Asilomar Avenue shall be restored in accordance with the same requirements as described in the on-site restoration plan. See Condition No. 29.

    This condition is required pursuant to LUP Policy BIO-24(f). Development shall only be approved if the area in the public right-of-way between the lot frontage and the paved portion of the road is also restored/enhanced and maintained in a natural dune condition within which the only allowed development, use, and activities are those associated with dune restoration, enhancement and protection.

35. **Certificates of Compliance.** The Owner(s)/Applicant(s) shall prepare, execute and record deeds that reflect the lot line adjustment (i.e., parcel mergers) as required by California Government Code §66412(d) and request an unconditional Certificate of Compliance for each of the adjusted parcels.

    Prior to the issuance of a building permit, the Owner(s)/Applicant(s) shall take all necessary steps to merge Parcels I and II fronting on Sunset Drive (APNs 007-041-033/-034) into a single parcel, and Parcels III and IV fronting on Asilomar Avenue (APN 007-041-035) into a single parcel, including but not limited to doing the following:

    Have a professional land surveyor prepare a legal description and plat with closure calculations. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (CDP 22-0296) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B." The legal description and plat shall comply with the Monterey County Recorder's guidelines as to form and content.

    Submit the draft legal descriptions, plats and closure calculations to the project planner for both of the following:

    a. Each newly adjusted parcel of the lot line adjustment for which a Certificate of Compliance will be issued.

    b. For the adjusted parcels, being all areas being conveyed by Owner(s) in conformance to the approved lot line adjustment.

        i. The Owner(s)/Applicant(s) shall be responsible for ensuring the accuracy and completeness of all parties listed as Grantor and Grantee on the deeds.

        ii. The purpose of the deed shall be stated on the first page of the deed, as follows: "The purpose of this deed is to adjust the parcel boundaries in conformance to the lot line adjustment approved by the City of Pacific Grove (19-0645, as amended by 24-0186). This deed is being recorded pursuant to §66412(d) of the California Government Code and shall be deemed to reconfigure the subject parcels in conformance to said approved lot line adjustment. Any configuration of said subject parcels that existed prior to recordation of this deed shall no longer be valid and shall not be used for the purpose of sale, lease or financing, whether immediate or future."

    NOTE: Owner(s) is/are responsible for securing any re-conveyance, partial re-conveyance and/or subordination in connection with any loan, mortgage, lien or other financial obligation on all property being transferred between parties.

    Following project planner review and any corrections of the legal descriptions and plats:
    a. Record the fully executed and acknowledged deed(s) to the adjustment parcels with the County Recorder.
    b. Deliver a copy of the recorded deed(s) to the project planner.
    c. Deliver the legal description and plat of each Certificate of Compliance to the Community Development Department for final processing, together with a check, payable to the "Monterey County Recorder," for the appropriate fees to record the Certificate(s) of Compliance.

36. **Off-Site Restoration.** Pursuant to LUP Policy BIO-25, in addition to the restoration requirements specified in Policy BIO-24(d) and (f) (see condition nos. 7 and 34 above), all areas of new dune coverage associated

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with development on legal lots of record in the Asilomar Dunes Residential Area shall be required to be mitigated on a 2:1 square foot basis by providing for off-site restoration or enhancement of degraded dune areas in the Asilomar Dunes area. This requirement may be addressed through offsite restoration/enhancement and/or proportionate contributions to the City's Environmental Assessment Fund (i.e., in-lieu fee) provided such funds are used exclusively for dune restoration, enhancement, and protection efforts in the Asilomar Dunes area. The in-lieu fee requirement would amount to $58,732.00 (14,683 square feet x 2 x $2.00 per square foot) for the adjusted lot adjacent to Sunset Drive and $37,344.00 (9,336 square feet x 2 x $2.00 per square foot) for the adjusted lot adjacent to Asilomar Avenue.

37. **Operational Permit.** As amended, AP/CDP/PM 24-0186 shall become the operational entitlement for the project, and all conditions of approval shall be cleared under this amendment.

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

1. The Planning Commission determines that each of the Facts and Findings set forth above is true and correct, and by this reference incorporates those Facts and Findings as an integral part of this Permit.
2. The Planning Commission approves the Amendment 24-0186 to AP/PM/CDP 19-0645, subject to the findings and conditions as amended, and consistent with the previously adopted Initial Study/Mitigated Negative Declaration.
3. This permit shall become effective upon the expiration of the 10-day appeal period.
4. This permit shall not take effect until the owner acknowledges and agrees to all terms and conditions and agrees to conform to and comply with those terms and conditions.

Passed and adopted as a regular meeting of the Planning Commission of the City of Pacific Grove on the 14th day of November, 2024, by the following vote:

AYES: Sweigert, Sawyer, Murphy, Fredrickson, Kubica, and Nodzenski

NOES: None

ABSENT: Davison

ABSTENTIONS: None

APPROVED:

Signed by:
Don Murphy
91F038C4674F42F...
Don Murphy, Chair

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fully conform to, and comply with, said terms and conditions.

DocuSigned by:
Mark Elstob
0B9B4C30021F4F9...
Mark Elstob, General Partner
Elstob Family Investments, LP

11/15/2024
Date

EXHIBIT C1

Easement Description (1661 Sunset Drive)

The land referred to herein below is situated in the City of Pacific Grove, County of Monterey, State of California. A Conservation Easement, being more particularly described as follows:

Elstob Parcel A as described in that certain Certification of Compliance, filed on January 16, 2025 as Instrument No. 2025001831 in the Office of the County Recorder of said County and State except for the following two areas:

Area 1: Covered Patios, Paving, Planting, Driveway & Building:

Beginning at the Southeasterly corner of said Area 1 that is North 62°53'25" West 42.09 feet of the Southeasterly corner of said Parcel A; thence along the following courses:

1. North 76°38'00" West, 37.24 feet; thence
2. South 13°22'00" West, 2.38 feet; thence
3. North 76°38'00" West, 6.08 feet; thence
4. North 13°22'00" East, 2.38 feet; thence
5. North 76°38'00" West, 49.75 feet; thence
6. North 13°22'00" East, 0.87 feet; thence
7. South 76°38'00" East, 20.82 feet; thence
8. North 13°22'00" East, 30.17 feet; thence
9. North 76°38'00" West, 1.67 feet; thence
10. North 13°22'00" East, 2.02 feet; thence
11. North 76°38'00" West, 3.82 feet; thence
12. North 13°22'00" East, 25.65 feet; thence
13. South 76°38'00" East , 3.80 feet; thence
14. North 13°22'00" East, 68.94 feet; thence
15. South 76°38'00" East, 94.83 feet; thence
16. South 13°22'00" West, 52.45 feet; thence
17. North 76°38'00" West, 27.67 feet; thence
18. South 13°22'00" West, 14.74 feet; thence
19. South 76°38'00" East, 16.04 feet; thence
20. South 13°22'00" West, 10.33 feet; thence
21. South 76°38'00" East, 3.33 feet; thence
22. South 13°22'00" West, 8.50 feet; thence
23. North 76°38'00" West, 3.33 feet; thence
24. South 13°22'00" West, 10.36 feet; thence
25. North 76°38'00" West, 9.26 feet; thence
26. South 13°22'00" West, 31.26 feet; to the Point of Beginning.

CONTAINING A TOTAL OF 0.25 AC (10,811 SF)

1

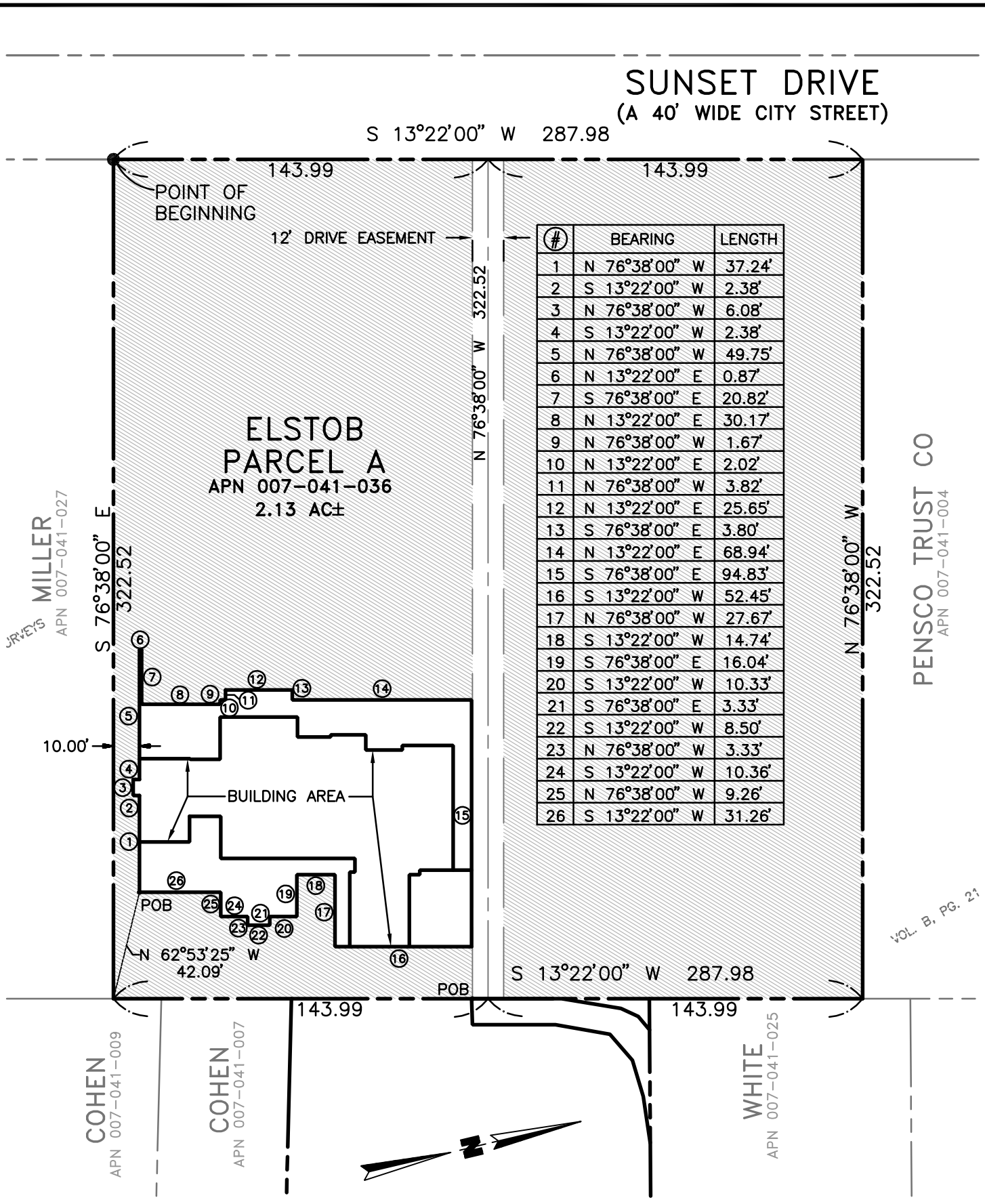
Area 2:

A 12 foot wide by 322.52 foot Drive Easement, the center of which runs from the center of the Westerly Boundary of said Parcel A, also being the Easterly Boundary of Sunset Drive South 76°38'00" East, to the center of the Easterly Boundary of said Parcel A.

CONTAINING A TOTAL OF 0.09 AC (3,870 SF)

Date: 13 February 2025
H. Patrick Ward
Registered Civil Engineer #29811
State of California°

I/675202/so/250312/C1Legal



#	BEARING	LENGTH
1	N 76°38'00" W	37.24'
2	S 13°22'00" W	2.38'
3	N 76°38'00" W	6.08'
4	S 13°22'00" W	2.38'
5	N 76°38'00" W	49.75'
6	N 13°22'00" E	0.87'
7	S 76°38'00" E	20.82'
8	N 13°22'00" E	30.17'
9	N 76°38'00" W	1.67'
10	N 13°22'00" E	2.02'
11	N 76°38'00" W	3.82'
12	N 13°22'00" E	25.65'
13	S 76°38'00" E	3.80'
14	N 13°22'00" E	68.94'
15	S 76°38'00" E	94.83'
16	S 13°22'00" W	52.45'
17	N 76°38'00" W	27.67'
18	S 13°22'00" W	14.74'
19	S 76°38'00" E	16.04'
20	S 13°22'00" W	10.33'
21	S 76°38'00" E	3.33'
22	S 13°22'00" W	8.50'
23	N 76°38'00" W	3.33'
24	S 13°22'00" W	10.36'
25	N 76°38'00" W	9.26'
26	S 13°22'00" W	31.26'

L:\6752\675202\Dwgs\Planskts\EXHIBIT C1.DWG - albojef - APR 03, 2025 - 16:36:55

CIVIL ENGINEERING - SURVEYING - LAND PLANNING
9701 BLUE LARKSPUR LANE, MONTEREY, CALIFORNIA 93940
831.373.2941 831.649.4118F

PREPARED FOR: Elstob

EXHIBIT C2
CONSERVATION EASEMENT

COUNTY OF MONTEREY, CALIFORNIA

SCALE: 1"= 50'
DATE: 4/3/25
SHEET: 1 OF 1
WO: 6752.02

When recorded return to:
CITY OF PACIFIC GROVE
COMMUNITY DEVELOPMENT DEPT.
Attn: Joseph Sidor
300 Forest Avenue
Pacific Grove, CA 93950
(831) 648-3199

No fee document pursuant to Government Code Section 27383.

Space above for Recorder's Use

Permit No.:	**Amendment 24-0186**
Resolution No.:	**Planning Commission Permit No. 24-0186**
Owner Name:	**Elstob Family Investments, LP**
Project Planner:	**Joseph Sidor**
APN:	**007-041-035-000**

The Undersigned Grantor(s) Declare(s):
DOCUMENTARY TRANSFER TAX OF $ 0
[ ] computed on the consideration or full value of property conveyed, OR
[ ] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[ ] unincorporated area; and
[X] Exempt from transfer tax,
Reason: Transfer to a governmental entity

CONSERVATION EASEMENT DEED (COASTAL)

THIS CONSERVATION EASEMENT DEED (this "Easement Deed") is made this _____ day of _____, 2025, by and between ELSTOB FAMILY INVESTMENTS LP, as Grantor, and the CITY OF PACIFIC GROVE, a political subdivision of the State of California, as Grantee.

WITNESSETH:

WHEREAS, Grantor is the owner in fee of the real property more particularly described and depicted in Exhibits "A1" and "A2" attached hereto and made a part hereof, situated in the City of Pacific Grove, County of Monterey, State of California (hereinafter the "Property"); and

WHEREAS, a portion of the Property comprises the Conservation Easement, and includes environmentally sensitive area and environmentally sensitive habitat area, as those terms are defined under the California Coastal Act of 1976 (the "Act") and the City of Pacific Grove Local Coastal Program ("LCP"), (referred to herein, collectively, as "ESHA"), and also provides natural scenic beauty and open space values; and

WHEREAS, the Grantor and the Grantee desire to preserve and conserve for the public benefit the Conservation Easement area, including for its ESHA, its great natural scenic beauty, and its open space values, in such a way as to ensure enhancement, protection, and management of such areas as protected and self-functioning habitat areas in perpetuity; and including because such ESHA protection is essential to the health and well-being of the Asilomar Dunes, not only in terms of the value of the resources themselves, but also in terms of fostering a natural environment within which the Dune's residential and visitor-serving commercial uses can thrive; and

WHEREAS, the Act requires that any coastal development permit approved by the City must be consistent with the provisions of the certified LCP; and

WHEREAS, pursuant to the Act, and the LCP, Grantor applied to the City for a permit to undertake development as defined in the LCP; and

WHEREAS, an Amendment to a previously approved Coastal Development Permit was granted (Community Development Department File Number 24-0186, hereinafter referred to as the "Permit") on November 14, 2024, by the City of Pacific Grove Planning Commission pursuant to the Findings, Evidence, and Conditions contained in Permit No. 24-0186, attached hereto as Exhibit "B" and hereby incorporated by this reference in its entirety (hereinafter the "Permit"), subject to the following condition:

> "Condition of Approval No. 7 – Recordation of Deed Restriction(s). Owner shall cause to be recorded on forms to be provided by the City two (2) deed restrictions, one on each resultant parcel, that delineate all areas outside the approved 15% Primary Coverage Area+Outdoor Use Area (new driveways and access roads are included in the PCA) development areas specifically for restoration and protection of archaeological and cultural resources. The westerly merged property (007-041-033 and -034)

shall have recorded a deed restriction encompassing ± 78,206 square feet (~ 1.80 acre) of the property outside the PCA+OUA and existing access road; the easterly property (007-041-035) of 57,237 square feet (~ 1.31 ac) shall also identify a 15% PCA+OUA and record a deed restriction encompassing approximately 47,901 square feet (~ 1.1 acre), to protect the undeveloped portions of the property.

This condition is required pursuant to LUP Policy BIO-24(d). As a condition of coastal development permit approval, all other areas of the lot outside of the Residential Development Envelope shall be restored/enhanced and maintained in a natural dune condition within which the only allowed development, use, and activities are those associated with dune restoration/enhancement and protection. All dune restoration, enhancement, and protection areas shall be covered by both a dune restoration, enhancement and protection plan prepared by a qualified dune restoration professional, as well as a deed restriction or other similar legal restriction adhering to the property (i.e., a conservation easement, etc.) designed to limit allowed development, use, and activities in perpetuity to those associated with dune restoration, enhancement and protection.

WHEREAS, the areas being protected include natural, scenic, and open space qualities and features valuable for plant and wildlife habitat; and

WHEREAS, the City, acting on behalf of the People of the State of California and pursuant to the Act, and in accordance with the findings contained in the Permit, granted the Permit to the Grantor upon the condition described above (hereinafter the "Condition") requiring, inter alia, that the Grantor record a conservation easement affecting the Conservation Easement and agree to restrict development on and use of the Conservation Easement so as to enhance, protect, preserve, and manage the habitat, open space, scenic, and overall natural resource values present in the Conservation Easement as protected and self-functioning habitat areas in perpetuity, including to prevent any adverse direct and cumulative effects on these resources; and

WHEREAS, the City has placed the Condition on the Permit because a finding must be made under the law that the proposed development is in conformity with the provisions of the certified LCP and that in the absence of the protections provided by the Condition said finding could not be made; and

WHEREAS, Grantor has elected to comply with the Condition and execute this Easement Deed so as to enable Grantor to undertake the development authorized by the Permit; and

WHEREAS, it is intended that this Easement Deed be irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8, of the California Constitution and that this Easement Deed shall thereby qualify as an enforceable restriction under the provision of the California Revenue and Taxation Code, Section 402.1; and

WHEREAS, the Grantor is willing to execute this Easement Deed for the conservation and scenic use as herein expressed of the Conservation Easement, and thereby enhance, protect, preserve, and manage the habitat, open space, scenic, and overall natural resource value by the restricted use and enjoyment of the Conservation Easement by the Grantor through the imposition of the restrictions hereinafter expressed; and

WHEREAS, the recitals set forth above are hereby incorporated in and made a part of this Easement Deed by this reference.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant and convey unto Grantee for the benefit of the People of the State of California, an estate, interest, and conservation easement in perpetuity for the purpose of habitat protection and resource conservation over the Conservation Easement area in accordance with the following provisions (the “Conservation Easement”); and to that end and for the purposes of accomplishing the intent of the parties hereto, Grantor covenants on behalf of itself, its heirs, successors, and assigns, with the Grantee, its successors and assigns, to do and refrain from doing severally and collectively upon the Conservation Easement the various acts hereinafter mentioned.

A. PROPERTY SUBJECT TO EASEMENT. The Property of the Grantor hereinabove referred to and to which the provisions of this instrument apply is situated in the City of Pacific Grove, County of Monterey, State of California, and is particularly described and depicted in Exhibits “C1” and “C2””, attached hereto, and made a part hereof, hereinafter referred to as the “Conservation Easement”.

B. RESTRICTIONS, EXCEPTIONS, AND RESERVATIONS. Upon recordation of this Easement Deed and thereafter in perpetuity, the use of the Conservation Easement shall be limited to natural open space for habitat protection and resource conservation uses. No “development” (as defined in Land Use Plan Section 1.10 of the LCP), including, but not limited to, removal of trees and other major or native vegetation, grading, paving, installation of structures such as signs, buildings, etc., and no grazing or agricultural activities shall occur or be allowed on the Conservation Easement with the exception of the following (subject to compliance with any applicable governmental regulatory requirements):

1. The right to maintain, repair, and use all existing roads, trails, public service and utility lines, pipes, and transmission facilities (including those for gas, electricity, telephone, water, sewer, and cable television), and facilities for drainage and erosion and sedimentation control, upon the Conservation Easement area.

2. The right to the construction, maintenance, repair, and use of new public service and utility lines, pipes, and transmission facilities (including those for gas, electricity, telephone, water, sewer, and cable television), and facilities for drainage and erosion and sedimentation control, when such public service, utility, and drainage pipes and facilities are found to be infeasible to be located outside of such conservation areas, and, if infeasible, when such facilities are the minimum necessary.

3. Conduct of public and private scientific study, consistent with the intent of this Conservation Easement.

4. The use and occupancy of the Conservation Easement area not inconsistent with the conditions and restrictions herein imposed, such as public and private visitation, hiking, and similar passive or low-impact outdoor recreational uses.

5. Management of resources within the Conservation Easement area in accordance with a Native Botanical & Habitat Restoration Plan dated/revised

February 27, 2024 (incorporated herein by reference and a copy of which is maintained in the Community Development Department of the City).

For any allowable use and development, Grantor shall provide Grantee with copies of all Site and Construction Plans (e.g. Site, Grading, Utility, Drainage, Erosion Control, and Landscape plans, etc.) showing the location of existing and proposed facilities and the materials and specifications for proposed grading and construction within the Conservation Easement area. Grantor shall give advance notice to Grantee whenever maintenance or construction activities will occur within the Conservation Easement area.

C. SUBJECT TO APPLICABLE LAWS. Land uses and development permitted or reserved to the Grantor by this instrument shall be subject to all applicable laws regulating the use of land.

D. BENEFIT AND BURDEN. This Conservation Easement shall run with and burden the Conservation Easement area, and all obligations, terms, conditions, and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Conservation Easement from the date of recordation of this document and shall bind the Grantor and all of its successors and assigns. This Conservation Easement shall benefit Grantee and its successors and assigns on behalf of the People of the State of California forever.

E. RIGHT OF ENTRY. The Grantee, the Coastal Commission, or their agents may enter onto the Conservation Easement area to ascertain whether the use restrictions set forth above are being observed at times reasonably acceptable to the Grantor.

F. ENFORCEMENT. Any act or any conveyance, contract, or authorization, whether written or oral, by the Grantor which uses or would cause to be used or would permit use of the Conservation Easement area contrary to the terms of this Easement Deed will be deemed a breach hereof. The Grantee or the Coastal Commission may bring any action in court necessary to enforce this Easement Deed, including, but not limited to, injunction to terminate a breaching activity and to force the restoration of all damage done by such activity, or an action to enforce the terms and provisions hereof by specific performance. It is understood and agreed that the Grantee or the Coastal

Commission may pursue any appropriate legal and equitable remedies. The Grantee or the Coastal Commission shall have sole discretion to determine under what circumstances an action to enforce the terms and conditions of this Easement Deed shall be brought in law or in equity. Any forbearance on the part of the Grantee or the Coastal Commission to enforce the terms and provisions hereof in the event of a breach shall not be deemed a waiver of Grantee's or the Coastal Commission's rights regarding any subsequent breach.

G. MAINTENANCE. The Grantee shall not be obligated to maintain, improve, or otherwise expend any funds in connection with the Conservation Easement or any interest or easement created by this Easement Deed. All costs and expenses for such maintenance, improvement, use, or possession shall be borne by the Grantor, except for costs incurred by Grantee for monitoring compliance with the terms of this Easement Deed. Grantor and its successors and assigns shall manage and maintain the Conservation Easement area in accordance with the standards of a Native Botanical & Habitat Restoration Plan dated/revised February 27, 2024, as well as any other standards and requirements of whatever kind that may from time to time be legitimately imposed on the Conservation Easement subject to all required approvals, including entitlement approvals for any development, including changes in intensity of use.

H. LIABILITY AND INDEMNIFICATION. This conveyance is made and accepted upon the express condition that the Grantee, the Coastal Commission, and their agencies, departments, officers, directors, agents, employees, and authorized volunteers are to be free from all liability and claim for damage by reason of any injury to any person or persons, including Grantor, or property of any kind whatsoever and to whomsoever belonging, including Grantor, from any cause or causes whatsoever, except matters arising out of the sole negligence or intentional misconduct of the Grantee or the Coastal Commission while in, upon, or in any way connected with the Conservation Easement, Grantor hereby covenanting and agreeing to indemnify and hold harmless the Grantee, the Coastal Commission, and their agencies, departments, officers, directors, agents, employees, and authorized volunteers from all liability, loss, cost, and obligations on account of or arising out of such injuries or losses however occurring, except to the extent caused by the sole negligence or intentional misconduct

of such entities or persons. The Grantee and the Coastal Commission shall have no right of control over, nor duties and responsibilities with respect to, the Conservation Easement which would subject the Grantee or the Coastal Commission to any liability occurring upon the Conservation Easement area by virtue of the fact that the Grantee and the Coastal Commission have the right to enter the Conservation Easement area, as such right is strictly limited to preventing uses inconsistent with the interest granted. The parties acknowledge and agree that the Conservation Easement area is not "property of a public entity" or "public property", and Grantee's and Coastal Commission's rights herein do not include the right to enter the Conservation Easement area for the purposes of correcting any "dangerous condition" as those terms are defined by California Government Code Section 830.

I. TRANSFER OF TITLE. Grantor shall have the absolute right to transfer its right, title, and interest in and to all or any portion of the Conservation Easement area and upon such a transfer the transferee, by acceptance of the deed (whether or not so stated in the deed), shall have assumed and shall be obligated to perform all of the covenants of Grantor under this Easement Deed and shall have all of the rights and obligations of and be deemed to stand in the place of the Grantor for all purposes under this Easement Deed, with respect to the land transferred; and upon such a transfer Grantor shall be fully relieved and discharged from all of Grantor's obligations under this Easement Deed with respect to the land transferred.

J. ASSIGNMENT.

1. Grantor shall have the right to assign its rights or delegate its obligations under this Easement Deed, in whole or in part. No such assignment or delegation by Grantor, however, shall relieve the fee owner or owners of the Conservation Easement area from the obligations to perform the covenants of Grantor in this Easement Deed, and such covenants shall continue as covenants running with the land as specified in Paragraph D above.

2. Grantee shall have the right to assign its rights and delegate its obligations under this Easement Deed, but only to a public agency, private association, or corporation which agrees to accept such rights and assume such obligations and is approved in writing in advance by the City, the Executive Director of the California

Coastal Commission, and Grantor. Grantee shall not abandon the Conservation Easement, but may assign the Conservation Easement in accordance with the preceding sentence.

K. PUBLIC ENTRY AND USE OF CONSERVATION AREA. This Easement Deed does not govern access to or use of the Conservation Easement Area by members of the public.

L. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this conveyance shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

M. SEVERABILITY. If any provision of this Easement Deed is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

N. AMENDMENT/MODIFICATION. This Easement Deed may be amended, modified, or changed only with the written consent of the Grantor and the Grantee. In addition, an amendment to the Permit may be required, if necessary, as determined by the City. Any amendment of this Easement Deed and any necessary amendment to the Permit shall be void and of no effect without the written consent of the two entities.

Executed this _____ day of _____, 2025, at _____, California.

GRANTOR

By: _____
(Signature)

Mark Elstob, General Partner
Elstob Family Investments, LP

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On _____, 2025, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by the easement deed or grant dated _____ from Mark Elstob, General Partner of the Elstob Family Investments LP, to the City of Pacific Grove, a political corporation and/or governmental agency, is hereby accepted by the City Council of the City of Pacific Grove on _____, (or by the undersigned officer or agent on behalf of the City of Pacific Grove pursuant to authority conferred by resolution of the City Council of the City of Pacific Grove (Resolution No. 25 - ___) adopted on _____,) and the grantee consents to recordation thereof by its duly authorized officer.

DATED: _____ _____
(Signature)

MATTHEW MOGENSEN, City Manager

ATTEST:
DATED: _____ _____
SANDRA KANDELL, City Clerk

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On _____, 2025, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

Document Form/Content Acceptable:

_____ Dated: _____

BRIAN A. PIERIK, City Attorney

EXHIBIT A1
Legal Description
Of
Merged Parcels III & IV Fronting on Asilomar Avenue
(APN 007-041-035) Into a Single Parcel
Parcel B (APN TBD)
PLN Permit No. CDP 24-0186

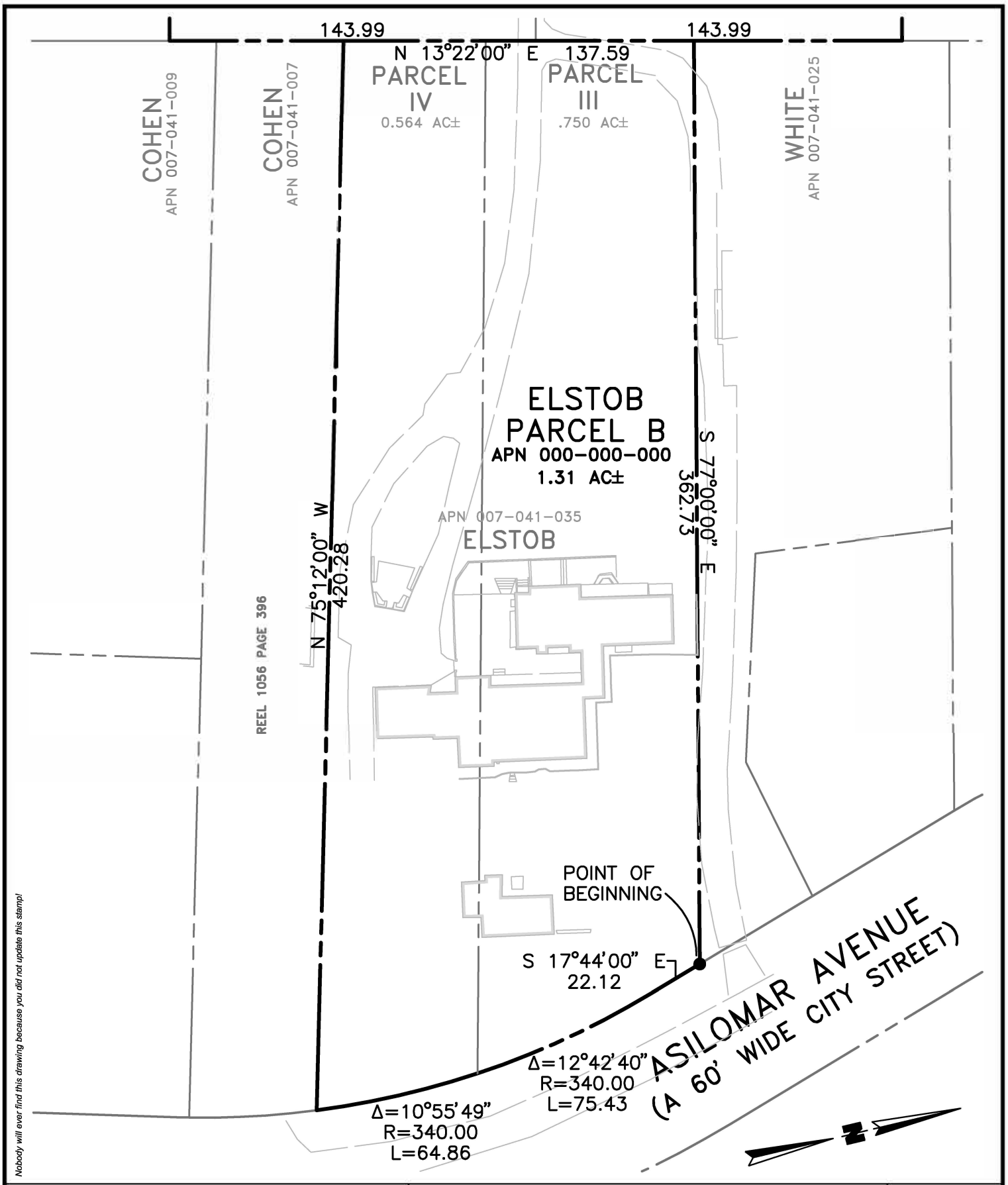
Certain Real Property in the City of Pacific Grove, the County of Monterey, State of California, described as follows:

Beginning at a point on the Westerly Boundary of Asilomar Avenue and being the Easterly Corner of that certain property granted from HPH Properties L.P. to Elstob Family Investments per Grant Deed 2021074915 and West End Properties L.P. to Elstob Family Investments per Grant Deed 2021074916 recorded 11/02/2021 with Recorder of Monterey County, California; thence along the Westerly Boundary of Asilomar Avenue and the Easterly Boundary of said property

1. South 17° 44 ´00¨ East, 22.12 feet; thence
2. Southerly 75.43 feet along the arc of a curve to the right having a radius of 340.00 feet; through a central angle of 12° 42 ´40¨to a Point on a Compound Curve; thence
3. Southerly 64.86 feet along the arc of a curve to the right having a radius of 340.00 feet; through a central angle of 10° 55 ´49¨ to the Southeast corner of said property; thence along the Southerly boundary of said property
4. North 75° 12 ´00¨ West, 420.28 feet to the Westerly corner of said property; thence along the Westerly boundary of said property
5. North 13° 22 ´00¨ East 137.59 feet to the Northerly corner of said property; thence along the Northeast boundary of said property
6. South 77° 00 ´00¨ East 362.73 feet to the Point of Beginning.

Date: 4 December 2024
H. Patrick Ward
Registered Civil Engineer #29811
State of California





Nobody will ever find this drawing because you did not update this stamp!

CIVIL ENGINEERING - SURVEYING - LAND PLANNING
9701 BLUE LARKSPUR LANE, MONTEREY, CALIFORNIA 93940
831.373.2941 831.649.4118F

PREPARED FOR: Elstob

EXHIBIT A2
CDP 24-0186

COUNTY OF MONTEREY, CALIFORNIA

SCALE:	1"= 50'
DATE:	11/21/24
SHEET:	1 OF 1
WO:	6752.02

EXHIBIT B

Amendment 24-0186

Docusign Envelope ID: 6985D5BD-CC59-4D39-A701-9489A0CC57E1

CITY OF PACIFIC GROVE

Community Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

T: 831.648.3183 • F: 831.648.3184 • www.ci.pg.ca.us/cdd

AMENDMENT (24-0186) TO ARCHITECTURAL PERMIT, COASTAL DEVELOPMENT PERMIT, AND PARCEL MERGER (AP/CDP/PM 19-0645) TO MODIFY THE PREVIOUSLY-APPROVED COASTAL DEVELOPMENT PERMIT AND PARCEL MERGER TO: AMPLIFY AND CLARIFY THE FACTS AND EVIDENCE REGARDING VISUAL RESOURCES, BIOLOGICAL RESOURCES, LOT LEGALITY, AND WATER SUPPLY; ALLOW THE MERGER OF THE TWO LEGAL LOTS UNDER APN 007-041-035; AND ADD RELATED CONDITIONS OF APPROVAL.

FACTS

1. The subject site is located at 1661 Sunset Drive, Pacific Grove, 93950; APNs 007-041-033, -034, and -035.
2. The subject site has a land use designation of Low Density Residential (1 - 2 du/ac) in the adopted and certified City of Pacific Grove Land Use Plan (LUP).
3. The subject site is located in the R-1-B-4 zoning district.
4. The subject site is located in the Coastal Zone and within the Asilomar Dunes Residential Area which is considered an Environmentally Sensitive Habitat Area (ESHA). The site is also within an archaeologically sensitive area.
5. The subject site is located outside of the Monarch butterfly habitat area and the Area of Special Biological Significance (ASBS).
6. The project area consists of four (4) separate legal parcels with a combined size of approximately 3.47 acres. The two (2) vacant parcels abutting Sunset Drive (APNs 007-041-033 and -034) were issued Unconditional Certificates of Compliance in 2008. APN -035 abutting Asilomar Avenue is comprised of two (2) legal lots of record and was developed with the existing single-family residence in 1930. The existing residence was found to be ineligible for the Historic Resources Inventory (HRI) in 2019. This determination is further supported by a Historical Resources Evaluation Update prepared by Rincon Consultants, Inc. (July 8, 2022).
7. The Planning Commission approved Architectural Permit, Coastal Development Permit, and Parcel Merger (AP/CDP/PM 19-0645) on August 12, 2021. This approval allowed the demolition of the existing single-family residence on the eastern portion of the property (APN -035 adjacent to Asilomar Avenue) and the construction of a 5,912 square foot split-level single-family residence on the western portion of the property (APNs -033 and -034 adjacent to Sunset Drive), and the merger of APNs 007-041-033 and -034. The Planning Commission also considered and adopted the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Plan (MMRP) prepared for the project.
8. As proposed, the amendment would modify the previously-approved Coastal Development Permit (CDP) and Parcel Merger (PM) to: 1) amplify and clarify the facts and evidence regarding visual resources, biological resources, lot legality, and water supply; 2) allow the merger of the two legal lots under APN 007-041-035; and 3) add conditions of approval related to the CDP and PM. No changes are proposed to the Architectural Permit (AP) and the AP is not under reconsideration by the Planning Commission.
9. As amended, the project would consist of the demolition of the existing single-family residence on the eastern portion of the site (APN -035 adjacent to Asilomar Avenue) and the construction of a 5,912 square foot split-level single-family residence on the western portion of the site (APNs -033 and -034 adjacent to Sunset Drive), the merger of APNs 007-041-033 and -034, and the merger of the two legal lots under APN 007-041-035.
10. Pursuant to Pacific Grove Municipal Code (PGMC) Sections 23.90.050, City CDP Determinations, and 23.90.040, CDP Exemptions, Community Development Department (CDD) staff determined the proposed

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changes would require an Amendment to the previously-approved Coastal Development Permit (CDP) and forwarded this determination to the Coastal Commission on August 15, 2024.

11. Per PGMC Section 23.90.140, Coastal Hazards, Community Development Department (CDD) staff reviewed LUP Figure 3 (Coastal Hazards and Areas of Potential Sea Level Rise), aerial and topographic imagery, plan set, and conducted a site visit on August 15, 2024, and determined the site and proposed development, as amended, would not be subject to coastal hazards over its lifetime. The lowest point of the area of proposed development on the subject property is at an elevation of approximately 42 feet above mean sea level and over 300 feet from the shoreline. In this case, submittal of a Coastal Hazards Report is not required or warranted.
12. Per PGMC Section 23.90.150, Water Quality and Marine Resources, the applicant prepared a Grading, Drainage, and Erosion Control Plan (plan sheets C1 and C2). As designed, stormwater runoff would be retained and dissipated on site and the proposed project would not result in water quality impairment.
13. Per PGMC Section 23.90.160, Scenic Resources, CDD staff reviewed LUP Figure 4 (Scenic Areas), aerial and street view imagery, and conducted a site visit on August 15, 2024. This review determined the site is within a designated scenic view area and development would be visible from Sunset Drive and the shoreline trails. To minimize potential impacts to the public viewshed, the previously-approved development/design would maintain a maximum ridge height of 16 feet, 2 feet below the maximum allowed height of 18 feet in the Asilomar Dunes Residential Area. The project plan set includes a site-specific visual analysis (plan sheets A-7.1 through A-7.4) and an exterior lighting plan (plan sheet EL-1). As previously approved, the project includes minimal landscape planting areas immediately adjacent to the residence; therefore, in this case, a landscape plan is not required or warranted. As designed and conditioned, the approved development/design would not result in adverse visual impacts as viewed from Sunset Drive or other public vistas. The project also includes approximately 1,340 cubic yards (cy) of grading which will be balanced onsite for landscaping and restoration purposes.
14. As required by PGMC Section 23.90.170, the application includes a Biological Assessment and a Restoration Plan (Froke, revised 02-27-2024). The Asilomar Dunes Residential Area is considered dune habitat and an environmentally sensitive habitat area. The area to be disturbed as a result of new construction will be minimized and deed restrictions will be recorded to place areas outside the development envelopes under permanent conservation easement. The areas outside the development envelope will also be restored. The qualified professional biologist who prepared the biological assessment and restoration plan concluded that the proposed development will not impact sensitive species and will not have a significant negative effect on the environment. Mitigation measures for the protection of biological resources and restoration have been applied to the project as required by the LCP. Therefore, as conditioned and mitigated, the approved development would minimize impacts to natural habitats and biological resources.
15. As required by PGMC Section 23.90.200, the project includes an archaeological report prepared by a qualified archaeologist, Patricia Paramoure, RPA/MA. The Phase I report resulted in the expansion of a known recorded site into the proposed development envelope. This triggered the preparation of a Phase 2 report which involveds a complete, subsurface survey and testing of identified sites sufficient to determine their horizontal and vertical boundaries, their cultural and scientific importance, and the site's eligibility for listing on the National Register of Historic Places (NRHP). The site work was completed in March 2021 with monitors from both the Esselen Tribe of Monterey County (Esselen) and the Ohlone-Costanoan Esselen Nation (OCEN) onsite throughout. The Phase 2 report resulted in a finding that the site is ineligible for listing on the NRHP. The project is conditioned to require onsite Tribal and archaeological monitoring for all ground disturbing activities.
16. The property slopes gently from Asilomar Avenue on the east toward Sunset Drive to the west. Currently, natural drainage from the property is to the existing facility in the Sunset Drive right of way. The project includes a Grading, Drainage, and Erosion Control Plan (plan sheets C1 and C2) which indicates that any stormwater created by the proposed development can be accommodated onsite. See also Fact 12 above.

Docusign Envelope ID: 6985D5BD-CC59-4D39-A701-9489A0CC57E1

17. As required by PGMC Section 23.90.180(C)(4)(d), the areas outside the proposed Residential Development Envelope (RDE) on the merged parcels (-033, -034) will be restored and further enhanced to pre-development conditions. Furthermore, the easterly parcel (-035), a separate legal parcel, where the existing home is proposed to be demolished, will also be restored and an appropriate deed restriction(s) will be recorded over both resultant properties. The deed restriction on -035 may allow a 15% RDE and 750 square foot Outdoor Use Area (OUA) to be retained as it is a separate legal parcel and may be developed in the future once potable water is available.
18. The proposed demolition is required in order to transfer the existing water meter from the existing single-family residence on APN -035 to the proposed single-family residence on APN -034. The City received a letter from California American Water (Cal Am) dated October 13, 2020, indicating that the relocation of the existing water meter to the adjacent property under the same ownership is acceptable. The Monterey Peninsula Water Management District confirmed the allowed relocation of the existing water meter via letter dated 02-02-2024. See also CDP Finding No. 8 below.
19. The Architectural Review Board (ARB) held a noticed public hearing on June 8, 2021. At that meeting, the applicant's architect proposed a 2-foot reduction in height resulting in a maximum height from finished grade of 16 feet. The ARB recommended that the Planning Commission approve the project with the modification to height and based on the findings, conditions of approval, and the IS/MND and MMRP provided for consideration.
20. The IS/MND and MMRP were prepared in accordance to Article 6, CCR Title 14, California Environmental Quality Act (CEQA) Guidelines and circulated for public review. See also the CEQA Finding below.
21. Following the Planning Commission's decision on August 12, 2021, an interested party appealed the decision of the Planning Commission to the City Council. On March 24, 2023, the appellant withdrew the appeal prior to a hearing before the City Council and the prior decision of the Planning Commission remained in effect.
22. Following the withdrawal of the appeal, CDD staff prepared and submitted a Final Local Action Notice (FLAN) to the California Coastal Commission (CCC) on March 28, 2023. On April 12, 2023, the CCC filed an appeal to the Planning Commission's decision. To allow time for the applicant and the CCC to discuss and resolve questions related to the project, CDD staff rescinded the FLAN on May 16, 2023. On August 13, 2024, following discussions between the applicant and CCC staff, the applicant submitted an application to the City to amend the project per CCC staff direction.
23. As proposed, the current application would amend the CDP and PM. No changes are proposed to the AP. Per PGMC Section 23.72.020, permits involving concurrent permit processing allow for a clear permitting and decision-making path. Since the Planning Commission was the final review authority for the original project, this amendment returns to the Planning Commission for consideration. See also Fact No. 8 above.
24. AP/CDP/PM 19-0645 was approved for a period of two (2) years; however, the appeal of the Planning Commission's decision placed the timeline in abeyance pending resolution of the appeal. The appeal was withdrawn on March 24, 2023, so the revised permit expiration date would be March 24, 2025. On August 13, 2024, the applicant applied to amend the original permit.

FINDINGS

Architectural Permit findings per PGMC Section. 23.70.060

1. The architecture and general appearance of the completed project are compatible with the neighborhood.

   The proposed 5,310 square foot split-level home with an attached 602 square foot garage will be of a "contemporary craftsman" style situated on the property to take full advantage of the ocean views to the west. The highest portions of the roof will be 16 feet which is 2 feet below the maximum allowed height of 18 feet in the Asilomar Dunes Residential Area. The property slopes from the east down toward the coastline;

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the maximum 16-foot height will be achieved through the grading of approximately 1,340 cubic yards (cy) of cut which will be balanced on the site for landscaping and restoration. There are several covered outdoor living areas, walkways, and patios that are included in the RDE, in addition to the 750 square foot OUA. A materials sheet is included showing the use of stone pavers, King City stone wall materials, metal door and window samples, heavy timber beams, painted stainless steel gutters and downspouts, and horizontal wood siding. The roof pitch will be 4:12. The general appearance will be compatible to the eclectic mix of homes along Sunset Drive.

2. The completed project will neither be detrimental to the orderly and harmonious development of the City nor impair the desirability of investment or occupation in the neighborhood.

   The merger of the two (2) western parcels into one helps to reduce the development potential within the fragile dune system. The development of one home on the merged parcels which will align in its placement with the other homes to the north and south will not be detrimental to the orderly and harmonious development of the City. The replacement of one large custom home with another large custom home will contribute to the desirability of investment in the Asilomar Dunes neighborhood.

3. The Commission has been guided by and has made reference to applicable provisions of the architectural review guidelines in making its determinations on single-family residences.

   The proposed design references many of the recommendations in the Guidelines including, but not limited to Nos. 1, 10-12, 13, 16, 24, and 37. The plan set includes visual simulations showing the proposed building in relation to existing nearby buildings, a lighting plan, and a materials sheet.

Demolition per PGMC Section 23.70.060

Per 23.70.060(c)(2), Within the coastal zone, architectural permits for new construction, major and minor alterations to existing structures, or demolition and reconstruction of structures, including an amendment to an approved architectural permit. The demolition of the existing home on APN -035 requires an Architectural Permit. The four (4) separate legal parcels that comprise the project site are under the same ownership. In order to transfer the existing water meter from the existing home to the proposed new home, the existing home must be demolished. The result will be a net zero increase in development on the overall site. The existing home has been determined ineligible for the City's Historic Resources Inventory (HRI). This determination is further supported by a Historical Resources Evaluation Update prepared by Rincon Consultants, Inc. (July 8, 2022).

Exceptions for Chimneys per PGMC Section 23.90.160(b)(1)(B)

Although not a finding, per se, this section allows minor height exceptions as follow:

Exceptions are allowed only for chimneys, vents, and similar vertical extensions, not to exceed an additional four feet, and not to comprise more than five percent of a building's roof area. In all cases, heights may be further limited in order to meet LCP scenic resource protection requirements.

The project includes one (1) chimney that exceeds the 16-foot height limit by approximately 3 feet. Given the topography of the site, the transects shown in the architectural elevations include a variety of heights. This is based on the definition of height in the LCP which is defined as "the vertical distance measured between legally established existing grade and the top-most portion of the development above existing grade."

Coastal Development Permit findings per PGMC Section 23.90.080

1. LCP Consistency. The project is consistent with the LCP.

   The project meets the requirements of the LCP including, but not limited to, the applicable Coastal Resource Protection Standards (PGMC 23.90.130) of the Implementation Plan (IP) and the Biological,

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Cultural, Scenic, and Community Design policies of the Land Use Plan (LUP). These standards and policies are discussed further in the following findings.

2. Public Views. The project protects or enhances public views.

   Per PGMC Section 23.90.160, Scenic Resources, CDD staff reviewed LUP Figure 4 (Scenic Areas), aerial and street view imagery, and conducted a site visit on August 15, 2024. This review determined the site is within a designated scenic view area and development would be visible from Sunset Drive and the shoreline trails. To minimize potential impacts to the public viewshed, the previously-approved development/design would maintain a maximum ridge height of 16 feet, 2 feet below the maximum allowed height of 18 feet in the Asilomar Dunes Residential Area. Additionally, the removal of the existing large, two-story house at the east side of the project site and its replacement with a 16-foot high home downslope from Asilomar Avenue will improve the existing public views toward the coast from Asilomar Avenue. Although the residence will be visible looking to the east from Sunset Drive, the protected views seaward along Sunset Drive will not be affected. As designed and conditioned, the approved development/design would not result in adverse visual impacts as viewed from Sunset Drive or other public vistas. See also Fact No. 13 above.

3. Habitat Protection. The project protects vegetation, natural habitats, and natural resources consistent with LCP.

   As required by PGMC Section 23.90.170, the application includes a Biological Assessment and a Restoration Plan (Froke, revised 02-27-2024). The Asilomar Dunes Residential Area is considered dune habitat and an environmentally sensitive habitat area. The area to be disturbed as a result of new construction will be minimized and deed restrictions will be recorded to place areas outside the development envelopes under permanent conservation easement. The areas outside the development envelope will also be restored. The qualified professional biologist who prepared the biological assessment and restoration plan concluded that the proposed development will not impact sensitive species and will not have a significant negative effect on the environment. Mitigation measures for the protection of biological resources and restoration have been applied to the project as required by the LCP. Therefore, as conditioned and mitigated, the approved development would minimize impacts to natural habitats and biological resources. See also Fact No. 14 above.

4. Design Consistency. The design, location, size, and operating characteristics of the proposed development are consistent with applicable LCP design requirements, including design plans and area plans incorporated into the LCP.

   The size of the project's Residential Development Envelope (RDE), which consists of both the Primary Coverage Area (PCA) and the Outdoor Use Area (OUA), complies with the applicable limits in the LCP. Site coverage includes, but is not limited to, covered living areas, driveway, parking, walkways and patios. This area encompasses 14.97% of the total (merged) lot area. The allowed maximum is 15%. The 750 square foot OUA is allowed in addition to this PCA coverage area. The residence is designed to meet the design standards in PGMC Section 23.90.180.

5. Coastal Access. The project protects or enhances public access to and along the coast.

   The project will have no effect on coastal access to or along the coast.

6. Visitor Serving. The project supports the LCP goal of providing for visitor-serving needs as appropriate, including providing low and no cost visitor and recreational facilities.

   The project consists of the development of a single-family residence and, therefore, will have no visitor-serving features, but may qualify for a Short-Term Rental (STR) license given its location within the Coastal zone. As of this writing, there is no indication that the applicant intends to pursue an STR license.

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7. Appropriate Use. The project is consistent with the allowed LCP uses associated with the property.

   One single-family residence is allowed. The project will result in the replacement of one, two-story home on one parcel with a new, split-level home on the other adjoining and merged parcel under the same ownership.

8. Coastal Resources. The proposed development protects or enhances coastal resources, where applicable.

   The approximately 3.45-acre project site is currently in a significantly degraded state primarily covered in invasive ice plant. As conditioned, the project will result in the onsite restoration and enhancement of approximately 126,107 square feet (~ 2.9 acres).

   Regarding water supply and service for the new residence, the Monterey Peninsula Water Management District (MPWMD) rules allow the use of water credits anywhere on a "site" comprised of contiguous parcels under common ownership (confirmed by MPWMD letter dated February 2, 2024). Demolition of the existing residence located at 1661 Sunset Drive will result in a water use credit that may be applied to future water use on that site within a ten-year period. Therefore, the water use credits generated by the demolition of the existing residence may be utilized to permit construction of a new residence within ten years of the demolition date. The estimated water use credit of 33.5 fixture units can be applied toward the new residence and exterior water demand. Additional demand could be obtained by purchasing a Water Entitlement from the City of Pacific Grove. Also, the existing water meter may be relocated to support the new location of the residence (confirmed by Cal-Am letter dated October 13, 2020).

Parcel Merger findings per PGMC Section 24.06.040 and Subdivision Map Act §§ 66451.10 - 66451.24

The four legal lots of record consist of Lots 7 (Parcel II) and 8 (Parcel I) in Block 317, Lot 6 (Parcel III) in Block 318, and a portion of Lot 7 (Parcel IV) in Block 318, as identified on the map entitled "Map of Pacific Grove Acres", filed on June 2, 1919, in Volume 3 of Maps, "Cities and Towns", Page 13, Records of Monterey County. The Subdivision Map Act (SMA) governs the subdivision of property and provides the framework for determining when a legal lot or record has been created. SMA Section 66412.6 relates to separate conveyances of property prior to 1972 and provides that:

> *"For purposes of this division or of a local ordinance enacted pursuant thereto, any parcel created prior to March 4, 1972, shall be conclusively presumed to have been lawfully created if the parcel resulted from a division of land in which fewer than five parcels were created and if at the time of the creation of the parcel, there was no local ordinance in effect which regulated divisions of land creating fewer than five parcels."*

Parcel I was conveyed by Del Monte Properties Company to Amy Bowen Hittell separately from any other parcel, on February 11, 1924. The deed was recorded in Volume 34, Page 145, Official Records. In each successive transfer of this parcel, the parcel is separately described in the legal description of the grant deeds. On June 15, 2008, the City of Pacific Grove recorded a certificate of compliance confirming that the parcel is a separate legal lot of record.

Parcel II was conveyed by Del Monte Properties Company to Amy Bowen Hittell separate from any other parcel on February 6, 1924. The deed was recorded in Volume 34, Page 105, Official Records. In each successive transfer of said parcel, the parcel is separately described in the legal description of the grant deeds. On June 15, 2008, the City of Pacific Grove recorded a certificate of compliance confirming that the parcel is a separate legal lot of record.

Parcel III was conveyed by Del Monte Properties Company to Amy Bowen Hittell separately from any other parcel, on June 14, 1923. The deed was recorded in Volume 19, Page 182, Official Records. In each successive transfer of said parcel, the parcel is separately described in the legal description of the grant deeds. Therefore, the City of Pacific Grove recognizes the parcel as a separate legal lot of record in compliance with the relevant provisions of the Subdivision Map Act, including Section 66412.6.

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Parcel IV was conveyed by Del Monte Properties Company to Paul Ehlert on July 13, 1923. The deed was recorded in Volume 22, Page 43, Official Records. On April 29, 1948 M.D. King and Lillian Kent conveyed a portion of the parcel to David and Eileen Chew. In each successive transfer the remainder of the parcel is separately described noting "excepting therefrom the portion deeded to Chew" in the legal description of the grant deeds. Therefore, the City of Pacific Grove recognizes the parcel as a separate legal lot of record in compliance with the relevant provisions of the Subdivision Map Act, including Section 66412.6.

In accordance with the Subdivision Map Act Section 66412(d), approval of a lot-line adjustment (i.e., a lot merger in this case) shall be based upon a determination by the director that the following criteria are in evidence:

(a) The adjustment involves four or fewer adjoining parcels that were legally created and will not result in the creation of more parcels than originally existed.

As proposed, the merger of the four (4) existing legal lots will result in a total of two (2) separate, legal parcels.

(b) Each resulting parcel is viable in supporting existing or planned land uses based on applicable general plan and other applicable zoning regulations.

The resultant parcels will be viable in supporting existing or planned land uses.

(c) The resulting parcels and any structure(s) or parking space(s) located thereon will comply with the requirements of the zoning district in which the parcel is located and with applicable building regulations, except that where an existing parcel(s) or structure(s) is nonconforming with respect to zoning regulations, a lot-line adjustment may be approved if the degree of nonconformance is not increased.

The resultant parcels will have adequate room for permitted structures and required parking.

(d) The adjustment will not impair any existing public-street or private-access easement or create parcels without legal access to a public street and the number of lots fronting on a public street is not being reduced.

The merged parcels will have legal access to a public street and will not impair the existing access easement which benefits the neighbor to the north (1663 Sunset Drive).

(e) The adjustment will not require substantial alteration of any existing public easements or improvements.

There are no known public easements or improvements that will require alteration as a result of these mergers.

(f) The adjustment will not result in a utility service line being located on any property other than the lot being served, unless the service line is contained in a recorded utility easement.

Utilities will be extended from their existing location(s) across a property under the same ownership. No easement is needed at this time.

(g) Each resulting parcel has been, or can be, provided with adequate sewage-disposal facilities.

The resultant parcels will be connected to the public sewer in Sunset Drive.

PGMC 23.90.180(c)(3) - Coastal Community Design for the Asilomar Dunes Residential Area (ADRA)

In addition to all other applicable LCP policies, the following design standards for development within the Asilomar Dunes Residential Area have been addressed in the application materials: the Residential Development Envelope which includes the Primary Coverage Area (PCA) and the Outdoor Use Area (OUA); the Restoration and Protection of the ADRA dune environment; Fencing (none); Heights and Articulation; Off-Street Parking; Setbacks; Accessory Structures (none); Off-Site Mitigation; Subdivisions (none); Nonconforming (none) and Conforming Development; and Views.

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California Environmental Quality Act (CEQA)

An Initial Study and Mitigated Negative Declaration (IS/MND), and a Mitigation Monitoring and Reporting Plan (MMRP) were prepared for AP-CDP-PM 19-0645 in accordance to Article 6, CCR Title 14, California Environmental Quality Act (CEQA) Guidelines and circulated for public review/comment and to the State Clearinghouse (SCH#2021040697).

As amended, the project is consistent with the previously-adopted final IS/MND for the project (AP-CDP-PM 19-0645), adopted by the Planning Commission on August 12, 2021. Pursuant to Section 15162 of the CEQA Guidelines, the Planning Commission has reviewed the project, considered the final IS/MND, and finds that the project does not require subsequent environmental analysis based on the following:

a) No substantial changes are proposed in the project which will require major revisions to the previous IS/MND due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified impacts;

b) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions to the previous IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; and

c) No new information of substantial importance has been provided which was not known at the time of the previous IS/MND.

The following facts remain as adopted by the Planning Commission on August 12, 2021 and as considered on November 14, 2024:

a) The final IS/MND was completed in compliance with CEQA;

b) The final IS/MND was presented to the Planning Commission, and that the decision-making body reviewed and considered the information contained in the final IS/MND prior to approving the project and amendment;

c) The final IS/MND reflects the lead agency's independent judgment and analysis; and

d) The custodian for these documents shall be the Community Development Department for the City of Pacific Grove found at 300 Forest Avenue, Pacific Grove, California 93950.

Site Plan Review Committee (SPRC) Meeting

In compliance with the requirements of PGMC Section 23.70.050, an SPRC meeting was held on February 2, 2021. Members commented on stormwater, sewer, gross floor area, and demolition truck routes. These items have been addressed in the conditions of approval.

PERMIT

AMENDMENT (24-0186) OF ARCHITECTURAL PERMIT, PARCEL MERGER, COASTAL DEVELOPMENT PERMIT AP/PM/CDP 19-0645

To modify the previously-approved Coastal Development Permit and Parcel Merger to: amplify and clarify the facts and evidence regarding visual resources, biological resources, lot legality, and water supply; allow the merger of the two legal lots under APN 007-041-035; and add related conditions of approval.

As amended, the resulting project would allow the demolition of the existing single-family residence on the eastern portion of the property (APN -035) and the construction of a 5,912 square foot split-level single-family residence on the western portion of the property, and the merger of APNs 007-041-033 and -034, and the merger of the two legal lots under APN -035.

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CONDITIONS OF APPROVAL

General Conditions

1. **Conformance to Plans.** Development and uses of the site shall conform to the approved plans for the HPH Properties, LP, Project dated April 24, 2023, on file with the Community Development Department and to the Building Code, with the exception of any subsequently-approved changes. Minor plan changes shall be subject to review and approval by the Community Development Director and/or Public Works Director as appropriate, prior to implementation. Major plan changes may also require review and approval of the Planning Commission. Project revisions may require additional CEQA analysis. The final building permit site plan shall accurately reflect 15% lot coverage in compliance with BIO-24(b).
2. **Permit Expiration.** The project permits shall expire and be null and void if a building permit has not been applied for within two (2) years from and after the date of approval. Application for extension of this approval must be made prior to the expiration date.
3. **Construction Compliance.** All construction must occur in general compliance with the proposal as set forth in the application, subject to any special conditions of approval herein. Any deviation from approvals must be reviewed and approved by staff and may require subsequent discretionary approval.
4. **Terms and Conditions.** These terms and conditions shall run with the land and bind to all future owners and possessors of the subject property, unless amended. Amendments to this permit may be achieved only if an application is made and approved, pursuant to the Zoning Code.

Prior to Issuance of the Demolition Permit

5. **Encroachment Permit.** The project proponent shall obtain an encroachment permit prior to any work within the public right-or-way. The encroachment permit application shall be submitted for review and approval by the Chief Building Official and Public Works Director.
6. **Temporary Fencing.** Prior to the start of construction, temporary fencing shall be installed to delineate the Construction Zone for the purpose of protecting surrounding dune habitat. The Project Biologist shall oversee the installation of the temporary fencing. Temporary fencing shall be maintained in good condition and remain in place until all construction on site is completed and final building inspection approval has been received. Removal or changing the location of the fence, to accommodate onsite restoration activities, for example, will require the concurrence of the Project Biologist. After confirming that final building approval has been received, the Project Biologist shall oversee removal of the fencing.

Prior to Issuance of Building Permits

7. **Recordation of Deed Restriction(s).** Owner shall cause to be recorded on forms to be provided by the City two (2) deed restrictions, one on each resultant parcel, that delineate all areas outside the approved 15% Primary Coverage Area+Outdoor Use Area (new driveways and access roads are included in the PCA) development areas specifically for restoration and protection of archaeological and cultural resources. The westerly merged property (007-041-033 and -034) shall have recorded a deed restriction encompassing ± 78,206 square feet (~ 1.80 acre) of the property outside the PCA+OUA and existing access road; the easterly property (007-041-035) of 57,237 square feet (~ 1.31 ac) shall also identify a 15% PCA+OUA and record a deed restriction encompassing approximately 47,901 square feet (~ 1.1 acre), to protect the undeveloped portions of the property.

   This condition is required pursuant to LUP Policy BIO-24(d). As a condition of coastal development permit approval, all other areas of the lot outside of the Residential Development Envelope shall be restored/enhanced and maintained in a natural dune condition within which the only allowed development, use, and activities are those associated with dune restoration/enhancement and protection. All dune restoration, enhancement, and protection areas shall be covered by both a dune restoration, enhancement and protection plan prepared by a qualified dune restoration professional, as well as a deed restriction or other similar legal restriction adhering to the property (i.e., a conservation easement, etc.) designed to limit

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allowed development, use, and activities in perpetuity to those associated with dune restoration, enhancement and protection.

8. **Adobe Shed Protection.** The small adobe shed at the east end of APN -035 shall be retained.
9. **Grading Plan.** All grading-phase related conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the grading plan set submitted to the Building Division.
10. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the construction plan set submitted to the Building Division.
11. **Public Works, Fire, and Building.** Review and approval by the Public Works Department, Fire Department, and Building Division are required prior to issuance of a building permit. Work taking place in the public right-of-way shall require an encroachment permit prior to issuance of the building permit.
12. **Other Utilities.** The existing water meter at Asilomar Avenue will remain with a new lateral extended to the new home. The existing sewer lateral to Sunset Drive will remain and be extended to the new home. Existing PG&E utilities (gas and electric) will be extended underground along the south property line to the new home. The existing driveway pavement will be replaced without expanding the prism or impervious areas.
13. **Glare Reduction.** Westerly facing windows and glass doors shall use bird-safe and anti-glare glass to minimize bird impacts and to reduce afternoon and evening glare.
14. **Exterior Lighting.** Exterior lighting shall be positioned so that no direct light extends onto neighboring properties. Exterior lighting shall be screened to confine light splay to the site and shall be at a wattage level that sufficiently limits light glare. After installation, the City may require lamps to have a lower wattage level in order to limit the glare levels of the light fixtures. As an ongoing requirement, all exterior lighting shall conform with LUP Policy DES-6.
15. **Construction Noise Reduction.** Prior to the issuance of demolition or grading permits, the City shall ensure that the project applicant includes the following on all construction plans and contracts for the proposed project:

    Construction Hours. All noise-generating construction activities, as well as delivery and removal of materials and equipment associated with those construction activities, are limited to the hours of 8:00 a.m. to 6:00 p.m., Monday through Saturday, and 10:00 a.m. to 5:00 p.m. on Sunday.

    Construction Equipment. Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The developer shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions.

    Vehicle and Equipment Idling. Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.

    Stationary Equipment. All noise-generating stationary equipment such as air compressors or portable power generators shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers shall be designed to reduce construction noise levels by at least 10 dBA.

    Construction/Demolition Route. All construction and demolition traffic to and from the project site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible.

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Workers' Radios. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity.

Prior to Demolition Activities

16. **Preconstruction Bird Surveys.** Should demolition or grading activities begin during the local bird nesting season (January 1 through July 31), the applicant shall retain a qualified wildlife biologist or ornithologist to conduct a preconstruction nesting survey of the project area to ascertain whether nesting birds and their active nest could be jeopardized by the new activities. This survey shall take place no more than 15 days before the start of the potentially disruptive work. Should nesting be detected where there would be a threat to the nest/~~,~~ eggs/nestlings, the biologist will coordinate with the owner and contractor to work out an alternative work pattern or calendar to provide time necessary for the birds to complete their nesting effort.
17. **Archaeological and Tribal Monitors Under Contract.** Prior to any grading or other ground-disturbing activities, the applicant shall provide to the Community Development Department copies of the executed contracts with both a qualified registered archaeologist and qualified Tribal monitors of either the Esselen Tribe of Monterey County (Esselen) and/or the Ohlone-Costanoan Esselen Nation (OCEN).

Prior to Grading or Any Ground-Disturbing Activities

18. **Pre-Construction Meeting (Archaeo/Cultural).** Prior to demolition and again at the start of construction of the new home, the Project Archaeologist and Tribal monitor (if interested) shall conduct an educational meeting to explain the purpose of the monitoring, to show the construction personnel what is being monitored and to explain what will happen in the incidence of locating an artifact during construction activities. The Project Archaeologist will briefly explain the history of the area. The construction personnel will be shown a photo of the items that have already been observed onsite and asked to be prepared to immediately stop demolition/construction activity if an inadvertent discovery is made. This meeting may be concurrent with the similar pre-construction meeting for biological resources.
19. **Pre-Construction Meeting (Bio).** Prior to demolition and again at the start of construction of the new home, the Project Biologist shall conduct an educational meeting to explain the purpose of the monitoring, to show the construction personnel what is being monitored and to explain what will happen in the incidence of locating a species of special concern during construction activities. The Project Biologist will explain the life history of the species of special concern, why they may be found on the property, and what construction staff should do if one is spotted on the project site. The construction personnel will be shown a photo of the species of special concern and asked to be prepared to immediately stop demolition activity if a species of special concern is discovered and wait until the species is safely removed from the construction zone before restarting. This meeting may be concurrent with the similar pre-construction meeting for archaeological /Tribal resources.

During Construction and Prior to Final Inspection

20. **On-Going Site Management.** All activities associated with construction, trenching, storage of materials, and disposal of construction waste and excavated soil shall not impact areas protected by fencing. The areas protected by the fence shall remain in a trash-free condition and not used for material stockpiling, storage or disposal, or vehicle parking. All construction personnel shall be prohibited from entering the areas protected by fencing.
21. **Construction & Biological Remediation Monitoring for Archaeological Resources.** Archaeological and Tribal monitoring shall be conducted by both a qualified archaeologist and a Native American monitor from the Esselen and/or OCEN for all ground-disturbing activities occurring between 0 to 4-feet below the ground surface. This includes: 1) field preparation and iceplant remediation activities that include the use of any heavy equipment; and 2) for utility and stormwater trenching. The following standard protocols shall be followed:

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a) ***Procedures for Inadvertent Discovery of Archaeological Resources*** - if any unanticipated precontact or historic-era cultural deposits and/or features are encountered during construction activities, all ground disturbing work within 100-feet of the find shall be halted and directed away from the discovery, until a Secretary of the Interior qualified archaeologist assesses the significance of the resource. The archaeologist, in consultation with the property owner, the City of Pacific Grove and Tribal consultants, should make the necessary plans for treatment of the find(s) and for the assessment and mitigation of impacts, if the finds are found to be eligible to the National or California Registers, qualify as a unique archaeological resource under CEQA Section 21083.2, or determined to be a tribal cultural resource, as defined in Section 21074.

b) ***Procedures for Inadvertent Discovery of Human Remains*** - If human remains are encountered during Project-related earth-disturbing activities, all work within 100-feet of the discovery area shall cease immediately, nothing is to be disturbed, and the area shall be secured. The Monterey County Coroner's Office, the SHPO, and the City of Pacific Grove must be notified immediately. The Coroner will determine if the remains are pre-contact Native American or of modern origin, and if there are any criminal or jurisdictional questions.

If the Coroner believes the remains to be those of a precontact Native American, they shall contact the Native American Heritage Commission (NAHC) by telephone within 24-hours. The NAHC will notify the person it believes to be the most likely descendant (MLD) of the remains.

The MLD has 48-hours to make recommendations to the landowner for treatment or disposition of the human remains. If the descendant does not make recommendations within 48-hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the property owner does not accept the descendant's recommendations, the owner or the descendant may request mediation by the NAHC. According to the California Health and Safety Code, six (6) or more human burials at one (1) location constitute a cemetery (Section 8100), and willful disturbance of human remains is a felony (Section 7052). An archaeologist(s) should also be retained to evaluate the historical significance of the discovery, the potential for additional remains, and to provide further recommendations for treatment of the site in coordination with the MLD.

22. **Biological Remediation Activities.** Site reclamation and restoration activities shall be conducted in compliance with the Restoration Plan prepared for this project (*Native Botanical & Habitat Restoration Plan* (Califauna, amended February 2, 2024). Installation of plants shall be completed prior to final building permit inspection approval and granting of occupancy.

23. **During-Construction Pollution Prevention (a):** During construction, the developer shall employ storm water best management practices (BMPs) for erosion and sediment control, prevention of non-stormwater discharges, and implement good housekeeping and construction waste management practices to protect the storm drainage system and water quality as required by City Code Section 9.30.130(c), the City Phase II NPDES Permit, State Water Resources Control Board (SWRCB) Construction General Permit (CGP), and the Monterey Regional Storm Water Management Program (MRSWMP).

24. **During-Construction Pollution Prevention (b)**: Construction activities subject to BMP requirements shall continuously employ measures to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality, contamination, or unauthorized discharge of pollutants.

25. **During-Construction Pollution Prevention (c):** Whenever construction activity is being done contrary to and in violation of Municipal Code Chapter 9.30, the Public Works/Community Development Director may order that construction activity to stop by posting a written notice on the premises. All persons shall immediately stop such work unless or until the Public Works Director authorizes removing the stop work order and allows construction activity to proceed.

Docusign Envelope ID: 6985D5BD-CC59-4D39-A701-9489A0CC57E1

Prior to Certificate of Occupancy

26. **Biological Restoration.** The completion of the "planting and seeding" phase described in the project's *Native Botanical & Habitat Restoration Plan* (Califauna, amended February 2, 2024) shall be completed prior to the issuance of a Certificate of Occupancy.

Ongoing Operational Conditions

27. **Stormwater Treatment Measure.** The stormwater treatment measures shall be maintained by the property owner in perpetuity. City staff shall be allowed access to inspect all stormwater treatment measures on an annual basis.

28. **Maintenance of Landscaping and Lighting.** All landscaping and lighting shall be maintained in good condition for the life of the project. Any plants that die or are diseased shall be promptly removed and replaced. Groundcover shall be similarly maintained as needed. All lighting equipment, bulbs, conduit, shall be maintained and replaced in-kind as needed. Any deficiencies noted by City staff shall be addressed within 7 calendar days of written notice of non-compliance by the City.

29. **Onsite Habitat Restoration Maintenance and Monitoring.**

    Following satisfactory installation of the new landscape, a 5-year maintenance and monitoring program shall commence, overseen and directed by the Project Biologist.

    Monitoring - the Project Biologist will conduct: (a) Monitoring would follow standard protocol: the project biologist will conduct:

    (a) bi-weekly site check for the first two months after plantings are completed [4 visits];

    (b) three quarterly inspections for the following nine months [3 visits]; and

    (c) for the following 4 years (yrs 2-5 of 5) at two visits [15]. Total = 17 visits (estimated total of 8 hrs); with a final report and verification to the City of Pacific Grove at the completion of the 5-year monitoring effort.

    (CALIFAUNA *Native Botanical & Restoration Plan,* revised February 2, 2024)

30. **Final Archaeological Report.** At the discretion of the professional archaeologist, a report suitable for compliance documentation may be prepared and provided to the appropriate State agencies. This report will document the field methodology and findings and make management recommendations, as necessary. If required, this report shall be completed within six (6) months of completion of monitoring.

31. **Mitigation Measures** – All Mitigation Measures, including monitoring and compliance measures, and long-term compliance measures contained in the Mitigation Monitoring and Reporting Plan as adopted by the Planning Commission, and in association with the Initial Study/Mitigated Negative Declaration, are incorporated herein and enforceable under this instrument.

32. **Notice of Permit Approval.** The applicant shall record a Permit Approval Notice. This notice shall state: "An Amendment (Permit No. 24-0186) to a previously-approved Parcel Merger, Architectural Permit, and Coastal Development permit (Permit No. PM/AP/CDP 19-0645) was approved by the City of Pacific Grove Planning Commission for Assessor's Parcel Numbers 007-041-033, -034, and -035 on November 14, 2024. The permit was granted subject to thirty-six (36) conditions of approval which run with the land. A copy of the permit is on file with the City of Pacific Grove Community Development Department." Proof of recordation of this notice shall be furnished to the Community Development Department prior to issuance of building permits.

33. **Remove fencing and entry posts located on Sunset Drive.** Prior to issuance of a building permit, the fencing and entry posts located along Sunset Drive shall be removed.

Docusign Envelope ID: 6985D5BD-CC59-4D39-A701-9489A0CC57E1

34. **Off-Site (Right-of-Way) habitat restoration along Sunset Drive and Asilomar Avenue.** The property frontage along both Sunset Drive and Asilomar Avenue shall be restored in accordance with the same requirements as described in the on-site restoration plan. See Condition No. 29.

    This condition is required pursuant to LUP Policy BIO-24(f). Development shall only be approved if the area in the public right-of-way between the lot frontage and the paved portion of the road is also restored/enhanced and maintained in a natural dune condition within which the only allowed development, use, and activities are those associated with dune restoration, enhancement and protection.

35. **Certificates of Compliance.** The Owner(s)/Applicant(s) shall prepare, execute and record deeds that reflect the lot line adjustment (i.e., parcel mergers) as required by California Government Code §66412(d) and request an unconditional Certificate of Compliance for each of the adjusted parcels.

    Prior to the issuance of a building permit, the Owner(s)/Applicant(s) shall take all necessary steps to merge Parcels I and II fronting on Sunset Drive (APNs 007-041-033/-034) into a single parcel, and Parcels III and IV fronting on Asilomar Avenue (APN 007-041-035) into a single parcel, including but not limited to doing the following:

    Have a professional land surveyor prepare a legal description and plat with closure calculations. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (CDP 22-0296) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B." The legal description and plat shall comply with the Monterey County Recorder's guidelines as to form and content.

    Submit the draft legal descriptions, plats and closure calculations to the project planner for both of the following:

    a. Each newly adjusted parcel of the lot line adjustment for which a Certificate of Compliance will be issued.

    b. For the adjusted parcels, being all areas being conveyed by Owner(s) in conformance to the approved lot line adjustment.

        i. The Owner(s)/Applicant(s) shall be responsible for ensuring the accuracy and completeness of all parties listed as Grantor and Grantee on the deeds.

        ii. The purpose of the deed shall be stated on the first page of the deed, as follows: "The purpose of this deed is to adjust the parcel boundaries in conformance to the lot line adjustment approved by the City of Pacific Grove (19-0645, as amended by 24-0186). This deed is being recorded pursuant to §66412(d) of the California Government Code and shall be deemed to reconfigure the subject parcels in conformance to said approved lot line adjustment. Any configuration of said subject parcels that existed prior to recordation of this deed shall no longer be valid and shall not be used for the purpose of sale, lease or financing, whether immediate or future."

    NOTE: Owner(s) is/are responsible for securing any re-conveyance, partial re-conveyance and/or subordination in connection with any loan, mortgage, lien or other financial obligation on all property being transferred between parties.

    Following project planner review and any corrections of the legal descriptions and plats:
    a. Record the fully executed and acknowledged deed(s) to the adjustment parcels with the County Recorder.
    b. Deliver a copy of the recorded deed(s) to the project planner.
    c. Deliver the legal description and plat of each Certificate of Compliance to the Community Development Department for final processing, together with a check, payable to the "Monterey County Recorder," for the appropriate fees to record the Certificate(s) of Compliance.

36. **Off-Site Restoration.** Pursuant to LUP Policy BIO-25, in addition to the restoration requirements specified in Policy BIO-24(d) and (f) (see condition nos. 7 and 34 above), all areas of new dune coverage associated

Docusign Envelope ID: 6985D5BD-CC59-4D39-A701-9489A0CC57E1

with development on legal lots of record in the Asilomar Dunes Residential Area shall be required to be mitigated on a 2:1 square foot basis by providing for off-site restoration or enhancement of degraded dune areas in the Asilomar Dunes area. This requirement may be addressed through offsite restoration/enhancement and/or proportionate contributions to the City's Environmental Assessment Fund (i.e., in-lieu fee) provided such funds are used exclusively for dune restoration, enhancement, and protection efforts in the Asilomar Dunes area. The in-lieu fee requirement would amount to $58,732.00 (14,683 square feet x 2 x $2.00 per square foot) for the adjusted lot adjacent to Sunset Drive and $37,344.00 (9,336 square feet x 2 x $2.00 per square foot) for the adjusted lot adjacent to Asilomar Avenue.

37. **Operational Permit.** As amended, AP/CDP/PM 24-0186 shall become the operational entitlement for the project, and all conditions of approval shall be cleared under this amendment.

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

1. The Planning Commission determines that each of the Facts and Findings set forth above is true and correct, and by this reference incorporates those Facts and Findings as an integral part of this Permit.
2. The Planning Commission approves the Amendment 24-0186 to AP/PM/CDP 19-0645, subject to the findings and conditions as amended, and consistent with the previously adopted Initial Study/Mitigated Negative Declaration.
3. This permit shall become effective upon the expiration of the 10-day appeal period.
4. This permit shall not take effect until the owner acknowledges and agrees to all terms and conditions and agrees to conform to and comply with those terms and conditions.

Passed and adopted as a regular meeting of the Planning Commission of the City of Pacific Grove on the 14th day of November, 2024, by the following vote:

AYES: Sweigert, Sawyer, Murphy, Fredrickson, Kubica, and Nodzenski

NOES: None

ABSENT: Davison

ABSTENTIONS: None

APPROVED:

Signed by:
Don Murphy
91F038C4674F42F...
Don Murphy, Chair

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fully conform to, and comply with, said terms and conditions.

DocuSigned by:
Mark Elstob
0B9B4C30021F4F9...
Mark Elstob, General Partner
Elstob Family Investments, LP

11/15/2024
Date

EXHIBIT C1

Easement Description (236 Asilomar Ave.)

The land referred to herein below is situated in the City of Pacific Grove, County of Monterey, State of California. A Conservation Easement, being more particularly described as follows:

Elstob Parcel B as described in that certain Certificate of Compliance filed on January 16, 2025 as Instrument No. 2025001832 in the Office of the County Recorder of said County and State except for the following four areas:

Area 1 (West Driveway)

Beginning at a point on the Westerly Boundary of said Parcel B that is North 13°22'00" East, 69.24 feet from the Southwesterly corner of said Parcel B; thence along said Westerly Boundary

1. North 13°22'00" East, 34.64 feet; thence
2. North 22°45'01" East, 23.06 feet; thence
3. North 38°03'16" East, 7.37 feet; thence
4. North 62°58'10" East, 6.70 feet; to a point on said Parcel B Northerly Boundary that is South 77°00'00' East, 11.94 feet from the Northwesterly corner of Parcel B; thence along last said boundary
5. South 77°00'00" East, 43.54 feet; thence through said Parcel B
6. North 85°12'07" West, 18.04 feet; thence
7. South 86°35'38" West, 14.56 feet; thence
8. South 62°26'39" West, 13.16 feet; thence
9. South 23°17'19" West, 21.27 feet; thence
10. South 13°22'00" West, 32.25 feet; thence
11. North 78°37'09" West, 10.00 feet to the Point of Beginning.

CONTAINING A TOTAL OF 0.02 ACRES (856 SF)

Area 2 (Building and Outdoor Use Area)

Beginning at a point that is North 89°42'59" West 79.77 feet from the Northeasterly corner of said Parcel B, thence

1. South 13°00'00" West, 110.37 feet; thence
2. North 77°00'00" West, 58.0 feet; thence
3. North 13°00'00" East, 110.37 feet; thence
4. South 77°00'00" East, 58.00 feet to the Point of Beginning.

CONTAING A TOTAL OF 0.15 ACRES (6,401 SF)

Area 3 (Adobe)

Beginning at a point that is South 20°19’52” West feet from the Northeasterly corner of said Parcel B thence

1. North 79°07’27” West, 15.85 feet; thence
2. North 10°52’33” East, 28.50 feet; thence
3. South 79°07’27” East, 15.85 feet; thence
4. South 10°52’33” West, 28.50 feet to the Point of Beginning.

CONTAINING A TOTAL OF 0.01 ACRES (452 SF)

Area 4 (East Driveway)

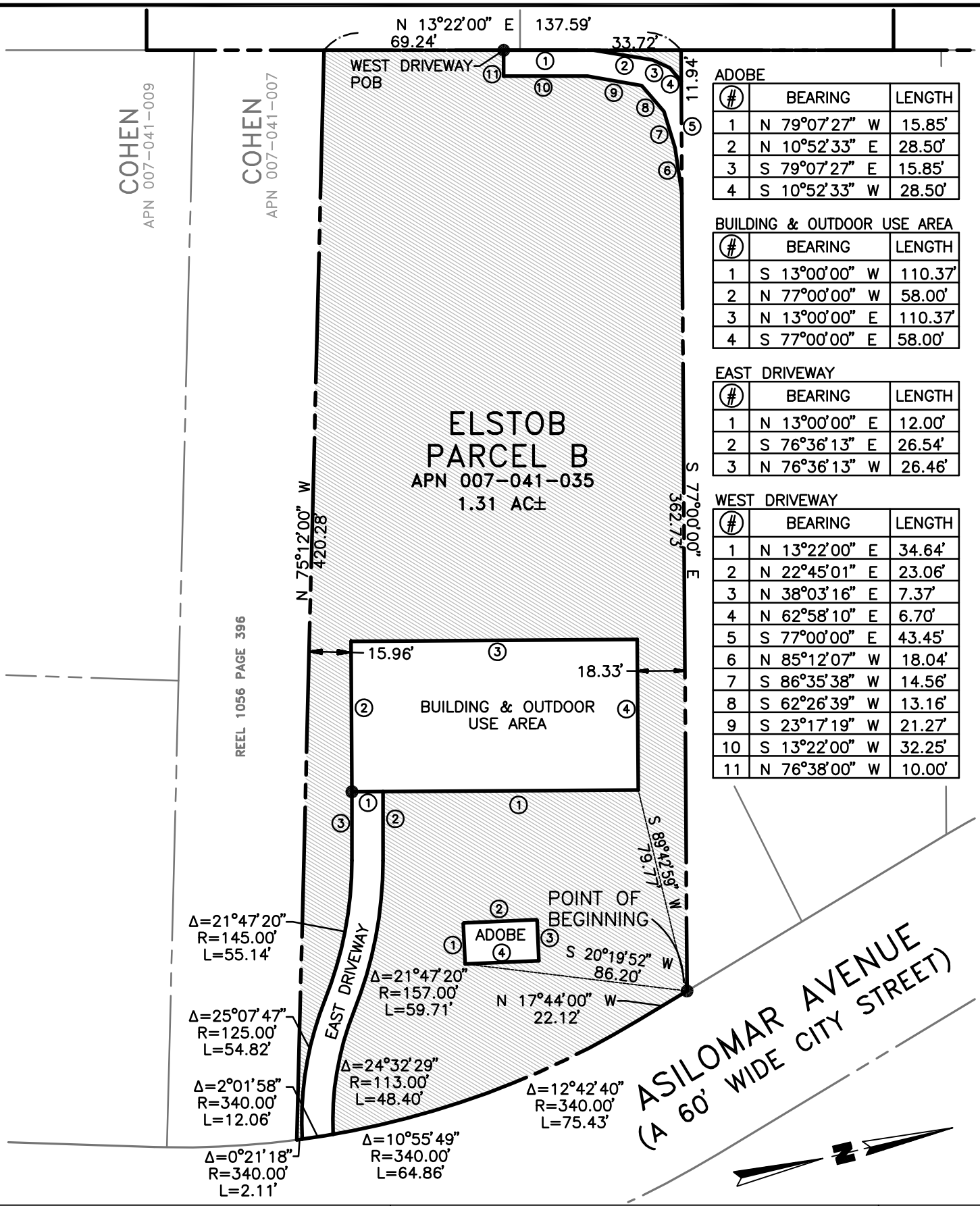
Beginning at the Southerly Corner of above said Area 3 (House); thence along a portion of the Easterly Boundary of said Area 3 (House)

1. North 13°00’00” East, 12.00 feet; thence through a portion of said Parcel B
2. South 76°36’13” East, 26.54 feet; thence
3. Easterly 59.71 feet along the arc of a curve to the right having a radius of 157.00 feet; through a central angle of 21°47’20” to a point of reverse curvature; thence
4. Easterly 48.40 feet along a curve to the left having a radius of 113.00 feet; through a central angel of 24°32’29” to a point on the Westerly Boundary of Asilomar Ave; thence
5. Southerly 12.06 feet along a curve to the right having a radius of 340.00 feet; through a central angle of 2°01’58”; thence through a portion of said Parcel B
6. Westerly 54.82 feet along a curve to the right having a radius of 125.00 feet; through a central angle of 25°07’47” to a point of reverse curvature; thence
7. Westerly 55.14 feet along a curve to the left having a radius of 145.00 feet; through a central angle of 21°47’20”; thence
8. North 76°36’13” West, 26.46 feet to the Point of Beginning.

CONTAING A TOTAL OF 0.04 ACRES (1,627 SF)

Date: 2 April, 2025

H. Patrick Ward, RCE 29811, State of California.



ADOBE

#	BEARING	LENGTH
1	N 79°07'27" W	15.85'
2	N 10°52'33" E	28.50'
3	S 79°07'27" E	15.85'
4	S 10°52'33" W	28.50'

BUILDING & OUTDOOR USE AREA

#	BEARING	LENGTH
1	S 13°00'00" W	110.37'
2	N 77°00'00" W	58.00'
3	N 13°00'00" E	110.37'
4	S 77°00'00" E	58.00'

EAST DRIVEWAY

#	BEARING	LENGTH
1	N 13°00'00" E	12.00'
2	S 76°36'13" E	26.54'
3	N 76°36'13" W	26.46'

WEST DRIVEWAY

#	BEARING	LENGTH
1	N 13°22'00" E	34.64'
2	N 22°45'01" E	23.06'
3	N 38°03'16" E	7.37'
4	N 62°58'10" E	6.70'
5	S 77°00'00" E	43.45'
6	N 85°12'07" W	18.04'
7	S 86°35'38" W	14.56'
8	S 62°26'39" W	13.16'
9	S 23°17'19" W	21.27'
10	S 13°22'00" W	32.25'
11	N 76°38'00" W	10.00'

L:\6752\6752002\Dwgs\Planskhs\EXHIBIT C2.DWG - albojef - APR 03, 2025 - 16:39:31

CIVIL ENGINEERING - SURVEYING - LAND PLANNING
9701 BLUE LARKSPUR LANE, MONTEREY, CALIFORNIA 93940
831.373.2941 831.649.4118F

PREPARED FOR: Elstob

EXHIBIT C2
CONSERVATION EASEMENT

COUNTY OF MONTEREY, CALIFORNIA

SCALE: 1"= 50'
DATE: 4/3/2025
SHEET: 1 OF 1
WO: 6752.02

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, Mayor Pro Tem

MEETING DATE: May 07, 2025

SUBJECT: Monterey Salinas Transit Minutes for March 10, 2025

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

RECOMMENDATION

Receive minutes.

Attachments

MST Minutes 03102025

MEETING OF THE MST BOARD OF DIRECTORS

Meeting Minutes
March 10, 2025
10:00 am (Pacific)

Present:	Mary Ann Carbone, Chair	City of Sand City
	Lorraine Worthy, Vice Chair	City of Gonzales
	Bob Delves	City of Carmel-by-the-Sea
	Kim Shirley	City of Del Rey Oaks
	Ariana Rodriguez	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
	Fernando Cabrera	City of Soledad
	Luis Alejo	County of Monterey
Absent:	None	
Counsel:	Michael D. Laredo	General Counsel, De Lay & Laredo
Staff:	Carl Sedoryk	General Manager/CEO
	Lisa Rheinheimer	Deputy CEO
	Kelly Halcon	Chief Human Resources Officer
	Michael Kohlman	Chief Information Officer
	Norman Tuitavuki	Chief Operating Officer
	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
	Christine Church	Compliance Analyst
	Cristy Sugabo	Mobility Manager
	Daniel Rodriguez	Customer Service Representative
	David Bielsker	Transit Scheduler
	Elena Grigorichina	Operations Specialist
	Emma Patel	Planning Manager
	Ezequiel Rebollar	IT System Engineer

	Ikuyo Yoneda-Lopez	Marketing & Communications Manager
	Jacob Huggins	IT Specialist
	Jarred Augusta	Risk and Safety Manager
	Kevin Allshouse	Contract Transportation Manager
	Luiza Hatlestad	Mobility Specialist
	Marzette Henderson	Transportation Manager
	Natalie Flores	Associate Planner
	Paul Lopez	Facilities Manager
	Rolando Munoz	Mobility Specialist
	Ruben Gomez	Mobility Coordinator
	Scott Taylor	Information Technology Manager
	Steven Bruno	Purchasing Agent
	Susie Flores	Grants Analyst
	Ursulla Scardina	Communications Specialist
Public:	Jim Fink	28 Year MST Passenger
	Michelle Adams	Councilmember, City of Sand City
	Jasmine Mejia-Cortes	Monterey County Board of Supervisors
	Javier Gomez	Monterey County Board of Supervisors
	Linda Gonzales	Monterey County Board of Supervisors

1. CALL TO ORDER

1-1. Roll Call.

1-2. Pledge of Allegiance

Chair Carbone called the meeting to order at 10:02 a.m. Roll call was taken and a quorum was established. Director LeBarre led the pledge of allegiance.

1-3. Conduct Swearing in Ceremony of New Board Member Bob Delves.

City of-Carmel-by-the-Sea Councilmember, Bob Delves was sworn in as a newly appointed MST Board member.

1-4. Highlights of the agenda. (Carl Sedoryk)

General Manager/CEO, Carl Sedoryk reviewed highlights of the Agenda.

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Jim Fink, MST passenger, asked to remove cutaways and replace them with standard coaches. He asked to return services to Diridon Station and add Berryessa Bart Station in San Jose. Mr. Fink also asked MST to get on board with the Clipper as the statewide payment system for transit.

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. Financial Reports – January 2025. (Lori Lee) (Page 7)
   a) Accept Report of January 2025 Cash Flow,
   b) Approve January 2025 Disbursements, and
   c) Accept Report of January 2025 Treasury Transactions.

3-2. Approve Minutes of the MST Board Meeting of February 10, 2025. (Jeanette Alegar-Rocha) (Page 19)

3-3. Receive Draft Minutes of the MST Board Operation Performance Committee Meeting of February 10, 2025 (Jeanette Alegar-Rocha) (Page 27)

3-4. Adopt Resolution 2025-16 Recognizing Juan Castillo, Facilities Technician, as Employee of the Month for March 2025. (Paul Lopez) (Page 31)

3-5. Reject Claim by the Claimant Tammy Ryan. (Jarred Augusta) (Page 33)

3-6. Authorize the General Manager/CEO to Purchase Five (5) Toyota Prius Hybrid Vehicles at the Lowest Price/Best Options at the Time of Purchase Utilizing the California Department of General Services (DGS) Contract #1-22-23-10c in an Amount Not to Exceed $180,567. (Norman Tuitavuki) (Page 35)

3-7. Receive Draft Minutes of the Mobility Advisory Committee Meeting of January 29, 2025 (Ruben Gomez) (Page 37)

3-8. Adopt Resolution 2025-17 in Recognition of Transit Employee Appreciation Day, March 18, 2025. (Carl Sedoryk) (Page 41)

3-9. Adopt Resolution 2025-18 in Appreciation of Jeff Baron, His Support to the MST Board, and Contribution to the Community. (Carl Sedoryk) (Page 43)

Jim Fink, MST passenger, commented that item 3-9 should be pulled because Jeff Baron is entitled to special recognition for his job of serving on the MST Board. Mr. Sedoryk responded that Mr. Baron specifically asked not to have a special presentation placed on the Agenda. Chair Carbone pulled item 3-9 and moved it to recognitions and special presentations as item 4-3 to allow further comments.

On a motion by Director Cabrera and seconded by Director Smith, the Board unanimously approved items 3-1 through 3-8 on the Consent Agenda.

4. RECOGNITIONS AND SPECIAL PRESENTATIONS

4-1. March 2025 Employee of the Month – Juan Castillo, Facilities Technician. (Paul Lopez)

The MST Board recognized Juan Castillo, Facilities Technician, as the March 2025 Employee of the Month for his outstanding contribution to MST and to the entire community.

4-2. Transit Employee Appreciation Day. (Carl Sedoryk/Ikuyo Yoneda-Lopez)

Carl Sedoryk and Ikuyo Yoneda-Lopez announced a number of events for Transit Employee Appreciation Day on Tuesday, March 18 at MST operations and maintenance facilities.

4-3. Adopt Resolution 2025-18 in Appreciation of Jeff Baron, His Support to the MST Board, and Contribution to the Community. (Carl Sedoryk)

Chair Carbone read Resolution 2025-18 in appreciation of Jeff Baron, his support to the MST Board and contribution to the community. Directors Shirley and Barrera commented that they appreciated Jeff Baron's inquisitive and critical thinking nature. Directors Worthy and Amelio expressed appreciation for his dedication and contribution to the Board.

Jim Fink, MST passenger, commented on Jeff Baron's service on the Board.

5. PUBLIC HEARINGS

5-1. FY 2024 and FY 2025 Federal Program of Projects. (Susie Flores) (Page 45)

a) Conduct Public Hearing for FY 2024 and FY 2025 Program of Projects,
b) Adopt the FY 2024 and FY 2025 Program of Projects, and
c) Authorize the Filing of Appropriate Grant Applications with the Federal Transit Administration and Caltrans.

There were no public comments on item 5-1.

On a motion by Director Barrera and seconded by Director Amelio, the Board unanimously approved the FY 2024 and FY 2025 Federal Program of Projects and authorized the filing of appropriate grant applications with the Federal Transit Administration and Caltrans.

6. ACTION ITEMS

6-1. Authorize the General Manager/CEO, or Their Designee, to Execute Amendment 2 with Transit App for Mobile Trip Planning, Transit Royale, Rate-My-Ride, and In App Banner and Push Notifications in an Amount Not to Exceed $273,300 for a Three (3) Year Term and Two (2) One-Year Options for an Additional Amount of $245,700. (Ikuyo Yoneda-Lopez) (Page 51)

Jim Fink, MST passenger, made a comment that he hopes the Real Time Transit App would better detect traffic that may delay his bus route because that morning he was significantly delayed on line 20 in Highway 1 traffic between Marina and Monterey.

On a motion by Director Alejo and seconded by Director Barrera, the Board unanimously approved item 6-1.

6-2. Authorize the General Manager/CEO to Execute Amendment 1 with Accenture, Formerly Comtech, for Construction Management Oversight Services for the SURF! Busway and Bus Rapid Transit Project in an Amount Not to Exceed $3,113,206. (Lisa Rheinheimer) (Page 55)

Jim Fink, MST passenger, asked what the estimated date of completion was for the SURF! Busway and Bus Rapid Transit Project. Staff responded that the project completion would be no later than March 31, 2028.

On a motion by Director Amelio and seconded by Director Pacheco, the Board unanimously approved item 6-2.

6-3. Adopt a Monterey-Salinas Transit Board Code of Conduct Policy. (Carl Sedoryk) (Page 59)

There were no public comments on item 6-3.

Board members commented and discussed the Code of Conduct Policy. On a motion by Director Amelio and seconded by Director Pacheco, the Board unanimously approved to review and compare a redlined version of the policy to the original policy at a future meeting.

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 – January 2025 (Page 63)

7-2. Federal Legislative Advocacy Report – (Page 65)

7-3. Receive State Legislative Advocacy Update and Recommendations – (Page 69)

7-4. Staff Trip Reports – None

7-5. Correspondence – (Page 73-75)

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.

8-3. Board Member Referrals for Future Agendas.

9. ATTACHMENTS

9-1. The Monthly Report for January 2025 can be viewed online: http://mst.org/about-mst/board-of-directors/board-meetings/

10. CLOSED SESSION

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

10-1. Conference with Real Property Negotiators, Gov. Code § 54956.8
APN#s: 031-101-063-000 located at Joe Lloyd Way, Unincorporated Monterey County, CA, 002-771-006-000 located at 951 S Sanborn Road, Salinas, CA and 002-771-007-000 located at 1037 Abbott Street, Salinas, CA
MST Negotiators: Carl Sedoryk, General Manager/CEO
Under Negotiation: Price and Terms

Michael Laredo reported that the Board provided negotiating parameters for properties identified to the Property Negotiators.

11. ADJOURN

With no further business to discuss, Chair Carbone adjourned the meeting at 12:02 p.m. (Pacific).

Prepared by: _____
Jeanette Alegar-Rocha
Deputy Secretary/Clerk to the Board

Reviewed by: _____
Carl G. Sedoryk
General Manager/CEO

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Joseph Sidor, Contract Planner

MEETING DATE: May 07, 2025

SUBJECT: Housing Element Monthly Status Update

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

On December 20, 2023, City Council approved the first amendment to the contract with Rincon Consultants, initiating the preparation of the Housing Element Update (HEU), along with related General Plan Amendments, Zoning Amendments, and Environmental Impact Report (EIR). Subsequently, City Staff and Rincon Consultants continued/commenced work and provided the fifteenth monthly progress report update to Council on April 16, 2025. Since then, the following tasks have been undertaken:

April 16, 2025: City Staff presented a draft of Program 10, Enhanced Housing Mobility Options, to the City Council at its regular meeting. This draft program is in response to recent direction from HCD regarding Affirmatively Furthering Fair Housing.

April 17, 2025: The Housing Element Team met to discuss next steps for the Housing Element Update, including amendments to the Zoning Code, Land Use, and Health and Safety Elements, as well as the Program Environmental Impact Report (EIR).

April 17, 2025: City Staff provided Rincon with consolidated comments/feedback from the Planning Commission and City Council regarding the draft Program 10, Enhanced Housing Mobility Options.

April 18, 2025: Rincon provided Batch 2a of the administrative draft EIR sections to City Staff for review.

April 24, 2025: City Staff mailed tribal consultation letters to Native American tribal representatives traditionally and culturally affiliated within the area of the City of Pacific Grove.

April 24, 2025: City Staff provided Rincon with consolidated comments for Batch 1 of the administrative draft EIR sections.

April 25, 2025: Rincon provided Batch 2b of the administrative draft EIR sections to City Staff for review.

April 28, 2025: City Staff provided Rincon with final comments for the draft land use and zoning maps.

April 28, 2025: Rincon provided the revised draft Housing Element responding to HCD's February 18, 2025, comment letter. Next steps include making the revisions to the Housing Element available for the 7-day public review period and then submitting the draft to HCD.

The Housing Element Team includes City Planning, Housing, and City Manager staff, City legal representation, and Rincon/subconsultant staff. Staff will provide a monthly status update to the Council throughout the process, leading to an adopted and certified Housing Element.

For more information, please visit the Housing Element webpage:
www.cityofpacificgrove.org/HousingElement

OPTIONS

N/A - This is information only.

FINANCIAL IMPACT:

There is no fiscal impact associated with receiving this report.

FOCUSED PRIORITY AREA: Affordable Housing

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 07, 2025
SUBJECT:	Pedestrian Safety - Central/Fountain Ave & Grand/Fountain Ave
CEQA:	Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

RECOMMENDATION

1. Approve the Central, Grand and Fountain Avenue reconfiguration; and
2. Authorize staff to issue a call for bids for the project.
3. Alternatively, discuss and take other action related to this item.

DISCUSSION

BACKGROUND

The Kimpton Hotel, formerly Hotel Durell, will be a high-end lodging hotel with amenities including a restaurant, gym, spa, and meeting room. The hotel site is located between Central and Lighthouse Avenues, on the North and South, and Grand & Fountain Avenue on the West and East.

The Conditions of Approval for the hotel, approved by Resolution in September of 2018 and amended by Resolution in March of 2022 by the City Council, included various requirements. Condition of Approval 11 pertained specifically to the intersections adjacent to the project and states:

"Pedestrian safety. *The Applicant shall pay for 25% of the cost for design and construction of the complete reconfiguration of the intersection of Central A venue and Fountain Avenue to provide an All-Way Stop intersection as identified in the Mitigation Measures of the Environmental Impact Report. The intersection redesign shall be consistent with the guidelines described in the "Pedestrian Safety Report" Prepared for the City by the Institute of Transportation Studies dated November 2008.*

The Applicant shall pay 25% of the cost for design and construction of the reconfiguration of the intersection of Central Ave, and Grand Ave. to accommodate a new raised pavement crosswalk across the intersection on the south side of Central Ave. The final project landscape plan for landscaping within the public right-of-way shall be designed to incorporate the new raised pavement crosswalk."

The final resolution, with the full list of the Conditions of Approval, can be found here.

ENGINEERING & DESIGN

In accordance with Condition 11, the City requested funding through the FY24/25 Capital Improvement Plan to begin evaluation of the intersections at Fountain & Central, and Grand and Central to enhance the vehicle and pedestrian safety. City also commenced discussions related to the required improvements with the developer of the Kimpton Hotel.

Following evaluation from the City's Civil and Traffic Engineers, a reconfiguration of both intersections has been engineered. The improvements include:

- A complete reconfiguration of Fountain and Central, with the intent of implementing a 4-way stop.
- A bulb out on the southwest corner of Grand and Central and upgrade of all existing curb ramps

o The original intent was to construct a raised crosswalk at Central and Grand on the southern portion of the intersection (across from the hotel and adjacent to the museum) as specified in the conditions
o However, review from the engineers determined that due to the extremely wide road, a bulb out and updated ADA ramps would better address pedestrian safety and be a superior solution for this intersection.
o This was proposed to enhance safety on the extremely wide roadway by decreasing crossing times

Engineering is complete and the final plan set has been developed. The plans are included as Attachment 1.

FUNDING

Per Condition of Approval 11, 25% of the design and construction of the intersection improvements at Fountain/Central and Grand/ Central are to be paid by the developer.

The City has expanded the project to include repaving the roadways adjacent to the hotel due to poor or failing current conditions, which is not the responsibility of the hotel developer. The current Pavement Condition Index (PCI) on the adjacent roadways to the hotel are:

- Central Avenue: PCI 27 (poor condition)
- Grand Avenue: PCI 44 (poor condition)
- Fountain Avenue: PCI 68 (fair condition)

The Hotel developers are required to pave the travel lanes adjacent to the hotel on Grand, Fountain, and Central to tie in the sidewalk reconstruction that they will perform as part of their project.

The City will pave the remainder of the surrounding roadways to address their deteriorated conditions. It is best to perform the paving work under one contract for coordination and quality control. To facilitate that, the developer is willing to provide $13,000 to the City. This amount is equivalent to the developers cost to their contractor perform the travel lane pavement requirement. This amount would simply be provided to the City to allow repaving both travel lanes as an element of the City's bid process, versus piecemealing the efforts between the Hotel's contractor and the City's contractor.

In addition to the $13,000, the developer will pay 25% of the curb ramps and sidewalk installation at both intersections, though this amount will not be determined until bidding has occurred.

OPTIONS

1. Approve the staff recommendation
2. Provide alternative direction

FINANCIAL IMPACT:

There is no impact by receiving this report and approving the plan set. As part of the FY 24/25 CIP, $270,000 has been allocated towards the project. It is anticipated that the City will harness Regional Surface Transportation Program (RSTP) funds administered by the Transportation Agency of Monterey County to complete the project.

Once the City completes the competitive bid process and determines the total cost of the project, City staff will bring back a full plan to fund the project.

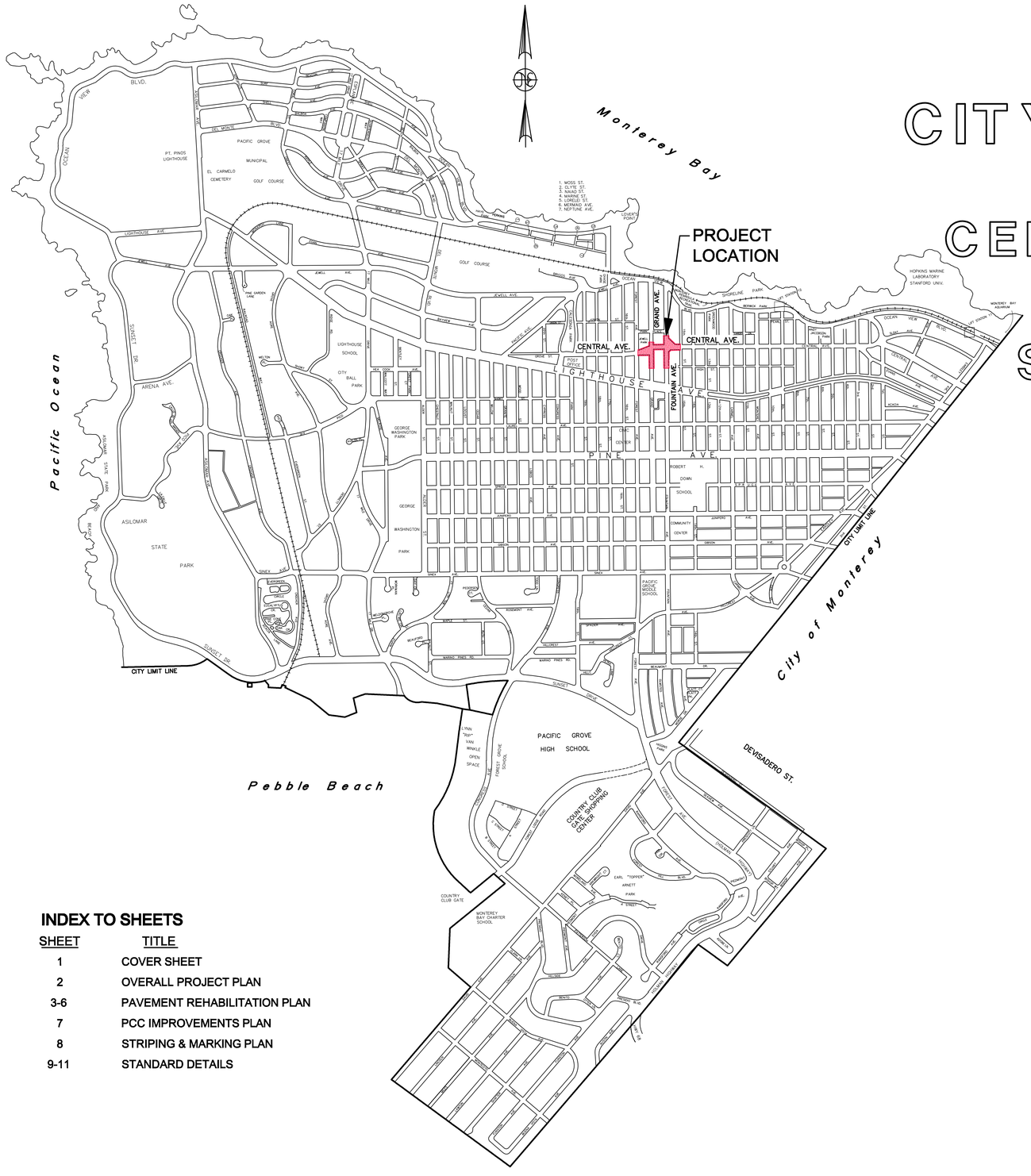
FOCUSED PRIORITY AREA: Infrastructure

Attachments

Plan Set, Central, Grand and Fountain

CITY OF PACIFIC GROVE

CENTRAL AVE., GRAND AVE. & FOUNTAIN AVE. STREET IMPROVEMENTS PROJECT



LOCATION MAP

INDEX TO SHEETS

SHEET	TITLE
1	COVER SHEET
2	OVERALL PROJECT PLAN
3-6	PAVEMENT REHABILITATION PLAN
7	PCC IMPROVEMENTS PLAN
8	STRIPING & MARKING PLAN
9-11	STANDARD DETAILS

CITY OF PACIFIC GROVE COUNCIL

NICK SMITH, Mayor

JOE AMELIO, Mayor Pro Tempore — **CYNTHIA GARFIELD**

LORI McDONNELL — **CHAPS PODURI**

TINA RAU — **PAUL WALKINGSTICK**

MATTHEW MOGENSEN, City Manager

DANIEL GHO, Public Works Director

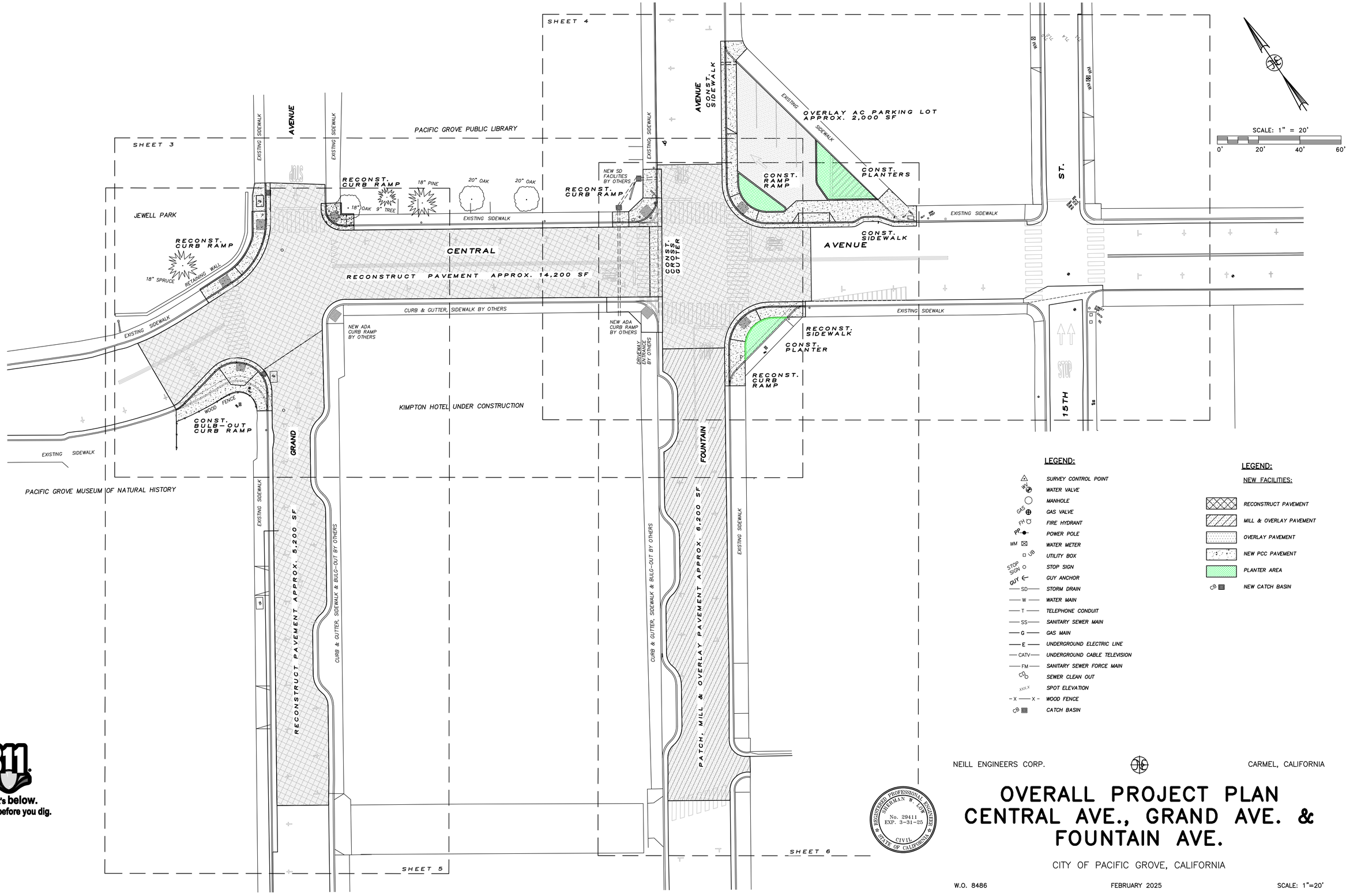
REGISTERED PROFESSIONAL ENGINEER
SHERMAN W. LOW
No. 29411
EXP. 3-31-25
CIVIL
STATE OF CALIFORNIA

PREPARED BY:

NEILL ENGINEERS CORP.
CARMEL, CALIFORNIA

W.O. 8486 FEBRUARY 2025 NO SCALE

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LEGEND:

- SURVEY CONTROL POINT
- WATER VALVE
- MANHOLE
- GAS VALVE
- FIRE HYDRANT
- POWER POLE
- WATER METER
- UTILITY BOX
- STOP SIGN
- GUY ANCHOR
- STORM DRAIN
- WATER MAIN
- TELEPHONE CONDUIT
- SANITARY SEWER MAIN
- GAS MAIN
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND CABLE TELEVISION
- SANITARY SEWER FORCE MAIN
- SEWER CLEAN OUT
- SPOT ELEVATION
- WOOD FENCE
- CATCH BASIN

LEGEND:

NEW FACILITIES:

- RECONSTRUCT PAVEMENT
- MILL & OVERLAY PAVEMENT
- OVERLAY PAVEMENT
- NEW PCC PAVEMENT
- PLANTER AREA
- NEW CATCH BASIN

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REGISTERED PROFESSIONAL ENGINEER SHERMAN W. LOH No. 29411 EXP. 3-31-25 CIVIL STATE OF CALIFORNIA

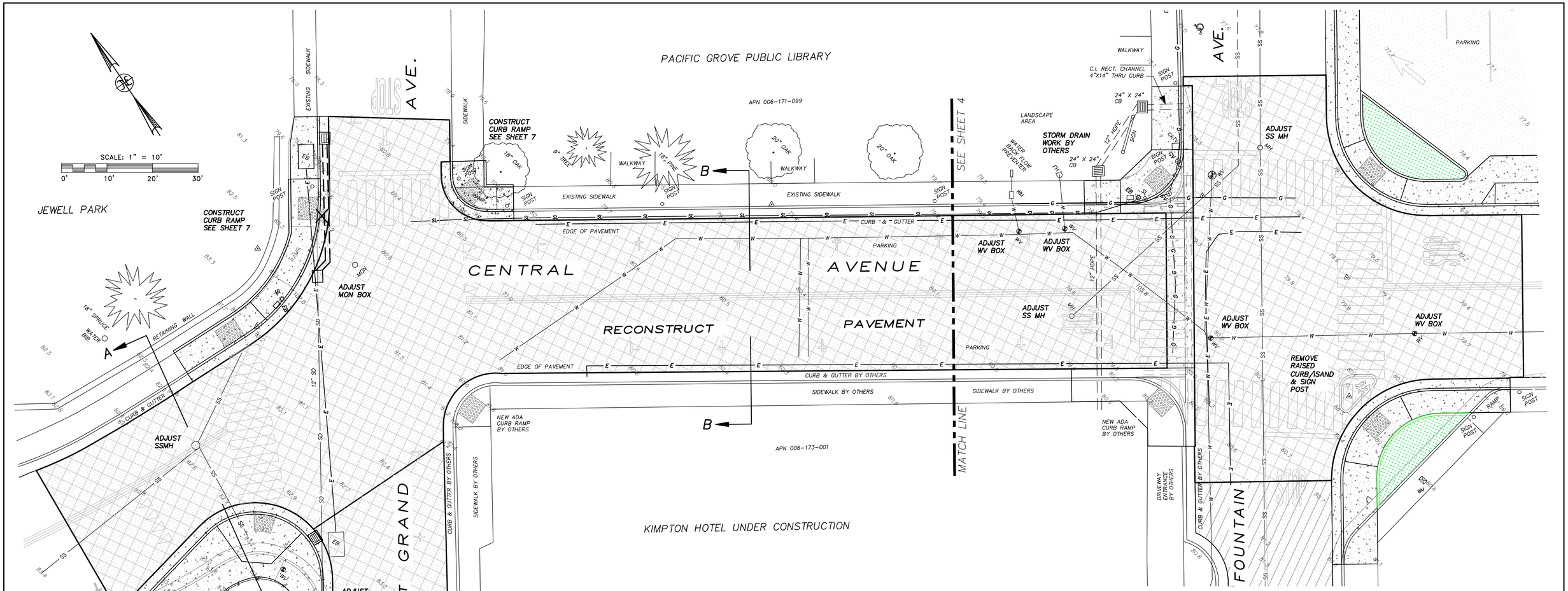
NEILL ENGINEERS CORP. CARMEL, CALIFORNIA

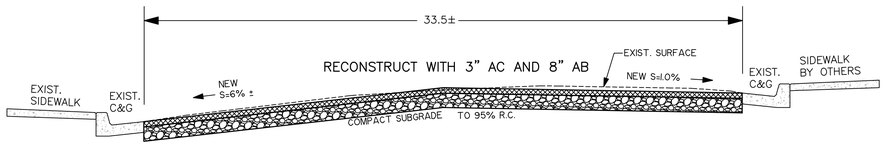
OVERALL PROJECT PLAN CENTRAL AVE., GRAND AVE. & FOUNTAIN AVE.

CITY OF PACIFIC GROVE, CALIFORNIA

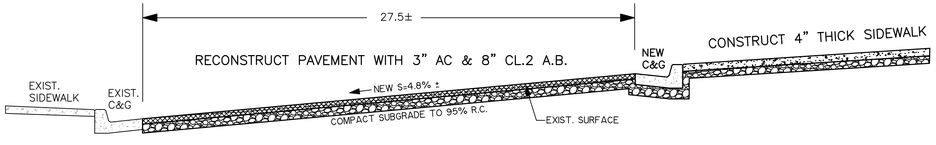
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SECTION B–B
CENTRAL AVENUE
BETWEEN GRAND AVE. & FOUNTAIN AVE.
NOT TO SCALE



SECTION A–A
CENTRAL AVENUE
BETWEEN FOREST AVE. & GRAND AVE.
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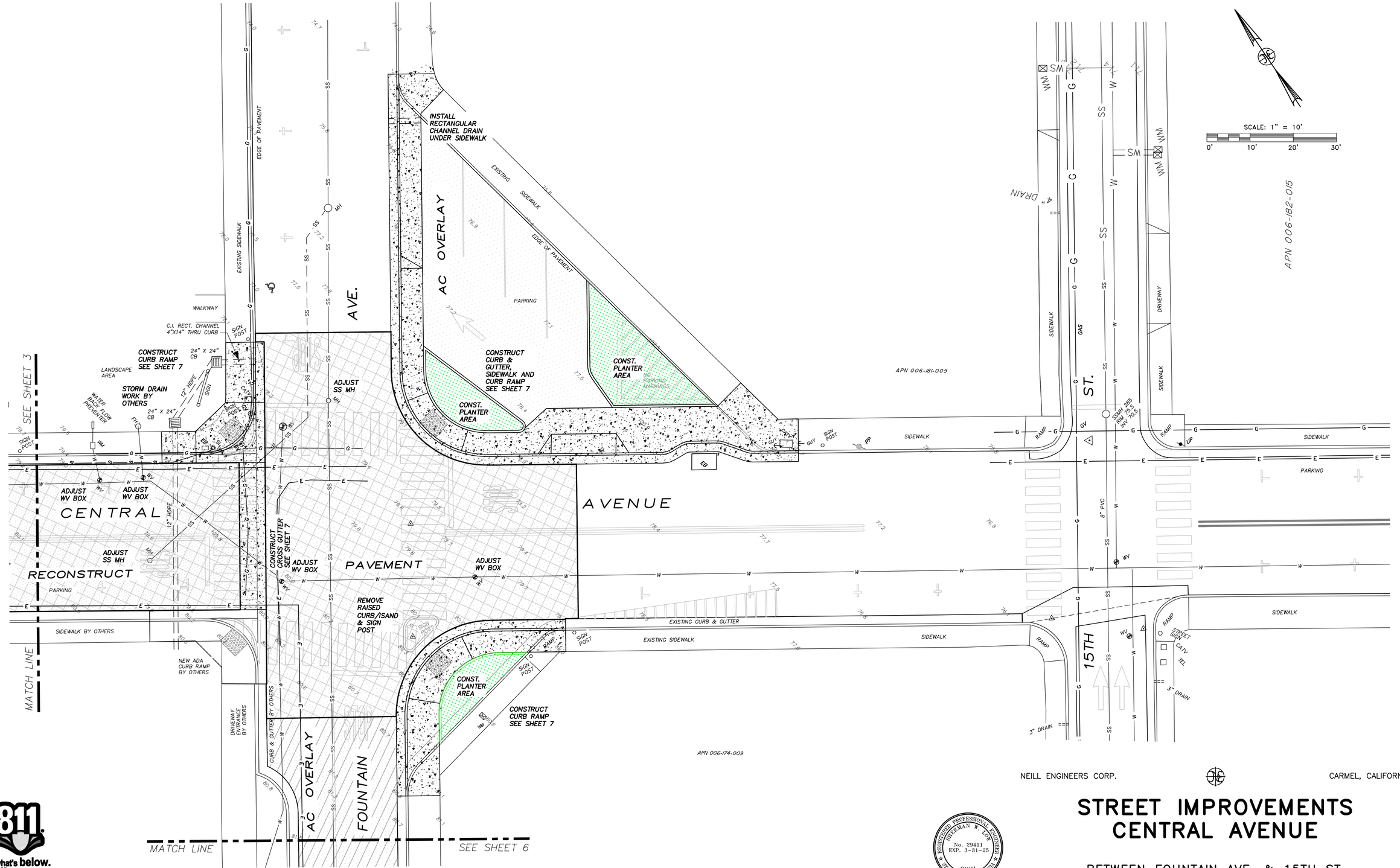
STREET IMPROVEMENTS CENTRAL AVENUE

BETWEEN GRAND AVE. & FOUNTAIN AVE.

CITY OF PACIFIC GROVE, CALIFORNIA

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STREET IMPROVEMENTS CENTRAL AVENUE

BETWEEN FOUNTAIN AVE. & 15TH ST.

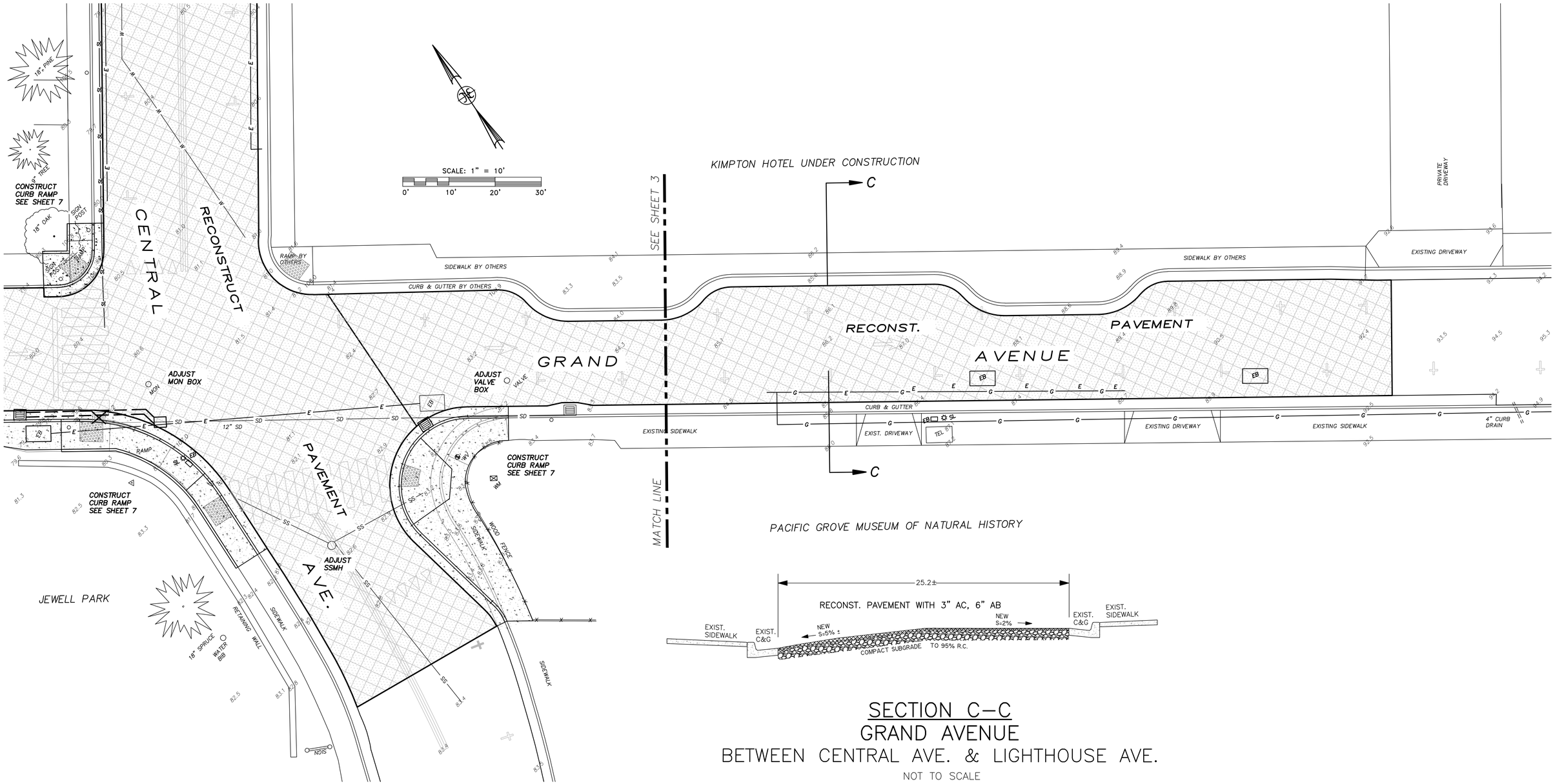
CITY OF PACIFIC GROVE, CALIFORNIA

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SHEET 4 OF 12

PGCC 5-7-25
Page 119

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SECTION C–C
GRAND AVENUE
BETWEEN CENTRAL AVE. & LIGHTHOUSE AVE.

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SHERMAN W. LOH
No. 29411
EXP. 3-31-25
CIVIL
STATE OF CALIFORNIA

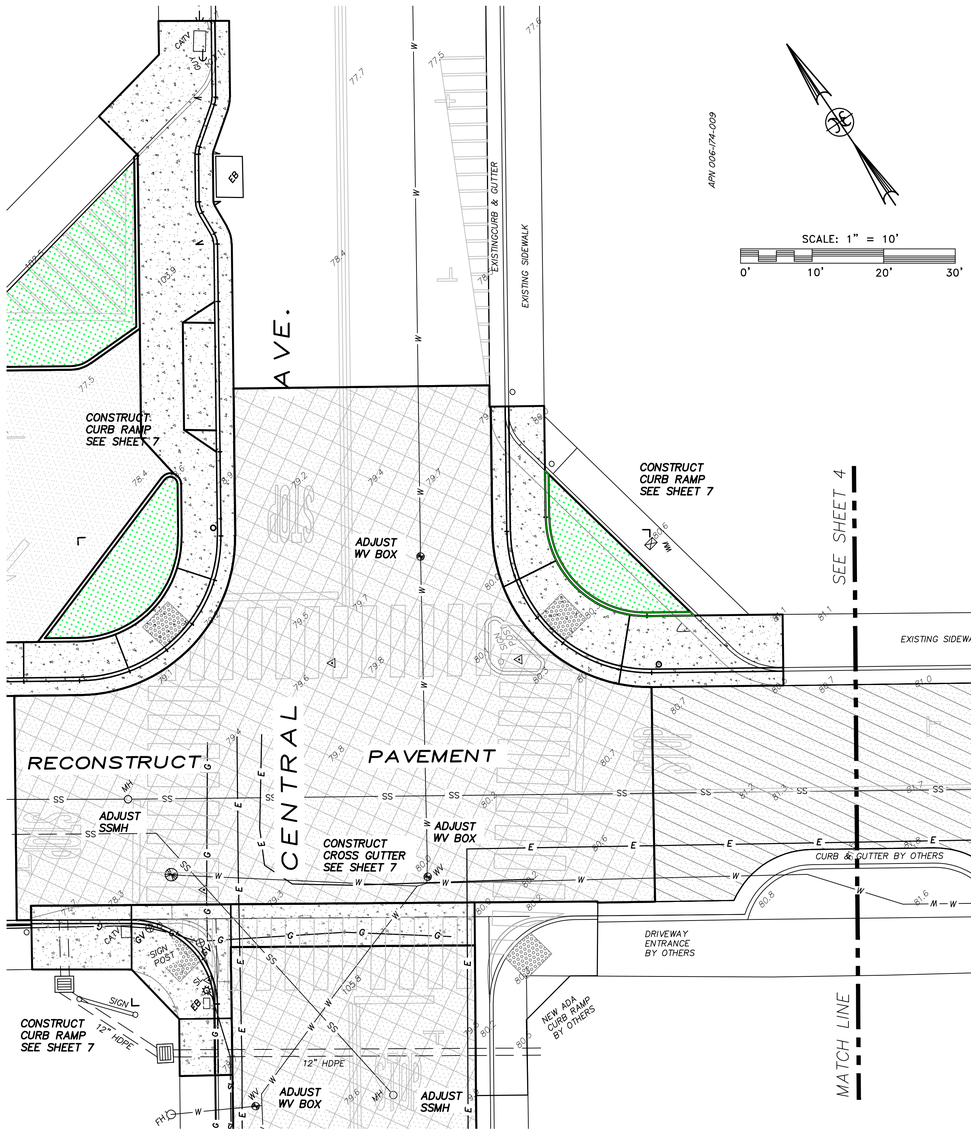
STREET IMPROVEMENTS
GRAND AVENUE

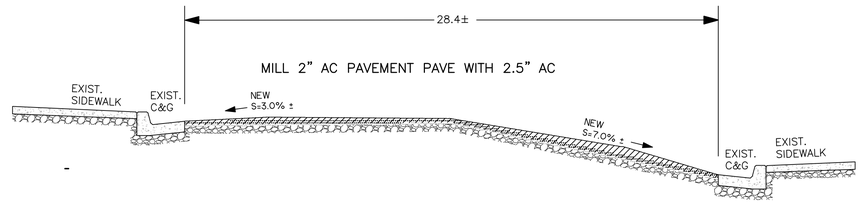
BETWEEN CENTRAL AVE. & LIGHTHOUSE AVE.

CITY OF PACIFIC GROVE, CALIFORNIA

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SECTION D–D
FOUNTAIN AVENUE
BETWEEN CENTRAL AVE. & LIGHTHOUSE AVE.

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STATE OF CALIFORNIA

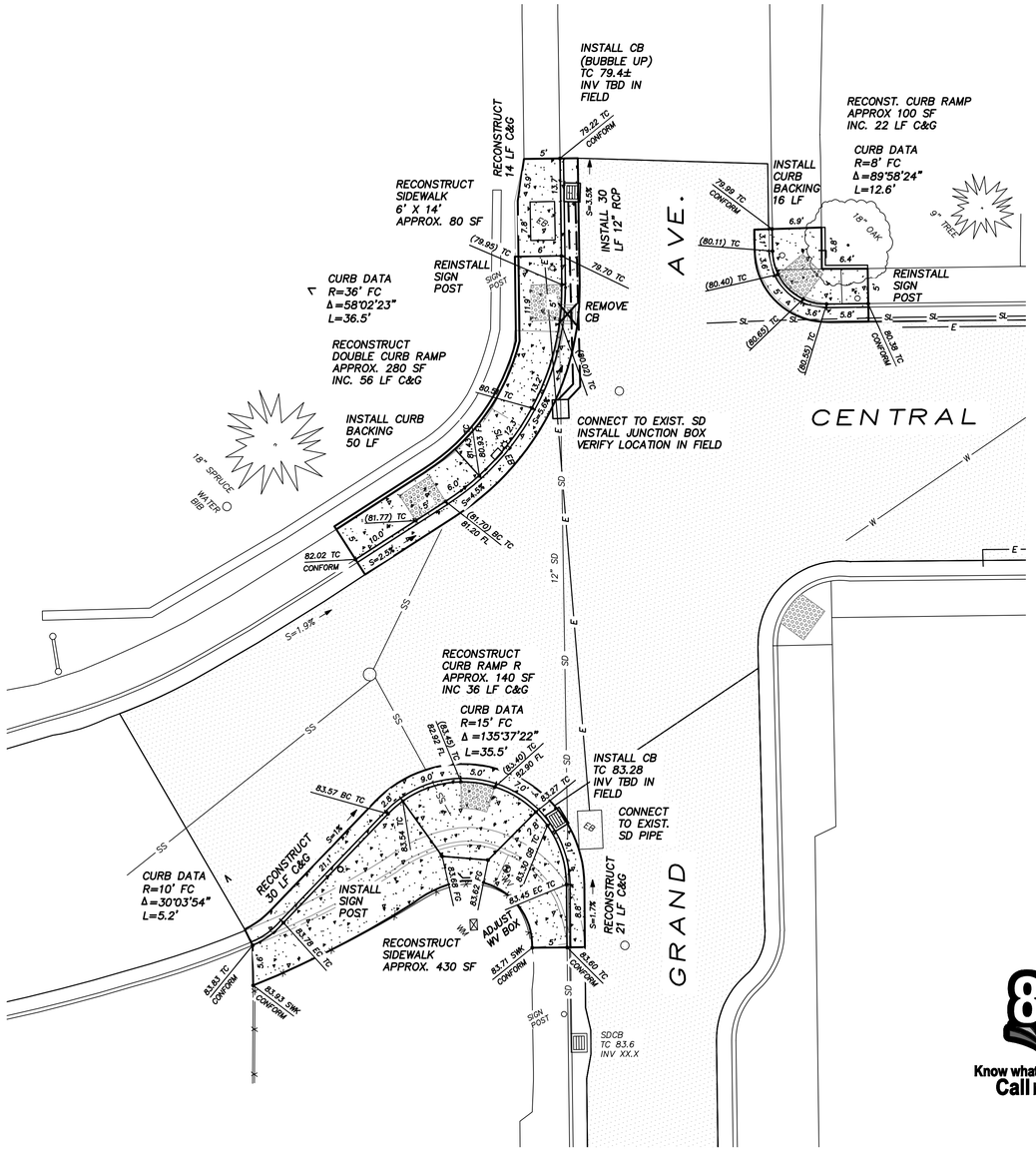
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FOUNTAIN AVENUE

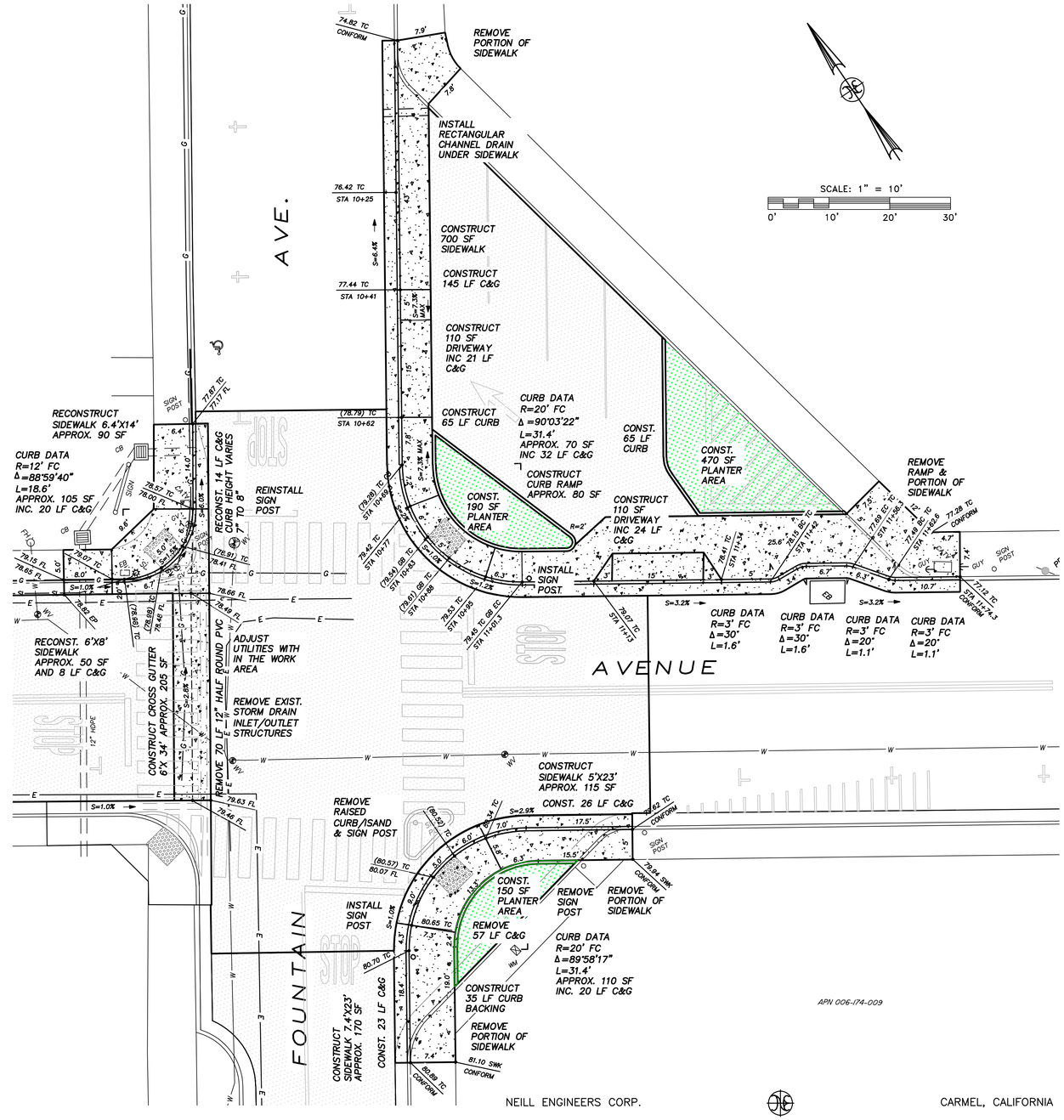
BETWEEN CENTRAL AVE. & LIGHTHOUSE AVE.

CITY OF PACIFIC GROVE, CALIFORNIA

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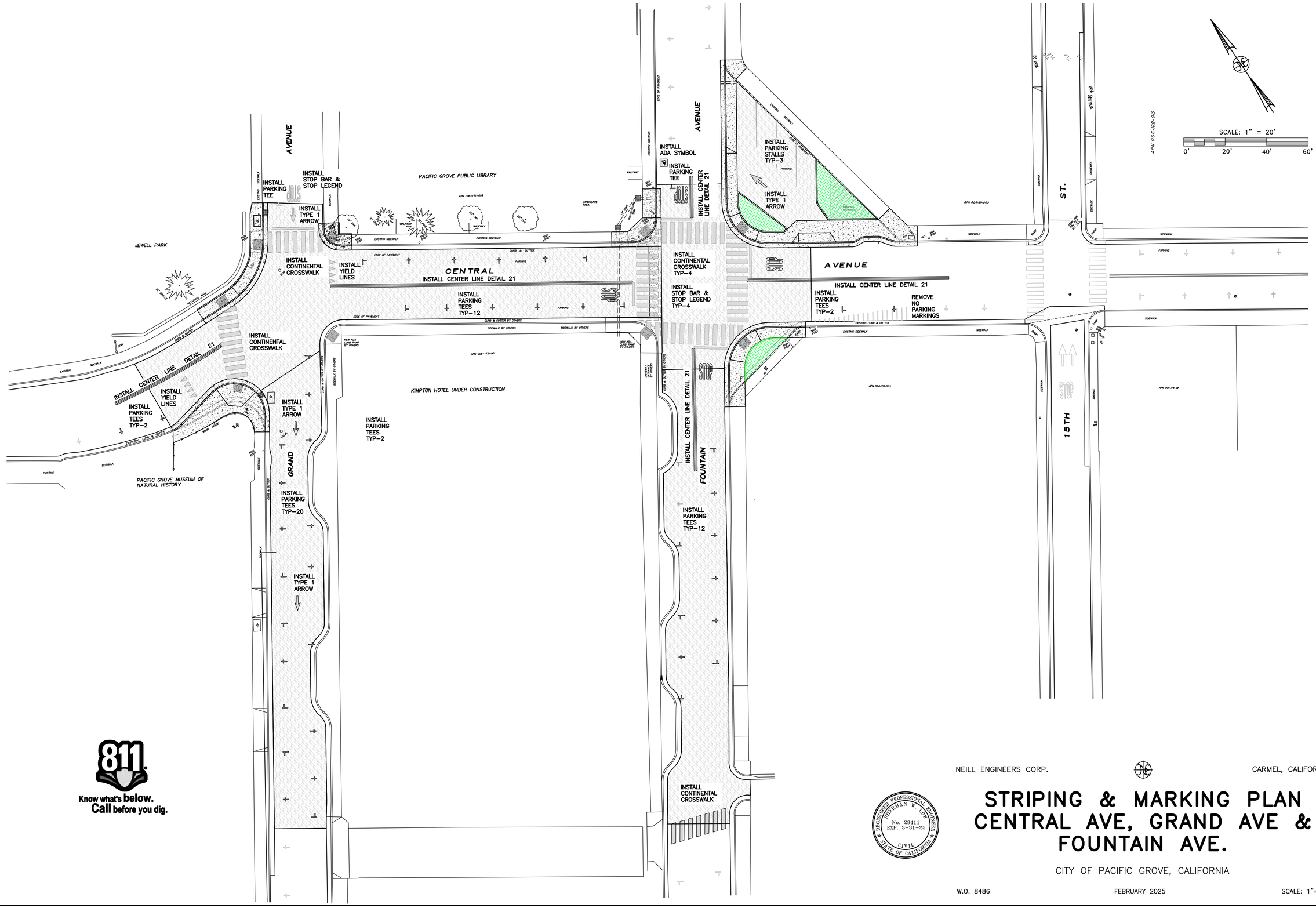
PCC IMPROVEMENTS CENTRAL AVENUE

AT FOUNTAIN AVE. & GRAND AVE. INTERSECTIONS

CITY OF PACIFIC GROVE, CALIFORNIA

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SHERMAN W. LOH
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EXP. 3-31-25
CIVIL
STATE OF CALIFORNIA

STRIPING & MARKING PLAN CENTRAL AVE, GRAND AVE & FOUNTAIN AVE.

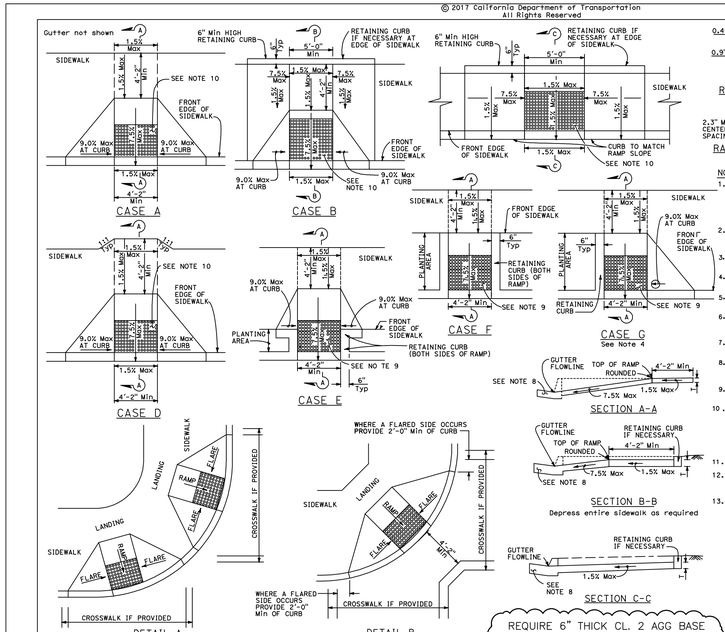
CITY OF PACIFIC GROVE, CALIFORNIA

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SHEET 8 OF 12

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0.45" Min AND 0.47" Max TOP DIA
0.9" Min AND 0.92" Max BASE DIA
0.2"
RAISED TRUNCATED DOME

2.3" Min AND 2.4" Max CENTER TO CENTER SPACING

RAISED TRUNCATED DOME PATTERN (IN-LINE)
DETECTABLE WARNING SURFACE

NOTES: See Note 10

1. As site conditions dictate, Case A through Case G curb ramps may be used for corner installations similar to those shown in Detail A and Detail B. The case of curb ramps used in Detail A do not have to be the same. Case A through Case G curb ramps also may be used at mid block locations, as site conditions dictate. For specific site condition configuration, including the conform to existing sidewalk, see Project Plans.
2. If distance from curb to back of sidewalk is too short to accommodate ramp and 4'-2" platform (landing) as shown in Case A, the sidewalk may be depressed longitudinally as in Case B or C or may be widened as in Case D.
3. When ramp is located in center of curb return, crosswalk configuration must be similar to that shown for Detail B.
4. As site conditions dictate, the retaining curb side and the flared side of the Case G ramp shall be constructed in reversed position.
5. The ramp portion of The curb ramp is a typical rectangle, unless modified in the Project Plans.
6. Side slope of ramp flares vary uniformly from a maximum of 9.0% at curb to conform with longitudinal sidewalk slope adjacent to top of the ramp, except in Case c and Case F.
7. The adjacent surfaces at transitions at curb ramps to walks, gutters, and streets shall be at the same level.
8. Counter slopes of adjoining gutters and road surfaces immediately adjacent to and within 24 inches of the curb ramp shall not be steeper than 1V:20H (5.0%). Gutter pan slope shall not exceed 1" of depth for each 2'-0" of width.
9. Transition gutter pan slope from 1" of depth for each 2'-0" of width to match typical gutter pan slope per Standard Plan A87A.
10. The detectable warning surface will be a rectangle as shown at back of curb, unless modified in the Project Plans. Curb ramps shall have a detectable warning surface that extends the full width and 3'-0" depth of the ramp. Detectable warning surfaces shall extend the full width of the ramp except a maximum gap of 1 inch is allowed on each side of the ramp. Detectable warning surfaces shall conform to the requirements in the Standard Specifications.
11. Sidewalk and ramp thickness, "T", shall be 4" minimum.
12. Utility pull boxes, manholes, vaults and all other utility facilities within the boundaries of the curb ramp will be relocated or adjusted to grade by the owner prior to, or in conjunction with, curb ramp construction.
13. Detectable warning surface may have to be cut to allow removal of utility covers while maintaining detectable warning width and depth.

TYPICAL GUTTER PAN APPLIES TO ALL CASES
CURB
TRANSITION
GUTTER IN FRONT OF DETECTABLE WARNING
PAVEMENT
3'-0" Typ
SEE NOTE 9
SEE NOTE 8
GUTTER PAN TRANSITION

REQUIRE 6" THICK CL. 2 AGG BASE UNDER CURB & GUTTER AND 4" THICK CL 2 AGG BASE UNDER CURB RAMP/SIDEWALK.

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS

REGISTERED CIVIL ENGINEER
July 21, 2017
PLANS APPROVAL DATE
Mayor David Pendergrass
THE STATE OF CALIFORNIA OR ITS OFFICERS AND AGENTS SHALL BE RESPONSIBLE FOR THE ARCHIVED VERSIONS OF SCANNED COPIES OF THIS PLAN SHEET.
TO ACCOMPANY PLANS DATED

CITY OF PACIFIC GROVE
DEPARTMENT OF TRANSPORTATION
CURB RAMP DETAILS
NO SCALE

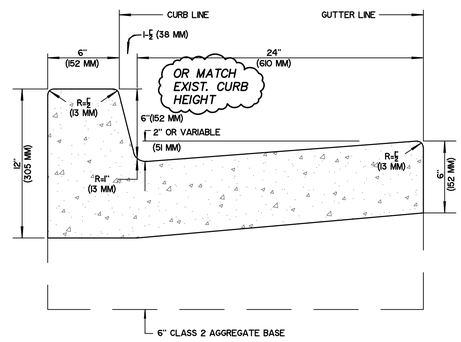
RSP A88A DATED JULY 21, 2017 SUPERSEDES RSP A88A DATED JULY 15, 2016 AND STANDARD PLAN A88A DATED OCTOBER 30, 2015 - PAGE 127 OF THE STANDARD PLANS BOOK DATED 2015.

REVISED STANDARD PLAN RSP A88A

2015 REVISED STANDARD PLAN RSP A88A

9-16-17

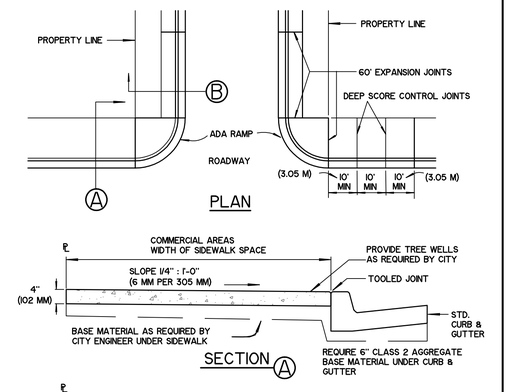
FOR LOCATIONS WHERE CURB RAMP CANNOT MEET STANDARD PLAN REQUIREMENTS, CURB RAMP SHALL BE CONSTRUCTED TO "BEST FIT" EXISTING SITE CONDITIONS. TRUNCATED DOMES MATS SHALL BE TRIMMED TO FIT RAMP CONDITIONS.



NOTES:
1. ALL WORKS SHALL BE DONE IN ACCORDANCE WITH SECTION 73 OF STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS
2. TOP AND FRONT OF CURBS AND GUTTERS TO BE FINE BRUSH FINISH AFTER TROWELLING; BRUSHING TO BE PARALLEL TO THE LINE OF THE CURB.
3. CONCRETE TO BE CLASS B (5 SACK).
4. PLACE 6" MIN CLASS 2 AGGREGATE BASE.

CITY OF PACIFIC GROVE
STANDARD DETAILS FOR STREET IMPROVEMENTS

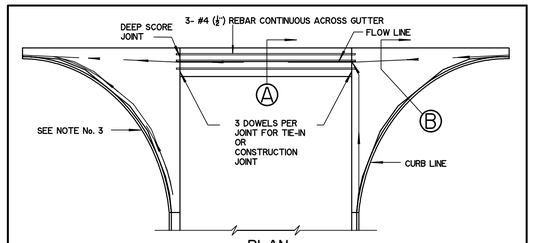
DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	CURB & GUTTER	100
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	



NOTES:
1. CONCRETE TO BE CLASS "B" (5 SACK).
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH SECTION 73 OF STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS.
3. FINISH SHALL BE BROOM OVER STEEL TROWEL OTHER FINISHES SUBJECT TO CITY APPROVAL INCLUDING COLORS.

CITY OF PACIFIC GROVE
STANDARD DETAILS FOR STREET IMPROVEMENTS

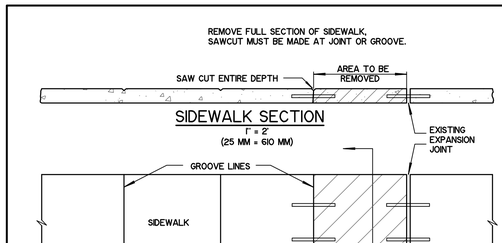
DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	SIDEWALK	106
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	



NOTES:
1. CONCRETE TO BE CLASS "B" (5 SACK).
2. FINISH SHALL BE BROOM OVER STEEL TROWEL.
3. PROVIDE CURB RAMPS AS REQUIRED.

CITY OF PACIFIC GROVE
STANDARD DETAILS FOR STREET IMPROVEMENTS

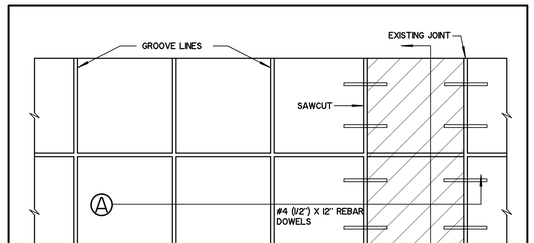
DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	OPEN CROSS GUTTER	109
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	



CUT WITH ABRASIVE TYPE CUTTING WHEEL. REMAINING EDGE SHALL BE SMOOTH AND TRUE, NO SHATTER.

CITY OF PACIFIC GROVE
STANDARD DETAILS FOR STREET IMPROVEMENTS

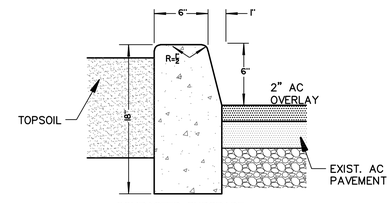
DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	REMOVAL OF CONCRETE CURB AND SIDEWALK	110
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	



REMOVE FULL SECTION OF SIDEWALK. SAWCUT MUST BE MADE AT JOINT OR GROOVE. FINISHED SURFACE OF REPLACED SECTION SHALL BE UNIFORM SLOPE BETWEEN EXISTING SECTIONS.

CITY OF PACIFIC GROVE
STANDARD DETAILS FOR STREET IMPROVEMENTS

DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	REPLACEMENT OF CONCRETE SIDEWALK	111
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	



CURB DETAIL
NOT TO SCALE

NEILL ENGINEERS CORP. CARMEL, CALIFORNIA

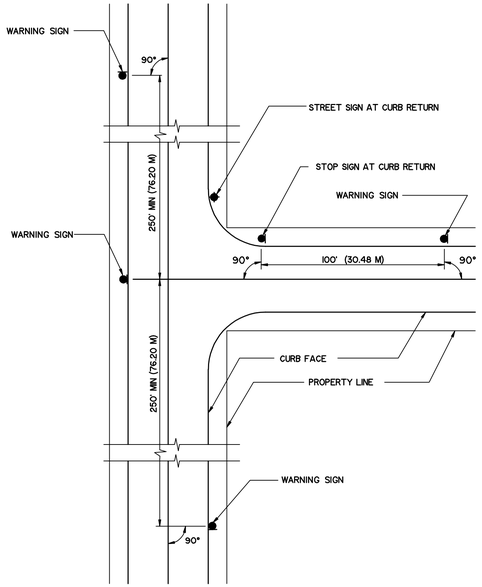
REGISTERED PROFESSIONAL ENGINEER
SHERMAN F. LOWE
No. 29411
EXP. 3-31-25
CIVIL
STATE OF CALIFORNIA

STANDARD DETAILS STREET IMPROVEMENTS CENTRAL AVENUE

CITY OF PACIFIC GROVE, CALIFORNIA

W.O. 8486 FEBRUARY 2025 SCALE: NONE

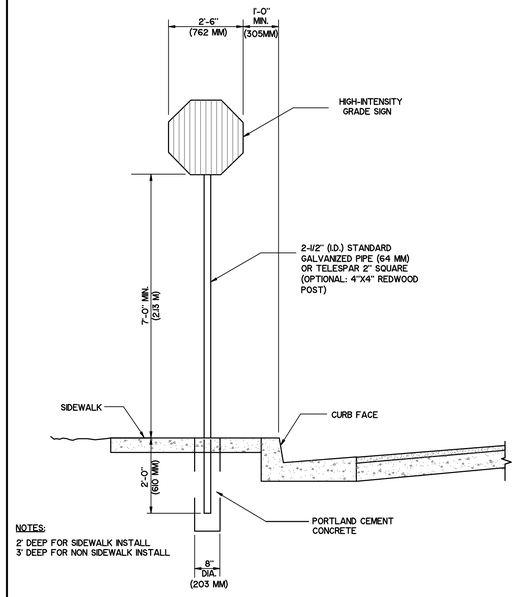
Y:\PROJECTS\dwg\PacificGrove\8486 Central & Fountain Intersection\8486_DETAIL-PROJECT\dwg\8486_DETAILS.dwg 2-19-25 10:27:37 AM



CITY OF PACIFIC GROVE

STANDARD DETAILS FOR STREET IMPROVEMENTS

DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	STREET SIGN LOCATIONS	115
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	

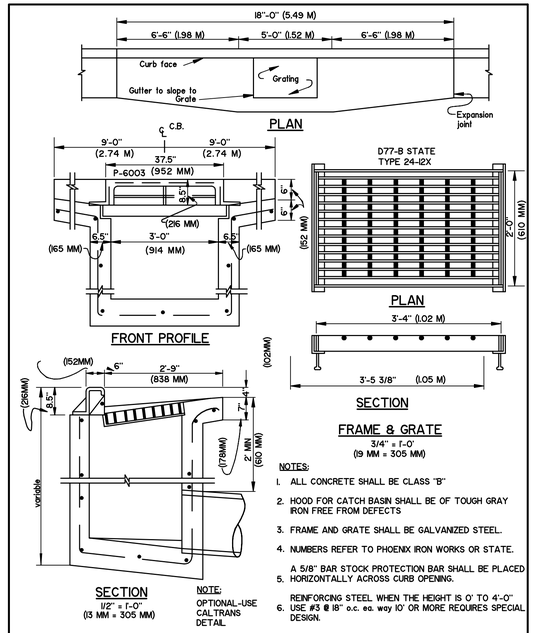


NOTES:
2' DEEP FOR SIDEWALK INSTALL
3' DEEP FOR NON SIDEWALK INSTALL

CITY OF PACIFIC GROVE

STANDARD DETAILS FOR STREET IMPROVEMENTS

DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	GENERAL SIGN INSTALLATION	116
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	



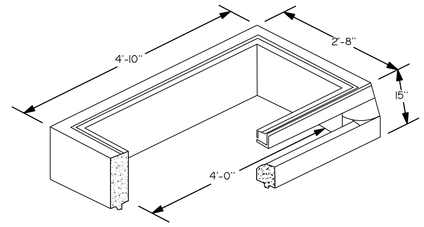
NOTES:

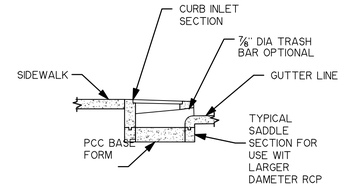
1. ALL CONCRETE SHALL BE CLASS "B"
2. HOOD FOR CATCH BASIN SHALL BE OF TOUGH GRAY IRON FREE FROM DEFECTS
3. FRAME AND GRATE SHALL BE GALVANIZED STEEL.
4. NUMBERS REFER TO PHOENIX IRON WORKS OR STATE.
5. A 5/8" BAR STOCK PROTECTION BAR SHALL BE PLACED HORIZONTALLY ACROSS CURB OPENING.
6. REINFORCING STEEL WHEN THE HEIGHT IS 0' TO 4'-0" USE #3 @ 18" o.c. ea. way 10' OR MORE REQUIRES SPECIAL DESIGN.

CITY OF PACIFIC GROVE

STANDARD DETAILS FOR STREET IMPROVEMENTS

DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	CATCH BASIN	117
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	

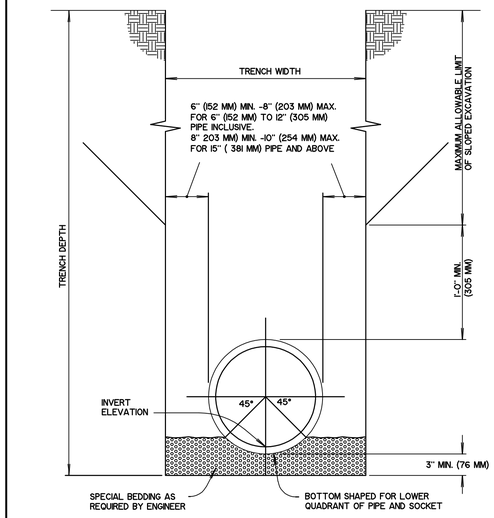




CURB INLET U37-FC BOX

NO SCALE

ORDERING CODE	ITEM	APPROX. SHIPPING WEIGHT	DESCRIPTION
U37CI-FC	CURB INLET	1530	U37 CURB INLET (2' X 4' X 15" DEEP- 5" WALLS) FITS U36 CATCH BASIN
U37-62D	COVER	113	STEEL CHECKER PLATE, GALVANIZED, 2 PCS.



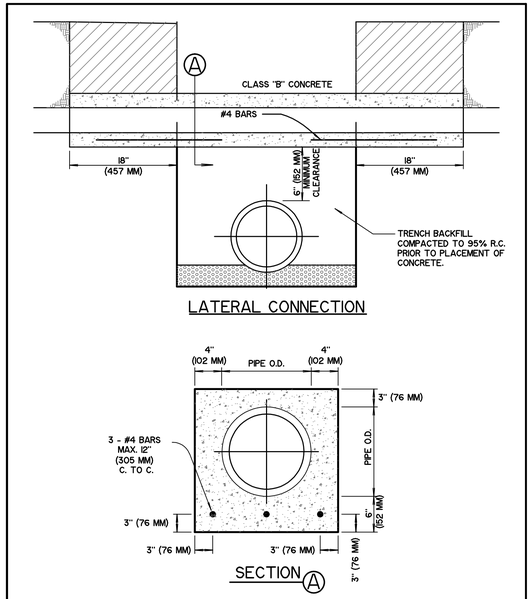
NOTES: MINIMUM SIZE PIPE IS 8" DIA. (203 MM) EXCEPT WHERE SMALLER PIPE IS APPROVED BY CITY ENGINEER.

REVISED SEPTEMBER 2005

CITY OF PACIFIC GROVE

STANDARD DETAILS FOR STREET IMPROVEMENTS

DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	PIPE SUBGRADE FOR SEWER & STORM DRAIN	205
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	

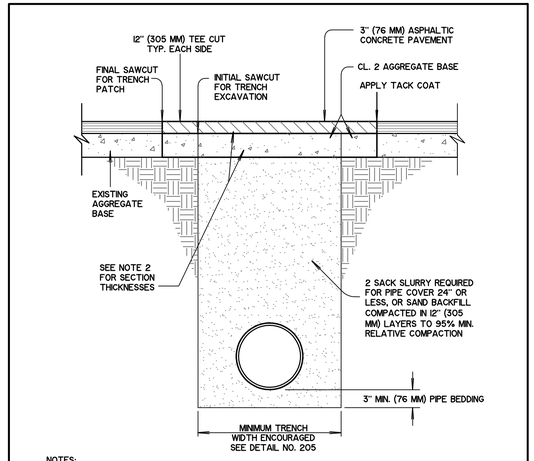


NOTE: REQUIREMENT SUBJECT TO UNDERCUT PIPE CONDITION AND SITUATION.

CITY OF PACIFIC GROVE

STANDARD DETAILS FOR STREET IMPROVEMENTS

DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	CONCRETE SUPPORT FOR UNDERCUT PIPE	206
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	



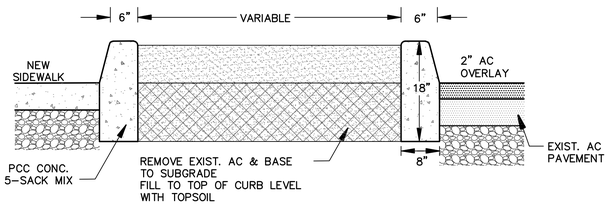
NOTES:

1. SAWCUTS REQUIRED FOR ALL PATCHES
2. DEPTH OF SUBGRADE FOR TRENCH PATCH SHALL MATCH THE EXISTING THICKNESS OF ASPHALT CONCRETE AND AGGREGATE BASE. IN NO CASE SHALL THE TRENCH PATCH BE LESS THAN 3" (76 MM) ASPHALT CONCRETE AND 6" (152 MM) CLASS 2 AGGREGATE BASE. ASPHALT CONCRETE AND CLASS 2 AGGREGATE BASE SHALL CONFORM TO CALTRANS STANDARD SPECIFICATIONS.
3. SAND BACKFILL TO BE VIBRATORY COMPACTED AT OPTIMUM MOISTURE CONTENT TO 95% RELATIVE COMPACTION. CONTRACTOR SHALL PROVIDE FOR COMPACTION TESTING AND SUBMIT FINAL RESULTS TO CITY ENGINEER .
4. 2 SACK SLURRY CEMENT BACKFILL SHALL BE IN ACCORDANCE WITH SECTION 19, "EARTHWORK" OF CALTRANS STANDARD SPECIFICATIONS UNLESS OTHERWISE SPECIFIED BY CITY ENGINEER.
5. CITY ENGINEER MAY REQUIRE OUTLET FOR TRENCH BOTTOM WHEN WATER BUILD UP OCCURS.

CITY OF PACIFIC GROVE

STANDARD DETAILS FOR STREET IMPROVEMENTS

DESIGNED BY	TITLE	DETAIL No.
DRAWN BY AP	TRENCH SECTION & PAVEMENT REPLACEMENT	207
CHECKED BY	APPROVED DATE	
	CITY ENGINEER RCE NO. 29411	



PLANTER DETAIL

NOT TO SCALE

NEILL ENGINEERS CORP. CARMEL, CALIFORNIA

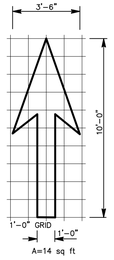
REGISTERED PROFESSIONAL ENGINEER SHERMAN W. LOW No. 29411 EXP. 3-31-25 CIVIL STATE OF CALIFORNIA

STANDARD DETAILS STREET IMPROVEMENTS CENTRAL AVENUE

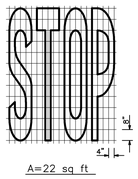
CITY OF PACIFIC GROVE, CALIFORNIA

W.O. 8486 FEBRUARY 2025 SCALE: NONE

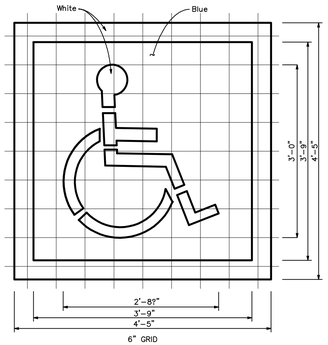
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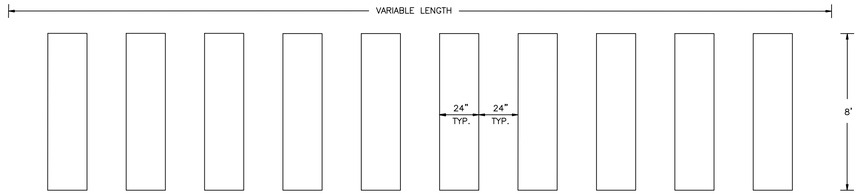
TYPE I 10'-0" ARROW
(2015 CALTRANS STANDARD PLAN A24A)



A=22 sq ft



INTERNATIONAL SYMBOL
OF ACCESSIBILITY MARKING

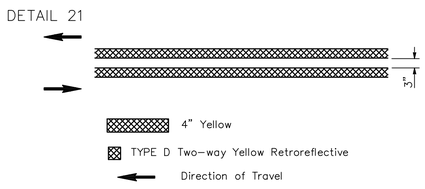


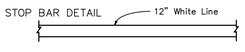
24" WIDE WHITE LINES
(YELLOW IN SCHOOL ZONE)

NOTE: BARS STRIPES ARE TO BE PARALLEL TO THE DIRECTION OF TRAVEL

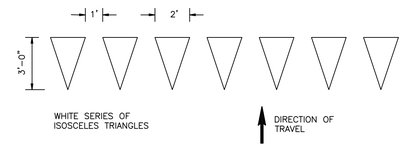
CONTINENTAL CROSSWALK
NOT TO SCALE

NO PASSING ZONES–TWO DIRECTION





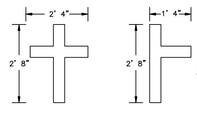
STOP BAR
NOT TO SCALE



YIELD LINE



R1-5 SIGN
NOT TO SCALE



4" WIDE WHITE LINES
(BLUE FOR HANDICAP PARKING)

NOTE: ACTUAL PARKING TEE-BAR DIMENSIONS MAY VARY. MATCH EXISTING LAYOUT AND DIMENSIONS UNLESS OTHERWISE DIRECTED BY CITY OF PACIFIC GROVE PUBLIC WORKS.

PARKING TEE-BARS
NOT TO SCALE

REGISTERED PROFESSIONAL ENGINEER
HERMAN W. JOK
No. 29411
EXP. 3-31-25
CIVIL
STATE OF CALIFORNIA

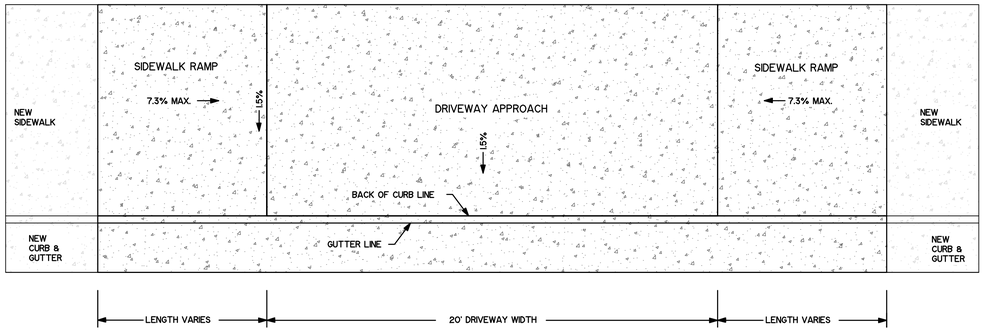
NEILL ENGINEERS CORP. CARMEL, CALIFORNIA

STRIPING & MARKING DETAILS
STREET IMPROVEMENTS
CENTRAL AVE., GRAND AVE. & FOUNTAIN AVE..

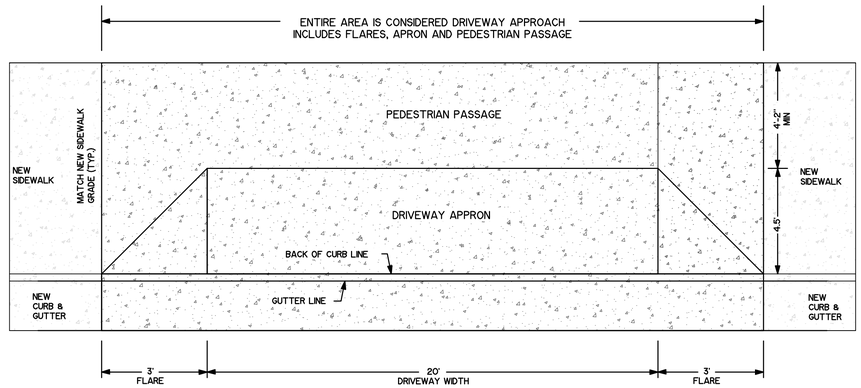
CITY OF PACIFIC GROVE, CALIFORNIA

W.O. 8486 FEBRUARY 2025 SCALE: NONE

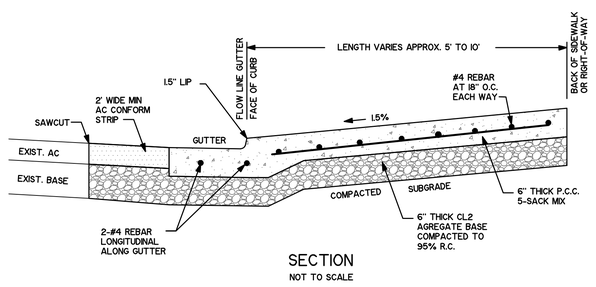
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PLAN
NO SCALE

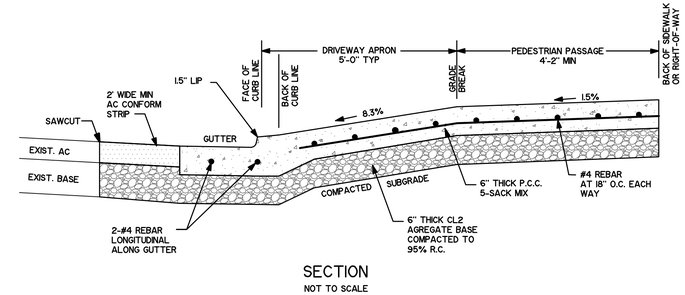


PLAN
NO SCALE



SECTION
NOT TO SCALE

TYPE C DRIVEWAY APPROACH



SECTION
NOT TO SCALE

TYPE A DRIVEWAY APPROACH

NEILL ENGINEERS CORP. CARMEL, CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
SHERMAN W. LOW
No. 29414
EXP. 3-31-25
CIVIL
STATE OF CALIFORNIA

DRIVEWAY APROACH DETAILS
STREET IMPROVEMENTS
CENTRAL AVENUE

CITY OF PACIFIC GROVE, CALIFORNIA

W.O. 8486 FEBRUARY 2025 SCALE: NONE

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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: George Fuerst, Environmental Program Manager

MEETING DATE: May 07, 2025

SUBJECT: Beautification and Natural Resources Commission Minutes: November 19, 2024, January 21, 2025 and February 18, 2025

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

RECOMMENDATION

Receive minutes.

Attachments

BNRC minutes November 2024 through February 2025

Minutes of the
BEAUTIFICATION AND NATURAL RESOURCES COMMISSION
Tuesday, 19 November 2024, 4:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

1. CALL TO ORDER: Chair Walkingstick called the meeting to order at 4PM. Commissioners Gorman, Wooten, Myers, Brisson, Lee and Dunn present.

2. AGENDA: Approved.

3. COMMISSIONER, SUBCOMMITTEE, and STAFF ANNOUNCEMENTS
Commissioner Lee noted the recent activities of the Sea Watch migratory bird count and the Ocean Protection Council. She thanked DPW's Joyce Halabi for supporting the 'no fake cobwebs' effort. She also mentioned the need for the police department to collect germane wildlife data, noting that wildlife is not 'just animals' and should be categorized separately from other animal reporting.

Commissioner Brisson commended Sea Watch for their long-term study on migration. She also thanked DPW Director Goh for getting the electronic 'quiet zone' sign up and running before the recent marathon. Perhaps it can be a permanent sign? The seals are finally coming in: ~145 counted to date. The monarch subcommittee counted only 92 butterflies this past week; with this low count, the Xerxes Society issue a call to action, especially regarding the use of pesticides and herbicides.

Chair Walkingstick reported that the 18 October monarch meeting at the museum featured representation from many groups. She also shared news about the cooperative BNRC/ Economic Development Committee (EDC) to improve the downtown landscape. The paperwork for this new idea—Project Shopgate— will go to city council.

Staffer Fuerst reported on progress with signage for George Washington Park (GWP); they will be ~3-4 feet high. Permanent seal signage is also in the works. The plastics subcommittee will meet on 21 November to update the status of legislation with the state as well as changes that ReGen and Greenwaste have instigated. There will be a new investigation in re concerns around Crespi Pond. The monarch count shows 'drastically lower numbers, as seems to be the case throughout California, with the exception of the Santa Cruz area.
Note: Commissioner Lee requested that BNRC be notified regarding developments around Crespi Pond. Mr. Fuerst agreed.

4. COUNCIL LIAISON ANNOUNCEMENTS
Councilman Coletti expressed his appreciation for his role as liaison with BNRC. As he cycles off of city council, he urged BNRC to keep an eye on the GWP biological assessment; the one-year study is 'very important' as it relates to the master plan for GWP. The assessment is due to finalize in January. He also spoke to the first reading of the new district voting coming up before city council on 20 November. A draft of outdoor dining guidelines is in the works. Construction has begun on upgrading the corner of Lighthouse and Fountain. Lastly, BNRC gave Councilman Coletti a unanimous thank-you for his service with the committee.

5. MINUTES

The October minutes were approved as amended: TWO cypress trees will be planted at Lovers Point where the old tree was removed; it is Chair Walkingstick, not Commissioner Wooten; and it is Zachary Mills, not Miller.

6. GENERAL PUBLIC COMMENT
Kim Akeman took to the podium to heartily thank DPW for the electronic sign fronting the 'seal' beach at Hopkins Lab. She reported 45 pregnant seals with 74 in all. She invited BNRC to check with her group, which keeps data, on wildlife disturbances.
Lisa Ciani spoke of her concerns about dredging at Crespi Pond: if it does not happen before nesting season, it will have to wait until next year. A snow goose was spotted there.
Tony Ciani noted that DPW is proceeding with a new trail across from Esplanade Park. He reminded BNRC of its duties in re: design plans, and urged BNRC to comment on projects.

7A. Gena Bentall was unable to do a presentation on sea otters.

7B. Presentation from the California Marine Mammal Center (CMMC) by Laura Gill. CMMC has the largest teaching hospital of its kind in the world.They are now in their 50th year of taking action to protect the oceans and the marine mammals along the 600-mile California coastline and Hawaii. (The Hawaiian site is not open to the public.) They boast ~130 staff and ~1400 volunteers. Sausalito continues to be their headquarters; all animals requiring care eventually end up there.Sea lions are the most common patients, and ~30% of all patients have experienced negative interactions with humans and dogs. Beyond their clinical work, they do research, education and outreach. The public—and their dogs— are reminded to stay away from any marine mammals they find hauled out. Call 415.289.SEAL for help with distressed animals. To view releases of rehabbed patients, text RELEASE to to 65179.

Public comment from Kim Akeman offered kudos to Ms. Gill and to CMMC. She encouraged donations and volunteers to get involved.

Commissioner Lee asked about information to volunteer with CMMC—Moss Landing is the closest option. She also wondered about the loss of beaches due to sea level rise, and the treatment protocol for on-site euthanasia of seals with serious shark bites vs transport to Sausalito. She asked Ms. Gill to share CMMC's media posts with BNRC so that they can also be shared on the BNRC website. Agreed.

Commissioner Brisson said that maternal separation is an issue here in PG; it appears to be connected with noise.

Chair Walkingstick inquired about the opening of a new satellite site in Castroville. That will happen in the next two months; Moss Landing is still a viable site.

The next meeting will be on Tuesday, 17 December, at 4 PM.

Respectfully submitted,
Marty Dunn
Recording Secretary

Minutes of the
BEAUTIFICATION AND NATURAL RESOURCES COMMISSION
Tuesday, 21 January 2025, 4:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

1. CALL TO ORDER: Chair Walkingstick called the meeting to order at 4PM. Commissioners Gorman, Wooten, Myers, Brisson and Dunn present; Commissioner Lee absent.

2. AGENDA: Approved.

3. COMMISSIONER, SUBCOMMITTEE, and STAFF ANNOUNCEMENTS
Commissioner Gorman reported that BNRC's climate action and adaptation planning subcommittee's recommendation to City Council was approved at council's last meeting, and that the city will enter an agreement with Blue Strike Environmental for the Climate Action and Adaptation Planning Services. Also, the US Fish and Wildlife Service is proposing listing the monarch butterfly under the Endangered Species Act. Public comment is open from now until March 12th, and can be submitted electronically or in writing.

Commissioner Brisson shared a count of the monarchs (low—fewer than 100 in December) and mentioned Xerxes call to action, especially in re pesticide use. She suggested pesticide use should be on a BNRC agenda this year. Harbor seal pupping should start on 1 March; there are currently fewer than 110 in the cove, 57 of which are pregnant females. One premature birth has been reported. She requested the social media alerts and signage along the rec trail be repeated again this season. She and Chair Walkingstick attended a recent COAST meeting where the subject was about an initiative to add the Point Pinos Lighthouse Reservation as a National Historic District.

Chair Walkingstick noted that the Monterey Fire Department will be announcing a wildfire community response and preparedness plan. She also mentioned the need for donations to victims of the SoCal fires, and gave a brief update on the Moss Landing conflagration. The postponed presentation on sea otters will take place at the February BNRC meeting. Also at the next meeting, there will be discussion of subcommittee formation for the 2025.

4. COUNCIL LIAISON ANNOUNCEMENTS
Environmental Program Manager (EPM) Fuerst thanked Commissioners Lee and Myers for their service on BNRC and then introduced Lori McDonnell, BNRC's new council liaison. She reported that the biological assessment of George Washington Park should be ready for the council's 19 February meeting. The construction at Fountain and Lighthouse is wrapping up and new outdoor dining guidelines have been approved; new permits for the businesses will be issued. Cynthia Garfield was appointed to fill the vacancy on council. Ms. McDonnell asked people to consider—and submit— ideas for new council goals in February.

5. MINUTES
The October November minutes were approved.

6. GENERAL PUBLIC COMMENT
None.
7A. Tree Appeal, 105 20th Street

EPM Fuerst reminded the commission that BNRC can affirm, deny or modify the city arborist's recommendations. City staff has recommended a denial of the appeal to remove the two palm trees. Mr. Fuerst presented a video overview of the trees in question, and owners Mr. and Mrs. Annereau each spoke of their safety concerns around the trees. Lisa Ciani called in to express her support for removing the trees. and commissioners further discussed the issue. A motion to deny the appeal was made and approved, 5-1 (Commissioner Dunn dissenting).

8A. Pacific Grove Cares

Public Works Director Dan Goh introduced Peggy Gibbs, the founder of this new 501(c)(3) non-profit in the community. The purpose of Pacific Grove Cares (PGC) is to restore, maintain and improve public landscapes around town. Volunteers presently number about 20 and are the core of this group, though some local professionals might need to be hired for specific help on occasion. The first target areas are Chase Park West and the frontage strip around the Stillwell sign at Caledonia Park. Plantings will focus on natives and will come from PG's list of approved species; irrigation will be provided where needed. Ms. Gibbs, a professional fundraiser, reported that local restaurateur Kevin Phillips has donated $5K to this effort.

Public comment included Lisa Ciani's advice to use plants specific to the coastal zone, and to be sensitive to the archeological/ancestral significance of the some of the areas. Jane Haines contributed her appreciation for PGC, and spoke up for the protection of the creatures in the areas considered.

Commissioners' comments were overwhelmingly favorable and included suggestions to consider using gopher baskets, to include drought-tolerant and pollinator plants in the mix, and to be mindful of baby bird season as well as the use of pesticides. Commissioner Gorman queried the possible replacement of the 'ugly' fencing in front of Stillwell Park, to which Ms. Gibbs responded with the hope that the new landscaping would obscure it.

A motion to accept PG Care's proposed projects was unanimously approved.

B. Beautification of Lighthouse Avenue Medians

EPM Fuerst presented a slide show of the most prominent medians along Lighthouse, all of which contain one or more iconic cypress trees. Past attempts to spruce up the ground under the trees have been unsuccessful due to maintenance challenges and the roots and asphalt base under the medians. Some feel that dead/dying plants look worse than bare spaces under the trees. Lisa Ciani spoke against planting under the trees. Mike Gibbs wondered how the trees can stay upright with the asphalt underlay. Commissioner Myers suggested getting rid of the asphalt as a potential future capital project. Commissioner Gorman asked about expanding the planting wells under some of the trees and/or adding new soil, but Mr. Gho replied that that would be a very extensive project. Ms. Brisson wants to keep the median trees healthy. Ms. Wooten said, "These trees are 70 years old. Let them be.' Chair Walkingstick remarked that the trees are healthy, and that Shop Scape could provide color highlights downtown negating the need for planting under the trees.

Jane Haines called in to thank Ms. Wooten for responding to her letter about the condition of some of the mailboxes around town.

The meeting was adjourned promptly at 6 PM.

9. NEXT MEETING - February 18th, 2025 at 4 p.m.

Respectfully submitted,
Marty Dunn

Recording Secretary

Minutes of the
BEAUTIFICATION AND NATURAL RESOURCES COMMISSION
Tuesday, 18 February 2025, 4:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

1. CALL TO ORDER: Chair Walkingstick called the meeting to order at 4PM. Commissioners Gorman, Wooten, Brisson, Giraudo, Lloyd and Dunn present. Staff: EPM George Fuerst and Amy Colony and Dan Gho from DPW; Councilmember Lori McDonnell.

2. AGENDA: Approved.

3. COMMISSIONER, SUBCOMMITTEE, and STAFF ANNOUNCEMENTS
Chair Walkingstick welcomed our two new commissioners, Mssrs. Lloyd and Giraudo. Comm. Gorman reiterated that the monarch butterfly is being considered for listing on the Endangered Species Act. Public comment is open from now until March 12th and can be submitted electronically or in writing.

Commissioner Brisson said there are 228 harbor seals, at peak count, in the sanctuary. Pupping is imminent. She asked about permanent signage along the rec trail; Mr. Fuerst said they will be installed shortly.

Chair Walkingstick noted that the Monterey Fire Department will host a wildfire community response and preparedness presentation at a town hall event, 27 February from 5-8:30, at the Monterey Convention Center.

4. COUNCIL LIAISON ANNOUNCEMENTS
Council liaison Lori McDonnell reported that Jon Biggs is the temporary community development officer. District election voting maps are still open for comment. City Council will be discussing 2025 goals at 26 Feb. meeting.

5. GENERAL PUBLIC COMMENT
Lisa Ciani enjoyed a rare sighting of a banana slug at Asilomar and suggested that species be 'put on the wildlife subcommittee's radar.'
Mike Gibbs voiced concerns about homeowners' insurance due to wildfire risks in California.
Tony Ciani asked BNRC to focus on restoring and protecting Crespi Pond and the Great Tide Pool.

6. MINUTES
The January minutes were approved with corrections.

7A. SELECTION OF OFFICERS
Proposed slate: Ms. Walkingstick as chairperson, Ms. Gorman as vice-chair, Ms. Dunn as secretary. Slate approved unanimously.

7B. FENCING MUNICIPAL CODE REVISION CONCEPT
Before beginning her comprehensive presentation on fencing in the city, Carmelita García acknowledged the volunteer help that local Urban Trapping provided during the SoCal fires. Ms. García's slide show focused on fencing prohibitions and height limits in PG. Wood and metal 'deer fencing' is used specifically to prevent passage of deer, yet it, along with netting,

can injure or kill the deer as well as some pollinators. Ms. García asked for a BNRC subcommittee to work with the city to educate the public about fence codes and to monitor fences for compliance.
Public Comment:
Rebecca Lee spoke strongly in favor of this effort. Inge Lorentzen Daumer said contractors often use netting to protect trees, and that it's 'ineffectual.' (She also wondered about City Council's proposed shortened meeting schedule.)
Tony Ciani said the lighthouse picket fence tips could easily be 'softened.' He also suggested a re-look at the locations of 'Deer Crossing' signs. He said fencing needs to be 'standardized and codified' so that 'bad' fences could be replaced; also, realtors need to be made aware of fencing laws.
Lisa Ciani suggested having flyers available with the rules and to remove spikes and pointy fences.
Wendy emphasized that deer return to the same areas annually.
Commissioners were agreed that educational efforts are needed; Chair Walkingstick was 'all for creating a subcommittee 'and also reaching out to the planning commission to help further understanding of rules. Commissioner Giraudo suggested drafting a statement: what are the problems, then coming back with possible solutions, including new codes, or elements within them, if need be and having a subcommittee address them.
It was decided to defer a vote on this until the next meeting.

7C. GEORGE WASHINGTON PARK BIOLOGICAL ASSESSMENT
DPW Director Gho gave some history of George Washington Park (GWP) planning with the 1999 and 2022 versions. He then proceeded with the new 2024 Biological Assessment, the first to include information from all four seasons. The goal now is to meld the combined documents to implement a Council on Environmental Quality Act (CEQA) plan and present it to BNRC.
Public Comment:
Mike Gibbs said he feels GWP has been degrading for 15 years, that wildfire risks there are documented but public concerns are ignored.
Lisa Ciani spoke to the 'untimely' announcing of this agenda item, that it was 'disrespectful.' She stressed that no heavy equipment should be used in the park, and that all wildlife should be considered, not just endangered animals. She did not feel GWP's fire risk was comparable to the issues with the SoCal fires.
Tony Ciani urged not rushing this project and not to try to avoid CEQA.
Inge Lorentzen Daumer noted the need for a Cal Fire grant application to be submitted. She also said GWP needs 'hand work, not goats or machines' to do the park work.
Dixie Layne said PG's forested areas are 'much different from those in SoCal in many perspectives.' Overhead wires are the biggest fire risks; they should be undergrounded. What of the BBQ pit near the baseball field?
Amanda Preece of Audubon was pleased with the new biological assessment. She favors hand-clearing and cautioned not to *over* clear and to time work carefully.
Kris Lindstrom noted that we need input from insurance companies, and he agreed that we need to take our time, conform with CEQA and use local knowledge vs consultants whenever possible.
Kim Akeman said to put aside the 2022 report and focus on the new plan and the 1999 document. Expertise is needed. Harden homes, enforce no smoking and no mylar balloons (that can snag in power lines).
Commissioner Lloyd noted this is 'very complex.' Need to consider neighbors' concerns, and to move inward from the perimeter. CEQA compliance a positive. Other comments reflected moving cautiously, integrating the 1999 and 2024 plans (but now banning pesticides, as were okayed in 1999), and making decisions that reflect PG's 'environmentally friendly attitude.'

Commissioner Giraudo said the present state is not tenable, that we need to begin with 'the what' (problem) and begin to formulate 'the how' (solution).
Chair Walkingstick spoke to being 'fire-wise' rather than 'fire-scared,' that we need to utilize fire management resources along with the 2024 assessment suggestions.

Motion: Recommend the 2024 Denise Duffy and Associates George Washington Park (GWP) Biological Assessment be used as the basis for updating the 1999 GWP Master Plan.

D. GEORGE WASHINGTON PARK RECOMMENDATIONS TO CITY COUNCIL
Chair Walkingstick and Commissioner Gorman (tree subcommittee members) presented their comprehensive recommendations on GWP, beginning by noting that there are 28 parks in PG, and that GWP is unique. It contains one of only four natural Monterey pine forests in the world. The commissioners' plan is divided into zones and begins from the outside perimeter and moves in. The use of decomposed granite (DG) on the perimeter trail and removing poison oak from trails were some of the suggestions.
PublicComment:
Tony Ciani applauded the project but said conforming with CEQA and having long-term plans is vital. He noted removal of overhead wires was not included.
Lisa Ciani loved the idea; she asked if the interior trails would be DG or wood chips.
Mike Gibbs said 'it's a good start' but what about the fuel on the ground? Also, there are five PG&E transformers along Alder Street.
Amanda Preece supported the plan.
Inge Lorentzen Daumer said to underground the utilities, and also asked about ADA input.
Dixie Layne enthused that 'the plan surpasses my expectations!' She noted that the ground in GWP is always moist.
Kris Lindstrom suggested including this report along with the 1999/2024 reports and 'make it a project!'
Kim Akeman cited the need to underground the utilities and to post new signs, including 'no bikes.'
Commissioners praised the efforts of the committee in putting together this plan. Beyond kudos, there was talk of 'wild' vs 'groomed' space, especially in Zone 3; signage a plus; how to deal with DG that abuts the street asphalt; location of wastebins (convenient for pickup); and concerns about parking on DG in Zone 1. Public input should be invited.

7D. GWP RECOMMENDATIONS TO CITY COUNCIL:

Motion to recommend City Council receive GWP conceptual perimeter layer map.
CWooten/MD; MSP unanimously.

E. BNRC INPUT ON CITY COUNCIL GOAL SETTING
Public Comment:
Lisa Ciani: protect wildlife habitat.
Kim Akeman: need a wildlife officer.
Tony Ciani: ditto to above and protect GWP, Crespi Pond and the Great Tide Pool.
Kris Lindstrom: Use untapped talent in PG instead of outside paid consultants.
Commissioner Wooten: increase tree canopy and protect Crespi Pond

Commissioner Brisson: protect habitat and open spaces; CSO enforcement; create a no-pesticides ordinance.
Commissioner Dunn: Protect Crespi Pond and Great. Tide Pool; strengthen enforcement of single-use plastics rule.
Commissioner Lloyd: Bring GWP plan to conclusion this year.
Commissioner Gorman: Trees!
Chair Walkingstick: Accomplish GWP plan update.
DPW Director Gho noted that all of these topics are 'environmental enhancement.'

Motion: BNRC recommends the following goals for City Council consideration:
1. Update GWP Master Plan with BNRC input and measurable milestones for public input
2. Increase tree canopy coverage: Complete tree survey for benchmark to determine tree- increase goals.
3. Protect wildlife and wildlife habitat: CSO enforcement of ordinances.
DB/JG/MSP Unanimously

The meeting was adjourned at 8:21 PM.

9. NEXT MEETING - 18 March 2025 at 4 PM.

Respectfully submitted,
Marty Dunn
Recording Secretary

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Brian Pierik, City Attorney

MEETING DATE: May 07, 2025

SUBJECT: Update Regarding Changes to Government Code Section 36516 (City Council Compensation) and Consideration of Potential Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers and Providing Medical Benefits Available to City Management Employees

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

RECOMMENDATION

1. Discuss Potential Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers and Providing Medical Benefits Available to City Management Employees. If the Council directs to proceed with the Potential Ordinance, then the following are the recommended actions.
2. Request the City Attorney read the title of the ordinance.
3. Motion to waive further reading of the ordinance.
4. Introduce and hold a first reading of an Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers and Providing Medical Benefits Available to City Employees.
5. Direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.
6. Other action related to this Agenda Item.

DISCUSSION

A. Senate Bill No. 329 – City Councilmembers Compensation

On June 29, 2023, Senate Bill No. 329 (Attachment 1) was adopted by the California State Legislature and approved by the Governor pertaining to the compensation of City Councilmembers and became effective on January 1, 2024.

The changes made by SB 329 to Government Code Section 36516 (Attachment 2) included the following permitted compensation increases for City Councilmembers:

1. For cities with a population of 35,000 or less, the compensation permitted increased from $300 dollars to $950 dollars.

2. In the alternative, the compensation of City Councilmember could be increased by the greater amount of:

(A) An amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the compensation in effect when the ordinance or amendment is enacted.

(B) An amount equal to inflation since January 1, 2024, based upon the California Consumer Price Index, which shall not exceed 10 percent for each calendar year.

The findings in SB 329 regarding the permitted compensation increases for the Councilmembers included the following:

SECTION 1. The Legislature finds and declares all of the following:

(a) The compensation schedule for general law cities has not been adjusted since 1984, meaning that city council compensation has not kept pace with inflation.

(b) Allowing cities to adjust their compensation for inflation since 1984 may help city councils become more diverse because increased compensation can help individuals from across different income levels receive sufficient income from their service to help ensure that they can continue to serve the public and support their families.

Government Code Section 36516.1 provides for compensation of an elected Mayor as follows:

"A mayor elected pursuant to Sections 34900 to 34904, inclusive, may be provided with compensation in addition to that which he or she receives as a council member. That additional compensation may be provided by an ordinance adopted by the city council or by a majority vote of the electors voting on the proposition at a municipal election."

There are no provisions in the Government Code which specify the amount of the additional compensation which may be received by an elected mayor. However, since the Pacific Grove Mayor also serves as a member of the City Council, the percentage for compensation increases specified in Government Code Section 36516 as described above can be applied for the Mayor's compensation .

B. Actions by Other Cities on Compensation Increases

There are some cities which have recently taken action to increase the compensation of their Mayor and City Councilmembers including the City of Marina and the City of Seaside.

On March 4, 2025, the City Council of the City of Marina (a charter city) adopted an Ordinance to increase the compensation of the Mayor from $250 a month to $2250 a month and for City Councilmembers an increase from $200 a month to $2000 a month. The last compensation increase for the Mayor and Councilmembers in the City of Marina prior to 2025 was on September 4, 1990.

On March 20, 2025, the City Council of the City of Seaside (a general law city) approved a motion to increase the compensation of City Councilmembers from $400 a month to $2400. The last compensation increase in compensation for City Council in the City of Seaside prior to 2025 was in 1986.

C. City of Pacific Grove Charter and Ordinance on Compensation of Mayor and Councilmembers

The City of Pacific Grove City Charter includes the following provisions in regard to compensation for the Mayor and City Councilmembers confirming that the compensation will be as provided by ordinance and shall not exceed the amount permitted by State Law for general law cities of comparable size to Pacific Grove:

> Article 11 The Mayor
>
> "A Mayor shall be elected at each general municipal election and shall hold office for the term of two years from and after the Tuesday next succeeding the day of such election and until a successor is elected and qualified. The Mayor may receive compensation as provided by ordinance, but in no case shall the compensation exceed that amount which is permitted by State Law for General Law cities of comparable size to Pacific Grove. ….."
>
> Article 12 The Council
> . . . .
> "The Councilmembers may receive compensation as provided by ordinance, but in no case shall the compensation exceed that amount which is permitted by the State Law for General Law cities of comparable size to Pacific Grove."

The most recent increase in salaries for the Mayor and City Councilmembers was by Ordinance No. 98-24 (Attachment 3) adopted on August 19, 1998 (effective December 1, 1998), 26 years ago as of December 1,2024, which increased the compensation of the Mayor from $500 a month to $700 a month and increased the compensation of City Councilmembers from $300 a month to $420 a month.

D. Medical Benefits Available for the Mayor and City Councilmembers

City Council Policy 000-11 (Attachment 4) provides for certain Benefits for the Mayor and City Councilmembers including Health Insurance and PERS retirement.

Government Code Section 53208.5 (b) provides:

> "(b) Notwithstanding any other provision of law, the health and welfare benefits of any member of a legislative body of any city, including a charter city, county, including a charter county, city and county, special district, school district, or any other political subdivision of the state shall be no greater than that received by nonsafety employees of that public agency. In the case of agencies with different benefit structures, the benefits of members of the legislative body shall not be greater than the most generous schedule of benefits being received by any category of nonsafety employees."

The current Memorandum of Understanding Management Employees Association July 1, 2023 to June 30, 2026 is attached to this Agenda Report (Attachment 5).

E. Potential Ordinance Increasing The Compensation of the Mayor and City Councilmembers and Providing Benefits Available to City Employees

Attached to this Agenda Report is a potential Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers and Providing Medical Benefits Available to City Management Employees, see Attachment 6.

In this Ordinance, there would be an increase in the compensation of City Councilmembers from the current $420 a month to $966 a month using the 5% a year increase allowed by Government Code Section 36516 for the 26 year period from December 1998 (the last compensation increase) through December 2024 which is 26 years. 5% of $420 is $21 multiplied by 26 years is a $546 increase. $420 plus $546 equals $966.

For the Mayor, the Ordinance provides for a compensation increase from the current $700 a month to $1610 a month using the same 5% a year increase allowed by Government Code Section 36516 for the 26 year period from December 1998 (the last compensation increase) through December 2024 which is 26 years. 5% of $700 is $35 multiplied by 26 years is a $910 increase. $700 plus $910 equals $1610.

City Councilmembers, and presumably the Mayor, have the option of waiving any or all of their compensation including the current amount of compensation and/or the potential increase in compensation. Government Code Section 36516 (f).

For medical benefits, the Ordinance provides, consistent with Government Code Section 53208.5 (b), that that the Mayor and City Councilmembers are entitled to receive, at their choice, the Medical Benefits in the Memorandum of Understanding for the Management Employees Association, as it may be amended from time to time, or, in the alternative, the Health Insurance Benefits referenced in City Council Policy 000-11, but in no event will the Medical Benefits for the Mayor and City Councilmembers exceed the most generous schedule of benefits being received by any category of nonsafety employees

It is our understanding that the cities of Seaside, Carmel-by-the-Sea, Monterey, Salinas and Santa Cruz have City contributions for health benefits.

OPTIONS

1. Take alternative action related to this subject
2. Take no action

FINANCIAL IMPACT:

If the Ordinance is adopted, then the following increased annual costs would be incurred by the City which has been confirmed by the City Finance Management Analyst**:**

1. Compensation . The annual cost for six City Councilmembers compensation will increase from $30,240 to $69,552 which is an increase of $39,312. The annual cost for the Mayor's compensation will increase from $8400 to $19,320 which is an increase of $10,920. The total increase will be $39,312 plus $10,920 which is an increase of $50,232.

2. Compensation Related Increases. With the compensation increases, Finance has calculated the following annual compensation related increases: Medicare ($728), PERS ($1391) and Workers Compensation ($417) which combined equals $2,536.

3. Total Annual Increase for Compensation and Compensation Related Increases for Mayor and City Councilmembers.

The annual increase for compensation and compensation related increases for Mayor and City Councilmembers if the Ordinance is adopted would be $50,232 in compensation plus $2,536 for compensation related increases for a total of $52,758.

4. Medical Coverage.

The City does not currently make any contributions for medical coverage on behalf of the Mayor and City Councilmembers. If the Mayor and City Council elect medical coverage that is available to City Management Employees, the annual cost to the City will depend upon what coverage, if any, is selected.

One option is for the Mayor and/or individual City Councilmembers to receive a cash in-lieu option of $250 a month ($3000 a year) instead of electing medical insurance.

For those who choose medical insurance, the annual cost for the City will depend upon the election made by the Mayor and Councilmembers as follows: No dependents ($13,296); One dependent ($19,596); Two dependents or more ($25,596).

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

1 SB 329 - City Councilmembers Compensation

2 Government Code Section 36516

3 City of Pacific Grove Ordinance No. 98-24

4 City Council Policy No. 000-11

5 MOU Management Employees Association July 1, 2023 to June 30, 2026

6 Potential Ordinance

SB-329 Cities: city council members: compensation. (2023-2024)

SHARE THIS:

Date Published: 06/29/2023 09:00 PM

Senate Bill No. 329

CHAPTER 27

An act to amend Section 36516 of the Government Code, relating to local government.

[Approved by Governor June 29, 2023. Filed with Secretary of State June 29, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 329, Dodd. Cities: city council members: compensation.

Existing law authorizes a city council to enact an ordinance to provide each member of the city council a salary based upon the population of the city, as specified. Existing law authorizes that amount to be increased by the city council by an amount that does not exceed 5% for each calendar year from the operative date of the last adjustment of the salary that is in effect when the increase is enacted. Existing law provides for the procedures by which a city may enact ordinances.

This bill would increase the maximum amount of salary, based upon the population of the city, that may be approved by an ordinance passed by the city council, as specified. The bill would authorize the salary of council members to be increased beyond the specified maximums to an amount not exceeding the greater of either 5% for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted, or an amount equal to inflation since January 1, 2024, based upon the California Consumer Price Index, which shall not exceed 10% for each calendar year. The bill would require the city council to consider the adoption of an ordinance to increase council member compensation in open session during at least 2 regular meetings of the city council.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) The compensation schedule for general law cities has not been adjusted since 1984, meaning that city council compensation has not kept pace with inflation.

(b) Allowing cities to adjust their compensation for inflation since 1984 may help city councils become more diverse because increased compensation can help individuals from across different income levels receive sufficient income from their service to help ensure that they can continue to serve the public and support their families.

SEC. 2. Section 36516 of the Government Code is amended to read:

36516. (a) (1) A city council may enact an ordinance providing that each member of the city council shall receive a salary based on the population of the city as set forth in paragraph (2).

(2) The salaries approved by ordinance under paragraph (1) shall be as follows:

(A) In cities up to and including 35,000 in population, up to and including nine hundred fifty dollars ($950) per month.

(B) In cities over 35,000 up to and including 50,000 in population, up to and including one thousand two hundred seventy-five dollars ($1,275) per month.

(C) In cities over 50,000 up to and including 75,000 in population, up to and including one thousand six hundred dollars ($1,600) per month.

(D) In cities over 75,000 up to and including 150,000 in population, up to and including one thousand nine hundred dollars ($1,900) per month.

(E) In cities over 150,000 up to and including 250,000 in population, up to and including two thousand five hundred fifty dollars ($2,550) per month.

(F) In cities over 250,000 population, up to and including three thousand two hundred dollars ($3,200) per month.

(3) For the purposes of this subdivision, the population of a city shall be determined by the last preceding federal census, or a subsequent census, or estimate validated by the Department of Finance.

(4) The salary of council members may be increased beyond the amount provided in this subdivision by an ordinance or by an amendment to an ordinance, but the amount of the increase shall not exceed the greater of either of the following:

(A) An amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted.

(B) An amount equal to inflation since January 1, 2024, based upon the California Consumer Price Index, which shall not exceed 10 percent for each calendar year.

(5) No ordinance shall be enacted or amended to provide automatic future increases in salary.

(b) Notwithstanding subdivision (a), at any municipal election, the question of whether city council members shall receive a salary for services, and the amount of that salary, may be submitted to the electors. If a majority of the electors voting at the election favor it, all of the council members shall receive the salary specified in the election call. The salary of council members may be increased beyond the amount provided in this section or decreased below the amount in the same manner.

(c) Unless specifically authorized by another statute, a city council may not enact an ordinance providing for compensation to city council members in excess of that authorized by the procedures described in subdivisions (a) and (b). For the purposes of this section, compensation includes payment for service by a city council member on a commission, committee, board, authority, or similar body on which the city council member serves. If the other statute that authorizes the compensation does not specify the amount of compensation, the maximum amount shall be one hundred fifty dollars ($150) per month for each commission, committee, board, authority, or similar body.

(d) Any amounts paid by a city for retirement, health and welfare, and federal social security benefits shall not be included for purposes of determining salary under this section, provided that the same benefits are available and paid by the city for its employees.

(e) Any amounts paid by a city to reimburse a council member for actual and necessary expenses pursuant to Section 36514.5 shall not be included for purposes of determining salary pursuant to this section.

(f) A city council member may waive any or all of the compensation permitted by this section.

(g) (1) For the purposes of this section, a city council shall consider the adoption of an ordinance to increase compensation in open session during at least two regular meetings of the city council.

(2) At the first meeting, the city council shall present the proposed ordinance, which shall include findings demonstrating the need for the increased compensation. The ordinance shall not be adopted at the first

meeting.

(3) At least seven days after the first meeting, the city council shall hold a second meeting to consider whether to adopt the ordinance.

CALIFORNIA GOVERNMENT CODE SECTION 36516

(a)(1) A city council may enact an ordinance providing that each member of the city council shall receive a salary based on the population of the city as set forth in paragraph (2).

(2) The salaries approved by ordinance under paragraph (1) shall be as follows:

(A) In cities up to and including 35,000 in population, up to and including nine hundred fifty dollars ($950) per month.

(B) In cities over 35,000 up to and including 50,000 in population, up to and including one thousand two hundred seventy-five dollars ($1,275) per month.

(C) In cities over 50,000 up to and including 75,000 in population, up to and including one thousand six hundred dollars ($1,600) per month.

(D) In cities over 75,000 up to and including 150,000 in population, up to and including one thousand nine hundred dollars ($1,900) per month.

(E) In cities over 150,000 up to and including 250,000 in population, up to and including two thousand five hundred fifty dollars ($2,550) per month.

(F) In cities over 250,000 population, up to and including three thousand two hundred dollars ($3,200) per month.

(3) For the purposes of this subdivision, the population of a city shall be determined by the last preceding federal census, or a subsequent census, or estimate validated by the Department of Finance.

(4) The salary of council members may be increased beyond the amount provided in this subdivision by an ordinance or by an amendment to an ordinance, but the amount of the increase shall not exceed the greater of either of the following:

(A) An amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted.

(B) An amount equal to inflation since January 1, 2024, based upon the California Consumer Price Index, which shall not exceed 10 percent for each calendar year.

(5) No ordinance shall be enacted or amended to provide automatic future increases in salary.

(b) Notwithstanding subdivision (a), at any municipal election, the question of whether city council members shall receive a salary for services, and the amount of that salary, may be submitted to the electors. If a majority of the electors voting at the election favor it, all of the council members shall receive the salary specified in the election call. The salary of council members may be increased beyond the amount provided in this section or decreased below the amount in the same manner.

(c) Unless specifically authorized by another statute, a city council may not enact an ordinance providing for compensation to city council members in excess of that authorized by the procedures described in subdivisions (a) and (b). For the purposes of this section, compensation includes payment for service by a city council member on a commission, committee, board, authority, or similar body on which the city council member serves. If the other statute that authorizes the compensation does not specify the amount of compensation, the maximum amount shall be one hundred fifty dollars ($150) per month for each commission, committee, board, authority, or similar body.

(d) Any amounts paid by a city for retirement, health and welfare, and federal social security benefits shall not be included for purposes of determining salary under this section, provided that the same benefits are available and paid by the city for its employees.

(e) Any amounts paid by a city to reimburse a council member for actual and necessary expenses pursuant to Section 36514.5 shall not be included for purposes of determining salary pursuant to this section.

(f) A city council member may waive any or all of the compensation permitted by this section.

(g)(1) For the purposes of this section, a city council shall consider the adoption of an ordinance to increase compensation in open session during at least two regular meetings of the city council.

(2) At the first meeting, the city council shall present the proposed ordinance, which shall include findings demonstrating the need for the increased compensation. The ordinance shall not be adopted at the first meeting.

(3) At least seven days after the first meeting, the city council shall hold a second meeting to consider whether to adopt the ordinance.

ORDINANCE NO. 98-24

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE INCREASING THE COMPENSATION OF THE MAYOR AND COUNCIL MEMBERS

WHEREAS, Article 12 of the Charter of the City of Pacific Grove provides that council members "may receive compensation as provided by ordinance, but in no case shall the compensation exceed that amount which is permitted by the State Law for General Law cities of comparable size to Pacific Grove;" and

WHEREAS, the general law provides that for cities of Pacific Grove's size the council may enact an ordinance providing compensation for council members in an amount not to exceed $300.00; and

WHEREAS, the general law provides that a separately elected mayor may receive compensation in addition to that received as a council member, which additional compensation may be provided by ordinance of the council; and

WHEREAS, by Ordinance No. 1682 N.S., passed and adopted by council on July 19, 1989, compensation for Pacific Grove council members was set at $300.00/month and compensation for the Pacific Grove mayor was set at $500.00, said levels of compensation having not been modified since the passage and adoption of Ordinance No. 1682 N.S.; and

WHEREAS, the general law provides that council member compensation may be increased by ordinance beyond the $300.00 limit, but not more than five percent of the current compensation per calendar year from the operative date of the last compensation setting; and

WHEREAS, this council desires to increase council compensation by the allowable five percent/calendar year, and, further, to increase the mayor's compensation by using the same formula; and

WHEREAS, the general law provides that salary increases for council members shall not become effective until after the general municipal election next following adoption of such increases;

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

SECTION 1. Through November 30, 1998, compensation for council members and the mayor shall remain at currently authorized amounts, that is $300.00/month for council members and $500.00/month for the mayor.

SECTION 2. Effective December 1, 1998, compensation for council members and the mayor shall be as follows:

Council Members . . . . . $420.00 per month
Mayor . . . . . .$700.00 per month

SECTION 3. This ordinance shall become effective on the date of final passage and adoption hereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 19th day of August, by the following vote:

AYES: Costello, Davis, Fisher, Martine

NOES: Honegger, Huitt, Koffman

ABSENT: None

APPROVED:

Sandra L Koffman
SANDRA L. KOFFMAN, Mayor

ATTEST:

Peter Woodruff
PETER WOODRUFF, City Clerk

APPROVED AS TO FORM:

GEORGE C. THACHER, City Attorney

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
City Council Benefits	000-11	July 21, 1993	1 of 5

PURPOSE

Those elected or appointed to serve on the City Council are afforded a number of benefits, services, documents, and other materials relevant to municipal government administration. Recognizing that the interests of all concerned are best served when these specific policies and benefits are identified and summarized in a common form of reference which is accessible to incumbents and newly elected or appointed officials, council hereby establishes this policy statement of City Council benefits.

NOTE: The intent of this policy is to identify general guidelines and procedures, and to outline City Council benefits, services, and policies. Supplementary information may be obtained by referring to the appropriate code section, ordinance, or policy number as parenthetically indicated below.

POLICY

I. BENEFITS AND PRIVILEGES

1. **Installation of new Mayor and City Council.** Elective officers of the City of Pacific Grove (City) receive a monthly salary and are eligible to participate in two City benefit programs. Newly elected officials are sent information regarding these programs as well as employment forms to complete.

   Any questions regarding these programs should be directed to the payroll office, located in the Administrative Services Department in City Hall.

   A. Salary
   Salaries are paid biweekly on every other Friday and are subject to federal/state withholding.

   Council has established compensation at $700.00/month for the Mayor and at $420.00/month for Council Members. (Ordinance No. 98-24)

   B. Salary Assignment. The Mayor and City Council may, by giving written notice to the City Clerk, decline compensation. This provision applies only to the whole of the compensation; the Mayor or Council Member may not decline in part and accept in part such compensation. Requests may be withdrawn only by written notice. (Ordinance No. 1872)

C. Health Insurance and PERS Benefits. In addition to salary, elected officials are eligible to participate in the State of California Public Employees' Retirement System (PERS) and, if a member of PERS, may participate in the City's medical insurance program, which is provided through the retirement systems.

- **PERS** — Elective officers may file a written election to become members of PERS. In order to be eligible for any PERS service retirement, you must be at least age 50 and have five years of PERS-credited service. If officials do not retire under PERS, they could forfeit a portion of their contributions. However, once membership in PERS is established, elected officials may contribute and receive service credit for any previous elective employment. Therefore, if considering membership in PERS, elective officials may want to wait until they are assured of at least five years in an elective office. Council Members choosing to participate in this program are required to pay for both their employee and employer share of the PERS contributions.

- Medical Insurance — Elected officials who are members of PERS may participate in the City medical insurance program that is provided through PERS. Monthly medical insurance rates vary in accordance with the type of health insurance plan selected and are subject to annual increases as established by the carrier. Council Members choosing to participate in this program are required to pay the full cost of the insurance selected**. Council members may elect to redirect some or all of their biweekly salary toward paying the cost of medical insurance premiums on a tax free basis. The election may occur upon entering into Office with an effective date of the first of the following month upon entering Office, or, the election may occur and may be modified during the annual employee open enrollment period with an effective date of January 1st of the following year. Participation in the pretax plan is subject to IRS rules and compliance.**

Any changes in payroll withholding or participation in the retirement system and medical insurance program must be processed through the payroll department at City Hall.

2. Certificate of Election. Certificates are prepared for newly elected officials and processed through the City Clerk's office.

3. Business Cards. Official City business cards are issued to the Mayor and Council and processed through the City Manager's office.

4. Council Portraits. Newly appointed officials may contact the City Manager's office to arrange photo sittings for City portraits, which are used for official City purposes (display at City Hall, on the City website, etc.).

5. **City Facility Tour.** To acquaint Council Members with the locations, employees, functions, and services associated with the various departments throughout the City, newly elected and appointed officials are invited to accompany the City Manager on a tour of the various City facilities and departments (City Hall, Police, Fire, Community Development, Recreation, Public Works, Library, Museum, and Golf Course) The City Manager's office will contact Council Members individually to arrange tour dates and times.

6. **Parking Permits.** Upon request, the City Manager's office may issue parking permits to the Mayor and Council authorizing:

   A. Parking permit privileges in both the City and fire station parking lots; or

   B. Parking permit privileges to officials required to use their private vehicle on official City business. Such a permit grants a private vehicle the status of a City vehicle with respect to parking regulations within the City limits. The permit is subject to the following limitations:

      - Permit is valid only when the private vehicle is used in the conduct of official City business.
      - Permit is clearly displayed as designated by the City Manager.
      - Permit is valid on in-City parking facilities and streets.
      - Permit is not valid where parking is prohibited (e.g., red zone, loading zone, etc.) or where parking is restricted to handicapped.
      - Permit shall be revoked for abuse.

7. **Meeting and Travel Expense Reimbursement.** Official meetings and travel expenses are authorized for reimbursement, to the extent of funds appropriated in the annual budget, as established by Council policy. (Council Policy No. 000-2)

8. **Issuance of City Keys.**

   A. Access to City Hall — City Hall is open to the public between the hours of 8:00 A.M. to 4:45 P.M., Monday through Friday (with the exception of holidays as established by the City, General Employees Association, Management Employees Association and Police Officers Associations).

   Elected officials, wishing to obtain access during off hours, may request that City hall keys be issued to them. Upon request, the City Manager's office shall issue keys to individual Council Members which shall remain in their possession throughout their term of office. A record shall be kept of the date of issuance and return.

9. **Mayor and Council Office.** The Mayor and City Council have access to an office that includes a computer, printer, and other office supplies and can be accessed with the issued keys. As noted below, office supplies may be requested.

II. POLICIES AND GUIDELINES

1. **Issuance of Official City Documents.** Newly elected and appointed officials are issued electronic copies/links of the City Charter, Municipal Code (including zoning regulations), Municipal Budget, General Plan and any other pertinent documents that are deemed relative to the administration of City codes and regulations.

2. **Mayor and Council Distribution Drawers.** The Mayor and Council are each provided with a distribution drawer located in the Administrative Services Department at City Hall. Any correspondence and staff reports addressed to the Mayor and Council are disseminated at this location.

3. **Agenda Packets.** City Council agenda packets are prepared and delivered either electronically or to the distribution drawer for council pick-up on the Thursday evening or Friday morning preceding the meeting. (Council Policy No. 000-9).

4. **Issuance of City Stationery and Office Supplies.**

   A. **Letterhead:** City letterhead and envelopes are provided to the Mayor and CityCcouncil for their official correspondence in the Mayor/Council office. An electronic template may be provided. Council members should contact the City Manager's office whenever they wish to stock or replenish their supply.

   B. **Miscellaneous Supplies:** Office supplies such as note pads, pens, pencils, binders, etc., are available to the mayor and council for official city use. Supplies should be checked out through the City Manager's 'office in order to maintain a departmental record of supply expenditures.

5. **Mailings.** Letters relative to official City business may be placed in the outgoing mail depository located at City Hall. All mail deposited by Council Members will be charged to the government account, unless otherwise specified.

6. **Access of Photocopy Machine**. The City Hall photocopy machine is available for use by the Mayor and Council for the duplication of official City documents and materials. User code numbers, which are keyed into the machine prior to its operation, are issued through the ' Administrative Services Department/IT Department.

7. **FAX Machine.** FAX machines are located in the City Manager's office in City Hall for the purpose of transmitting and receiving official documents. Council should give documents to be transmitted to City staff.

8. **Typing Assignments.** Depending upon staff's immediate workload, and, upon the authority of the City Manager, the administrative technician to the City Manager is

available to assist in preparing a limited amount of correspondence for the Mayor and City Council.

9. **City Email Accounts.** The City Clerk shall provide City e-mail accounts for the Mayor and each Council Member, which are to be used for City business. Any electronic communications pertaining to City business on personal devices from personal accounts should be copied to the City e-mail account for record keeping. Council Members shall cooperate with all requests under the California Public Records Act.

10. **Social Media Accounts.** Council Members wishing to use social media accounts for City purposes should request the City Clerk's assistance in establishing a City-administered social media account. No City social media site shall be maintained or operated to block or mute users of the social media platform.

11. **City Staff Work Assignments.** All City staff assignments, including but not limited to, committee meeting attendance, minute keeping, agenda preparation, writing council policies, etc., shall be cleared through the City Manager who will assign tasks to staff members.

12. **Press Releases.** All official press notices and releases should be processed through the City Manager, ensuring conformity of distribution and familiarity with prevailing issues.

13. **Council Reference Materials.** The City Clerk's office maintains a central library of reference materials relating to: Council Policies; Agendas and Minutes of City Council; Ordinances; Resolutions; the General Plan; Municipal Budget; and other relative documents currently under the consideration of the City Council. Electronic formats can also be found at www.cityofpacificgrove.org.

14. **Completion of Term of Office.** Upon completion of any term of office, elected officials are required to return all City owned codes, materials, supplies, documents, and keys provided to them during their term and file leaving office statements. Elected officials shall forward any electronic communication pertaining to City business from personal accounts for the preceding two years to the City Clerk.

Passed and Adopted: July 21, 1993, Resolution No. 6354
Amended: August 19, 1998, Ordinance 98-24
Amended: August 15, 2018, by Resolution No. 18-027
Amened: September 4, 2019 by Resolution No. 19-024

CITY OF PACIFIC GROVE

MEMORANDUM OF UNDERSTANDING MANAGEMENT EMPLOYEES ASSOCIATION

July 1, 2023 – June 30, 2026

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Memorandum of Understanding Between
City of Pacific Grove and
Management Employees' Association

July 1, 2023 - June 30, 2026

In accordance with State requirements, the City of Pacific Grove, through its negotiating team, and the Pacific Grove Management Employees' Association, through its negotiating team, have met and conferred in good faith on matters within the scope of representation. As a result of these meetings, the parties make the following Memorandum of Understanding as required and subject to the conditions of Government Code Section 3503.1.

ARTICLE 1 ADMINISTRATIVE

1.1 Parties
This agreement is made and entered into between the City of Pacific Grove (herein called the "City") and the Pacific Grove Management Employees' Association, (herein called the "Association").

1.2 Recognition
The City recognizes the Pacific Grove Management Employees' Association as the exclusive representative of the employees of the City in the Management Unit.

1.3 Unit Description
The Management Unit consists of all regular employees of the City occupying positions in the following non-confidential designated job classes:

Accountant
Construction Project Manager
IT Program Manager (see 2.1.2)
Librarian
Management Analyst
Planner, Principal
Program Manager
Public Works Superintendent
Senior Librarian
Senior Recreation Coordinator

1.4 Coverage
This Memorandum of Understanding applies only to full-time positions in the Management Association.

1.5 Duration and Scope of MOU
The MOU shall govern the period July 1, 2023 - June 30, 2026. It is understood that as to any terms not covered by this MOU. Section 4.20 of the Pacific Grove Municipal Code and *Policy & Procedures Manual* is applicable.

1.6. Nondiscrimination

The provisions of this Memorandum of Understanding shall be applied equally to all employees covered hereby without discrimination because of Association membership.

Employees may elect to exercise their right to join and participate in the activities of the Association for the purpose of representation in all matters of their working conditions and employer-employee relations.

1.7 Association Dues

Employees in classifications and positions recognized to be represented by the Association may authorize the City to deduct specified amounts for payment of dues to the Association. The City is not a party to any matters regarding the process and any other terms applicable to employee authorization or rescission of authorization for such deductions. Such matters are exclusively between the Association and affected employee(s) only.

The Association will maintain records of employee authorizations for such payroll deductions and will provide the City with a document identifying unit employees who have authorized payroll deductions and the amount that each employee has authorized the City to deduct. The City will rely upon the list of employees and the deduction amounts contained in the document provided by the Association, subject to the following terms:

Deduction of membership dues will cease starting with the next pay period following the effective date of promoting or demoting out of the association.

No payroll deductions shall be made under this Section during any pay period in which an employee's earnings, after all other deductions are made, are insufficient to cover the full amount authorized.

When an employee is in a non-pay status for an entire pay period, no deduction will be made to cover the pay period from future earnings.

In the case of an employee who is in a non-pay status during less than an entire pay period and whose earnings, after all other deductions are made, are insufficient to cover the full amount authorized under this Section, no deduction shall be made from future earnings to cover the pay period.

The City shall transmit to the Association, as soon as reasonably possible, the aggregate of such deductions, along with an itemized statement of the deductions taken. Dues deducted and paid to the Association in error shall be refunded to City upon presentation of proof of such error. The Association shall indemnify, defend, and hold the City harmless against any liability arising in any forum, whether judicial, administrative, or otherwise, from any claims, demands, or other action relating to the City's compliance with any obligations imposed under Section 1.7 including but not limited to payroll deductions made in reliance on information provided by the Association and the Association's use of monies collected under these provisions.

1.8 Contracting Out/Bidding

The City has the right to contract out bargaining unit services, when feasible, the City may perform cost analysis to meet the best interest of the City. In the event that the City exercises it's right to contract out bargaining unit work, the City shall provide at least 60 days' notice to Association and an opportunity for the Association to meet and confer on the impacts and effects of this decision and comply with current law.

1.9 Safety

The City recognizes its obligation and is committed to providing a safe place of employment for its employees. To assist in accomplishing this goal, it is agreed that the City reserves the right to adopt

reasonable City rules and regulations, which become effective when posted. City agrees to meet and discuss with the Association proposed changes prior to implementation.

The Association agrees that it is the duty of all employees to comply with all reasonable rules and regulations and to be alert to all unsafe places, equipment and conditions and to report any such unsafe practices or conditions to their immediate supervisor.

Association representatives shall have reasonable access to work locations of unit employees to inspect worksites to ensure a safe work place.

1.10 Safety Committee
The City shall convene a Safety Committee to discuss the provision of safety equipment appropriate to specific job classifications.

ARTICLE 2 COMPENSATION

2.1 Salary

A. Effective August 20, 2023, 3% Cost of Living Adjustment (COLA). Two reads of a salary ordinance is required to change the salary schedule and is anticipated to be completed in December 2023. COLA will be retroactive to August 20, 2023.

B. 3% COLA effective the first full pay period in July of 2024.

C. 3% COLA effective the first full pay period in July of 2025.

2.1.1 Market Adjustments

A. The following classifications will be brought-up to 95% of total compensation as indicated on the Bryce Compensation study. The below classifications will be brought-up to market:

- Accountant, Senior
- Construction Project Manager
- Management Analyst
- Planner, Principal

B. 50% towards 95% of market median effective the first full pay period of July 2023

C. Remaining 50% towards 95% of market median effective the first full pay period July 2024

D. 3% COLA effective the first full pay period of July 2025

E. Market adjustments would apply if greater than, and in lieu of, July 2023 and July 2024 3% COLA

2.1.2 New Classification
An IT Program Manager classification will be created and added to MEA.

2.2 Management Time Compensation

Due to the unique aspects of their normal job duties, employees shall receive Management Time Compensation is lieu of paid management leave, overtime, or compensatory time in the amount of 3% of base salary.

It is understood Association members are required to work flexible hours and will adjust their schedules as they feel appropriate to meet their responsibilities.

2.3 Salary Step on Promotion or Reclass

The salary of an employee who is promoted or reclassified to a class having a higher salary range shall be adjusted to the first step of the new salary range or to the next higher step that provides a minimum of five percent (5%) salary increase.

2.4 Bilingual Pay

Bilingual pay is $200 monthly for Spanish speaking skills used in assignments that routinely and consistently require Spanish communication skills. The Department Head will make a determination with City Manager approval, if Spanish bilingual skills are being used routinely and consistently.

Employees may test and pass the test for Spanish (verbal) skills. Bilingual Pay is effective the first full pay period after HR receives the passing results. If the assignment changes and there is no longer a need for Spanish speaking skills, the bilingual pay will be removed at the next full pay period.

If the employee fails the Spanish test, they may retest after 6 months.

ARTICLE 3 INSURANCE BENEFITS

3.1 Employee Health Plan Eligibility

Association employees shall be entitled to participate in the City-sponsored group health plans including medical, dental, and vision as well as optional benefits.

Eligible employees enrolling in the group health plans within 60 days following their appointment will be covered subject to the contract limitation with the group health plan carrier. Coverage shall commence when the employee is eligible for coverage under CalPERS rules and the group health plan carriers' rules.

Human Resources will notify employees of annual open enrollment periods to change group health plans or enroll in additional benefits; unless the employee can certify a qualifying loss of coverage. (an eligible spouse, domestic partner, or minor child requiring health coverage because of a court order; new children by birth or adoption, or placement of adoption; new family members due to marriage or domestic partnership registration; or those whose health plan was cancelled due to an involuntary loss of coverage).

3.2 City Paid Health Premiums

(a) City shall pay the employer required statutory minimum contribution for employees enrolled in the PERS health plans as required by the Public Employee Medical and Hospital Care Act (PEMHCA).

(b) Health care premiums include medical, dental and vision.

(c) For employees participating in all three health plans: medical, dental and vision:

(1) Effective the first full pay period following City Council approval of the MOU, the City will contribute according to the below plan enrollment levels:

Plan Enrollment Level	Monthly Employer Contribution (amount excludes PEMHCA)
Employee Only	$950
Employee + 1 Dependent	$1,400
Employee + 2 or More Dependents	$1,825

(2) Effective the first pay period in 2024, the employer contribution will increase to the chart amounts below.

Plan Enrollment Level	Monthly Employer Contribution (amount excludes PEMHCA)
Employee Only	$950
Employee + 1 Dependent	$1,425
Employee + 2 or More Dependents	$1,875

(3) Effective the first pay period in 2025, the employer contribution will increase to the chart amounts below.

Plan Enrollment Level	Monthly Employer Contribution (amount excludes PEMHCA)
Employee Only	$950
Employee + 1 Dependent	$1,450
Employee + 2 or More Dependents	$1,925

(4) Effective the first pay period in 2026, the employer contribution will increase to the chart amounts below.

Plan Enrollment Level	Monthly Employer Contribution (amount excludes PEMHCA)
Employee Only	$950
Employee + 1 Dependent	$1,475
Employee + 2 or More Dependents	$1,975

(d) Medical Premium Re-opener
Contract will be re-opened to meet and discuss medical premiums only, if premiums increase an average of 15% between all four eligible plans for CalPERS Region 1 (PERS Platinum, PERS Gold, Anthem HMO Select, and Blue Shield Trio HMO) at one or more of the employee only, employee plus one, or employee plus family enrollment levels. Only enrollment levels that meet the 15% average increase criteria will be subject to the re-opener. No rounding shall be applied for purposes of this section (e.g. an average increase of 14.995% at the employee-only enrollment level does not meet the 15% percent requirement.)

3.3 Rate of Contribution Cash in Lieu (Grandfathered Employees)

The City shall contribute $368.75 per month ($171.20 for each of twenty- six pay periods) for current employees who are not participating in medical health plan coverage at the time of MOU ratification. This option in not available to new hires or current employees participating in the City's medical health plan coverage. There is no opt-in for this program and employees who opt out will no longer be allowed to receive this benefit but may be able to participate in the New program outlined in Section 3.4. This contribution terminates 6/30/26.

3.4 Rate of Contribution Cash in Lieu (New Employees)

Beginning January 2021, employees who are not currently grandfathered in the cash-in-lieu program may opt out of health (medical, dental and vision) during open enrollment and receive $250 per month taxable cash in lieu ($115.38 for each twenty-six pay periods). Employees who receive the cash-in-lieu, must provide proof of other coverage for medical.

3.5 Proof of Other Coverage

Employees who opt out of the medical plan and receive cash in lieu must provide the following:

(a) proof the employee and all individuals for whom the employee intends to claim a personal exemption deduction ("tax family"), have or will have minimum essential coverage through another source (other than coverage in the individual market, whether or not obtained through Covered California) for the plan year to which the opt out arrangement applies ("opt out period");

and

(b) the employee must sign an attestation that the employee and his/her tax family have or will have such minimum essential coverage for the opt out period. An employee must provide the attestation every plan year at open enrollment or within 30 days after the start of the plan year. The City will not make an in lieu payment if the City knows the employee or tax family member doesn't have such alternative coverage, or if the conditions in this paragraph are not otherwise satisfied.

3.6 Section 125 Plan

Employees may elect to participate in three Section 125 programs offered by the City. The available programs are Pre-Tax Premium Option, Dependent Care, and Flexible Spending Account. Each of these programs shall be administered in accordance to the IRS Code. For purposes of information, the following provides a description of the programs.

- Pre-Tax Premium Option- Permits payment of health insurance premiums subject to salary deduction with pre-tax income.
- Dependent Care- Permits payment of eligible dependent care with pre-tax income.
- Flexible Spending Account- Permits payment of eligible health care expenses not reimbursed by health insurance with pre-tax income.
- Optional Insurance Programs (e.g. AFLAC or other pre-tax offerings sponsored by the City.

3.7 457 Deferred compensation Plan

The City will match up to $100.00 per pay period of any MEA member's contribution to the City's Deferred Compensation Plan authorized under the Internal Revenue Code Section 457.

3.8 Group Life Insurance
The City shall provide at its cost Group Life Insurance with Accidental Death and Dismemberment at a minimum benefit of $75,000.

3.9 Short Term/ Long Term Disability Plan (STD/ LTD)
The City shall provide at its cost supplemental Short-Term and Long-Term Disability Insurance.

3.10 State Disability Income Protection Plan
Association employees are covered by the State Disability Income (SDI) Protection Plan at their expense. The SDI benefit will be integrated with City PTO leave benefits.

3.11 Medical, Dental, and Vision Insurance
The City and Association agree to periodically review health insurance policies currently in place to provide the most favorable insurance coverage available.

3.12 Medicare
Medicare is withheld for employees.

3.13 Workers Compensation Salary Continuation
Association members who suffer a bona fide on the job injury or illness, as determined under the provisions of the California Workers' Compensation laws, and who, as a result of such injury or illness, are unable to work in their regularly assigned position or other position as determined by the City will be entitled to receive full salary and benefits for the first 90 days of such absence from the date of the incurred injury or illness. No charge to the member's sick leave, vacation, compensatory time off or other leave will be made during the 90 days from the date of the incurred injury. It is noted that the City offers a Disability Insurance policy which establishes additional benefits for absences due to disabilities.

If a claim has been filed with, but not yet finally accepted or rejected by, the City's Worker's Compensation provider, the employee will be required to use any accrued and available paid leave to cover their absence. If the claim is finally accepted, the employee's leave banks will be restored for days actually used, up to 90 days.

ARTICLE 4 FITNESS INCENTIVE

4.1 Fitness Reimbursement Program Overview.
A. City will reimburse up to $500 per calendar year for employee's personal fitness costs. Eligible covered fitness reimbursement are listed below.

- Fitness Classes (Yoga, Pilates, Cycling, etc.)
- Fitness Subscriptions (such as Peloton, etc.)
- Gym Membership
- Weight Management Programs (such as Weight Watchers)

B. Reimbursement for fitness expenses not listed above, will be subject to the City Manager's discretion and approval. To avoid declination of reimbursement, items not listed should be pre-approved by the City Manager, or designee. Declination of reimbursement for items not listed above are not grieveable.

C. Annual requests for reimbursement must be submitted by December 1st of calendar each year.

D. To be eligible for reimbursement, a requesting employee must be in active status and remain a current employee through December 31st of the year in which seeking reimbursement.

E. Subject to IRS guidelines, the fitness incentive is taxable income.

ARTICLE 5 RETIREMENT

This MOU shall incorporate the two tiered retirement system to address Classic Members and New CalPERS Members required for Miscellaneous Employees by the California Public Employees' Pension Reform Act (PEPRA) of 2013.

5.1 Definition

The terms Classic Member and New CalPERS members are defined by PERS law and regulations, but in general these are construed to have the following meanings:

A. Classic CalPERS Member

"Classic Member" is typically defined as an employee who was hired on or before December 31, 2012, or is a member of a reciprocal retirement system.

B. New Employee

"New Employee" means an employee of a public employer who is employed for the first time by any public employer on or after January 1, 2013, and who was either:

- Not employed by any other public employer prior to that date; or

- Employed by another public employer prior to that date, but who was not subject to reciprocity between his new employer's plan and another public retirement system.

C. New CalPERS Member

"New Member" means an individual who either:

- Becomes a member of the plan for the first time on or after January 1, 2013 and either (i) was not a member of any other public retirement system prior to that date or (ii) was a member of another public retirement system prior to that date but was not subject to reciprocity between his new employer's plan and another public retirement system; or

- Was an active member in the plan and, after a break in service of more than six months, returned to active membership in that plan with a new employer.

5.2 Service Pension for Classic Members
The retirement formula expressed in Government Code Section 21354 commonly known as 2% at 55 local miscellaneous members shall apply to covered Classic Members.

5.3 Cost Sharing - Service Pension for Classic Members
The parties shall engage in sharing the City's employer contribution towards retirement benefits in accordance with Government Code Section 20516. Cost-sharing shall be in effect and will require the employee to pay the portion of the employer contribution.

A. For the duration of the MOU, the employee shall pay a total of 12% of the employee and employer share (7% of the employee share and 5% of the employer share).

B. The City completed a contract amendment with CalPERS under Section 20516 that allows for employee cost sharing of the employer rate and provides member's contribution to be credited to each member's account. Following the expiration of the current MOU, the City will initiate a contract amendment with CalPERS to end the Section 20516 amendment if not re-negotiated at that time. The Association recognizes that the CalPERS amendment process may take up to 90 days or longer for the amendment to become effective.

5.4 Final Compensation for Classic Members
"Final Compensation" shall be applied for retirement purposes as specified in Government Code Section 20042, as one year's highest compensation.

5.5 Credit for Unused Sick Leave for Classic Members
Employees shall be given service credit upon retirement for unused sick leave as specified in Government Code Section 20965.

5.6 New CalPERS Members Benefit Rate, Contribution and Final Compensation
New CalPERS Members shall receive and make contributions for PERS benefits in compliance with PEPRA.

A. **Benefit Rate** New Members benefit rate shall be MISC 2% @ 62.
B. **Contribution** New Members shall pay 50% of the normal cost of their pension benefit.
C. **Final Compensation** Three-year average final compensation period.

5.7 1959 Survivor's Allowance
The "1959 Survivor's Allowance Fourth Level" as defined in Government Code Section 21574 shall apply to both Classic and New CalPERS Members.

5.8 Military Service Credit
Military Service Credit as defined in Government Code Section 21024 shall apply to both Classic and New CalPERS Members

5.9 Continued Application
The Parties agree that all elements of the CalPERS article shall have continued application until or unless it is amended by mutual agreement of the parties.

ARTICLE 6 LEAVE PROVISIONS

6.1 Sick Leave
Sick leave is replaced by paid time off (PTO). However, employees who were previously employed by the City in a part-time status, may utilize their accumulated sick leave.

6.2 Sick Leave Buyout
Upon separation of employment, other than retirement, the employee shall be entitled to be paid for 50% of his/her sick leave accumulated at the time of such termination.

Upon retirement the employee shall be entitled to be paid for 50% of any accumulated sick leave in excess of that for which retirement credit is given.

In the event the employee is terminated by virtue of a conviction of a felony or any other illegal act, the City shall have no obligation to provide sick leave buy-out.

6.3 Personal Necessity Leave
Employees may use accrued sick leave and or PTO leave in the event of the personal illness or injury of a family member, including father, mother, brother, sister, spouse, registered domestic partner, child, step-child, grandparent, or in-laws.

6.4 Bereavement Leave
Up to a maximum of five (5) days of paid leave will be granted per occurrence in the case of the death of a family member, including father, mother, brother, sister, spouse, child, step parent, step child, grandparent, grandchild, in-laws, registered domestic partner, child of registered domestic partner or any other member of the immediate household.

6.5 Paid Time Off (PTO)

A. Accrual Rate

PTO Accruals are based upon full years of consecutive employment.
New and Legacy employees shall earn PTO according the rates set out in the following table.

Effective the first full pay period following City Council approval of the MOU, accruals earned will be as follows for all members of the MEA.

Years of Service	Hours Earned per Month	Hours Earned Per Year
Less than 5	12.00	144
5 to 6	14.00	168
7 to 8	14.667	176
9 to 10	15.33	184
11 to 12	16.00	192
13 to 14	16.667	200
15	17.333	208
16 plus	18.00	216
17	18.667	224
18	19.333	232
19	20.00	240
20 plus	20.667	248

B. PTO Accumulation
PTO shall not be accrued any time the employee's PTO balance exceeds 400 PTO hours.

C. Sick Leave Balances
Employees with Sick Leave balances may be retained as a sick leave bank.

Sick leave accrued before June 30, 2015 may be used as PTO or may be retained as a sick leave bank.

D. PTO/Vacation Buy-Back Program
Employees may sell back to the City up to 80 hours of their PTO/ vacation in any calendar year if both of the following conditions are met:

1. The employee has used (taken) at least 40 hours of PTO/ vacation during the preceding calendar year.

AND

2. The employee must have at least 40 hours of PTO/ vacation remaining after the buy-back of some of the accumulated vacation.

3. On or before the pay period which includes December 15 of each calendar year, an employee may make an irrevocable election to cash out up to eighty (80) hours of accrued PTO (in whole hour increments) which will be earned in the following calendar year at the employee's base rate of pay. On the pay day for the pay period which includes Thanksgiving in the following year, the employee will receive cash for the amount of vacation the employee irrevocably elected to cash out in the prior year. However, if the employee's PTO leave balance is less than the amount the employee elected to cash out (in the prior calendar year) the employee will receive cash for the amount of leave the employee has accrued at the time of the cash out.

E. PTO/Vacation Pay Out
PTO/Vacation leave balance shall be paid out upon employee's separation from employment in compliance with CalPERS rules and regulations.

6.6 Paid Holidays

Employees shall receive annually the following nine (9) paid holidays:

	Paid Holiday Schedule
1.	New Year's Day
2.	Memorial Day
3.	Independence Day
4.	Labor Day
5.	Veteran's Day
6.	Thanksgiving Day
7.	Thanksgiving Holiday/Day after Thanksgiving
8.	Christmas Eve Day
9.	Christmas Day

C. Paid Holiday Pay

Paid holidays will be calculated at eight (8) hours of holiday pay for full-time employees and will be calculated at six (6) hours of holiday pay for 30-hour weekly employees. Holiday pay is paid at the base hourly rate (8 hours x base pay, or 6 hours x base pay).

D. Holiday Schedule Observance

Unless otherwise provided, when a holiday falls on a Sunday, the following Monday shall be observed; a holiday falls on a Saturday, the prior Friday shall be observed. When a holiday falls on an employee's time off, the working day immediately preceding or immediately following such holiday, at the determination of the department manager and subject to approval of the personnel officer, shall be observed as a holiday.

E. Floating Holidays

Employees shall receive six (6) floating holidays each fiscal year.

Employees may select the date upon which they shall use any floating holiday, subject to scheduling needs of the City. If a floating holiday is not used within the fiscal year, the time shall be forfeited.

Floating holidays denied due to staffing shortages or other operational reasons will be paid or accumulated at the employee's choice at the end of the fiscal year. The employee will have the burden to prove the request was made in a timely manner and then denied.

F. Prorated Allocation for New Employees

Employees who are hired during the Fiscal Year (FY) shall have the number of floating holidays prorated based upon their date of hire as follows:

Date of Hire	Number of Floating Days
July 1 to August 31	6 floating holidays
September 1 to October 31	5 floating holidays
November 1 to December 31	4 floating holidays
January 1 to February 28 (29)	3 floating holidays
March 1 to April 30	2 floating holidays
May 1 to June 30	1 floating holiday

ARTICLE 7 WORKING CONDITIONS

7.1 Uniform

The City may provide field working uniforms and/or safety shoes for Public Works employees working out in the field.

7.1.1 Uniform Allowance

The City will provide a uniform allowance for designed members of field departments in the amount of $92.50 each calendar month. The classifications to which this Article applies shall be the Police Management Analyst and any other classification approved by the City Manager or designee.

7.2 Alternate Work Schedule

Employees may, upon approval of the appropriate Department Head and the City Manager, implement an alternative work schedule providing for 80 hours of work in two consecutive five-day Monday through Friday periods.

The schedule shall allow for adequate coverage of all activities normally and customarily covered during the Monday through Friday workweek. Approval by the appropriate Department Head and the City Manager shall not be unreasonably withheld.

7.3 Step Advancement

Employees are eligible for a salary step increase on their anniversary or new classification date following completion of 2,080 hours of paid service, or whichever is longer. Time spent on legally protected leaves of absence such as FMLA or CFRA count towards step increase eligibility. Salary step increases will be effective the first full pay period following the step eligibility date.

7.4 Work Outside Business Hours

Management employees receive management incentive compensation to recognize the unique aspects of the normal job duties. Management employees are expected to:

1. Regularly attend City Council Meetings and/or a City Advisory Board(s); to include preparation and presentation of agenda items; and
2. Regularly work on special projects, or City initiatives that may require work hours before or after normal business hours as well as be required to work weekends.
3. Be the first to staff the department outside of normal business hours, including weekends, when there is a critical need to complete work and/or during a natural disaster or emergency.

Management employees who do not work outside business hours as listed above or similarly, will forfeit the management incentive compensation. Department heads will monitor.

ARTICLE 8 CONTINUING EDUCATION AND PROFESSIONAL DEVELOPMENT

8.1 Tuition Reimbursement

Tuition Reimbursement is up to $3,000 in a fiscal year for qualified expenses per the MEA Education Reimbursement Program.

8.2 Professional Development Program

A lump sum payment of $500.00 shall be made by City to an employee represented by the Association who has completed a course of study and/or examination that results in attaining an acknowledged level of professional development – evidenced, for example, by degree, credential or certification – in the employee's field of work. To qualify for this payment, the achievement must demonstrate, as determined by the City Manager, attainment of a significant achievement based on national, state, or professional department standards.

The City Manager shall determine, prior to employee's embarking on the work and study required for the desired degree, credential or certification, whether the desired goal qualifies for the payment.

No more than three (3) such payments shall be paid to an individual during his or her tenure with the City.

8.3 City Training Day

Effective 2021, the City will close operations to the public for non-sworn personnel on the third Monday in October and provide a mandatory employee "Training Day".

ARTICLE 9 MISC

9.1 MOU Negotiations Timing

At least six (6) months prior to the MOU expiring, management will initiate MOU negotiations with MEA.

9.2 Future Negotiations

The parties hereto acknowledge and agree that they have reached settlement regarding all total compensation and non-compensation items, and that said issues are settled through the period expiring June 30, 2026, provided that either party may request to meet and confer upon written notice given to the other party.

The parties therefore agree to waive any and all rights or obligations to meet and confer on any subject fully covered by this MOU with the exception of the economic re-opener, until a reasonable period prior to June 30, 2026.

ARTICLE 10 SAVINGS CLAUSE

If any Article or Section of this Memorandum of Understanding should be found invalid, unlawful or unenforceable by reason of any existing or subsequent enacted legislation or by judicial authority, all remaining Articles and Sections of this Memorandum of Understanding shall remain in full force and effect for the duration of the MOU. In the event of invalidation of any Article or Section, the City and the Association agree to meet within 30 calendar days of such invalidation for the sole purpose of meeting and conferring upon said Article or Section.

This MOU constitutes a full and complete agreement between the parties on all matters within the scope of representation.

Tori Hannah, City Manager Pro Tempore
City of Pacific Grove

George Fuerst
Management Employees' Association (MEA)

Katy Suttorp, Negotiator, City Attorney's Office

Katie Clark (Nov 28, 2023 17:04 PST)

Katie Clark
Management Employees Association (MEA)

Leticia Livian, Human Resources Director
City of Pacific Grove

Nov 29, 2023
Date

Nov 20, 2023
Date

ORDINANCE NO. 25-_____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE INCREASING THE COMPENSATION OF THE MAYOR AND CITY COUNCILMEMBERS AND PROVIDING MEDICAL BENEFITS AVAILABLE TO CITY MANAGEMENT EMPLOYEES.

WHEREAS, Article 11 of the Charter of the City of Pacific Grove provides that the Mayor may receive compensation as provided by ordinance, but in no case shall the compensation exceed that amount which is permitted by State Law for General Law cities of comparable size to Pacific Grove; and

WHEREAS, Article 12 of the Charter of the City of Pacific Grove provides Councilmembers may receive compensation as provided by ordinance, but in no case shall the compensation exceed that amount which is permitted by the State Law for General Law cities of comparable size to Pacific Grove.

WHEREAS, by Ordinance No. 1682 N.S., passed and adopted by council on July 19, 1989, compensation for Pacific Grove Councilmembers was set at $300.00/month and compensation for the Pacific Grove Mayor was set at $500.00; and

WHEREAS, the most recent increase in salaries for the Mayor and City Councilmembers was by Ordinance No. 98-24 adopted on August 19, 1998 (effective December 1, 1998), 26 years ago as of December 1,2024, which increased the compensation of the Mayor from $500 a month to $700 a month and increased the compensation of City Councilmembers from $300 a month to $420 a month; and

WHEREAS, on June 29, 2023, Senate Bill No. 329 was adopted by the California State Legislature and approved by the Governor pertaining to the compensation of City Councilmembers and became effective on January 1, 2024; and

WHEREAS, the findings in SB 329 regarding the permitted compensation increases for the Councilmembers included the following:

SECTION 1. The Legislature finds and declares all of the following:

(a) The compensation schedule for general law cities has not been adjusted since 1984, meaning that city council compensation has not kept pace with inflation.

(b)Allowing cities to adjust their compensation for inflation since 1984 may help city councils become more diverse because increased compensation can help individuals from across different income levels receive sufficient income from their service to help ensure that they can continue to serve the public and support their families.

WHEREAS, the changes made by SB 329 to Government Code Section 36516 included the following permitted compensation increases for City Councilmembers:

1. For cities with a population of 35,000 or less, the compensation permitted increased from $300 dollars to $950 dollars.

2. In the alternative, the compensation of City Councilmember could be increased by the greater amount of:

   (A) An amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the compensation in effect when the ordinance or amendment is enacted.

   (B) An amount equal to inflation since January 1, 2024, based upon the California Consumer Price Index, which shall not exceed 10 percent for each calendar year.

WHEREAS, there are no provisions in the Government Code which specify the amount of the additional compensation which may be received by an elected mayor, but since the Pacific Grove Mayor also serves as a member of the City Council, the percentage for compensation increases specified in Government Code Section 36516 as described above can be applied for the Mayor's compensation; and

WHEREAS, applying the 5% per year formula of Government Code Section 36516, there would be a compensation increase for City Councilmembers from the current $420 a month to $966 a month using 5% annual increase for the 26 year period from December 1998 (the last compensation increase) through December 2024 which is 26 years. 5% of $420 is $21 multiplied by 26 years is a $546 increase. $420 plus $546 equals $966; and

WHEREAS, applying the 5% per year formula of Government Code Section 36516, there would be a compensation increase for the Mayor from the current $700 a month to $1610 a month using 5% annual increase for the 26 year period from December 1998 (the last compensation increase) through December 2024 which is 26 years. 5% of $700 is $35 multiplied by 26 years is a $910 increase. $700 plus $910 equals $1610; and

WHEREAS, the City does not currently pay for any medical benefits for the Mayor or City Councilmembers; and

WHEREAS, Government Code Section 53208.5 (b) provides that a City may provide medical benefits for the Mayor and City Councilmembers not greater than the most generous schedule of medical benefits being received by any category of nonsafety employees; and

WHEREAS, the most generous schedule of medical benefits received by City nonsafety employees is set forth in Memorandum of Understanding Management Employees Association July 1, 2023 to June 30, 2026; and

WHEREAS, this City Council desires to increase City Councilmember compensation for the reasons stated in the Findings by the Legislature for adoption of SB 329 as recited above by the allowable five percent per calendar year, and, further, to increase the Mayor's compensation by using the same formula and to provide the Mayor and Councilmembers with the option to

obtain medical coverage as described in the Memorandum of Understanding Management Employees Association July 1, 2023 to June 30, 2026;

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

SECTION 1. Effective Date. This Ordinance shall become effective 30 days after the second reading of this Ordinance ("Effective Date").

SECTION 2. Compensation of Councilmembers and Mayor. As of the Effective Date of this Ordinance, the compensation for City Councilmembers and the Mayor shall be as follows:

Council Members .....$966 per month
Mayor.....$1610 per month

SECTION 3. Medical Benefits. The Mayor and City Councilmembers are entitled to receive, at their choice, the Medical Benefits as described in the Memorandum of Understanding for the Management Employees Association, as it may be amended from time to time, or, in the alternative, the Health Insurance Benefits referenced in City Council Policy 000-11, as it may be amended from time to time, but in no event will the Medical Benefits for the Mayor and City Councilmembers exceed the most generous schedule of medical benefits being received by any category of nonsafety employees.

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

AYES:
NOES:
ABSENT:

APPROVED:

_____
NICK SMITH, 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: Daniel Gho, Public Works Director/Deputy City Manager

MEETING DATE: May 07, 2025

SUBJECT: Authorization of Interim Fuel Management Activities in George Washington Park

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

RECOMMENDATION

1. Determine the Project to be exempt from CEQA and authorize interim fuel management activities in George Washington Park in accordance with the CEQA memo prepared by Denise Duffy & Associates.
2. Alternatively, discuss and take other action related to this item.

DISCUSSION

BACKGROUND

In 1925, the City of Pacific Grove purchased the pine forest land, now known as George Washington Park (GWP), from Del Monte Properties Company for $10. While there were no deed restrictions, the land was used as a park. In 1948, voters passed an ordinance officially designating the space for recreational use.

Today, GWP is a 20-acre urban forest, home to the largest contiguous Monterey pine forest in the City. Spanning six city blocks and surrounded by residential zones, the park provides habitat for diverse plant and animal species and offers both passive and active recreation opportunities.

At the City Council's February 19, 2025 meeting, City Staff presented a report detailing the history of the park, maintenance activities over the years and a summary of the developed management plans for the park. That report can be found here.

Following the presentation, the City Council directed staff to evaluate specific locations where downed wood has accumulated and prepare the necessary CEQA documents to perform the interim maintenance activities, consistent with the biological assessment, which was also brought forward to the Council on February 19, 2025.

The City retained the services of Denise Duffy & Associates (DDA) to prepare a Pre-Activity Biological Resources Survey (Attachment 1) and CEQA Memo for the work associated with the five (5) fuel management activity work areas (Attachment 2). The location map, illustrating the five areas of work, is included as Attachment 3. A Fire Department assessment of the fire hazard

conditions at George Washington Park, prepared by the Fire Chief, is included as Attachment 4.

The description of fuel management activities, equipment usage/access to the sites, timing of work, and CEQA determinations are provided below. Greater detail is provided in the individual report attachments.

FUEL MANAGEMENT ACTIVITIES
The interim fuel management activities include cutting and removing miscellaneous piles of dead and down woody material. The dead woody material to be removed generally consists of small-diameter Monterey pine branches that have fallen out of the canopy during winter storms as well as some limbs and several fallen dead trees that are leaning on other live trees. Some limited trimming of poison oak thickets intertwined with the woody material to be removed may be necessary. No removal or limbing of standing dead trees, removal of standing snags, or mowing of the understory herbaceous vegetation is proposed.

EQUIPMENT
Equipment to be used includes chainsaws, hand tools, and lightweight limited access equipment, such as a mini excavator and/or loader and a chipper, both with rubber treads. Access to the five removal areas, mapped in Attachment 3, will be along existing trails.

TIMING
The city intends to implement interim maintenance activities in the five prioritized locations during late spring/early summer 2025.

A bird survey would be conducted by a qualified biologist if work was scheduled to occur between February 1st and September 15th.
See Attachment 1 for greater detail on the scope of fuel management activities, equipment and timing.

CEQA
Per the attached CEQA memo, prepared by DDA and reviewed by the City Attorney's Office, the work can be performed under the following exemptions:

- Statutory Exemption (Public Resources Code § 21080(b)(4); CEQA Guidelines § 15269(c)), Emergency Projects
- Categorical Exemption (CEQA Guidelines § 15301(h) Class 1 Existing Facilities),
- Common sense exemption (CEQA Guidelines §15061(b)(3)).

See Attachment 2 for additional information on the CEQA exemptions.

NEXT STEPS
If approved, Public Works Staff will:

- Host a public walkthrough to discuss the approved strategies and locations, scheduled for May 13, 2025, at 2:00 pm.
- Implement maintenance strategies
- A bird survey would be conducted by a qualified biologist as described above.

OPTIONS
Do not authorize Fuel Management Activities to occur in the park.

FINANCIAL IMPACT:

Preparation of the CEQA memo, the Biological Resources Surveys for the interim fuel management locations, and the pre-activity nesting bird and bat surveys will not exceed $10,000, which is derived from the Public Works Operating Budget.

Implementation of the interim fuel reduction activities will be conducted by our contract tree maintenance service provider, utilizing Public Works operations budget.

FOCUSED PRIORITY AREA: Environmental Stewardship

Attachments

Pre-Activity Biological Resources Survey

CEQA Exemption Analysis for Interim Fuel Management Activities at George Washington Park

Site Plan 4-15-25

Fire Dept. Assessment of GWP

Memorandum

Date: April 25, 2025

To: Daniel Gho – Public Works Director
City of Pacific Grove
300 Forest Avenue
Pacific Grove, CA 93950

From: John Wandke
Senior Environmental Scientist
Denise Duffy & Associates, Inc.

Subject: **George Washington Park**
Initial Pre-Activity Biological Resources Survey
Interim Fuel Management Locations 1 - 5

Background

Over the course of 2024, Denise Duffy & Associates (DD&A) performed field surveys and prepared a Biological Resources Report (DD&A, 2024) for George Washington Park (GWP) located in the City of Pacific Grove (City). The Biological Resources Report assessed the potential impacts to biological resources that could result from implementation of forest management activities in the park, and recommended appropriate avoidance, minimization, and mitigation measures to reduce those impacts to a less than significant level in accordance with the California Environmental Quality Act (CEQA). The City intends to utilize the Biological Resources Report during preparation of a future CEQA document for comprehensive forest management activities throughout the park.

Currently, GWP exhibits fire risk due to its location within a Wildland Urban Interface (WUI) as identified by the Community Wildfire Protection Plan (Dudek 2023), the accumulation of dead and downed woody debris, a thick understory of non-native grasses, other dense understory growth, and periodic winds that can exceed 20 miles per hour. In addition, Cal-Fire has mapped a 'moderate' fire hazard severity zone approximately 1,000 feet from GWP as part of the updated Local Responsibility Area (LRA) fire hazard maps for Monterey County. Therefore, the City has prioritized several localized areas where near-term reduction of dead and downed woody material is critical. Implementation of near-term fuel reduction is important due to the urban location of GWP and the residential neighborhoods that border the park on all sides.

The City intends to implement interim fuel management in the five (5) prioritized locations shown on **Figure 1** under a CEQA exemption during late spring/early summer 2025. The City has retained DD&A to perform a focused biological survey of the proposed work locations, access routes, and adjacent areas to determine if sensitive resources identified in the Biological Resources Report are present. The interim fuel management scope of work includes cutting and removing miscellaneous piles of dead and down woody

material. The dead woody material to be removed generally consists of small-diameter Monterey pine (*Pinus radiata*) branches that have fallen out of the canopy during winter storms as well as some limbs and several fallen dead trees that are leaning on other live trees. Some limited trimming of poison oak thickets intertwined with the woody material to be removed may be necessary. No removal or limbing of living trees or mowing of the understory herbaceous vegetation is proposed. The work will be performed between May and September, to avoid the Monarch butterfly (*Danaus plexippus*) overwintering season.

Equipment to be used includes chainsaws, hand tools, and lightweight limited access equipment, such as a mini excavator and/or front-end loader with rubber treads. Access to the five (5) removal areas will be along existing trails, which are depicted on **Figure 1**. The removed materials will be transported along the existing trails using the lightweight equipment to the adjacent City streets for off-haul and disposal.

Methods

On March 4, 2025, DD&A visited the five (5) interim fuel management locations and the proposed access routes with City staff. On March 13, 2025, DD&A performed a focused survey of the work areas and access routes plus a 50-foot-buffer. The survey focused on sensitive resources identified in the Biological Resources Report that could be affected by the work, which include:

- Nesting raptors and other avian species
- Roosting habitat for special status bat species
- Overwintering monarch butterfly sites
- Monterey pine and Monterey pine forest
- Yadon's piperia (*Piperia yadonii*)

Although Yadon's piperia is a summer-blooming species and is not currently in flower, the basal leaves of the plant are currently observable. Therefore, any basal leaves characteristic of the *Piperia* genus were assumed to be Yadon's piperia.

Findings

DD&A's evaluation of the proposed interim management sites, the proposed access routes, and a 50-foot buffer determined that sensitive biological resources are present that could be affected by the work. Sensitive resources identified include potential nesting sites for raptors and other avian species. Although special status bat roosting locations could occur in the surrounding forest, and Monterey pines occur surrounding the proposed work sites, the proposed work does not include any removal or limbing of living trees that could provide roosting habitat for bats. In addition, the pre-activity survey did not identify the presence of any nearby Monarch butterfly overwintering sites or Yadon's piperia within the proposed work areas or access routes.

Conclusion and Recommendation

Based on the survey findings and the nature and timing of the proposed work, DD&A recommends that the City implement the following to comply with Migratory Bird Treaty Act of 1918 and California Department of Fish and Game Code Sections 3503, 3503.5, and 3513:

- Project activities that may directly (e.g., vegetation removal and trimming, tree removal, removal of standing dead trees or snags) or indirectly affect (e.g., noise) nesting raptors and other protected avian species shall be timed to avoid the breeding and nesting seasons (February 1 through September 15).

- If project activities must occur during the breeding and nesting season (February 1 through September 15), a qualified biologist shall conduct pre-activity surveys for nesting raptors and other protected avian species within 300 feet of the proposed work area. Pre-activity surveys should be conducted no more than seven days prior to the start of work during the early part of the breeding season (February through April) and no more than 14 days prior to the initiation of these activities during the late part of the breeding season (May through August).

- If raptors or other protected avian nests are identified during the pre-activity surveys, the qualified biologist shall notify the project proponent and an appropriate no-disturbance buffer shall be imposed within which no project activities or disturbance would take place until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.

References

Denise Duffy & Associates. 2024. George Washington Park Biological Resources Report. Prepared for City of Pacific Grove, California.

Dudek. 2023. Community Wildfire Protection Plan for the Cities of Monterey, Carmel-by-the-Sea, and Pacific Grove. 2023. Prepared for the Monterey Fire Department.

Memorandum

Date: April 29, 2025

To: Daniel Gho, Public Works Director/Deputy City Manager, City of Pacific Grove

From: Erin Harwayne, AICP, Senior Project Manager, Denise Duffy & Associates, Inc.

Subject: **CEQA Exemption Analysis for Interim Fuel Management Activities at George Washington Park**

Introduction

The City is proposing to implement interim fuel management in five prioritized locations during late spring/early summer 2025 in George Washington Park (GWP). The City of Pacific Grove (City) has retained Denise Duffy & Associates, Inc. (DD&A) to review the proposed activities and provide a recommendation on the level of compliance required under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14, Section 1500 et seq. [hereinafter the "CEQA Guidelines"]). Under CEQA, compliance levels range from project exemptions to thorough Environmental Impact Reports (EIRs). Based on the limited extent and type of activities proposed and compliance with applicable existing regulatory requirements, the project may qualify for an exemption under CEQA. This memorandum provides an analysis of the proposed activities and a recommendation on the level of CEQA compliance required to implement the proposed activities.

Project Description

Currently, GWP exhibits a high fire risk due to the accumulation of dead and downed woody debris, a thick understory of non-native grasses, and other dense understory growth. The City has prioritized several localized areas where near-term reduction of dead and downed woody material is critical to maintain public health and safety. Implementation of near-term fuel reduction is important due to the urban location of GWP and the residential neighborhoods that border the park on all sides. As discussed in more detail below, CAL FIRE recently released updated fire hazard maps for Monterey County on March 10, 2025, including a map identifying new and increased fire hazard areas within and near the City.

The City intends to implement limited and targeted interim fuel management activities in five prioritized locations during late spring/early summer 2025 (**Figure 1**). The interim fuel management activities include cutting and removing miscellaneous piles of dead and downed woody material; no live, healthy trees are proposed for cutting or removal. The dead woody material to be removed generally consists of small-diameter Monterey pine branches that have fallen out of the canopy during winter storms as well as some limbs and several fallen dead trees that are leaning on other live trees. Some limited trimming of poison oak thickets intertwined with the woody material to be removed may be necessary. No removal or limbing of standing dead trees, removal of standing snags, or mowing of the understory herbaceous vegetation is proposed. The work will be performed between May and September, outside of the Monarch butterfly

overwintering season. Access to and work in GWP will be limited to designated access trails, paths, and areas, as depicted in **Figure 1**.

Equipment to be used includes chainsaws, hand tools, and lightweight limited access equipment, such as a mini excavator and/or loader with rubber treads. Access to the five removal areas will be along existing trails. The removed materials will be transported along the existing trails using the lightweight equipment to the adjacent City streets for off haul and disposal.

The proposed project would also include elements in compliance with the Migratory Bird Treaty Act of 1918 and California Department of Fish and Game Code Sections 3503, 3503.5, and 3513 by completing nesting bird surveys prior to implementing any project activities. The nesting bird surveys will be conducted by a qualified biologist no more than seven days prior to the start of work during the early part of the breeding season (February through April) and no more than 14 days prior to the initiation of activities during the late part of the breeding season (May through August). If raptors or other protected avian species are identified during the surveys, the qualified biologist will notify the City and an appropriate no-disturbance buffer will be imposed in which no project activities or disturbance will take place until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by the qualified biologist.

Wildland Urban Interface and Fire Hazard Severity Zones

Wildfires become especially dangerous when wildland vegetation begins to intermix with residential areas. This area is referred to as the Wildland Urban Interface (WUI), which is a zone of transition between wilderness (unoccupied land) and land developed by human activity, and where wildfires pose the greatest risk to people due to the proximity of flammable vegetation. The combination of increasing development in or near wildlands, the accumulation of wildland fuels, a drying and warming climate, longer fire seasons, and rugged terrain has resulted in significant wildfire risk to communities located in or near the WUI. Wildfire in these WUI areas could result in substantial impacts to natural resources and substantial health, safety, and welfare impacts to the built/human environment adjacent to these areas (Dudek, 2023).

Public Resources Code (PRC) Sections 4201-4204 direct CAL FIRE to classify lands within State Responsibility Areas (SRAs) into Fire Hazard Severity Zones (FHSZs) based on fuel loading, slope, fire weather, and other relevant factors, including areas where winds have been identified by the department as a major cause of wildfire spread. The FHSZs are classified as moderate, high, or very high fire hazard zones based on the average hazard across the area within the zone. SRAs are lands that provide forest or range products, watersheds not owned or managed by the federal government or within the boundaries of incorporated cities, and where CAL FIRE has the primary financial responsibility for preventing and suppressing fires (PRC Sections 4113 and 4125).

AB 337 (“Bates Bill”), Government Code Section 51175, was prompted by the devastating Oakland Hills Fire of 1991. This legislation calls for CAL FIRE to evaluate fire hazard severity in Local Responsibility Areas (LRAs) and to make a recommendation to the local jurisdiction where very high FHSZs exist. CAL FIRE uses an extension of the SRA FHSZ model as the basis for evaluating fire hazard in an LRA. LRAs include land in cities, cultivated agricultural lands, nonflammable areas in unincorporated areas, and lands that do not meet the criteria for SRA or Federal Responsibility Area (FRA). LRAs may include flammable

vegetation and WUI areas. The LRA hazard rating reflects risks of flame and ember intrusion from adjacent wildlands and from flammable vegetation in the urban area. LRA fire protection is typically provided by city fire departments, fire protection districts, and counties, or by CAL FIRE under contract to local governments.

CAL FIRE recently released updated LRA fire hazard recommendation maps for Monterey County on March 10, 2025, including a map for the City (**Figure 2**). The map identifies a "moderate" fire hazard severity zone approximately 1,000 feet from GWP. The updated map shows an increase in moderate, high, and very high fire hazards zones closer to GWP and surrounding residences.

Community Wildfire Protection Plans (CWPPs) are a tool to help reduce the severity and impact of wildfire and increase community resilience. A CWPP was developed for the Cities of Monterey, Carmel-by-the-Sea, and Pacific Grove (Dudek, 2023).[1] The CWPP identified 691 acres of WUI within the City, which comprises 38% of the land within the city limits. The proposed project site and surrounding residential areas are within the WUI (**Figure 3**). Due to the hazards and risks to the residential community, the CWPP identifies fuel management along the perimeter of GWP as a high priority vegetation management project. The CWPP identifies GWP and the area west as having a high fire risk ranking, and the area to the east as having a moderate fire risk ranking (**Figure 4**).

CEQA Exemption Analysis

Introduction

Based on the analysis below, the proposed project qualifies for the following exemptions under CEQA:

- Statutory exemptions are projects specifically excluded from CEQA consideration as defined by the State Legislature found in either the statute itself or the CEQA Guidelines (Sections 15260-15285), and may be cross-referenced in codes other than the PRC (e.g., Water Code, Penal Code, Government Code, Education Code, Fish and Game Code, etc.). The project qualifies for a CEQA Statutory Exemption under PRC Section 21080(b)(4) and CEQA Guidelines Section 15269(c) as an action to prevent or mitigate an emergency.

- In addition, the project would qualify for a Class 1 Existing Facilities Categorical Exemption under CEQA Guidelines Section 15301(h).

- Finally, under CEQA Guidelines Section 15061(b)(3), activities are exempt from, and otherwise not subject to, CEQA under the "common sense" exemption where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. As discussed and demonstrated below, because it can be seen with such certainty that there is no possibility that the proposed project may have a significant impact on the environment, the proposed project also qualifies under the "common sense" exemption.

[1] Final CWPP available here: https://storymaps.arcgis.com/stories/d4cdd92189024e819ba9c5cb6380352d

Reasons Why the Project is Statutorily Exempt

Article 18 (Statutory Exemptions) of the State CEQA Guidelines lists types of projects that are exempt from the requirements of CEQA. This section provides an analysis of why this project qualifies for the statutory exemption for emergency projects under CEQA Guidelines Section 15269(c) . Section 15269(c) provides an emergency exemption for:

> (c) Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.[2]

Statutory Exemption Analysis

Section 15269(c) of the CEQA Guidelines specifies that the CEQA statutory exemption for emergency projects exempts specific actions necessary to prevent or mitigate an emergency. PRC 21060.3 defines "emergency" as a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services, including fire. While this statutory exemption excludes long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, this exclusion does not apply if "the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare," or "if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility."

The proposed project meets these conditions. This statutory exemption applies to the proposed interim fuel management activities in GWP because they are being implemented in response to the City Fire Chief's professional assessment and recommendations as fire or catastrophic risk mitigation to reduce fuel load and fire hazard risk to the surrounding residential community. The City Fire Department evaluated the potential fire risk associated with significant accumulations of dead and downed woody debris at the five identified areas. Chief Miller stated in a memo dated April 16, 2025, that the "current concentration of woody debris presents a fire hazard" and "direct threat to public safety, infrastructure, and natural resources in and around the GWP area." The current situation "calls for action to mitigate the hazard and prevent the onset of a consequential wildfire." The Chief further stated that the "removal of woody material at these priority locations should not be delayed within increasing the risk to public health and safety."

This statutory exemption is also applicable because *"the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare"* and there is substantial evidence in the record to prove an emergency situation exists.

[2] *CCR Title 14, Division 6, Chapter 3, Article 18. Statutory Exemptions, Section 15269 Emergency Projects*. Available at: https://www.law.cornell.edu/regulations/california/14-CCR-15269

The City is in the process of updating the existing Master Plan (City of Pacific Grove, 1999) for the park and to implement recommendations of the 2021 Forest Management Plan (FMP) (Dudek, 2022). The FMP was prepared to address necessary improvements to management of forest resources in the park, which include reduction of wildfire risk, restoration and enhancement of the Monterey pine forest ecosystem, and maintenance of the trail system for public use and safety. This long-term project, and associated compliance with CEQA and other environmental regulations, will not be completed or implemented prior to the 2025 fire season, and, therefore, creates a risk to public health, safety and welfare. The interim fuel management activities are proposed to reduce risk to public health, safety and welfare prior to the 2025 fire season. The City Fire Chief determined in his memo dated April 16, 2025, that a CEQA Emergency Project exemption applies to this situation due to the "emergency nature of the fire hazard created by dead and downed wood material" and the "time to complete the environmental review of the broader GWP management plan would result in increased risk to public health and safety, thereby qualifying these mitigation activities for CEQA exemption."

This statutory exemption is also applicable because the measures are *"in response to an emergency at a similar existing facility"* and there is substantial evidence in the record to prove an emergency situation exists. Due to the increasing risk of wildfire in WUI areas in California, the City intends to conduct the interim fuel management activities as soon as possible and before the peak of the next fire season occurs to reduce the vulnerability of residents to wildfire.

As described above, the GWP and surrounding residential community are within the WUI. Wildland fires have occurred not far from the project site. As described in the CWPP, Monterey County has experienced multiple large wildfires in the past decade, including the 2020 River Fire, 2022 Colorado Fire, and 2016 Soberanes Fire. According to CAL FIRE's Fire History Database, which includes timber fires 10 acres or greater and brush fires 30 acres or greater, no wildfires meeting these criteria have occurred within the CWPP Plan Area. However, the Morse Fire in 1987 burned up to the Monterey City limits after burning 190 acres in Pebble Beach and destroying 36 homes. Additionally, an unnamed wildfire occurred with the CWPP Plan Area near the Huckleberry Hill Nature Preserve in 1990 after igniting along Highway 68. Historical wildfire data in the CWPP Plan Area is limited. However, small wildfires have occurred but have been quickly extinguished. The CWPP identifies wildfire ignition points since 2019, many occurring in the Monterey pine forest outside the City limits.

There is evidence to show that rising temperatures and low seasonal precipitation associated with climate change are increasing fire activity in the Monterey Bay area. There is also evidence that suggests fire risk is increased where development expands in the WUI. Wildfire fuel management is recognized as an important strategy for managing future fire risk to people and structures (Dudek, 2023). Further, the City Fire Chief's memo also determined that the volume and distribution of the dead and downed wood debris, "particularly under current and forecasted dry conditions, creates an elevated risk of ignition and fire spread."

Therefore, as evidenced above, the dead and downed woody debris at the identified priority locations constitute a clear and imminent public health and safety risk demanding immediate attention and the removal should not be delayed, and the time required to complete the environmental review of the broader GWP management plan would result in increased risk to public health and safety, thereby qualifying these mitigation activities for CEQA exemption.

Reasons Why the Project is Categorically Exempt

Article 19 (Categorical Exemptions) of the CEQA Guidelines lists classes of projects that are exempt from the requirements of CEQA. This section provides an analysis of why this project also qualifies for the Class 1 Existing Facilities categorical exemption in CEQA Guidelines Section 15301. This section also discusses and demonstrates why none of the exceptions to the Categorical Exemptions found in CEQA Guidelines Section 15300.2 apply to this proposed project.

Section 15301(h) Class 1 Existing Facilities consists of the operation, repair, maintenance, permitting, leasing, licensing, or other minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. Section 15301(h) consists of maintenance of existing landscaping, native growth, and water supply reservoirs.[3]

Categorical Exemption Analysis

The proposed project meets the conditions described in Section 15301(h). The proposed project would be categorically exempt from environmental review under CEQA because it involves the maintenance of existing landscaping and native growth and would not involve the expansion of use of any existing facilities. The cutting and removal of miscellaneous piles of dead and downed woody material constitutes a maintenance activity for an existing public facility (e.g., public park) involving no expansion of use.

Exceptions to Categorical Exemption Analysis

CEQA Guidelines Section 15300.2 identifies exceptions that if present override a lead agency's ability to use a categorical exemption. These exceptions are listed below, including documentation as to why each exception does not apply to the proposed project.

[3] *CCR Title 14, Division 6, Chapter 3, Article 19. Categorical Exemptions, Section 15301 Existing Facilities.* Accessible at: https://www.law.cornell.edu/regulations/california/14-CCR-15301

Location

Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

This exception does not apply to the proposed project. The proposed project does not rely on any of these classes of exemption.

Cumulative Impact

All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.

This exception does not apply to the proposed project. The proposed project involves conducting interim fuel management activities in five locations in the GWP. These activities would be conducted prior to the 2025 fire season, specifically May and June of 2025 and require 10 days. In addition, as a component of the proposed project, nesting bird surveys will be conducted in compliance with the Migratory Bird Treaty Act of 1918 and California Department of Fish and Game Code Sections 3503, 3503.5, and 3513 prior to project implementation to reduce any potential impacts to biological resources. No other activities of the same type in the same location are proposed that would result in a cumulative impact to environmental resources. Therefore, no cumulative impacts would occur.

Significant Effect

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

This exception does not apply to the proposed project. There are no unusual circumstances related to the project that would create a reasonable possibility of significant effects on the environment. The interim fuel management activities are not unusual in size or location, as evidenced by Wildfire Prevention Grants issued by CAL FIRE (https://www.fire.ca.gov/what-we-do/grants/wildfire-prevention-grants). The proposed activities are consistent with established practices for wildfire prevention and safety.

Scenic Highways *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State Scenic Highway. This does not apply to improvements which are required as mitigation by and adopted negative declaration or certified EIR.*
This exception does not apply to the proposed project. According to the California Scenic Highway Mapping System, the closest eligible State Scenic highway is State Route 1, approximately 1,000 feet south of GWP. However, the project site is not visible from this section of State Route 1, and, therefore, no impact would occur.

Hazardous Waste Sites *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to §65962.5 of the Government Code.*
This exception does not apply to the proposed project. The proposed project site is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Historical Resources *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*
This exception does not apply to the proposed project. The proposed interim fuel management activities would not impact any structures and there are no known historical resources within GWP. Therefore, no impact to historical resources would occur.

Reasons Why the Project is Exempt under the "Common Sense Exemption"

Under CEQA Guidelines Section 15061(b)(3), activities are exempt from, and otherwise not subject to, CEQA under the "common sense" exemption where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed fuel management activities will be performed between May and September, outside of the Monarch butterfly overwintering season. Work will be limited to designated access trails, paths, and the five work areas, as depicted in **Figure 1**. In addition, the proposed project will ensure compliance with the Migratory Bird Treaty Act of 1918 and California Department of Fish and Game Code Sections 3503, 3503.5, and 3513 by completing nesting bird surveys prior to implementing any project activities. Equipment to be used includes chainsaws, hand tools, and lightweight limited access equipment, such as a mini excavator and/or loader

with rubber treads. As a result, the proposed project would not result in any significant effects on the environment. Therefore, in addition to the statutory and categorical exemptions identified above, the proposed project also qualifies under the "common sense" exemption.

Conclusion

As described and demonstrated above, the proposed project falls under several CEQA exemptions, including the statutory exemption for emergency projects, the Class 1 Existing Facilities categorical exemption, and the common sense exemption.

It is important to note that on March 1, 2025, Governor Newsom issued a Proclamation of a State of Emergency (Proclamation) to fast-track wildfire prevention projects, including fuel reduction efforts, by suspending environmental regulations and allowing streamlined approvals for projects like vegetation removal and prescribed burns. This Proclamation suspends CEQA and the Coastal Act to the extent necessary for expediting critical fuels reduction projects. Governor Newsom also suspended statutes, rules, regulations, and requirements that fall within the jurisdiction of the California Environmental Protection Agency (CalEPA) and the California Natural Resources Agency (CNRA), to the extent necessary, as long as it is approved by the appropriate agency secretary. For a "critical fuels reduction project" to be eligible for suspension, it must include at least one of the following activities as a primary objective:

- Removal of hazardous, dead, and/or dying trees;
- Removal of vegetation for the creation of strategic fuel breaks as identified by approved fire prevention plans;
- Removal of vegetation for community defensible space;
- Removal of vegetation along roadways, highways, and freeways for the creation of safer ingress and egress routes for the public and responders and to reduce roadside ignitions;
- Removal of vegetation using cultural traditional ecological knowledge for cultural burning and/or prescribed fire treatments for fuels reduction; or
- Maintenance of previously-established fuel breaks or fuels modification projects.

Furthermore, to benefit from the suspension, the activities must comply with the State Environmental Protection Plan or a comparable plan that balances expeditious fuels reduction and environmental protection.

The proposed interim fuel management activities include the primary objective of removing hazardous, dead, and/or dying woody material, and, therefore, the proposed project is likely eligible for suspension of CEQA and other state regulations identified in the Proclamation. However, the process of receiving a formal suspension issued by CalEPA and CNRA is not established at this time. DD&A reached out to CDFW to inquire about the process and CDFW provided the following:

> "CDFW is working with the CNRA and CalEPA to establish the procedures to execute the State of Emergency and enable prompt streamlining of these projects. In the interim, CDFW reminds those inquiring about the SOE of the following:
>
> - The State of Emergency is NOT self-executing. A formal suspension, issued by the secretaries of CNRA and/or CalEPA is required prior to starting work.
>
> - Suspensions are issued by CNRA and CalEPA at their discretion and will require the implementation of an Environmental Protection Plan or comparable plan to protect public health and the environment.
>
> - Information related to how to obtain a suspension will be available via the CalEPA and CNRA websites."

At the time this memorandum was prepared, the Environmental Protection Plan was not available, and information on the CalEPA and CNRA websites was also not available.

Due to the uncertainties related to the suspension process and timing, it is recommended that the City file a Notice of Exemption (NOE) citing the statutory, categorical, and common sense exemptions identified herein and submit this exemption analysis along with the NOE as evidence to the record.

References

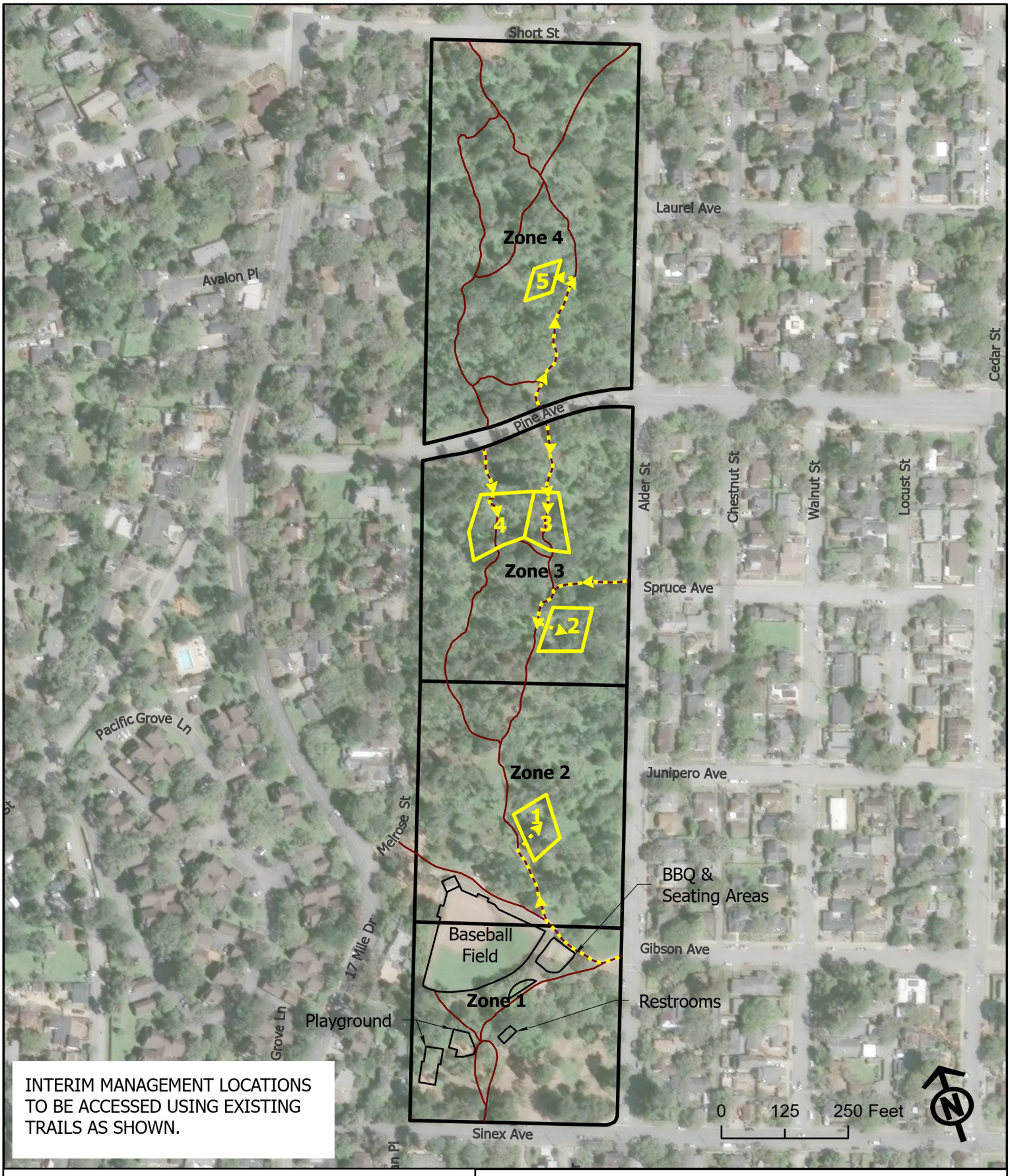
City of Pacific Grove. 1999. Master Plan for George Washington Park. Prepared by Natural Resources Committee and City Forester Frank Ono, Pacific Grove, CA.

Denise Duffy & Associates, Inc. 2025. George Washington Park, Initial Pre-Activity Biological Resources Survey, Interim Fuel Management Locations 1-5 Memorandum.

Denise Duffy & Associates, Inc. 2024. George Washington Park Biological Resources Report. Prepared for City of Pacific Grove, California.

Dudek. 2023. Community Wildfire Protection Plan for the Cities of Monterey, Carmel-by-the-Sea, and Pacific Grove. 2023. Prepared for the Monterey Fire Department.

Miller, Fire Chief Andrew. 2025. Fire Department Assessment of Fire Hazard Conditions – George Washington Park (GWP). Email Memorandum to City Manager Matthew Mogensen, dated April 16, 2025.



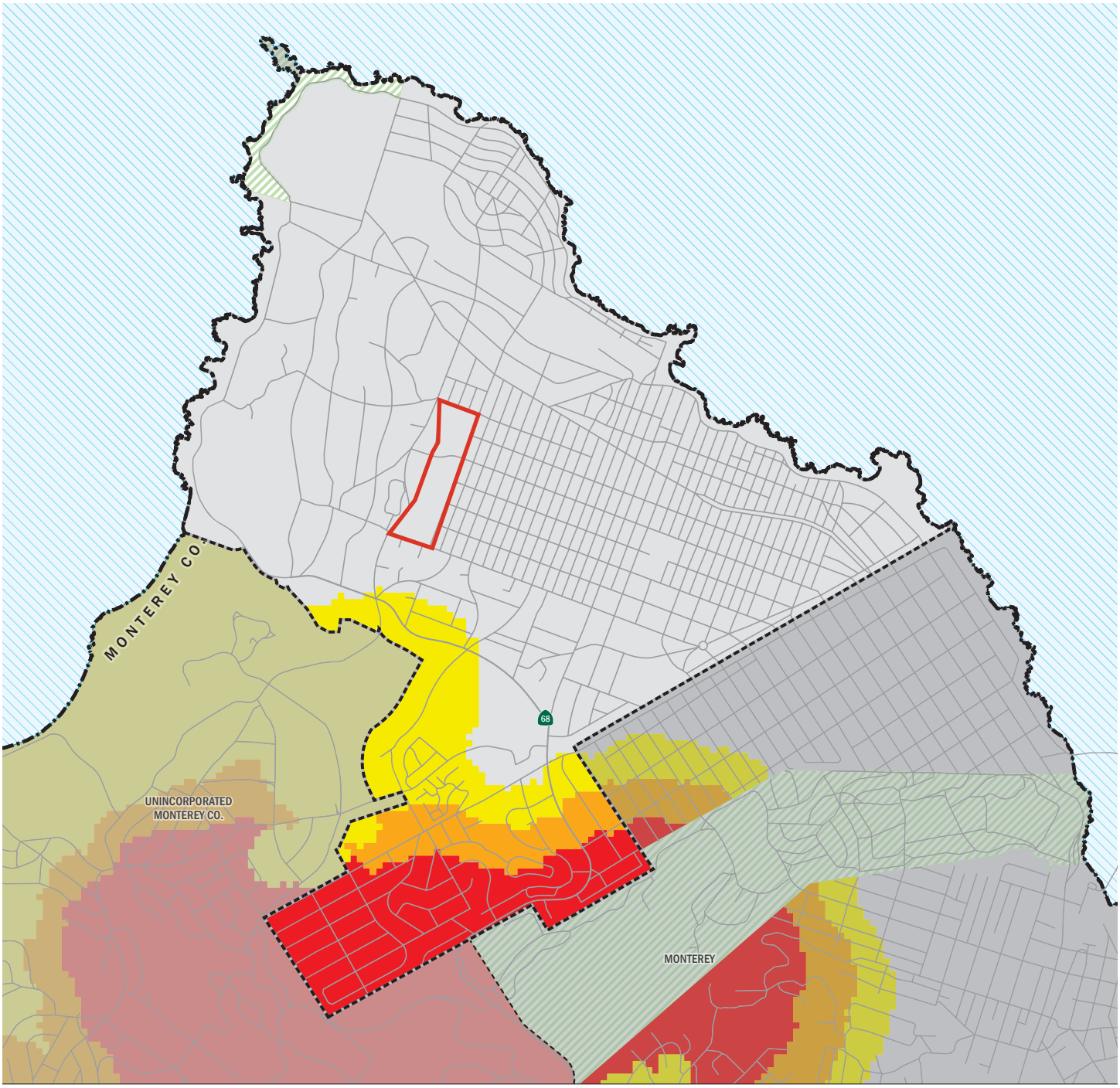
Site Plan

George Washington Park Biological Resources Report

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date 4-2025
Scale 1 in = 250 ft
Figure 1

Path: C:\JWandkeGIS\GIS_Projects\2023-78 George Washington Park Bio\2023-78 George Washington Park Bio.aprx





Fire Hazard Severity Zones (FHSZ) in Local Responsibility Area (LRA), as Identified by the State Fire Marshal

Very High | High | Moderate

Fire Hazard Severity Zones in State Responsibility Area (SRA), Effective April 1, 2024

Very High | High | Moderate

Mi 0 — 1

Km 0 — 1

Projection: NAD 83 California Teale Albers
Scale: 1:20,000 at 11" x 17"

Incorporated City

Federal Responsibility Area (FRA)

Unzoned LRA

Project Site

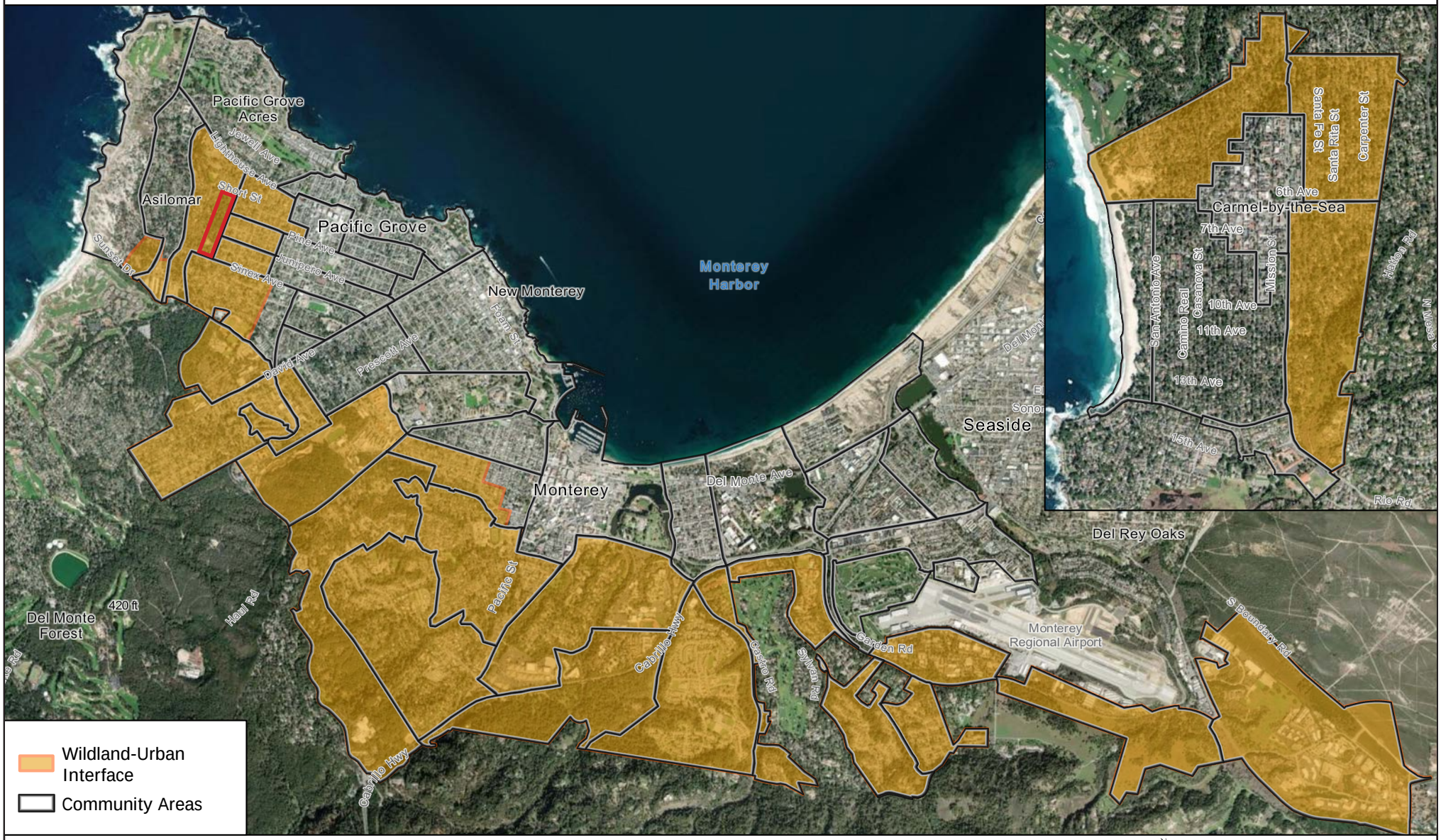
LRA Fire Hazard Severity Zones in City of Pacific Grove

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date 3-2025

Scale NTS

Figure 2



Project Site

Source: Dudek, 2023

Wildland-Urban Interface

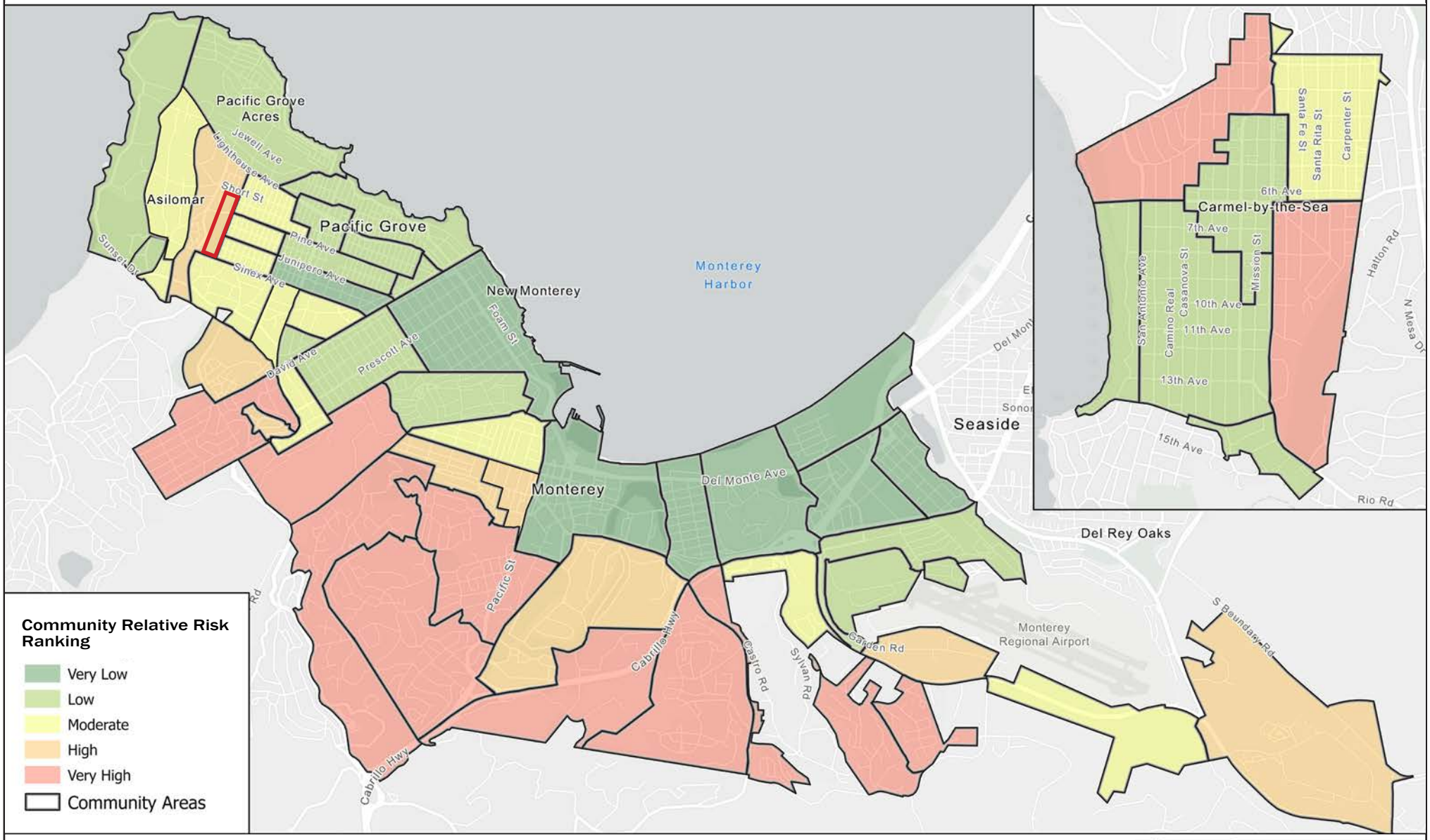
Community Wildfire Protection Plan

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date
April 2025

Figure
3

Scale
N/A



Project Site

Source: Dudek, 2023

Community Relative Risk Ranking

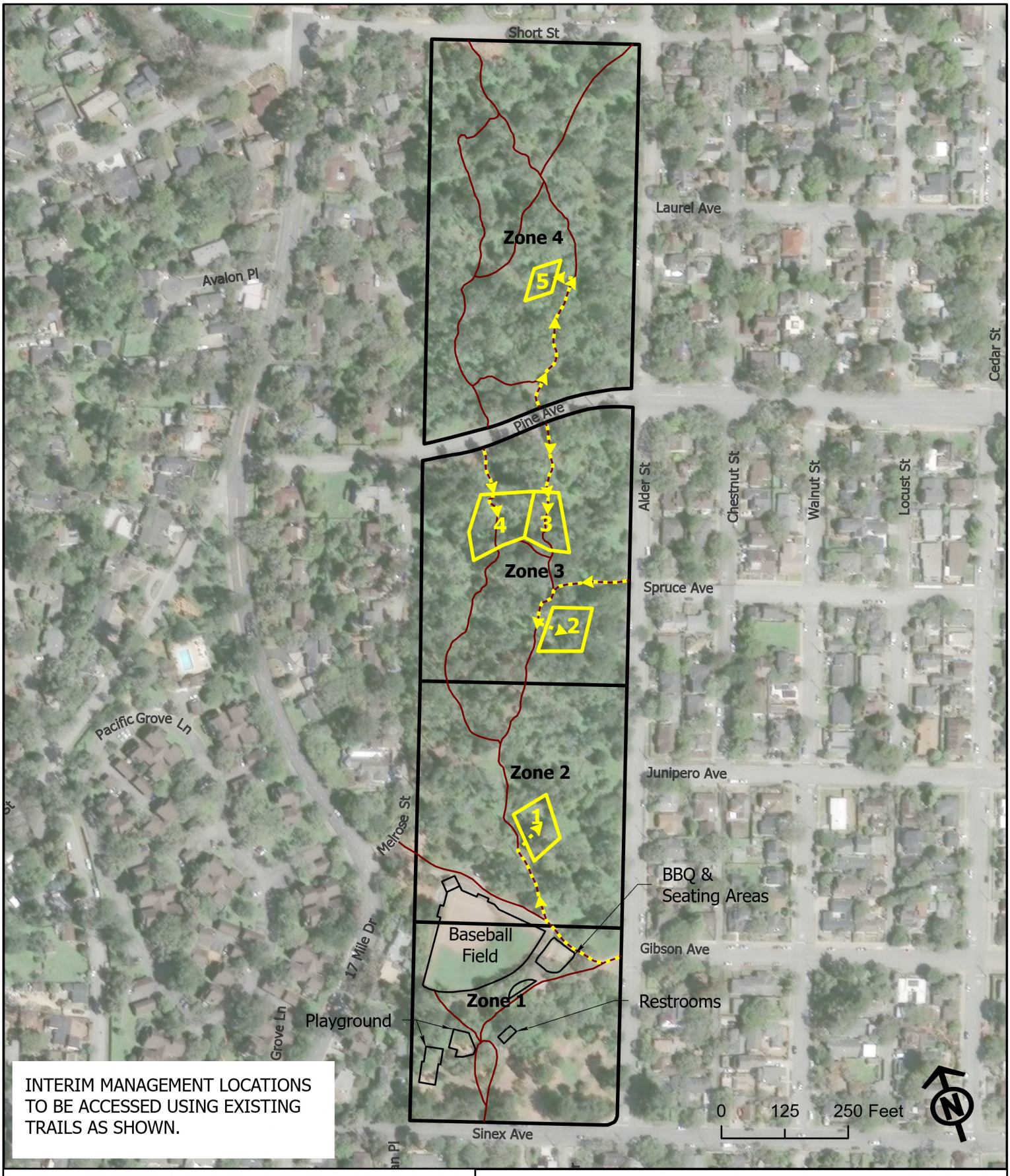
Community Wildfire Protection Plan

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date
April 2025

Figure
4

Scale
N/A



Site Plan

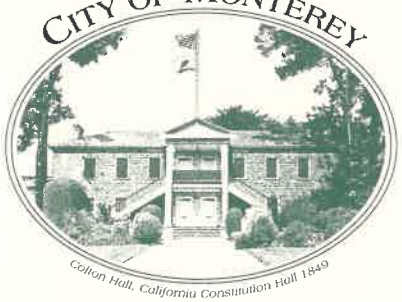
George Washington Park Biological Resources Report

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date 4-2025
Scale 1 in = 250 ft
Figure 1

Path: C:\JWandkeGIS\GIS_Projects\2023-78 George Washington Park Bio\2023-78 George Washington Park Bio.aprx

CITY OF MONTEREY



MONTEREY FIRE DEPARTMENT

Date: April 16, 2025
To: Matt Mogensen, City Manager
From: Andrew Miller, Fire Chief
Subject: Fire Department Assessment of Fire Hazard Conditions – George Washington Park (GWP)

Pursuant to a review of fuel load conditions within the GWP area, the Fire Department has evaluated the potential fire risk associated with significant accumulations of dead and downed woody debris at the identified prioritized locations.

Based on our professional assessment, we have determined the following:

1. The current concentration of woody debris presents a fire hazard. The volume and distribution of these fuels, particularly under current and forecasted dry conditions, creates an elevated risk of ignition and fire spread. This condition presents a direct threat to public safety, infrastructure, and natural resources in and around the GWP area. In our opinion, this situation calls for action to mitigate the hazard and prevent the onset of a consequential wildfire.

2. While the long-term management of fuel loads within the greater GWP area remains an important objective, the removal of woody material at these priority locations should not be delayed without increasing the risk to public health and safety. Delaying mitigation in favor of completing a full environmental review under CEQA for the broader GWP management plan would delay the removal of hazardous dead and downed woody debris at prioritized locations.

Based on the above, it is our professional opinion that one or both of the criteria under the CEQA Emergency Project exemption apply to this situation:

- The emergency nature of the fire hazard created by dead and downed woody material warrants specific mitigation measures.

- The time required to complete environmental review of the broader GWP management plan would result in increased risk to public health and safety, thereby qualifying these mitigation activities for CEQA exemption.

We strongly recommend proceeding with mitigation measures under the CEQA Emergency Project exemption to address this urgent fire hazard

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 07, 2025

SUBJECT: Five-Year CIP Recap

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

RECOMMENDATION

Received presentation.

DISCUSSION

The presentation will provide a high-level summary of the Capital Improvement Plan accomplishments and key metrics over the past five years.

OPTIONS

N/A

FINANCIAL IMPACT:

N/A

FOCUSED PRIORITY AREA: Infrastructure

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 07, 2025
SUBJECT:	FY25/26 - FY26/27 Capital Improvement Plan & SB1 Project List
CEQA:	Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

1. Receive and approve the Fiscal Year 25/26 - 26/27 Capital Improvement Plan (CIP) for inclusion in the Budget, and
2. Approve a resolution adopting the FY25/26 Senate Bill 1 Project List.
3. Alternatively, discuss and take other action related to this item.

DISCUSSION

TWO YEAR CAPITAL IMPROVEMENT PLAN

Annually, prior to the start of the fiscal year, the city adopts a budget. The budget, which establishes the financial framework for the forthcoming year, is comprised of two primary components – the Capital Improvement Plan (CIP) and the Operating Budget.

This year, the city is transitioning to a two-year budget, encompassing the proposed expenses, revenues, and projects for FY25/26 and FY26/27. Biennial budgeting allows for enhanced efficiency and improves long-term planning.

The CIP presented in this report parallels the two-year budget period spanning FY25/26 and FY26/27. Prior to the start of FY26/27, any adjustments, including new projects prompted by more available funding or urgent need, will be brought to Council for review and approval. Staff will also return with an SB1 Project List and Resolution specifying road segments to receive rehabilitation in FY26/27. This is in compliance with the California Transportation Commission's (CTC) annual requirements.

BACKGROUND

Council Policy 400-6, Budget and Financial Management, defines a Capital Improvement or asset as buildings, machinery or equipment with an original cost in excesses of $5,000 and a useful life of three years or more.

The CIP is a plan that:

- Identifies capital projects
- Provides an implementation schedule

- Identifies project financing and budgeting
- Links projects to Council strategic goals and initiatives, and
- Provides project information and justification

Adopting a CIP allows systematic and comparative evaluation of multiple potential projects at the same time. The CIP also serves as a public relations and economic development tool and focuses on preserving infrastructure while ensuring efficient use of public funds. Additionally, the CIP promotes coordination of projects across city departments and helps identify efforts that may qualify for alternative funding.

DEVELOPMENT OF THE CIP

Annually, the CIP process begins with a formal call for project submissions to staff. Generally, submitted projects are identified based on:

- Input received from the community
- Mayor and City Council priorities, projects or initiatives developed or identified during the year, and
- Identified critical needs, including safety issues or mandated compliance.

Each submission is reviewed using a variety of approaches and criteria, including:

- Greatest need (mandates, public safety)
- Alignment with Council strategic goals and initiatives
- Consequences of delay (potential to incur increased costs, asset preservation)
- Readiness
- Feasibility
- Opportunities to accomplish multiple goals or align timing with other project(s)
- Availability of funding (grants, community donations)

Under the direction of the City Manager, the Public Works and Administrative Services Departments review the available funding levels and the proposed projects to prepare the CIP for consideration of the Mayor and Council. The proposed CIP is then presented, discussed and acted upon by the City Council in public sessions during the budget hearings.

OVERVIEW OF PROPOSED FY25/26 - FY26/27 CIP

The proposed two-year CIP includes 16 projects for a total of $13.3 M from various funding sources. The project list includes:

- **3 Multi-Funded Projects totaling $4.3M**
  - Funding for these projects come from General Fund and various non-general fund sources.
  - The General Fund's total contribution is limited to $1M.
- **11 Non-General Fund Projects totaling $9M**
  - Project funding is derived from community donations, enterprise funds, and special revenue funds.
  - These projects do not impact the General Fund.

The projects span a variety of categories addressing needed upgrades to multimodal transportation, facility, parks and recreation, and wastewater infrastructure.

Due to funding limitations, the proposed project list contains only the most critical infrastructure needs, mandated items, or requirements necessary to maintain eligibility for external funding.

General Fund

Of the total $13.3M proposed, only $1M ($500,000 per fiscal year) comes from the General

Fund, reflecting minimal impact to the fund. Due to limited availability, General Funds have been harnessed solely for expenditures required to meet annual Maintenance of Effort (MOE) eligibility requirements that allow the city to receive a combined $1.2M of SB1/RMRA and Measure X funds annually. The General Fund contributions are label as "Fund 63, Capital Improvement Fund" below and in the attached supporting documents.

Non-General Funds
Where possible, non-general funds have been leveraged to support infrastructure needs, contributing a total $12.3M across the various non-general fund sources and equating to 92% of the total proposed CIP budget.

A majority of these proposed expenditures, $11.3M, are derived from enterprise and special revenue funds which will be harnessed to allow for critical and urgent repairs of failed infrastructure -- from degraded and leaking roofs and failed HVAC/plumbing systems to vital sewer upgrades and life saving altering system for our first responders. These funds have been harnessed, where applicable, to support the most urgent needs.

The non-general fund figure also includes generous community donations, totaling $1M, that will fund enhancements to existing facilities and meet community needs; these enhancements would otherwise go unfunded, as limited available funding is prioritized for mandates and essential repairs.

A high-level overview of the multi-funded projects and non-general fund projects is provided below. The detailed list of projects, with their descriptions and requested budgets, is attached (Attachment 1 – FY25/26 - FY26/27 CIP Project List). Each of the projects has a corresponding project information sheet (Attachment 2). The information sheets serve as a project summary, and include a description, scope of work, justification, funding sources and photos.

OVERVIEW OF MULTI-FUNDED PROJECTS
There are three (3) proposed Multi-Funded Projects:

1. Street Rehabilitation
2. Mandated ADA Improvements
3. Crack and Slurry Seal

These projects, funded from a combination of General Fund and non-general fund sources, address the city's aging road infrastructure network, pedestrian amenities and accessibility.

The Street Rehabilitation Project and Crack and Slurry Seal Project are critical investments in the aging road infrastructure network. They will enhance and preserve the pavement condition index and overall pavement health. The Street Rehabilitation Project targets roads that are rapidly deteriorating or in a failed state, while the Crack and Slurry Seal Project protects and preserve good roads for long-term durability.

The Mandated ADA Improvements Project will address ADA compliance at Lovers Point and Prescott Avenue and is mandated by court for completion prior to October 31, 2025 and December 31, 2025, respectively.

These projects are essential not only addressing aging and deficient pavement and pedestrian infrastructure, but also for meeting MOE requirements necessary to secure ongoing Measure X and SB1/RMRA funding. Collectively, these three projects include a total General Fund contribution of

$1M over two years ($500,000 per year) to meet MOE requirements.

These are the only proposed projects that include a General Fund contribution.

OVERVIEW OF NON-GENERAL FUND PROJECTS

There are 11 non-general fund projects:

- **4 projects are proposed to address failed facility infrastructure**, including:
  - Roof repairs at the Youth Center and Police Station to resolve known leaks and replace roofing systems that have exceeded their useful life
  - Replacement of a deteriorated and damaged door and non-functional windows at City Hall that allow water intrusion and present security concerns
  - Replacement of aged and non-repairable HVAC infrastructure critical for heating the Golf Course restaurant
- **2 projects address sewer system infrastructure deficiencies,** including:
  - Replacing the deteriorated force main on Arena Avenue. This segment is in dire need of replacement and has experienced two failures in recent years.
  - Repairing pumps and recalibrating meters for the Urban Diversion system, which is critical for stormwater diversion and reporting compliance
- **1 project will allow critical upgrades to the Fire Station emergency alerting system** by replacing the outdated, unrepairable system. It will ensure compatibility with Monterey County's system and improve response times and clarity of alert messaging.
- **2 projects will continue multi-year efforts which have been divided across fiscal years** due to their large scope or permitting timelines. Engineering work for both of these proposed projects was funded in prior year CIPs and is in progress. The proposed additional funding allocations will allow for construction and support the prior investments of Council. These projects include:
  - The Recreation Trail Improvements Project adjacent to Esplanade Park. This project addresses pedestrian safety and continued access to the coastline and recreational amenities.
  - Sewer Collection System Master Plan (SCSMP) Projects 1, 6 & 9. These projects address large-scale sewer deficiencies that were identified in the 10-year SCSMP plan. These are the last of the 10 sewer projects identified in the plan that have yet to be implemented. Engineering is underway and the additional funding allocation will allow for construction in FY26/27.
- **4 projects are proposed to address community desired upgrades to facilities and parks/recreation infrastructure utilizing generous community donations**. These projects include:
  - 2 facility upgrades to the Pacific Grove Public Library funded by the Pacific Grove Library Friends and Foundation
  - Upgrades to Chautauqua Hall funded by the Heritage Society's Friends of Chautauqua Hall
  - The Chinese Pavillion and Moon Gate Project at El Marie Dyke Park funded by the Monterey Bay Chinese Association (MBCA).

  Formal funding agreements will return to council following approval of the projects for inclusion in the CIP.

CIP AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The CIP document is a planning document; it does not constitute approval of any specific project. Following budget adoption, staff will assess and address the CEQA process that applies to each individual project. Projects that exceed the City Manager's spending authority will return to Council for approval; agenda reports will include an assessment of the CEQA determination.

UNFUNDED PROJECTS
Annually, available funding falls short of overall infrastructure needs. This results in many vital projects remaining unfunded and deferred. Projects submitted but not recommended for funding are included in Attachment 3 – The Unfunded Project Submission List. This list includes:

- Critical infrastructure needs, identified by conditions assessment reports, asset schedules, and/or the City Engineer and Public Works team, and
- Non-essential upgrades/improvements that support long-term efficiency or address anticipated needs

The list has been prioritized (high, medium and low priority) based on the critical nature of the infrastructure.

Development of a 5-year CIP is underway. The 5-year outlook will illustrate the overall needs across the city's expansive infrastructure portfolio, including facilities, pavement, wastewater, parks and recreation, and more. It will also identify needed plans and/or studies to help fill existing data gaps on long-term infrastructure needs.

Significant progress on the 5-year CIP has been made, including initiating the assessment of 10 additional city-owned facilities. This effort builds upon the 5 Facility Conditions Assessments completed in early FY24/25 and will help fill the gap in understanding the scale and cost of long-term facility needs.

SENATE BILL 1 PROJECT LIST
As part of the CIP process, staff is recommending approval of a Resolution adopting the SB1 Project List (Attachment 4). SB1, the Road Repair and Accountability Act of 2017 was passed by the Legislature and signed into law by the Governor in April 2017.

SB1 includes accountability and transparency provisions that will ensure residents are aware of the projects proposed for funding and which projects have been completed each fiscal year. One such provision is a requirement that the city adopt a resolution of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA) by July 1 of each year.

The city is estimated to receive $392,975 in RMRA funding in FY25/26. As indicated in the attached Project List, the city is planning to use this funding in conjunction with Measure X, the General Fund, and the Sewer Fund to complete essential road rehabilitation and maintenance as prescribed in the Pavement Management Program. Specifically, SB1/RMRA funds will be allocated to the Street Rehabilitation Project which will address the following road segments:

1. 10th Street from Central Ave to Lighthouse Avenue (PCI 10)
2. Del Monte Ave from Asilomar St to Coral Ave (PCI 21)
3. Beacon Ave from Coral St to Esplanade St (PCI 0)

The attached SB1 Project List includes a detailed project description, project location, proposed schedule for completion and the estimated useful life of the improvement.
This is the eighth year the city will receive SB1 funding, which will enable essential road maintenance and rehabilitation projects, safety improvements, and increase access and mobility options for the traveling public that would have otherwise not been possible without SB1.

OPTIONS

1. Take no action
2. Propose modifications to the FY25/26 SB1 Project List
3. Propose modifications to the FY25/26 - FY26/27 CIP
4. Request additional information

FINANCIAL IMPACT:

The total fiscal impact for the proposed FY25/26 - 26/27 CIP is $13.3M. The chart below provides the funding sources and proposed budgets for each of the two-fiscal years.

As noted above, the total impact to the General Fund is $1M across the two years. Non-general funding sources have been harnessed where appropriate to fund critical infrastructure needs.

FUND	FUND NAME	FY25/26	FY26/27	TOTAL
63	Capital Improvement Fund	$500,000	$500,000	$1,000,000
17	Measure X	$820,000	$818,000	$1,638,000
47	RMRA/SB1	$570,096	$400,000	$970,096
76	Sewer Fund	$1,050,000	$7,350,000	$8,400,000
31	Operating Donations	$1,075,000*	-	$1,075,000*
25	Recreation Donations	$32,000	-	$32,000
92	Mcindoo Donation	$23,006	-	$23,006
41	Yount Income	$24,997	-	$24,997
12	Fire Emergency Equipment	$100,000	-	$100,0000
77	Golf Course	$40,000	-	$40,000
TOTALS		**$4,235,099**	**$9,068,000**	**$13,303,099**

**This figure includes reimbursable community donations from the MBCA, The Public Library Friends and Foundation, and the Heritage Society's Friends of Chautauqua Hall. As noted above, formal funding agreements will be brought forward to council for each of these items.*

Funding any additional projects from the General Fund would result in dipping into reserves.

FOCUSED PRIORITY AREA: Infrastructure

Attachments

Attachment 1 - FY25/26 - FY26/27 CIP Project List

Attachment 2 - Project Information Sheets

Attachment 3 - Unfunded Project Submission List

Attachment 4 - Senate Bill 1 Resolution & Project List

FY25/26 - 26/27 CIP PROJECT LIST

Reference #	CIP Project Code	Project Category	Project Name	Project Description/Justification	Funding Notes	Council Goal Alignment	Funding Sources	Fund	Account	Total Proposed Funding	FY25/26 Funding	FY26/27 Funding
1	**CIP26-01**	Transportation	**Street Rehabilitation**	This project allows rehabilitation of road segments identified by the Pavement Management Program (PMP) as being in poor or failed condition, addressing and improving the aging road infrastructure network. This project also plays a vital role in ensuring MOE requirements are met to remain eligible for over $1M of external funding for roadways (see funding notes). **FY25/26** This project targets three road segments that have not received formal maintenance or rehabilitation in over 30 years. These segments have Pavement Condition Index (PCI) scores between 0 and 21, placing them in the "failed" category due to severe deterioration. The compromised pavement allows water intrusion, leading to dislodged sections and frequent potholes. Although crews perform regular patching to address safety hazards, these are only temporary fixes. Full rehabilitation is necessary to restore the integrity of these roadways. The segments to be addressed are: (1) 10th Street (Central Ave to Lighthouse Ave) - PCI 10 (2) Del Monte Blvd (Asilomar St to Coral St) - PCI 21 (3) Beacon (Coral St to Esplanade St) - PCI 0 The underground sewer infrastructure will be videoed and addressed as an aspect of this project via the sewer fund. **FY26/27** In May 2026, staff will return with the annual SB1 project list and resolution for Council approval which specifies the segments to be addressed in FY26/27. This is an annual requirement of the California Transportation Commission (CTC) protocols for SB1/RMRA funding eligibility.	**MAINTENANCE OF EFFORT COMPLIANCE** This project helps the City maintain eligibility for ongoing Measure X and SB1/RMRA funding by meeting Maintenance of Effort (MOE) requirements.	Infrastructure	Multiple Funds (General & Non-General Funds)	Fund 63 Capital Improvement Fund	63-631-6041	$ 600,000	**$ 300,000**	**$ 300,000**
								Fund 17 Measure X	17-522-6041	$ 1,138,000	**$ 570,000**	**$ 568,000**
								Fund 47 RMRA (SB1)	47-471-6041	$ 970,096	**$ 570,096**	**$ 400,000**
								Fund 76 Sewer Fund	76-612-6051	$ 700,000	**$ 350,000**	**$ 350,000**
2	**CIP26-02**	Transportation	**Mandated ADA Improvements**	This project addresses ADA compliance mandates from a court order requiring completion by specified deadlines in FY25/26. The locations for improvements are Lovers Point and Prescott Ave (between Divisadero and Forest). <u>Lovers Point Scope of Work:</u> Replace existing ADA ramps and construct new sidewalk at the triangle parking lot to comply with ADA standards. This project must be completed by October 31, 2025. <u>Prescott Ave Scope of Work:</u> Sidewalk infill, repairs, installation of ADA-compliant curb ramps, and upgrades to driveway approaches to meet accessibility standards. This project must be completed by December 31, 2025.	**GENERAL FUNDING NOTE** This project has been budgeted using all anticipated remaining balances for streets and pedestrian infrastructure in FY25/26. Due to the limited availability of these funds, actual costs are expected to exceed the proposed budget. At this time actual costs are unknown. Once the project is engineered and formally bid, staff will return with options to address potential funding deficits which may include project savings from road and infrastructure projects from prior years. **MAINTENANCE OF EFFORT COMPLIANCE** This project helps the City maintain eligibility for ongoing Measure X and SB1 funding by meeting Maintenance of Effort (MOE) requirements.	Infrastructure	Multiple Funds (General & Non-General Funds)	Fund 63 Capital Improvement Fund	63-631-6041	$ 200,000	**$ 200,000**	**$ -**
								Fund 17 Measure X	17-522-6041	$ 250,000	**$ 250,000**	**$ -**
3	**CIP27-01**	Transportation	**Crack & Slurry Seal**	Crack and Slurry sealing is a vital maintenance activity that helps preserve the City's roads against rapid deterioration and potholes due to inclement weather. This is a cost effective maintenance treatment that helps ensure roads remain in good condition for years to come. Streets to receive the crack & slurry seal treatment are identified via the City's Pavement Management Program, maintenance logs, and in-field observations.	**MAINTENANCE OF EFFORT COMPLIANCE** This project helps the City maintain eligibility for ongoing Measure X and SB1 funding by meeting Maintenance of Effort (MOE) requirements.	Infrastructure	Multiple Funds (General & Non-General Funds)	Fund 63 Capital Improvement Fund	63-631-6041	$ 200,000	**$ -**	**$ 200,000**
								Fund 17 Measure X	17-522-6041	$ 250,000	**$ -**	**$ 250,000**
4	**CIP26-03**	Facilities	**Library Backup Power System**	This project will allow for the purchase and installation of a backup power system for the Pacific Grove Public Library. The Library is a beloved community facility that has the potential to serve as a vital community resource during prolonged power outages and/or emergencies. Today, the library has no generator or backup power source to support it's operations during outages. Options for back up power sources include, but are not limited to, battery storage (e.g., Tesla Powerwall 3 or similar) and a natural gas generator connected to an existing gas line. These options will be further explored for feasibility following project approval.	**FUNDED BY COMMUNITY DONATIONS** The Pacific Grove Library Friends and Foundation have dedicated $80,000 to fund this project.	Infrastructure	Non-General Fund	Fund 31 Operating Donations	31-516-5201	$ 80,000	**$ 80,000**	**$ -**

FY25/26 - 26/27 CIP PROJECT LIST

Reference #	CIP Project Code	Project Category	Project Name	Project Description/Justification	Funding Notes	Council Goal Alignment	Funding Sources	Fund	Account	Total Proposed Funding	FY25/26 Funding	FY26/27 Funding
5	**CIP26-04**	Facilities	**Pillar Privacy/Study Booth ADA**	This project will create a dedicated privacy/study booth in the Pacific Grove Public Library. The Library currently lacks a private meeting space, and users have consistently requested one. This project responds to that need and enhances the Library's ability to support virtual meetings, telehealth, and focused work. The scope of work includes the purchase of the privacy booth, prep work and installation. It is anticipated that the private/study booth with be located near the existing DVD shelving.	**FUNDED BY COMMUNITY DONATIONS** The Pacific Grove Library Friends and Foundation have dedicated $25,000 to fund this project.	Infrastructure	Non-General Fund	Fund 31 Operating Donations	31-516-5201	$ 25,000	**$ 25,000**	$ -
6	**CIP26-05**	Facilities	**Chautauqua Hall Building Improvements**	This project will address the facility infrastructure improvements and maintenance tasks outlined in the 2024 WJE Chautauqua Hall Building Assessment Report. Built in 1881, this beloved facility has served generations and remains a designated historic landmark and beloved community resource. The project ensures needed upgrades and improvements are made to allow the building's continued function, in the long-term, and allow preservation of its historical integrity. With strong community support, the Heritage Society's Friends of Chautauqua Hall has raised funding to carry out a wide range of improvements noted in the report, including repairs and upgrades to the drainage system, wood deck, roofing elements, cladding, windows, and doors.	**FUNDED BY COMMUNITY DONATIONS** The Heritage Society's Friend of Chautauqua Hall have raised $700,000 of community donations to facilitate this project.	Infrastructure	Non-General Fund	Fund 31 Operating Donations	31-516-5201	$ 700,000	**$ 700,000**	$ -
7	**CIP26-06**	Facilities	**Chinese Pavillion and Moon Gate**	This project will support the construction of a traditional Chinese Pavilion and Moon Gate at El Marie Dyke Park, replacing the existing deteriorated gazebo. The proposed location was approved by the City Council in 2024 following an assessment of locations. The project will be funded through donations from Monterey Bay Chinese Association. Following design development, the project will undergo the required permitting and review process by the appropriate boards/commissions.	**FUNDED BY COMMUNITY DONATIONS** The Monterey Bay Chinese Association (MBCA) has raised $200,000 of community donations to fund this project.	Infrastructure	Non-General Fund	Fund 31 Operating Donations	31-516-5201	$ 200,000	**$ 200,000**	$ -
8	**CIP26-07**	Facilities	**Youth Center Roof Repair**	This project will address a known roof leak in the Youth Center above the restroom facility where deterioration has led to water intrusion through the light fixtures. The scope of work will include the replacement of the damaged roofing and rain gutters to restore the roof's integrity and prevent further damage. Timely repairs are essential to avoid more costly future repairs and to ensure the continued operation of the recreational facility. Without a functional restroom, youth programming at this site would be unable to continue.		Infrastructure	Non-General Fund	Fund 25 Recreation Donations	31-516-5201	$ 32,000	**$ 32,000**	$ -
9	**CIP26-08**	Facilities	**City Hall Window and Door Replacement**	This project will replace the front door and first-floor office windows in kind to match the original design of the City Hall Entrance. The front door and surrounding trim have sustained significant termite damage, and the office windows no longer close properly. Water intrusion from the damaged windows is causing ongoing deterioration to interior plaster. Timely replacement is necessary to prevent further structural and interior damage and ensure building security. This project was called out as an "immediate need" in the 2024 City Hall Facility Conditions Assessment.		Infrastructure	Non-General Fund	Fund 92 McIndoo Donation	95-519-6021	$ 23,006	**$ 23,006**	$ -
								Fund 41 Yount Income	41-510-6021	$ 8,994	**$ 8,994**	$ -

FY25/26 - 26/27 CIP PROJECT LIST

Reference #	CIP Project Code	Project Category	Project Name	Project Description/Justification	Funding Notes	Council Goal Alignment	Funding Sources	Fund	Account	Total Proposed Funding	FY25/26 Funding	FY26/27 Funding
10	**CIP26-09**	Facilities	**Fire Station Alerting System**	This project will replace the existing 14-year-old Fire Station alerting system, which dispatches emergency incidents from Monterey County Communications. The current system and speakers are outdated, no longer repairable, and incompatible with the IP-based paging system Monterey County is transitioning to. Since the manufacturer ComTech ceased operations in 2022, replacement parts are unavailable, and most vendors are unfamiliar with the legacy system, reducing reliability. The new system will be fully compatible with Monterey County's upgraded dispatch platform and will allow simultaneous unit dispatching, improving response times. Additional features include a mobile app for customizable alerts, a digital display with dispatch information, automated text-to-speech for location details, and enhanced audio clarity to reduce the need for repeated communication.		Infrastructure	Non-General Fund	Fund 12 Fire Emergency Equipment	12-353-6021	$ 100,000	**$ 100,000**	$ -
11	**CIP26-10**	Facilities	**Roof Repairs Police Department**	This project will address a known roof leak caused by the deterioration of the existing hot mop tar and rolled asphalt roofing, which is over 40 years old and beyond its serviceable life. While the roof has been temporarily patched, permanent repairs are essential to prevent further damage. The project will involve the installation of a new PVC membrane roof, ensuring long-term durability and avoiding more costly infrastructure repairs down the line.		Infrastructure	Non-General Fund	Fund 31 Operating Donations	31-516-5201	$ 70,000	**$ 70,000**	$ -
12	**CIP26-11**	Facilities	**Point Pinos Grill Boiler Replacement**	This project will replace the existing 20-year-old boiler with a new high-efficiency unit. The current boiler has exceeded its serviceable life, is leaking significantly, and replacement parts are no longer available, making repairs unfeasible. The boiler is essential for providing baseboard heating to the restaurant. Previous facility upgrades, funded via the CIP, included installing a separate water heater for hot water needs, reducing the boiler's load. As a result, a smaller, more energy-efficient boiler can now be installed, creating a more efficient and redundant system.		Infrastructure	Non-General Fund	Fund 77 Golf Course Fund	77-622-6021	$ 40,000	**$ 40,000**	$ -
13	**CIP26-12**	Wastewater	**Sewer Force Main Replacement - Arena Avenue**	This project involves installing a new force main on Arena Avenue (from Sunset Dr to Asilomar Ave) to address known deficiencies in the sewer system. The replacement is critical to maintaining reliable sewer service, protecting the environment, and preventing spills. The existing line has experienced two failures in this area and is in urgent need of repair to ensure continued safe operation.		Infrastructure /Environmental Stewardship	Non-General Fund	Fund 76 Sewer Fund	76-612-6051	$ 600,000	**$ 600,000**	$ -
14	**CIP26-13**	Wastewater	**Urban Diversion Station Repair and Recalibration**	This project will allow a contractor to repair pumps and recalibrate meters for the Urban Diversion System. The Urban Diversion System diverts stormwater runoff from the 8th St and 17th St storm drain outfalls to Monterey One Water via the Sewer System. Repairs are required to ensure accurate reporting to Monterey One Water regarding the amount of stormwater being placed into their systems. Completion of this work is necessary to maintain compliance with reporting requirements and regulatory standards.		Infrastructure /Environmental Stewardship	Non-General Fund	Fund 76 Sewer Fund	76-612-6051	$ 100,000	**$ 100,000**	$ -

FY25/26 - 26/27 CIP PROJECT LIST

Reference #	CIP Project Code	Project Category	Project Name	Project Description/Justification	Funding Notes	Council Goal Alignment	Funding Sources	Fund	Account	Total Proposed Funding	FY25/26 Funding	FY26/27 Funding
15	**CIP24-04**	Wastewater	**Sewer Collection System Master Plan Projects 1, 6 & 9**	The City provides sewer collection services for residences and commercial businesses over an area of approximately 1,414 acres with a population of approximately 15,040 residents. The City's collection and conveyance system is comprised of approximately 58 miles of pipelines. The Sewer Collection System Master Plan (SCSMP) helps drive the City's long-term sewer collection system asset management needs by identifying CIP projects and necessary upgrades to the collection system. Over the years the City has completed several of the noted SCSMP CIP Projects and the following three remain: This multi-year project will allow the City to complete SCSMP Projects 1, 6 & 9: -**SCSMP #1 -** 17 Mile Dr - Upgrade ~3,000LF of sewer main due to capacity deficiencies -**SCSMP #6** - Hilcrest Ave - Replace ~4,250LF of sewer main due to root intrusion -**SCSMP #9**- Highway 68 - Protect exposed pipe from damage This project will allow completion of these projects. These are large scale, multi-year projects/	**MULTI-YEAR PROJECT** As an element of the FY23/24, $1.8M of sewer funding was allocated to allow for engineering, permitting and environmental. This is currently underway and will continue through FY25/26 using the initial funding allocation. Construction is anticipated to begin in FY26/27 with a preliminary cost estimate of approximately $7M. This is a rough estimate and may be updated as an engineers estimate is developed prior to the start of FY26/27.	Infrastructure /Environmental Stewardship	Non-General Fund	Fund 76 Sewer Fund	76-612-6051	$ 7,000,000	**$ -**	**$ 7,000,000**
16	**CIP 25-10**	Parks & Recreation	**Recreation Trail Improvements- Esplanade Park**	In Perkins Park, the Recreation Trail adjacent to Esplanade Park from Beach Street to Coral Street consists of a thin band of land which keeps getting thinner due to coastal erosion, particularly around Esplanade Park. Just east of Esplanade, the otherwise continuous shoreline trail essentially disappears for a stretch, forcing pedestrians onto a thin strip of dirt right next to Ocean View Boulevard. The Shoreline Management Plan (SMP) proposed conceptual improvements . The SMP suggest eliminating the ocean-side parking lane and shifting the street curb inland by 7–8 feet, reclaiming approximately 500 feet of space for a pedestrian trail. This would entail the potential loss of about 25 on-street parking spaces. The SMP stated design details would be refined with efforts to mitigate the loss of parking where possible. This multi-year project initiates the process of addressing the unsafe conditions on the Recreation Trail at this specific location. Year 1 will involve public outreach and design, while Year 2 will focus on permitting, bidding, and construction.	**MULTI-YEAR PROJECT** As an element of the FY24/25 CIP, $20,000 was allocated from the Strong Disbursement Fund to allow for design/engineering of these vital pedestrian improvements. To date, minimal funding has been expended. Although the remaining unused funding will be carried forward, additional funding is needed to accommodate construction, which is anticipated to be ~$35,000. The initial funding source, the Strong Disbursement Fund, has been depleted. The Yount Income fund is proposed to bridge the gap needed for construction.	Infrastructure	Non-General Fund	Fund 41 Yount Income	41-510-6021	$ 16,003	**$ 16,003**	**$ -**
									TOTALS	**$ 13,303,099**	**$ 4,235,099**	**$ 9,068,000**

Street Rehabilitation Project

General Project Information	
Project Code	CIP26-01
Project Category	Transportation
Funding Type	Multiple Funds (General & Non-General Funds)
Fund(s)	Fund 63, Capital Improvement Fund Fund 17, Measure X Fund 47, RMRA/SB1 Fund 76, Sewer Fund
Account(s)	63-631-6041 17-522-6041 47-471-6041 76-612-6051
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	Various road segments

Project Description

This project allows rehabilitation of road segments identified by the Pavement Management Program (PMP) as being in poor or failed condition, addressing and improving the aging road infrastructure network. This project also plays a vital role in ensuring MOE requirements are met to remain eligible for over $1M of external funding for roadways (see funding notes).

FY25/26

This project targets three road segments that have not received formal maintenance or rehabilitation in over 30 years. These segments have Pavement Condition Index (PCI) scores between 0 and 21, placing them in the "failed" category due to severe deterioration. The compromised pavement allows water intrusion, leading to dislodged sections and frequent potholes. Although crews perform regular patching to address safety hazards, these are only temporary fixes. Full rehabilitation is necessary to restore the integrity of these roadways. The segments to be addressed are:

(1) 10th Street (Central Ave to Lighthouse Ave) - PCI 10
(2) Del Monte Blvd (Asilomar St to Coral St) - PCI 21
(3) Beacon (Coral St to Esplanade St) - PCI 0

The underground sewer infrastructure will be videoed and addressed as an aspect of this project via the sewer fund.

FY26/27

In May 2026, staff will return with the annual SB1 project list and resolution for Council approval which specifies the segments to be addressed in FY26/27. This is an annual requirement of the California Transportation Commission (CTC) protocols for SB1/RMRA funding eligibility.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Capital Improvement Fund	$300,000	$300,000	-	-	-	$600,000
Measure X	$570,000	$568,000	-	-	-	$1,138,000
RMRA/SB1	$570,096	$400,000	-	-	-	$970,096
Sewer Fund	$350,000	$350,000	-	-	-	$700,000

Funding Notes

MAINTENANCE OF EFFORT COMPLIANCE

This project helps the City maintain eligibility for ongoing Measure X and SB1/RMRA funding by meeting Maintenance of Effort (MOE) requirements.

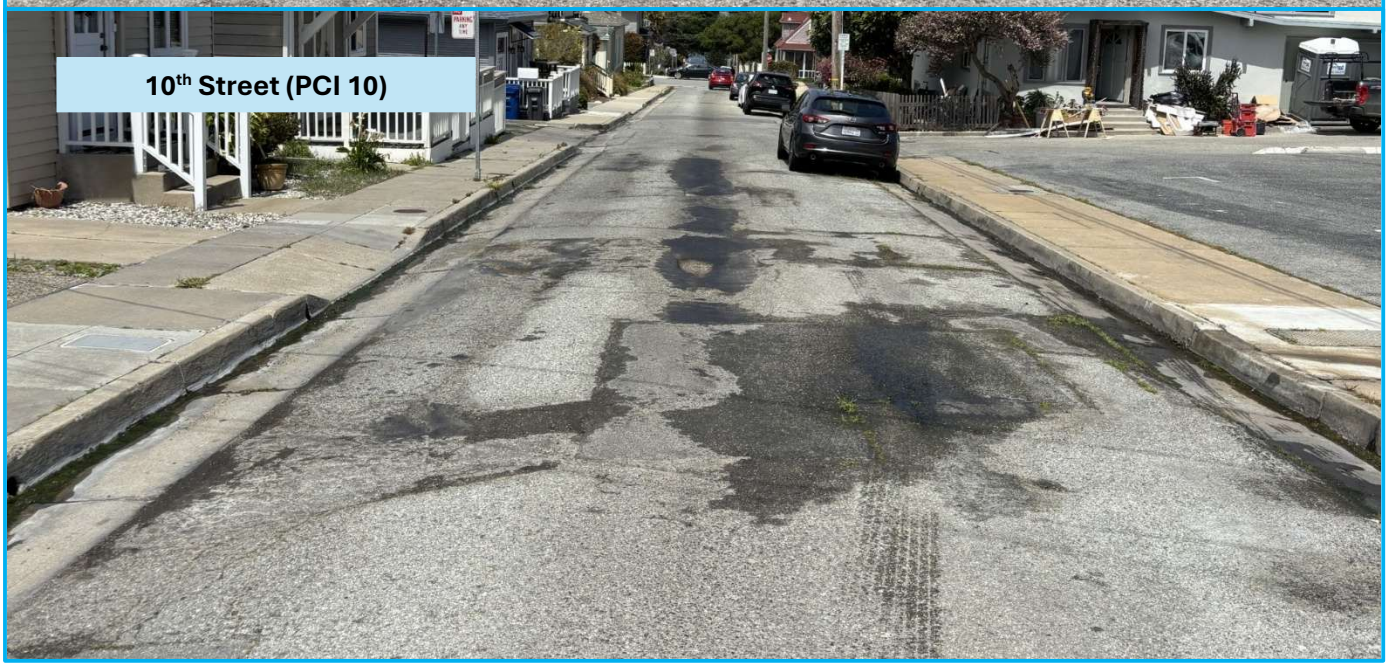
Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos







Mandated ADA Improvements

General Project Information	
Project Code	CIP26-02
Project Category	Transportation
Funding Type	Multiple Funds (General & Non-General Funds)
Fund(s)	Fund 63, Capital Improvement Fund Fund 17, Measure X
Account(s)	63-631-6041 17-522-6041
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	Lovers Point & Prescott Ave

Project Description

This project addresses ADA compliance mandates from a court order requiring completion by specified deadlines in FY25/26. The locations for improvements are Lovers Point and Prescott Ave (between Divisadero and Forest).

Lovers Point Scope of Work:
Replace existing ADA ramps and construct new sidewalk at the triangle parking lot to comply with ADA standards. These improvements must be completed by October 31, 2025.

Prescott Ave Scope of Work:
Sidewalk infill, repairs, installation of ADA-compliant curb ramps, and upgrades to driveway approaches to meet accessibility standards. These improvements must be completed by December 31, 2025.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Capital Improvement Fund	$200,000	-	-	-	-	$200,000
Measure X	$250,000	-	-	-	-	$250,000

Funding Notes

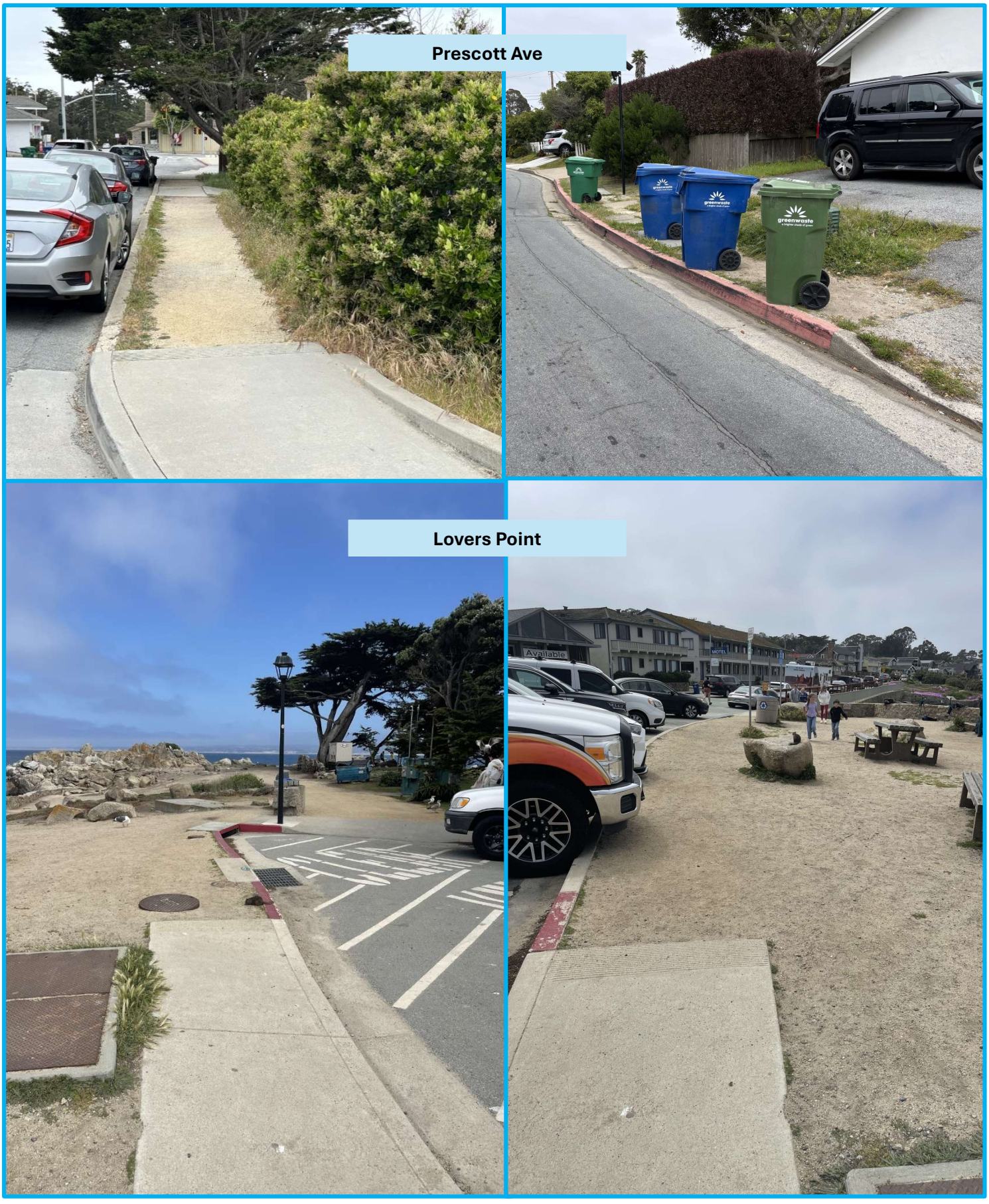
This project has been budgeted using all anticipated remaining balances for streets and pedestrian infrastructure in FY25/26. Due to the limited availability of these funds, actual costs are expected to exceed the proposed budget. At this time actual costs are unknown. Once the project is engineered and formally bid, staff will return with options to address potential funding deficits which may include project savings from road and infrastructure projects from prior years.

MAINTENANCE OF EFFORT COMPLIANCE
This project helps the City maintain eligibility for ongoing Measure X and SB1 funding by meeting Maintenance of Effort (MOE) requirements.

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos


Prescott Ave
Lovers Point
greenwaste
Available
MOTEL

Crack & Slurry Seal

General Project Information	
Project Code	CIP27-01
Project Category	Transportation
Funding Type	Multiple Funds (General & Non-General Funds)
Fund(s)	Fund 63, Capital Improvement Fund Fund 17, Measure X
Account(s)	63-631-6041 17-522-6041
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	Various road segments

Project Description

Crack and Slurry sealing is a vital maintenance activity that helps preserve the City's roads against rapid deterioration and potholes due to inclement weather. This is a cost effective maintenance treatment that helps ensure roads remain in good condition for years to come. Streets to receive the crack & slurry seal treatment are identified via the City's Pavement Management Program, maintenance logs, and in-field observations.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Capital Improvement Fund	-	$200,000	-	-	-	$200,000
Measure X	-	$250,000	-	-	-	$250,000

Funding Notes

MAINTENANCE OF EFFORT COMPLIANCE

This project helps the City maintain eligibility for ongoing Measure X and SB1 funding by meeting Maintenance of Effort (MOE) requirements.

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY26/27	FY26/27	FY26/27	FY26/27	FY26/27

Project Photos





Library Backup Power System

General Project Information	
Project Code	CIP26-03
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 31, Operating Donations
Account(s)	31-516-5201
Council Goal Alignment	Infrastructure
Managing Department	Public Works & Library
Location	Pacific Grove Public Library

Project Description

This project will allow for the purchase and installation of a backup power system for the Pacific Grove Public Library. The Library is a beloved community facility that has the potential to serve as a vital community resource during prolonged power outages and/or emergencies. Today, the library has no generator or backup power source to support it's operations during outages.

Options for back up power sources include, but are not limited to, battery storage (e.g., Tesla Powerwall 3 or similar) and a natural gas generator connected to an existing gas line. These options will be further explored for feasibility following project approval.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Operating Donations	$80,000	-	-	-	-	$80,000

Funding Notes

FUNDED BY COMMUNITY DONATIONS

The Pacific Grove Library Friends and Foundation have dedicated $80,000 to fund this project.

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos





Pillar Privacy/Study Booth ADA

General Project Information	
Project Code	CIP26-04
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 31, Operating Donations
Account(s)	31-516-5201
Council Goal Alignment	Infrastructure
Managing Department	Public Works & Library
Location	Pacific Grove Public Library

Project Description

This project will create a dedicated privacy/study booth in the Pacific Grove Public Library. The Library currently lacks a private meeting space, and users have consistently requested one. This project responds to that need and enhances the Library's ability to support virtual meetings, telehealth, and focused work.

The scope of work includes the purchase of the privacy booth, prep work and installation. It is anticipated that the private/study booth with be located near the existing DVD shelving.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Operating Donations	$25,000	-	-	-	-	$25,000

Funding Notes

FUNDED BY COMMUNITY DONATIONS

The Pacific Grove Library Friends and Foundation have dedicated $25,000 to fund this project.

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos





Chautauqua Hall Building Improvements

General Project Information	
Project Code	CIP26-05
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 31, Operating Donations
Account(s)	31-516-5201
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	Chautauqua Hall

Project Description

This project will address the facility infrastructure improvements and maintenance tasks outlined in the 2024 WJE Chautauqua Hall Building Assessment Report.

Built in 1881, this beloved facility has served generations and remains a designated historic landmark and beloved community resource. The project ensures needed upgrades and improvements are made to allow the building's continued function, in the long-term, and allow preservation of its historical integrity.

With strong community support, the Heritage Society's Friends of Chautauqua Hall has raised funding to carry out a wide range of improvements noted in the report, including repairs and upgrades to the drainage system, wood deck, roofing elements, cladding, windows, and doors.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Operating Donations	$700,000	-	-	-	-	$700,000

Funding Notes

FUNDED BY COMMUNITY DONATIONS

The Heritage Society's Friend of Chautauqua Hall have raised $700,000 of community donations to facilitate this project.

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos





Chinese Pavillion and Moon Gate

General Project Information	
Project Code	CIP26-06
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 31, Operating Donations
Account(s)	31-516-5201
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	El Marie Dyke Park

Project Description

This project will support the construction of a traditional Chinese Pavilion and Moon Gate at El Marie Dyke Park, replacing the existing deteriorated gazebo.

The proposed location was approved by the City Council in 2024 following an assessment of locations. The project will be funded through donations from Monterey Bay Chinese Association. Following design development, the project will undergo the required permitting and review process by the appropriate boards/commissions.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Operating Donations	$200,000	-	-	-	-	$200,000

Funding Notes

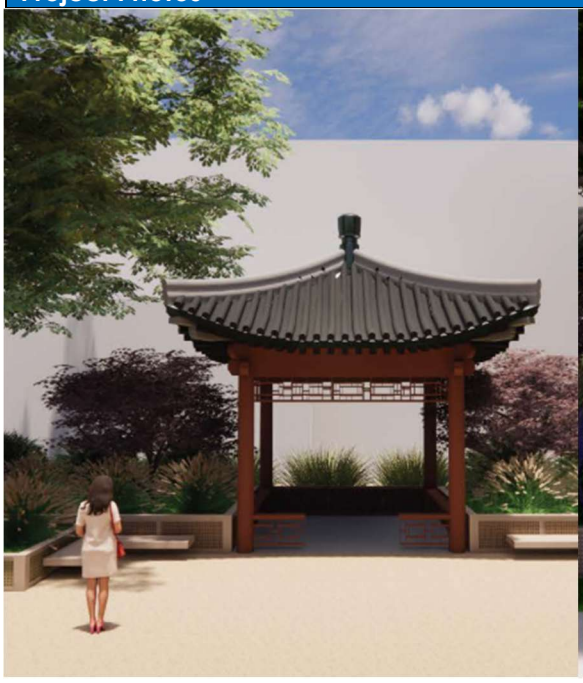
FUNDED BY COMMUNITY DONATIONS

The Monterey Bay Chinese Association (MBCA) has raised $200,000 of community donations to fund this project.

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos





Youth Center Roof Repair

General Project Information	
Project Code	CIP26-07
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 25, Recreation Donations
Account(s)	31-516-5201
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	Youth Center

Project Description

This project will address a known roof leak in the Youth Center above the restroom facility where deterioration has led to water intrusion through the light fixtures. The scope of work will include the replacement of the damaged roofing and rain gutters to restore the roof's integrity and prevent further damage. Timely repairs are essential to avoid more costly future repairs and to ensure the continued operation of the recreational facility. Without a functional restroom, youth programming at this site would be unable to continue.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Recreation Donations	$32,000	-	-	-	-	$32,000
Funding Notes						

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos





City Hall Window and Door Replacement

General Project Information	
Project Code	CIP26-08
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 92, McIndoo Donation Fund 41, Youth Income
Account(s)	95-519-6021 41-510-6021
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	City Hall

Project Description

This project will replace the front door and first-floor office windows in kind to match the original design of the City Hall Entrance. The front door and surrounding trim have sustained significant termite damage, and the office windows no longer close properly. Water intrusion from the damaged windows is causing ongoing deterioration to interior plaster.

Timely replacement is necessary to prevent further structural and interior damage and ensure building security. This project was called out as an "immediate need" in the 2024 City Hall Facility Conditions Assessment.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
McIndoo Donation	$23,006	-	-	-	-	$23,006
Yount Income	$8,994	-	-	-	-	$8,994

Funding Notes

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos





Fire Station Alerting System

General Project Information	
Project Code	CIP26-09
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 12, Fire Emergency Equipment
Account(s)	12-353-6021
Council Goal Alignment	Infrastructure
Managing Department	Public Works & Fire Department
Location	Pacific Grove Fire Station

Project Description

This project will replace the existing 14-year-old Fire Station alerting system, which dispatches emergency incidents from Monterey County Communications. The current system and speakers are outdated, no longer repairable, and incompatible with the IP-based paging system Monterey County is transitioning to. Since the manufacturer ComTech ceased operations in 2022, replacement parts are unavailable, and most vendors are unfamiliar with the legacy system, reducing reliability.

The new system will be fully compatible with Monterey County's upgraded dispatch platform and will allow simultaneous unit dispatching, improving response times. Additional features include a mobile app for customizable alerts, a digital display with dispatch information, automated text-to-speech for location details, and enhanced audio clarity to reduce the need for repeated communication.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Fire Emergency Equipment	**$100,000**	-	-	-	-	$100,000

Funding Notes

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos



Roof Repairs Police Department

General Project Information	
Project Code	CIP26-10
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 31, Operating Donations
Account(s)	31-516-5201
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	Police Station

Project Description

This project will address a known roof leak caused by the deterioration of the existing hot mop tar and rolled asphalt roofing, which is over 40 years old and beyond its serviceable life. While the roof has been temporarily patched, permanent repairs are essential to prevent further damage. The project will involve the installation of a new PVC membrane roof, ensuring long-term durability and avoiding more costly infrastructure repairs down the line.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Operating Donations	$70,000	-	-	-	-	$70,000

Funding Notes

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos



Point Pinos Grill Boiler replacement

General Project Information	
Project Code	CIP26-11
Project Category	Facilities
Funding Type	Non-General Fund
Fund(s)	Fund 77, Golf Course Fund
Account(s)	77-622-6021
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	Golf Course Restaurant

Project Description

This project will replace the existing 20-year-old boiler with a new high-efficiency unit. The current boiler has exceeded its serviceable life, is leaking significantly, and replacement parts are no longer available, making repairs unfeasible.

The boiler is essential for providing baseboard heating to the restaurant. Previous facility upgrades, funded via the CIP, included installing a separate water heater for hot water needs, reducing the boiler's load. As a result, a smaller, more energy-efficient boiler can now be installed, creating a more efficient and redundant system.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Golf Course Fund	$40,000	-	-	-	-	$40,000
Funding Notes						

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos



Sewer Force Main Replacement - Arena Avenue

General Project Information	
Project Code	CIP26-12
Project Category	Wastewater
Funding Type	Non-General Fund
Fund(s)	Fund 76, Sewer Fund
Account(s)	76-612-6051
Council Goal Alignment	Infrastructure /Environmental Stewardship
Managing Department	Public Works
Location	Arena Avenue

Project Description

This project involves installing a new force main on Arena Avenue (from Sunset Dr to Asilomar Ave) to address known deficiencies in the sewer system. The replacement is critical to maintaining reliable sewer service, protecting the environment, and preventing spills.

The existing line has experienced two failures in this area and is in urgent need of repair to ensure continued safe operation.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Sewer Fund	$600,000	-	-	-	-	$600,000

Funding Notes

N/A

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos



Urban Diversion Station Repair and Recalibration

General Project Information	
Project Code	CIP26-13
Project Category	Wastewater
Funding Type	Non-General Fund
Fund(s)	Fund 76, Sewer Fund
Account(s)	76-612-6051
Council Goal Alignment	Infrastructure /Environmental Stewardship
Managing Department	Public Works
Location	Various Locations

Project Description

This project will allow a contractor to repair pumps and recalibrate meters for the Urban Diversion System. The Urban Diversion System diverts stormwater runoff from the 8th St and 17th St storm drain outfalls to Monterey One Water via the Sewer System.

Repairs are required to ensure accurate reporting to Monterey One Water regarding the amount of stormwater being placed into their systems. Completion of this work is necessary to maintain compliance with reporting requirements and regulatory standards.

Funding Information

Fund	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Sewer Fund	$100,000	-	-	-	-	$100,000

Funding Notes

N/A

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY25/26	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos



SCSMP Projects 1, 6 & 9

General Project Information	
Project Code	CIP24-04
Project Category	Wastewater
Funding Type	Non-General Fund
Fund(s)	Fund 76, Sewer Fund
Account(s)	76-612-6051
Council Goal Alignment	Infrastructure /Environmental Stewardship
Managing Department	Public Works
Location	Various Locations

Project Description

The City provides sewer collection services for residences and commercial businesses over an area of approximately 1,414 acres with a population of approximately 15,040 residents. The City's collection and conveyance system is comprised of approximately 58 miles of pipelines.

The Sewer Collection System Master Plan (SCSMP) helps drive the City's long-term sewer collection system asset management needs by identifying CIP projects and necessary upgrades to the collection system. Over the years the City has completed several of the noted SCSMP CIP Projects and only the following three remain. This multi-year project will allow the City to complete SCSMP Projects 1, 6 & 9:

- SCSMP #1 - 17 Mile Dr - Upgrade ~3,000LF of sewer main due to capacity deficiencies
- SCSMP #6 - Hilcrest Ave - Replace ~4,250LF of sewer main due to root intrusion
- SCSMP #9- Highway 68 - Protect exposed pipe from damage

This project will allow completion of these projects. These are large scale, multi-year projects

Funding Information

Fund	Prior Years	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Sewer Fund	$1,800,000	-	$7,000,000	-	-	-	$8,800,000

Funding Notes

MULTI-YEAR PROJECT

As an element of the FY23/24, $1.8M of sewer funding was allocated to allow for engineering, permitting and environmental. This is currently underway and will continue through FY25/26 using the initial funding allocation. Construction is anticipated to begin in FY26/27 with a preliminary cost estimate of approximately $7M. This is a rough estimate and may be updated prior to the start of FY26/27 as an engineers estimate is developed.

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY26/27	FY26/27	FY26/27	FY26/27	FY26/27

Project Photos



Recreation Trail Improvements - Esplanade Park

General Project Information	
Project Code	CIP 25-10
Project Category	Parks & Recreation
Funding Type	Non-General Fund
Fund(s)	Fund 41, Yount Income
Account(s)	41-510-6021
Council Goal Alignment	Infrastructure
Managing Department	Public Works
Location	Recreation Trail adjacent to Esplanade Park

Project Description

In Perkins Park, the Recreation Trail adjacent to Esplanade Park from Beach Street to Coral Street consists of a thin band of land which keeps getting thinner due to coastal erosion, particularly around Esplanade Park. Just east of Esplanade, the otherwise continuous shoreline trail essentially disappears for a stretch, forcing pedestrians onto a thin strip of dirt right next to Ocean View Boulevard.

The Shoreline Management Plan (SMP) proposed conceptual improvements . The SMP suggest eliminating the ocean-side parking lane and shifting the street curb inland by 7–8 feet, reclaiming approximately 500 feet of space for a pedestrian trail. This would entail the potential loss of about 25 on-street parking spaces. The SMP stated design details would be refined with efforts to mitigate the loss of parking where possible.

This multi-year project initiates the process of addressing the unsafe conditions on the Recreation Trail at this specific location. Year 1 will involve public outreach and design, while Year 2 will focus on permitting, bidding, and construction.

Funding Information

Fund	Prior Years	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	TOTAL
Yount Income	$20,000	$16,003	-	-	-	-	**$36,003**

Funding Notes

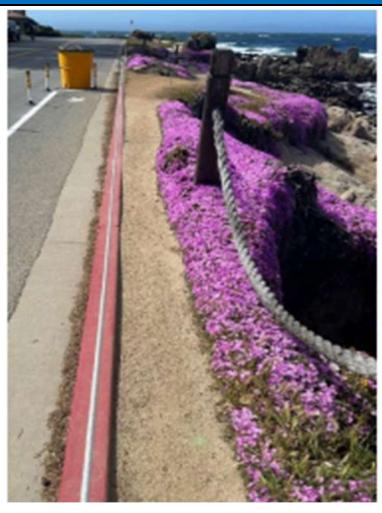
MULTI-YEAR PROJECT

As an element of the FY24/25 CIP, $20,000 was allocated from the Strong Disbursement Fund to allow for design/engineering of these vital pedestrian improvements. To date, minimal funding has been expended. Although the remaining unused funding will be carried forward, additional funding is needed to accommodate construction, which is anticipated to be ~$35,000. The initial funding source, the Strong Disbursement Fund, has been depleted. The Yount Income fund is proposed to bridge the gap needed for construction.

Estimated Project Timeline

Project Development	Bidding	Contract	Construction/Work in Progress	Complete
FY24/25	FY25/26	FY25/26	FY25/26	FY25/26

Project Photos


Unfunded Project Submission List

Reference #	Priority	Project Name	Request Source	Project Location	Scope of Work/Description	Justification	TOTAL FUNDING REQUESTED	FY25/26 Requested Budget	FY26/27 Requested Budget	Council Goal Alignment	PW Notes
1	**High**	**Del Monte Blvd Stormwater Improvements**	Engineering Team & Phased Project (Prior Phase Complete)	Del Monte Blvd.	Stormwater improvements on the failed section of Del Monte Blvd have been discussed for years. The project was split into phases due to unavailability of funding and lack of formal stormwater funding. In FY22/23, Phase 1 of the Del Monte Blvd. Stormwater Project was completed. The scope of work included: replacement of 390 LF of failed stormwater pipe, reconstruction of 1 catch basin, construction of 2 new catch basins, and installation of 3 stormwater access manholes. This project proposes funding the scope of work for Phase 2, which includes completing the remaining storm drain segment to the east of where Phase 1 left off up to Spray St. including replacing an 18" crossing toward Companion Way. The scope of work for Phase 3 is to continue a new 24" storm drain along Del Monte to the west to Coral St., then down Coral to connect to an existing to an existing line. Additional storm drain improvement are proposed between the Balboa and Shell Ave. intersections.	Stormwater improvements are vital. Additionally, the roadway is in failed state with a PCI of 5. Pavement rehabilitation on this stretch will continue to be deferred until underground stormwater improvements can be made.	Total Funding Request: $710,000 Phase II: $320,000 Phase III: $390,000 *Phase I completed for $300,524	$ 320,000.00	$ 390,000.00	Infrastructure	
2	**High**	**Stormwater Infrastructure Master Plan**	Engineering Team	Various Locations	This project would allow for the development of a Stormwater Infrastructure Master Plan. This plan will provide the City with a roadmap to address stormwater infrastructure citywide and create a plan of action for future stormwater improvement projects via the CIP. This project is also the first step in potential development of a stormwater enterprise account, to fund future stormwater improvements, via the Proposition 218 process. $75,000 was budgeted in the FY19/20 CIP for development of a Stormwater Master Plan. An RFP was issued and 4 proposals were received. The lowest bid was $275,000. Due to the pandemic and an inability to fund the full plan, the project was deferred a COVID-19 cost saving measure.	This plan will provide the City with a roadmap to address stormwater infrastructure citywide and create a plan of action for future stormwater improvement projects via the CIP.	$ 300,000.00	$ 300,000.00	$ -	Environmental Stewardship; Infrastructure	Funding levels could be reduced to 15-20% of total cost ($300,000) to allow for matching funds. This would allow staff to search and apply for eligible grant funding.
3	**High**	**Lovers Point Pier Repair**	Engineering Team & Conditions Assessment Report	Lovers Point Pier	The Lovers Point Pier Repair and Restoration project is a multi-year project that addresses damage sustained during January 2021 winter storms, with the seaward tip of the pier affected by wave runup and impact forces. Given limited information on the pier's structure, additional exploration was deemed necessary, leading to the closure of the pier tip for safety reasons. With a $100,000 allocation from the FY21/22 Capital Improvement Program, an agreement with GHD was authorized by the City Council in December 2021. The scope included comprehensive investigations, conditions assessment, interim repair design, and permit and grant support. At the June 21, 2023 meeting, the Council reviewed findings and opted to proceed with the near-term repair option, while also requesting further details on the estimated costs and grant opportunities for the long-term solution.	The projected construction cost for the near-term option is $1.45 million. Staff recommends allocating 15% of this construction estimate to enable the City to pursue grant funding. Typical grant matches range from 15% to 25%.	$1,450,000	$ 217,500.00	To be determined based on availability of grant funds	Infrastructure	15% of total project cost is being requested to serve as matching funds to allow the City to seek grant funds.
4	**High**	**City Hall Balcony Repair**	Public Works Crews/Facility Conditions Assessment Report	City Hall	Repair/replace balcony structure on the second floor of City Hall adjacent to the City Manager's Office. The balcony structure is leaking into the first floor space when heavy rain is present.	Temporary repairs can be made to minimize water intrusion but a larger fix is needed. This project is noted in the 2024 City Hall Facility Conditions Assessment as an immediate need. It is being called out independently as a project due to leaks reported during the last rain season.	$ 40,000.00	$ 40,000.00	$ -	Infrastructure;	
5	**High**	**Laurel Avenue Stormwater Improvements**	Public Works Crews	Laurel Avenue	Remove and replace deteriorated storm drain pipes on Laurel at Locust, 18th, Carmel and 8th.	This infrastructure is failed causing sinkholes and plugged storm drain inlets.	$ 250,000.00	$ 250,000.00	$ -	Infrastructure; Environmental Stewardship	
6	**High**	**Fire Station Facility Improvements (FCA Report)**	Facility Conditions Assessment Report	Fire Station	This project will address the "immediate needs" noted in the 2024 Fire Station Facility Condition Assessment. Immediate Needs are line items that require immediate action as a result of: (1) material existing or potential unsafe conditions, (2) failed or imminent failure of mission critical building systems or components, or (3) conditions that, if not addressed, have the potential to result in, or contribute to, critical element or system failure within one year or will most probably result in a significant escalation of its remedial cost. In Fire Station one (1) project was listed as an immediate need: HVAC study to understand how the heating is working and what areas it is servicing.	This item was listed as an immediate need in the 2024 Fire Station Facility Conditions Report.	$ 8,000.00	$ 8,000.00	$ -	Infrastructure	

Unfunded Project Submission List

Reference #	Priority	Project Name	Request Source	Project Location	Scope of Work/Description	Justification	TOTAL FUNDING REQUESTED	FY25/26 Requested Budget	FY26/27 Requested Budget	Council Goal Alignment	PW Notes
7	**High**	**Youth Center Facility Improvements (FCA Report)**	Facility Conditions Assessment Report	Youth Center	This project will address the "immediate needs" noted in the 2024 Youth Center Facility Condition Assessment. Immediate needs are line items that require immediate action as a result of: (1) material existing or potential unsafe conditions, (2) failed or imminent failure of mission critical building systems or components, or (3) conditions that, if not addressed, have the potential to result in, or contribute to, critical element or system failure within one year or will most probably result in a significant escalation of its remedial cost. The Youth Center immediate needs include: safety repairs to the stars, improvements to doors and walls. The report also lists repairs to the elevator are needed, but these have been budgeted via the FY25/26 mid-year budget process due to the prompt need for repair.	These improvements are listed as immediate needs in the 2024 Youth Center Facility Conditions Report.	$ 75,500.00	$ 75,500.00	$ -	Infrastructure	
8	**High**	**Public Works Facility Improvements (FCA Report)**	Facility Conditions Assessment Report	Public Works Corporation Yard	This project will address the "immediate needs" noted in the 2024 Public Works Facility Condition Assessment. Immediate needs are line items that require immediate action as a result of: (1) material existing or potential unsafe conditions, (2) failed or imminent failure of mission critical building systems or components, or (3) conditions that, if not addressed, have the potential to result in, or contribute to, critical element or system failure within one year or will most probably result in a significant escalation of its remedial cost. Immediate needs for the Public Works facility include repairs to the parking lots and pavement surfaces within the yard and roofing element of various bays.	These improvements are listed as immediate needs in the 2024 Public Works Facility Conditions Report.	$ 450,100.00	$ 450,100.00	$ -	Infrastructure	
9	**High**	**City Hall Facility Improvements (FCA Report)**	Facility Conditions Assessment Report	City Hall	This project will address the "immediate needs" noted in the 2024 Public Works Facility Condition Assessment. Immediate needs are line items that require immediate action as a result of: (1) material existing or potential unsafe conditions, (2) failed or imminent failure of mission critical building systems or components, or (3) conditions that, if not addressed, have the potential to result in, or contribute to, critical element or system failure within one year or will most probably result in a significant escalation of its remedial cost. Immediate needs at City Hall include repairs/improvements to the windows, façade, roofing and door.	These improvements are listed as immediate needs in the 2024 City Hall Facility Conditions Report.	$ 150,000.00	$ 150,000.00		Infrastructure	
10	**Medium**	**Main Hall Heater Replacement Youth Center**	Public Works Crews/Facility Conditions Assessment Report	Youth Center	Replacement of the roof top heater that supplies heat for the main hall at the youth center. The heater is broken and although repairs have been made it the past, the unit has exceeded it's useful life and needs to be replaced. This unit supplies heat to the area where the recreation department conducts all programs and camps for children in Pacific Grove	The 2024 Youth Center Facility Conditions Assessment also calls out the need for a heater repair in the near term (3-5 years). However, the unit has deteriorated faster than called out in the report and is need of repair today.	$ 45,792.00	$ 45,792.00	$ -	Infrastructure; Recreation Services	
11	**Medium**	**George Washington Park Driveway Approach Improvements (Off Melrose)**	Public Works Crews	George Washington Park	This project involves replacing the decomposed granite informal driveway leading to the concession stand at George Washington Park's Municipal Ball Field. The current setup leads to issues such as decomposed granite washing out into the storm drain, creating stormwater compliance and pedestrian safety concerns. This also increases maintenance needs as the displaced decomposed granite requires regular replacement.	By implementing hardscape and formalizing the approach, environmental protections will be enhanced, and efficiency improved, addressing stormwater issues and reducing maintenance requirements.	$ 50,000.00	$ 50,000.00	$ -	Environmental Stewardship	
12	**Medium**	**Cemetery Walkway Replacement**	Public Works Crews	El Carmelo Cemetery	Remove and replace existing badly deteriorated chalk rock walkway and replace with concrete ADA accessible walkway around the front 5 columbarium's.	Existing pathways are badly deteriorated with root lifting and uneven surfaces. Currently not ADA accessible.	$ 39,600.00	$ 39,600.00	$ -	Infrastructure;	
13	**Medium**	**Remodel/Update Fire Station Kitchen**	Staff Request	Fire Station	The kitchen has deferred maintenance and needs updating/remodeling.	The kitchen at the Fire Station has not had significant improvements for over 30 years. The cabinets are dated and are falling apart. At one time, the kitchen served a larger staff, up to 6 firefighters. Now 3 firefighters are housed at that station. The kitchen could be reconfigured to be more efficient and functional to serve the current staffing. I believe the condition of the kitchen was evaluated as part of the facilities evaluation performed by the City.	Unknown	Cost would need to evaluated by a contractor	$ -	Infrastructure;	Scope of work is unclear. Project should be phased with the first year being design and second year construction.

Unfunded Project Submission List

Reference #	Priority	Project Name	Request Source	Project Location	Scope of Work/Description	Justification	TOTAL FUNDING REQUESTED	FY25/26 Requested Budget	FY26/27 Requested Budget	Council Goal Alignment	PW Notes
14	**Medium**	**Carmel Ave Alley Approaches ADA**	Public Works Crews	Carmel Avenue	Repair ADA ramps and cross gutters on Carmel Avenue between Gibson and Pine Avenue to be compliant with ADA standards.	ADA Compliance and Stormwater	$ 100,000.00	$ 100,000.00	$ -	Infrastructure	
15	**Medium**	**Curb & Gutter Improvements**	Public Works Crews	Various Locations	The project would allocate funding to allow for curb and gutter improvements and/or repair to channel surface water flow into the storm drain system at various locations in the City. Locations include: (1) Evergreen Rd (2) Sinex Ave (Adjacent to George Washington Park) and (3) Crocker Ave.	These locations have been identified by Public Works Streets Crews based on service requests and in-field observations due to flooding that impacts adjacent properties driveway areas.	$ 75,000.00	$ 75,000.00	$ -	Environmental Stewardship; Infrastructure	
16	**Medium**	**Pedestrian Safety on Ocean View Blvd**	Public Works Crews	Ocean View Blvd (1st St to 3rd St).	This project will create a pedestrian walkway and access points along Ocean View Blvd from 1st St to 3rd St. Currently, pedestrians parking in this area must walk alongside traffic until they reach formal entry points at Hopkins Marine Station driveway (~900 ft) or a staircase at 5th St (~400ft). The project aims to establish a formalized walkway and access points, enabling safe access to the recreational trail from vehicles.	Enhancing pedestrian safety.	300000	$ 100,000.00	$ 200,000.00	Infrastructure	Year 1 dedicated to design/engineering and permitting, and Year 2 for construction.
17	**Medium**	**Pine Avenue Improvements**	Public Works	Pine Avenue (adjacent to school)	This project would allow traffic safety improvements to Pine Avenue adjacent to Rober Down Elementary School. A public survey, performed in conjunction with TAMC, recently closed. This survey was intended to gain feedback from the community on road safety priorities and needs for this segment of roadway to enhance safety and functionality. Results are still being analyzed.	Enhance safety and develop safe routes to school.	TBD	TBD	TBD		Cost is dependent on type of infrastructure improvements identified as a priority by the community.
18	**Low**	**David Ave Sidewalk**	Phased Project (Prior Phase Complete)	David Avenue	This multi-year project involves construction ADA-compliant sidewalk on David Avenue from Patterson Lane to Montecito Ave. In the FY22/23 and 23/24 Capital Improvement Plan (CIP), the City Council allocated $638,000 for the first phase of this project which addressed: (1) the residential side of David Avenue from Presidio Lane to mid-block on David Avenue and (2) a segment of Presidio Blvd (adjacent to 1106 Presidio Blvd) down to David Avenue. This work was completed. This project proposes to continue the remaining phases of the project. FY 25/26: $745,000 which would address David from Clark Lane to Buena Vista FY 26/27: $840,000 which would address David from Buena Vista to Montecito	Enhance pedestrian safety and improve safe routes to school.	$1,585,000	$ 745,000.00	$ 840,000.00	Infrastructure	
19	**Low**	**El Carmelo Cemetery Office Driveway Approach Improvements**	Public Works Crews	El Carmelo Cemetery	This project would allow for paving of the driveway approach to the El Carmelo Cemetery administrative office and tool/supply shed. This area is currently unpaved and comprised of dirt. During the rainy season, the area turns to mud and poses a maintenance and asset preservation issue. As mud gets logged in the equipment, over time it can causes decay, corrosion, and irreparable damage. Through regular activity, the mud is spread throughout the paved areas of the cemetery creating additional maintenance and cleanup activities for staff.	Address infrastructure concerns.	$ 50,000.00	$ 50,000.00	$ -	Infrastructure	
20	**Low**	**Police Department Women's Locker Room Expansion**	Staff Request	Police Station	The current women's locker room is too small to accommodate the number of female officers working for the department.	Female officers comprise 35% of the total sworn officer staff, there is inadequate space to store equipment or comfortably prepare for shifts creating daily frustrations and suggesting a lack of prioritization for their needs.	The cost is unknown. Structural engineering and significant planning are needed to determine costs and the length of the project.	$ 250,000.00	$ -	Infrastructure;	Scope of work is unclear. Should be multi-year w/year 1 design/permitting, year 2 construction.

Unfunded Project Submission List

Reference #	Priority	Project Name	Request Source	Project Location	Scope of Work/Description	Justification	TOTAL FUNDING REQUESTED	FY25/26 Requested Budget	FY26/27 Requested Budget	Council Goal Alignment	PW Notes
21	**Low**	**Police Department Lobby Remodel**	Staff Request	Police Station	The police department's front lobby is dated and no longer meets current standards for accommodating the public when they conduct business with the police department.	The police front lobby serves as the primary point of contact between the department and the community. It is a space that must foster trust, safety, and accessibility while efficiently accommodating the needs of the public and police personnel. However, the current state of our lobby does not meet these expectations. A remodel is necessary to enhance functionality, security, and public perception.	Unknown	Cost Unknown. The remodel will need to remove fake marble and move existing counters.		Infrastructure;	This could be a phased approach including year 1 for design development and year 2 construction.
22	**Low**	**Police Department Parking Lot Fence Enclosure**	Staff Request	Police Station	This project involves installing an exterior fence for the parking lot situated behind the police station while maintaining pedestrian access for City Staff to City Hall. It encompasses implementing an access control system to facilitate gated access. The project aims to enhance the security of the police vehicles and personnel.	The project aims to enhance the security of the police vehicles and personnel by limiting access to this area to non-city employees.	$ 25,000.00	Approximately $25,000.00. A more accurate estimate would need to be obtained from a company that specializes in this type of work.		Infrastructure;	It is anticipated that the cost estimate is low. Prior year estimated were submitted at $200k.
23	**Low**	**Upgrades to "Bubble-Up" Stormwater Infrastructure**	Public Works Crews	Various Location (See Project Description)	This project will entail connecting ""bubble-up"" storm drain inlet infrastructure at strategic locations to the main storm drain lines. ""Bubble ups"" are when two storm drain inlets (on either side of the road) are connected to each other but not to a larger main storm drain pipe. Bubble-ups allow runoff to enter the inlet and settle for sediment removal and prevent water from puddling on the roadway. However, overtime and during rain events, the bubble ups become full of stagnant water, produce an unpleasant smell, and attract mosquito larva. Improvements can be made by connecting the bubble ups to the storm drain network, in specific areas where existing pipes have been installed to allow for connection. Locations include: Spruce Ave at 17th St, Laurel Ave at Carmel Ave, Laurel Ave at Locust St, Laurel Ave at 13th - 14th Streets, Fountain Ave at Gibson Ave, Fountain Ave at Junipero Ave.	Overtime and during rain events, bubble ups become full of stagnant water, produce an unpleasant smell, and attract mosquito larva. Improvements can be made by connecting the bubble ups to the storm drain network, in specific areas where existing pipes have been installed to allow for connection.	$ 100,000.00	$ 100,000.00	$ -	Environmental Stewardship; Infrastructure	

RESOLUTION NO. 25-xxx

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2025-26 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

FINDINGS

1. Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

2. SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

3. The City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

4. The City, will receive an estimated $392,975 in RMRA funding in Fiscal Year 2025-26 from SB 1; and

5. This is the eighth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

6. The City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

7. The City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

8. The funding from SB 1 will help the City maintain and rehabilitate three (3) road segments throughout the City this year and similar projects into the future; and

9. The 2021 California Statewide Local Streets and Roads Needs Assessment found that Monterey County streets and roads, which includes the City of Pacific Grove, are in an "at risk" condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a "Good" condition; and

10. The SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

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 following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2025/26 Road Maintenance and Rehabilitation Account revenues:

   Project Title: FY25/26 Road Rehabilitation Project
   Project Description: Rehabilitation of approximately 58,133 SF of roadway
   Project Location:
   1. 10th Street (Central Ave to Lighthouse Ave) - PCI 10
   2. Del Monte Blvd (Asilomar St to Coral St) - PCI 21
   3. Beacon (Coral St to Esplanade St) - PCI 0

   Estimated Project Schedule: August 2025– August 30, 2026
   Estimated Project Useful Life: 15-20 years

3. The FY25/26 SB1 Project List is hereby approved as attached to this Resolution, which by this reference are incorporated as set forth in its entirety.

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:

_____

NICK SMITH, Mayor

ATTEST:
DATED:_____

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____
BRIAN A. PIERIK, City Attorney

EXHIBIT A

Pacific Grove Public Works

FY 2025/26
Senate Bill 1 Project List

FY25/26 Street Rehabilitation Project

California Transportation Commission

General Information:

City/County Name: City of Pacific Grove, Monterey County

Project Lead and Department Contact Information:
Pacific Grove Public Works Department
2100 Sunset Dr. Pacific Grove, CA 93950
Joyce Halabi, Deputy Public Works Director (831) 648-5722

Legislative District(s): California's 19th congressional district

Jurisdiction's Average Network PCI: 58

Year/date of measurement: 2023

Estimated FY 24/25 Funding: $ 392,975

Supplementary Information:

Project Description:
The Road Repair and Accountability Act of 2017 aims to address the significant multi-modal transportation funding shortfalls statewide and ensure basic road maintenance, rehabilitation and critical safety needs on local streets/road systems are addressed.

The City of Pacific Grove will use the FY25/26 allocation to perform street rehabilitation on the three (3) road segments specified below. The total approximate square footage of pavement to be addressed through this project is 58,133.

STREET NAME	LIMITS OF WORK	SQUARE FOOTAGE	CURRENT PCI	TREATMENT
10th Street	Central Ave to Lighthouse Ave	~9,010	10	Pavement Reconstruction
Del Monte Blvd	Asilomar St to Coral St	~35,123	21	Pavement Reconstruction
Beacon	Coral St to Esplanade St	~14,000	0	Pavement Reconstruction

BEACON AVENUE (CORAL ST TO ESPLANADE ST)

This section of Beacon Avenue is in a failed status with a Pavement Condition Index (PCI) rating of 0, the lowest possible score. It has not undergone any formal rehabilitation or maintenance since its construction. The pavement conditions have significantly deteriorated over time and today, the roadway is covered in patches and utility trench lines.

Whenever possible, the city aims to partner with utility agencies to address underground infrastructure in advance of pavement rehabilitation efforts. This ensures the City's roadway investments are preserved and prolonged. California American Water, the local water purveyor, recently completed a water main replacement on this stretch of roadway. This new underground infrastructure, paired with the failed status and lack of formal maintenance or rehabilitation treatments, make this segment ideal for rehabilitation.

The project also includes a Sewer Enterprise Fund budget allocation to allow the City's underground sewer infrastructure to be assessed and repairs to be made in advance of the rehabilitation efforts.

DEL MONTE AVE (ASILOMAR AVE TO CORAL ST)

This section of Del Monte Ave is in a failed status with a PCI of 21. Deterioration of this road segment is driven by prolonged lack of formal maintenance or rehabilitation and water intrusion into the alligator cracks present on the road surface. The compromised pavement allows water intrusion, leading to dislodged sections of pavement and frequent potholes. Although Public Works crews perform patching to address the road safety hazards, these are only temporary fixes. Full rehabilitation is necessary to restore road integrity.

This specific road segment does not have underground sewer or stormwater infrastructure present. As a result, repairs are simplified as no underground city utilities need to be addressed.

10TH STREET (CENTRAL AVE TO LIGHTHOUSE AVE)

This section of 10th Street is in a failed status with a PCI of 18. This segment has also never had a formal maintenance or rehabilitation treatment since being constructed. Similar to the other segments selected for treatment, the pavement surface on this roadway is also covered with patches and alligator cracking is present. Rehabilitation is needed to address the deteriorated pavement condition. The underground sewer

and stormwater infrastructure will be assessed and addressed as needed in advance of the pavement rehabilitation efforts with Sewer Enterprise funding.

Coordination of Underground Infrastructure Repairs
In addition to their deteriorating condition, these segments of roadway are primed for repair because they offer an opportunity to assess and, if necessary, fix the underground infrastructure present on Beacon Ave and 10th Street.

The City has allocated funds from the Sewer Enterprise Fund to the project, enabling the inspection and repair of sewer lines as needed. These underground infrastructure repairs will contribute to extending the lifespan of the road surface by reducing the occurrence of repair patches that allow water infiltration, thus slowing deterioration.

Additionally, the City will attempt to coordinate with California American Water, the local water provider, to explore the possibility of repairing underground water infrastructure on 10th Street and Del Monte Ave concurrently with the City's roadwork when the roadway is accessible. As noted above, the water main on Beacon Ave has already been recently addressed.

How was the project identified as a priority?
The proposed segments were selected based on the City's Pavement Management Program (PMP), public works maintenance logs, and existing pavement conditions. The selected road segments are characterized by aged and raveled pavements, cracks, lack of aesthetic appeal, prevalence of potholes, significant utility and trench line patches.

Project Benefits
This project will produce long term benefits for residents of the City of Pacific Grove, as well as adjacent jurisdictions, by enhancing a sustainable transportation network that promotes mobility, improves quality of life, and generates vast improvements in public safety.

FUNDING
Amount of RMRA funds expended on the project and the total project cost.
The City plans to use the entire SB1 FY24/25 allocation towards the Street Rehabilitation on the noted segments of roadway. The total cost of this project is estimated at $1,790,096.

Amount and type of other funds expended on the project

The City of Pacific Grove also plans to harness Measure X, a local sales tax measure, and General Fund funding, as noted below, to complete the road rehabilitation. The City will also harness the Sewer Enterprise Fund to complete sewer infrastructure repairs prior to road rehabilitation.

Funding Source	**Amount**
SB1	$570,000*
City of Pacific Grove General Fund	$300,000
Measure X	$570,000
Sewer Fund	$350,000
Total	**$1,790,096**

**Please note the SB1 allocation includes the anticipated FY25/26 project allocation and project savings from previous fiscal years.*

Completion Date:
The City will complete this project by 08/30/2026.

Estimated Useful Life:
The average performance life of the project would be 15 to 20 years.