City of Pacific Grove

COUNCIL POLICY MANUAL

(Updated November 2015)

Policy Subject Classifications		Policy #	Subject	Adopted or Last Amended
000	**ADMINISTRATION AND GOVERNMENT**	000-2	Travel Expenses	Nov 4, 1998
		000-3	Harassment Policy	May 20, 1992
		000-4	*[National Flag, Display;*	*Rescinded Dec 8, 2010]*
		000-5	Committees: Classification; Appointments; Procedures	Feb 2, 2011
		000-6	Appearances at Hearings	May 2, 2007
		000-7	Processing and Settling Claims Against City	Jun 7, 1989
		000-9	Council Guidelines	Feb 3, 2010
		000-10	*[Dedication of Public City Facilities;*	*Rescinded March 7, 2012]*
		000-11	City Council Benefits	Jul 21, 1993
		000-12	Fund Raising by Boards, Commissions, Committees	Oct 6, 1993
		000-13	Council Attendance at Meetings	Jan 19, 1994
		000-14	*[Consent Agenda Items;*	*rescinded Feb 3, 2010]*
		000-15	*[Display of Banners on Light Standards; became Policy 100-11]*	
		000-16	Consideration and Approval of Requests for Funding from Community Groups and Organizations	Feb 5, 1997
		000-17	Council Meeting Agendas	Mar 19, 2014
		000-18	Recording Council Meetings	May 4, 2005
		000-19	Records Management and Records Retention Schedule	Jan 18, 2012
		000-20	FPPC Filing Waiver	Dec 7, 2011
		000-21	Distribution of Tickets	Feb 15, 2012
		000-22	Social Media Policy	Oct 17, 2012
100	**CITY FACILITIES**	100-1	Chautauqua Hall Use	Jan 4, 1989
		100-2	*[Courtesy Golf;*	*Rescinded Apr 2, 2013]*
		100-3	Host Liquor Liability	Jan 6, 1988
		100-4	Recreation Insurance	Feb 18, 1987
		100-5	Parking Lots - Permits, Policies	Feb 4, 2009
		100-6	Rental of Public Facilities	Sep 18, 2002
		100-7	City Benches	Dec 18, 2002
		100-8	Municipal Softball Park Master Plan	Mar 2, 2011
		100-9	Museum Naming Guidelines	Sep 7, 2011
		100-10	Naming Guidelines for City Facilities	Mar 7, 2012
		100-11	Display of Banners on Light Standards	May 19, 2010

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		100-12	Procedures for Review of Proposed Improvements to City Properties	Jul 6, 1994
		100-13	Bequests, Fungible Donations, and Gifts of Appreciated Real Estate	Dec 18, 2013
200	**MAINTENANCE AND OPERATIONS**	200-1	*[Golf Course – Rules*	*Rescinded 4-16-14]*
		200-2	*[Golf Ball Property Damage Rescinded Jul 16, 2014]*	
		200-3	Municipal Tennis Program	Mar 9, 2011
		200-4	Municipal Soft Ball Park Rules	Mar 7, 1990
		200-5	*[Museum Policy—rescinded 9-1-10]*	
		200-6	Library Policies	
			A. Library Card Applications	Feb 7, 1996
			B. Library Materials Selection	Nov 18, 1992
			C. Library Reference Policy	Nov 18, 1992
			D. Withdrawal of Materials	Dec 2, 1992
			E. Acceptance of Art Gifts	Dec 2, 1992
			F. Children's Services	Feb 7, 1996
			G. Display of Materials	Dec 2, 1992
			H. Circulation of Materials	Sep 17, 1997
			I. Gift Acceptance Policy for Print and Non-Print Materials	Dec 2, 1992
			J. Internet Use	Mar 21, 2012
			K. Library Behavior	Mar 15, 2000
			L. Library Local History Collections Policy	May 4, 2011
		200-7	*[Procedures for Review of Proposed Improvements to City Properties; became policy 100-12]*	
300	**PERSONNEL**	300-1	Employee Recognition	Sep 3, 1986
		300-2	Equal Employment Opportunity	Jul 6, 1988
		300-3	Workers' Comp Coverage for City Volunteers	Mar 20, 1991
		300-4	Emergency Leave Pools	Dec 21, 2005
		300-5	ADA Grievance Procedure	Jan 16, 2008
		300-6	Drug-Free Work Place	Jun 15, 2005
		300-7	Employee of the Quarter Award Program	Mar 17, 2010

Policy Subject Classifications		Policy #	Subject	Adopted or Last Amended
400	**FINANCE AND ACCOUNTING**	400-1	*[Loan Subordinations; rescinded 11-17-10 effective 1-15-11]*	
		400-2	Creation of New Special Funds	Sep 16, 1992
		400-3	Transient Occupancy Tax Reimbursements for Emergency Housing	Nov 5, 1997
		400-4	Fees and Cost Recovery	Jun 2, 2010
		400-5	Investments	Oct. 21, 2015
		400-6	Financial and Budgetary	Oct. 21, 2015
		400-7	Credit Card Policy	Oct. 21, 2015
		400-8	Cash Handling Policy	Oct. 21, 2015
500	**PUBLIC SAFETY AND LAW ENFORCEMENT**			
600	**PLANNING, ZONING, AND THE NATURAL ENVIRONMENT**	600-1	*[Water Allocation;*	*Rescinded 2-1-89]*
		600-2	Requirements for Graphic Presentations	Jun 17, 1987
		600-3	*[CDBG Citizen Participation; rescinded 11-17-10]*	
		600-4	Water Allocation Policy	Jul 17, 1996
		600-5	Motel Regulations	Nov 5, 2014
		600-6	Code Enforcement of Substandard Housing	Jul 16, 2008
700	**PROPERTY AND LAND RIGHTS-OF-WAY**	700-1	*[Hazard Tree Risk Management;*	*Rescinded 10-17-12]*
		700-2	Curb Installation	Jul 1, 2005
		700-3	Harbor Seal Fencing at 5th St	Dec 19, 2007
800	**ENGINEERING, CONTRACTING, AND CONSTRUCTION**	800-1	[*Prevailing Wage Policy*	*Rescinded 11-19-14]*
900	**GENERAL**	900-1	Special Events	Feb 16, 2011
		900-2	*[Discouraging Styrofoam Use—rescinded 9-1-10]*	
		900-3	Acceptance of Art Donations	Jan 3, 2001

City of Pacific Grove, California
City Council Policy

Policy Governing	Policy No.	Effective Date	Page
Meeting and Travel Expense Reimbursement	000-2	January 2, 1986	1 of 3

BACKGROUND:

In the performance of City business, certain travel and attendance at meetings is required for the City Council, members of City boards, commissions, and committees, and City employees.

PURPOSE:

The purpose of this policy is to:

1. establish Council policy on travel and meetings;
2. provide reimbursement for travel and meetings for official and authorized City business; and
3. provide accountability for funds expended therefore.

POLICY:

1. Official meetings and travel expenses are authorized for reimbursement, to the extent of funds appropriated in the annual budget, to council members, members of City boards, commissions and committees, and City employees for the following activities:

   A. Attendance at conferences and meetings sponsored by organizations in which the City holds membership or affiliation.

   B. Attendance at training sessions, professional workshops, and seminars as required for maintaining proficiency or meeting standards established by the City or required by other authority (i.e., POST).

   C. Attendance at professional meetings related to City business and designed to provide information needed for the successful conduct of City operations.

   D. City business related travel as determined by the Council, the City Manager or a Department Manager.

   E. City sponsored meetings at which registration or meal fees are charged.

   F. City hosted visitors performing services for the City.

   G. Community activities or special events at which City representation is desirable as determined by the City Council or as authorized in the annual budget appropriation.

2. In consideration of numerous expenses incidental to serving as a Mayor or Council Member, the City Council shall receive a monthly salary as authorized by the City Charter and City ordinances. This salary is intended to reimburse to the extent possible Council Member incurred expenses for telephone and meeting expenses from travel and meetings in the Monterey County area. No further reimbursement for these expenses shall be made by the City without specific Council authorization. Council member may claim mile reimbursement for all travel on City business.

3. For travel and meetings outside of Monterey County, Council Members may be reimbursed for expenses as authorized by the City Council Whenever, possible, Council policy is that lump sum payments based on a reasonable estimate of expenses as determined by the City Manager be made. The lump sum may be expended by the Council Member as appropriate for the travel or meeting without further submission of expense claims. Spouses are encouraged to attend as appropriate, but no differential in travel allowance will be given.

4. All travel and meeting expenses will be included in the annual budget and approved by the City Council. All necessary travel and meetings not included in the budget will require prior Council approval. Once the budget is approved, travel and meetings included therein, will be considered as approved and no further Council action is necessary. Appropriations and controls will be made on a departmental basis. The general policy of the Council is to authorize one major conference per year for the Council, Planning Commission and designated City staff.

5. During the fiscal year, reimbursement for travel and meetings is authorized only when there is an existing unobligated balance in the appropriate account.

6. When a Council Member, member of a board, commission, or committee, or City staff represents the City on a JPA or other board for which a stipend or allowance is paid, there shall be no City reimbursement for expenses. Stipends received by City employees in these situations will be paid to the City.

7. Whenever a claim for specific reimbursement is made, the following guidelines shall apply:

A. Meals at actual cost up to the following limits:

Breakfast:	~~$7.50~~	$9.00
Lunch:	~~$9.50~~	$12.00
Dinner:	~~$15.00~~	$24.00

Meetings for which meals are included will be paid at the rate charged.

B. Lodging expenses will be reimbursed or paid on the basis of standard, non deluxe accommodation for the attendee only. Other charges, such as additional guests, room service, and personal telephone calls or television are not reimbursable unless such charges are standard inclusions in the one person rate.

C. Transportation for air, train, or bus will be reimbursed or paid based upon the lowest fare available. City vehicles should be used whenever possible for transportation. City gasoline credit cards should be used for refueling city vehicles. The use of private vehicles is discouraged. Reimbursement for private automobile use will be at

the rate currently accepted by the Internal Revenue Service for purposes of income tax deductions, not to exceed the lowest round trip air fare cost. When car pooling of private vehicles occurs, the vehicle owner only is to be reimbursed.

D. Registration and other fees and charges for the meeting or training will be reimbursed or paid at cost.

E. Incidental expenses such as parking tolls, bus or limousine transportation between lodgings, airports, depots, and meeting sites, tips, business telephone calls, and other business expenses will be reimbursed at cost.

F. The use of rental vehicles will be authorized and reimbursed only when other alternative transportation is not available at destination.

8. For meetings outside Monterey County, City vehicles should be used whenever possible.

PROCEDURE

1. All requests for travel and meetings should be submitted in the annual budget request. After review, the City Manager will recommend travel and meeting expenditures for the fiscal year.

2. Following Council approval of the annual budget, travel and meetings may be taken as authorized.

3. For a travel advance or for reimbursement, a City Travel and Expense Form must be completed and submitted to the Administrative Services Director for review and payment.

Adopted: January 2, 1986
Resolution No. 5681

Amended: March 15, 1989
Resolution No. 5971

Amended: February 7, 1990
Resolution No. 6056

Amended: November 4, 1998
Resolution No. 8-056

CITY OF PACIFIC GROVE
COUNCIL POLICY

SUBJECT	*POLICY NO.*	*EFFECTIVE DATE*	*PAGE NO.*
Harassment Policy and Complaint Procedure	*000-3*	*May 20, 1992*	*1 of 2*

PURPOSE:

The purpose of this policy is to establish a strong commitment to prohibit harassment in employment, to define discrimination harassment and to set forth a procedure for investigating and resolving internal complaints of harassment.

POLICY:

Harassment of an applicant or employee by a supervisor, management employee, or co-worker on the basis of race, religion, color, national origin, ancestry, handicap, disability, medical condition, marital status, sex, or age will not be tolerated. This Policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation and training.

Disciplinary action up to and including termination will be instituted for behavior described in the definition of harassment set forth below.

Any retaliation against a person for filing a harassment charge or making a harassment complaint is prohibited. Employees found to be retaliating against another employee shall be subject to disciplinary action up to and including termination.

DEFINITION:

Harassment includes, but is not limited to:

1. Verbal Harassment - For example, epithet, derogatory comments, jokes, or slurs on the basis of race, religious creed, color, national origin, ancestry, handicap, disability, medical condition, martial status, sex or age. This might include inappropriate sex oriented comments on appearance, including dress or physical features or race oriented stories.

2. Physical Harassment - For example, assault, impeding or blocking movement, with the physical interference with normal work or movement when directed at an individual on the basis of race, religious creed, color, national origin, ancestry, handicap, disability, medical conditions, marital status, sex or age. This could be conduct in the form of pinching, grabbing, patting, propositioning, leering, or making explicit or implied job threats or promises in return for submission to physical acts.

3. Visual Forms of Harassment - For example, derogatory posters, notices, bulletins, cartoons, or drawings on the basis of race, religious creed, color, national origin, ancestry, handicap, disability, medical conditions, marital status, sex or age.

4. Sexual Favors - Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature which is conditioned upon an employment benefit, unreasonably interferes with an individuals work performance or creates an offensive work environment.

COMPLAINT PROCEDURE:

(A) Filing: An employee or job applicant who believes he or she has been harassed may make a complaint orally or in writing with any of the following:

1) Immediate supervisor.
2) Any supervisor or manager within or outside the department.
3) Department head.
4) The city manager or the personnel officer.

Any supervisor or department head who received a harassment complaint should notify the city manager or per sonnel officer immediately.

(B) Upon notification of a harassment complaint, the city manager or personnel officer shall:

1) Authorize the investigation of the complaint and supervise and/or investigate the complaint. The investigation will include interviews with: (a) the complainant; (b) the accused harasser; and (c) any other persons the investigator has reason to believe has relevant knowledge concerning the complaint. This may include victims of similar conduct;
2) Review factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment; giving consideration to all factual information, the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct and the context in which the alleged incidents occurred;
3) Report the results of the investigation and the determination, as to whether harassment occurred, to appropriate persons including to the complainant, the alleged harasser, the supervisor, and the department head. If it is determined that harassment has occurred, the complainant shall be notified regarding (1) steps taken to correct the behavior and (2) action the complainant should take if harassment recurs. However, if discipline is imposed on the harasser, the specific manner of discipline (i.e., termination, suspension, reprimand, etc.) imposed will not be communicated to the complainant;
4) If harassment occurred, recommend and/or take prompt and effective remedial action against the harasser. The action will be commensurate with the severity of the offense;
5) Take reasonable steps to protect the victim and other potential victims from further harassment;
6) Take reasonable steps to protect the victim from any retaliation as a result of communicating the complaint, regardless of the investigative findings.
7) If appropriate, take action to remedy the victim's loss, if any, which resulted from the harassment.

DISSEMINATION OF POLICY:

All employees, supervisors and managers shall be provided with a copy of this policy.

Passed and Adopted: May 20, 1992

Resolution No.: 6266

City of Pacific Grove, California
City Council Policy

Policy Governing	Policy No.	Effective Date	Page
Dedication of Public City Facilities	*000-10*	*February 5, 1992*	*1 of 1*

Purpose:

To ensure that the dedicating or memorializing of public city facilities will enhance the values and heritage of the City of Pacific Grove and will be compatible with community interest, the City Council of the City of Pacific Grove wishes to establish a uniform policy regarding the dedication of public city facilities.

Policy:

Names which achieve any of the following objectives should be promoted:

1. A name which serves to identify the location of the subject by reference to distinct geographic, environmental, or development features in the immediate area;

2. A name which references the history of the subject site or its immediate area;

3. A name which identifies a person or family which made an extraordinary donation of land or funds to promote the construction or improvement of the subject public facility; or

4. A name which recognizes a person or family who made a distinct, significant contribution to the well-being of the city, including, but not limited to, past mayors, council members, board, commission, or committee members, officers or employees of the city, but not anyone who currently holds any such position.

Procedures:

Any requests for the naming or renaming of any public city facility owned or controlled by the city, except proposals initiated by the Council, shall be submitted in writing to the City Council.

Requests for naming or renaming any public city facility shall be referred to the appropriate board, commission, or committee for review, comment, and recommendation to the City Council.

Review by the Council:

Following the determination of the appropriate board, commission, or committee, the Chair shall submit a written recommendation to the City Council, summarizing the public input, if any, and the reasons for the recommendation. The City Council may set a public hearing on any request for the naming or renaming of any public city facility, subject to such notice as they deem appropriate. Persons who desire to express their support or opposition to this recommendation may address the Council prior to the Council's action or may submit such opinions in writing prior to such time.

The Council may affirm the recommendation of the board, commission, or committee, remand the matter back for further consideration, or make its own determination on the matter.

Adopted: February 5, 1992

Resolution No.: 6237

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 receive a monthly salary and are eligible to participate in two city benefit programs.

Newly elected officers should contact the city payroll technician at city hall as soon as possible. They will be asked to complete a withholding certificate (Form W-4) and several other employment forms

A. Salary

Salaries are paid on the 5th and 20th of the month and are subject to federal/state withholding.

Council has established compensation at $500.00/month for the mayor and at $300.00/month for council members. (Ordinance No. 1662)

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.

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. Order forms are provided and requisitions processed through the city manager's office.

4. **Council Portraits.** Newly appointed officials are asked to contact the city manager's office to arrange photo sittings for city portraits which are displayed in the council chambers.

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 clerk 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 clerk.
      - 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. **Courtesy Golf or Tennis Privileges.** Courtesy golf privileges (at the Pacific Grove Municipal Golf Course) or, tennis privileges (at the Pacific Grove Community Center Tennis Courts) are provided to all incumbent elected city officials. Courtesy cards are issued through the city manager's office. (Council Policy No. 100-2)

9 **Issuance of City Keys.**

   A. **Access to City Hall** — Pacific Grove City Hall is open to the public between the hours of 8:00 A.M. to 11:45 A.M. and 1:00 P.M. to 4:45 P.M., Monday through Friday (with the exception of holidays as established by municipal code section 4.20.140).

      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.

   B. **City Hall Rest Room Facilities.** City hall rest rooms are maintained exclusively for staff and officials. A rest room master key is located in the computer room at city hall.

II. POLICIES AND GUIDELINES

1. **Issuance of Official City Documents.** Newly elected and appointed officials are issued the City of Pacific Grove's 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 members are each provided with a distribution drawer located in the city clerk's office 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 to the police station, for council pick-up on the Friday evening 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 city council for their official correspondence. Council members should contact the city clerk's office whenever they wish to stock or replenish their supply.

   B. **Mayor and Council Stationery:** The city manager's office maintains a supply of personal council stationery, designed for the mayor and city council to use when addressing official handwritten notes.

   C. **Mayor's Letterhead:** The city manager's office maintains a supply of stationery from the "Office of the Mayor," for the mayor's official use.

   D. **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 clerk'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 city clerk's office.

7. **FAX Machine.** A FAX machine is located in city hall and provided for the purpose of transmitting and receiving official documents. Long distance transmissions must be logged in the journal provided at the FAX location.

8. **Typing Assignments.** Depending upon staff's immediate workload, and, upon the authority of the city manager, the secretary to the city manager is available to assist in preparing a limited amount of correspondence for the mayor and city council.

9. **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 manger before assignment requests are made of staff members.

10. **Press Releases.** All official press notices and releases should be processed through the public information officer, ensuring conformity of distribution and familiarity with prevailing issues.

11. **Council Reference Materials.** The city clerk's office maintains a central library of reference materials relating to: Council Policies; Administrative Policies; Reports of Boards, Commissions, and Committees; Agendas and Minutes of City Council, Boards, Commissions, and Committees; Ordinances; Resolutions; the General Plan; Municipal Budget; and other relative documents currently under the consideration of the city council, staff, or committees.

12. **Filing Committee Reports.** Committee reports are filed with the office of the city clerk and placed in the appropriate binders.

13. **Agendas and Minutes.** Minutes and agendas of special committee assignments should be filed with the office of the city clerk and will be appropriately disseminated. All provisions of the Brown Act shall apply as established by council policy. (Council Policy No. 000-5)

14. **Reproduction and Mailing of Agendas and Minutes.** Mayor and council may photocopy and distribute official documents. When appropriate, city staff assigned to specific committees shall circulate pertinent materials. In other circumstances, the appointed secretary shall have access to the city photocopy facilities. Official mailings shall be handled through the office of the city clerk.

15. **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.

Passed and Adopted: July 21, 1993

Resolution No.: 6354

CITY OF PACIFIC GROVE, CALIFORNIA
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page
Fund Raising by Boards, Commissions, Committees	**000-12**	**10/06/93**	**1 of 1**

BACKGROUND AND PURPOSE

Not infrequently a city board, commission, or committee will desire to raise funds in the name of the city for a purpose related to the function of such board, commission or committee. It is the desire of the council to establish a policy and procedure applicable to requests for such fund raising efforts.

POLICY AND PROCEDURE

1. City boards, commissions and committees shall be authorized to raise funds for purposes related to their defined functions, but only following council approval of a request to raise funds.

2. A written request to raise funds shall, at a minimum, include the following items.

   a. Name of board, commission or committee making the request.

   b. The name of the member of the board, commission, or committee assigned to head the fund raising.

   c. Nature of the fund raising event or activity, and the dates on or between which the event/activity is to occur.

   d. Explanation of the need for the funds.

   e. Target amount sought via the event/activity.

   f. Names of coordinators working on or involved in the event/activity.

   g. Plans for and timing of proposed expenditure of funds raised, and person or persons authorized to make such expenditures.

   h. Any other information requested by the city manager to be included with the request.

   i. Disposition of unexpended funds.

3. The council may require information in addition to that submitted with the written request.

4. The council may approve, reject or approve with conditions. In taking such actions, the council shall not be bound by specified standards governing such requests, or by previously taken actions or such requests. The council shall be guided only by the consideration in the exercise of its sole discretion, whether the event/activity is in the best interests of the city.

Adopted: October 6, 1993

Resolution No.: 6368

CITY OF PACIFIC GROVE, CALIFORNIA
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page
Council Attendance at Meetings	000-13	January 19, 1994	1 of 1

POLICY STATEMENT

Attendance at all meetings by the Pacific Grove City Council is governed by the requirements of the Brown Act pertaining to open meetings. One of the major requirements is that a quorum of the Council (four members) shall not be present or in attendance at any meeting in which City business is discussed or conducted without the meeting being subject to posting and notice requirements. The only exception is where the meeting is strictly for social purposes and no City business is conducted.

There may be situations in which Councilmembers may unknowingly come to a non-noticed meeting and find a quorum present. To comply with the law in these situations, the Council adopts the following policy:

1. Before the start of any such meeting, a sufficient number of Councilmembers shall leave the meeting to insure a quorum is not present.

2. The Mayor shall be allowed to remain at the meeting as one of the three Councilmembers allowed.

3. The remaining Councilmembers who wish to attend such a meeting shall draw lots to determine who may remain. No more than three of the seven Councilmembers shall attend any such meeting.

4. Once a meeting begins, where fewer than three councilmembers are in attendance, councilmembers may remain in order of arrival so long as a quorum is not present.

If any dispute arises from this procedure, the City Attorney shall be contacted and shall advise the Council on requirements for meeting attendance. The City Attorney's advise shall form the basis for resolving any dispute.

ADOPTED: Jan. 19, 1994

RESOLUTION NO: 6387

CITY OF PACIFIC GROVE, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Consideration and Approval of Requests for Funding from Community Groups and Organizations	**000-16**	Feb. 5, 1997	1 OF 2

PURPOSE:

The intent of this policy is to establish a procedure by which community groups and organizations may request funding support from the City of Pacific Grove. And, to identify standards to be applied by the City Council in allocating such funding assistance.

POLICY:

1. In order to be eligible for funding consideration, the requesting group must be non-profit. The group must also be from Pacific Grove or, if it is not a Pacific Grove community organization, clearly demonstrate that it serves Pacific Grove residents.

2. Eligible groups must complete and submit to the City Manager's office a Funding Request Form by March 1. The Funding Request Form will be distributed to eligible groups who sought funding assistance the previous year or upon request by those groups who did not apply the preceding year. The Funding Request Form shall be distributed by the City Manager's office no later than February 1 of each year.

   Groups deemed eligible by the City Manager shall be invited to attend a City Council meeting, prior to budget deliberations, for the purpose of introducing or reintroducing themselves to the City Council. There will be no further presentations to the City Council following this session, unless directed otherwise by the City Council.

3. The Funding Request Form shall require the following information:

   a. Name of organization
   b. Location of organization
   c. Contact person
   d. Amount of funds requested
   e. Description of how funds will be spent
   f. Quantify how funds will benefit Pacific Grove residents
   g. Listing of other funding sources that support the applicant organization
   h. Other information as deemed appropriate by the City Council and/or City Manager

4. The City Council shall apply, at a minimum, the following standards when prioritizing funding requests from eligible organizations:

    a. The applying group meets eligibility requirements identified in this policy
    b. Is the group a Pacific Grove-based community organization (If no, where are they located)
    c. The number of Pacific Grove residents served by the applying group
    d. The percentage of Pacific Grove residents served versus total of client population served by applying group
    e. Has the group received funding support from the City in prior years (If so, what is the amount)
    f. Does the group rely on a variety of funding sources (If so, what are those sources and the percentage of funding requested from Pacific Grove compared to all funds sought for the group)
    g. Has the group adequately quantified how it serves Pacific Grove residents

5. The prioritized funding list would be prepared according to the following procedure:

    a. The City Council will review all funding requests and, on an individual basis, submit a prioritized list to the City Manager
    b. The City Manager shall review the lists submitted by all Council Members and develop a single priority list for Council consideration and action
    c. The list prepared by the City Manager shall represent the results of a mathematical calculation and shall not reflect the subjective bias of the City Manager or any other staff member

6. The final action of the City Council shall be accommodated in the operating budget and shall constitute the level of support afforded eligible community groups for a given fiscal year.

7. The amount of funding recommended for allocation to eligible groups shall be determined by the City Manager and will be conveyed to the City Council by the second regular City Council meeting in April of each year.

8. Those groups approved for funding shall be required to execute an "Agreement Regarding Use of Public Funds by Community Organization" before the dispersal of any funds. The Agreement is appended to and is part of this policy

Adopted by Minute Motion on February 5, 1997

CITY OF PACIFIC GROVE

COMMUNITY ORGANIZATION FUNDING REQUEST FORM

REQUEST FOR FUNDING (TOTAL OF $ _____)

This application is submitted for consideration for funding for Fiscal Year _____

_____
Name of Project/Program

_____
Name of Applicant/Legal Entity

_____
Name of Parent Corporation (If Applicable)

_____
Address of Applicant (Street, City, Zip Code)

_____
Location/Address of Project/Program (If Different)

_____
Contact Person (Please Print) Title

_____
Telephone Number (Day) Telephone Number (Evening)

1. Please describe how your project/program benefits the citizens of Pacific Grove. Include performance indications that reveal how many Pacific Grove citizens are being served.

2. Why should this proposal be funded? Identify the unmet need within the City that this proposal will address.

3. Please describe how the funds requested would be expended.

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

4. If you are receiving or requesting funding from other public sources, list the source and amount.

_____ $ _____
_____ $ _____
_____ $ _____

5. What efforts are being made to increase the amount of non-City support? What provisions, if any, are proposed for matching City funding?

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

6. What are your actual or proposed operating hours, if applicable?

_____

_____

_____

_____

_____

_____

_____

_____

_____

THE FOLLOWING ATTACHMENTS MAY BE REQUIRED BY THE CITY MANAGER:

1. A Resolution of Intent by your governing board, council or commission.

2. Full disclosure financial statements for prior completed fiscal year, estimated current fiscal year and proposed fiscal year to include:

   All operating expenditures, revenues, capital acquisitions, other sources of funding and a statement of assets, liabilities, and reserves.

3. Performance Indicators which focus on how well the organization is meeting its stated mission. Indicators of efficiency and effectiveness, as well as information of the number of people served from both distant (out of City) and local areas, if applicable.

4. Copies of Internal Revenue Service non-profit forms or other appropriate documents providing tax exempt/not for profit status.

AUTHORIZED AGENTS

The following individuals are authorized agents for _____ _____(Applicant Name) for the year ending _____ _____. Contracts, invoices and correspondence signed by individuals other than those listed below are not authorized by this organization.

Signature _____

Name _____

Title _____

Signature _____

Name _____

Title _____

Signature _____

Name _____

Title _____

Signature _____

Name _____

Title _____

AGREEMENT REGARDING USE OF PUBLIC FUNDS BY COMMUNITY ORGANIZATION

This Agreement is entered into as of _____, by and between the City of Pacific Grove ("CITY," hereinafter) and _____ ("COMMUNITY ORGANIZATION," hereinafter).

IT IS AGREED as follows:

1. CITY shall transfer to COMMUNITY ORGANIZATION the sum of $_____ in payments as follows:

Date	Amount
_____	_____
_____	_____
_____	_____
_____	_____

2. The COMMUNITY ORGANIZATION shall use the funds for the purposes and in accordance with the terms, attached hereto, marked Exhibit A, and incorporated herein by this reference as though fully set forth at length.

3. The COMMUNITY ORGANIZATION shall maintain complete records of the receipt and distribution of the public funds in a form which is satisfactory to the City Manager.

4. In addition to the COMMUNITY ORGANIZATION, the following persons are personally responsible for the performance of this agreement:

a) _____

b) _____

c) _____

5. COMMUNITY ORGANIZATION hereby agrees to indemnify and hold harmless the CITY and the CITY's officials, officers, employees, agents, and contractors from all claims arising out of the conduct of COMMUNITY ORGANIZATION and COMMUNITY ORGANIZATION's officials, officers, employees, agents, and contractors except as to those claims which are based upon allegations of CITY's sole negligence.

6. If any funds are spent for an unauthorized purpose as determined by the City Manager, COMMUNITY ORGANIZATION shall pay to City an amount equal to all funds provided plus interest at the legal rate.

COMMUNITY ORGANIZATION	CITY OF PACIFIC GROVE
_____	
By _____	By _____
Dated: _____	Dated: _____

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Voice Recording of Council Meetings	000-18	May 4, 2005	1 of 2

I. GENERAL

The City of Pacific Grove shall maintain voice records of City Council meetings. This Policy shall guide the creation and retention of those recordings.

II. VOICE RECORDING OF COUNCIL MEETINGS (OPEN SESSION)

A. Voice records shall be made of each open session meeting of the City Council.

B. Each voice record of an open City Council meeting shall be immediately and clearly labeled to show the date and time for the meeting. The master voice record may be copied from time to time, upon request pursuant to the Public Records Act, but the master record shall remain under the control of the City Clerk.

C. City Council voice records created under this Policy shall be retained and/or destroyed in accord with the Records Retention Schedule that applies to all official City documents.

III. VOICE RECORDING OF COUNCIL MEETINGS (CLOSED SESSION)

A. Voice records shall be made of each closed session meeting of the City Council, excepting closed sessions during which the Council will consider the appointment of a City Employee in accord with Government Code section 54957, for which no recording shall be made.

B. Each voice record of a closed session meeting of the City Council shall be immediately and clearly labeled to show the date and time for the meeting. The label shall further indicate that the record is of a closed session, and shall state that the City Clerk is the custodian of the record. The master closed session voice record shall not be copied and shall remain under the control of the City Clerk, who shall take appropriate steps to ensure the security and confidentiality of that record.

C. The closed session voice record shall not be disclosable under the Public Records Act. The sole individuals who may listen to the closed session voice record without court order shall be: a) the incumbent Mayor, b) an incumbent Council

Member, c) the incumbent City Manager, and/or the incumbent City Attorney. These individual shall not be allowed to make a copy of the closed session voice record.

D. A court order may be sought to enable discovery or disclosure of the closed session voice record by either the district attorney or the plaintiff in a civil action pursuant to Government Code sections 54959, 54960, or 54960.1 upon allegation that a violation of the Brown Act has occurred in that closed session. The party seeking discovery or disclosure shall file written notice of the motion with the appropriate court and provide notice to the City of Pacific Grove. The notice shall be made in accord with Government Code section 54960 and sections 1005 and 1010 of the Code of Civil Procedure. Further, the notice shall identify the proceeding in which discovery or disclosure is sought, the date and time of the meeting recorded, and include an affidavit setting forth specific facts upon which it is alleged that a violation of the Brown Act did occur.

E. Discovery or disclosure shall occur only as provided by the court, in accord with Government Code section 54960. The court, in authorizing discovery or disclosure may review, in camera, the voice recording of the closed session alleged to have been in violation of the Brown Act. Discovery, if authorized by the court, shall be by certified transcript of the voice recording.

F. Closed session voice records created under this Policy shall be retained and/or destroyed in accord with the Records Retention Schedule that applies to all official City documents.

Adopted: May 4, 2005
Resolution No.: 5-012

City of Pacific Grove
Records Management and Records Retention Schedule

LEGEND

AC = Active
AU = Audit
CL = Closed/Completion
CU = Current year
E = Election
L = Life
P = Permanent
S = Supersede
T = Termination

CITATIONS

B&P = Business & Professions
CAC = California Administrative Code
CCP = Code of Civil Procedure
CCR = Code of California Regulations
CEQA = California Environmental Quality Act
CFR = Code of Federal Regulations
EC = Election Code
FMLA = Family & Medical Leave Act
GC = Government Code
H&S = Health & Safety
HUD = Housing & Urban Development
OSHA = Occupational Safety & Health
PC = Penal Code
POST = Police Officers Standards Training
UFC = Uniform Fire Code
USC = United States Code
WIC = Welfare & Institutions Code

City of Pacific Grove
Records Management and Records Retention Schedule

ADMINISTRATION

Records Series	Retention	Citation	Descriptor
AUDIT			
Annual Financial Report	P	GC 34090	Independent auditor analysis
Bonds	CL + 10	GC 34090; CCP 337.5	Final bond documentation
Budget	P	GC 34090	Annual operating budget approved by the Legislative Body.
Budget Operating (copies)	S	GC 34090	Departmental Reference
Hearing or Review	AU + 2	GC 34090; OMB A-128	Documentation created and/or received in connection with an audit hearing or review.
Reports	AU = 4	GC 34090; OMB A-128	Internal and/or external
Reviews, Internal/External Periodic	CU	GC 34090; GC 6250	Daily, weekly, monthly, quarterly or other summary, review, evaluation, log, list, statistics, except a report.
COMMUNITY SERVICES			
Library Services	CU + 2	GC 34090	Books, art, gifts, donations, exhibits, theatre, music, special events, etc.
Museum	CU + 2		
Plaques	P		Historic value
Recreation			
Sports Organization	S + 2		
ELECTIONS			
Affidavit Index	CL + 5	EC 17001	
Applications, Absentee Ballots and Envelopes	E + .5	EC 17505; EC 17302	From date of election
Assisted, Challenged Voters List	E + .5	EC 17304	From date of election
Ballots	E + .5	EC 17302	From date of election; ballots submitted to precincts/City Clerk that were not used – unless contested (EC 17302(c)) retention by court order.
Ballots Prop. 218 (Assessment Districts)	P	California Constitution Art. XIII	Property related fees (Assessment Ballot proceeding)
Calendar	E + 2	GC 34090	
Canvass	P	GC 22932; EC 17130; EC 2653	Notifications and Publication of Election; Records used to compile final election results, including tally sheets, voting machine tabulation, detailed breakdown of results, special election results
Certificates of Election	T + 4	GC 81009(a) (d)	Certificates of election; Original reports and statements

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B&P = Business & Professions; CAC = California Administrative Code; CCP = Code of Civil Procedure; CCR = Code of California Regulations; CFR = Code of Federal Regulations; EC = Election Code; FMLA = Family & Medical Leave Act; GC = Government Code; H&S = Health & Safety; HUD = Housing & Urban Development; OSHA = Occupational Safety & Health; PC = Penal Code; POST = Police Officers Standards Training; UFC = Uniform Fire Code; USC = United States Code; WIC = Welfare & Institutions Code

City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
Charter Amendments/Measures	P	GC 34458-60; 34090	Chapter designations by Secretary of State following adoption of voters
Fair Political Practices			
Administration/Campaign Statements and Conflict of Interest	CU + 5		FPPC Opinions
Campaign disclosure, Elected	P	GC 81009(b)(g)	FPPC Filings
Campaign disclosure, Not Elected	E + 5	GC 81009(b)	FPPC Filings
Campaign disclosure – Unsuccessful (all other committees)	E + 7	GC 81009	FPPC Filings
Candidate Statements	E + 4		Sample ballot retained permanently.
History	P	GC 34090	History of elections, sample ballots, certificates of destruction, other resolutions re: elections
Statement of economic interest – Elected Officials	T + 7	GC 81009 (e)	FPPC Filings
Statement of economic interest – Not Elected	E + 5	GC 81009(b)	FPPC Filings
Lobbyist Registration	P	EC 81009(b)	Statements
Maps, Precincts/Voter Information	E + 2	GC 34090; EC 17501, 17301	
Nomination Papers Successful Unsuccessful	 E + 4 E + 2	EC 17100; GC 81009(b)	
Notifications and Publications	E + 2	GC 34090	Proof of publication or posting, certification and listing of notice of posting; copy of newspaper notice and certification of offices to be voted for at forthcoming election.
Oaths of Office	T + 6	GC 34090; 29 USC 1113	Elected Officials
Petitions	.75	EC 17200, 17400; GC 7253.5; EC 14700 + GC 3756.8	From date of filing or election; Initiative, referendum, recall, Charter Amendments.
Precinct Records	E + .5	EC 17503	From date of election: precinct official material; declaration of intention, precinct board

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
			member applications, order appointing members of precinct boards and designating polling places. Includes notice of appointment of office and record of service.
Roster (of Voters)	E + 5	EC 17300	From date of election: Initiative, referendum recall, general municipal election, Charter Amendments
Voter Affidavits	CL + 5	EC 17000	
Voter Registration Signature Copy	CU + 5	EC 17000	Fire, special district, or school district
GENERAL SUBJECT			
Administration	P	GC 34090	
Biographies	CU + 2	GC 34090	
Classifications and Appointments	P	GC 34090; GC 12946; 29 CFR 516.6(2); 29 CFR 1602.4	Includes supplemental Personnel records. Wage rate tables, 2 years.
Correspondence/Originating Department	CU + 2	GC 34090(d)	If not attached to agreement or project file
Goals and Objectives	CU + 2	GC 34090	Departmental goals and objectives
Policies and Procedures, Departmental	S + 5	GC 34090(d)	Retain while current
Promotional Marketing External Internal	 CU + 7 2		
Reports Departmental Staff	 CU + 2 CU + 2	GC 34090	 Special or final summary, review or evaluation. Non-agenda related, includes supporting documentation.
Special Projects	CU + 2	GC 34090	
Support Services	CU + 2	GC 34090	Reproduction; printing; postal/mailing services, other internal resources.
Travel Records	CU + 2	GC 34090	
GRANTS			
Community Block Grant and Urban Development	T + 5	GC 34090; 24 CFR 570.502; 24 CFR 85.42*	Applications, reports, contracts, supporting documents. CDBG standard agreement.*OMB Cir. A-102, A-110, A-128
Federal and State	CL + 5	GC 34090	Refer to grant application close-out procedure
Financial Reports	CL + 5	GC 34090	Refer to grant application close-out procedure

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
Unsuccessful	CL + 2	GC 34090	Applications not leading to a grant award
HUMAN RESOURCES			
Benefit Plan Claims	P	GC 6250 et seq.; OMB A-129; 29 CFR 1602.30.32; Lab. Rel. 1174*	May include dental, disability, education, health, life and vision, including dependent care and Employee Assistance. *29 CFR 1637.3; 29 USC 1027; 29 CFR 1627.3; 29 USC 1113.
Benefit Plan Enrollment, Denied	CL + 4	GC 34090; OMB A-128	
Bond, Personnel Fidelity	T + 2	GC 34090	Employee Fidelity Bonds
Employee Handbook	S + 2	GC 34090	General employee information, including benefit plans
Employee Programs	CL + 2	GC 34090; GC 12946	Includes EAP and Recognition.
Employee Rights General Employees Safety (Police)	 T + 2 T + 5	GC 12946; 29 CFR 1602; 29 USC 211(e); 20 (m); 207(g)	May include Arbitration, grievances, union requests, sexual harassment and Civil Rights, complaints, disciplinary actions
Hourly Employees	T + 6	GC 12946; GC 34090*	*29 CFR 1627.3, Labor Relations § 1174
Immigrant		Immigration Reform/Control Act 1986 Pub. L 99-603	1-9s
Medical Leave	CL + 30	FMLA 1993 US OSHA; 29 CFR 1910.20*	May include family leave; certifications; tests; W-4s *29 CFR 1602.30.32; 49 CFR 193-9
Motor Vehicle Pulls (DMV)	CL + 7	GC 23946*	*CA 91009; 8 USC 1324(a)
Negotiation	P	29 USC §§ 211(c), 203(m), 207(g)	Notes, notebooks, correspondence, contracts and Memorandums of Agreements
Non-Safety Employees	T + 3	29 CFR 1627.3; CCR § 1174; 29 CFR 1602.30.32; GC 6250 et seq.; 29 CFR; GC 12946, 34090*	Non-safety employees may include: Release authorizations; Certifications; Reassignments; outside employment; commendations, disciplinary actions; terminations, oaths of office; evaluations-pre-employee medicals; fingerprints; identification cards (ID=s) *1607.4; 29 CFR 655.202; 29 CFR 516.6 et. seq.; 45 CFR 1068.6(a)
Personnel Records (copies)	CU + 2	GC 34090; GC 6250	Attendance; evaluations; drafts; worksheets; postings
PERS, Social Security, SSI	P	29 CFR 1627.392); GC 12946; 34090	EEOC/ADEA
Recruitment	CL + 3	GC 12946; GC 6250 et seq.; 29 CFR 1602 et seq.; 29 CFR 1607; 29	Applications, resumes, alternate lists/logs, indices; ethnicity disclosures; examination materials; examination answer sheets, job bulletins; eligibility; electronic database.

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
		CFR 1627.3	
Reports	CU + 2	GC 34090	Employee statistics, benefit activity; liability loss.
Safety Employees	T + 5	29 CFR 16273; CCR § 1174; 29 CFR 1607.4*	Police, fire, emergency employees may include: Release Authorizations; Certifications Reassignments; outside employment; commendations disciplinary actions; terminations; Oaths of Office; evaluations-pre employee medicals. *29 CFR 1602.30.32; 29 CFR 655.202; 29 CFR 516.6 et seq.; 45 CFR 1068.6(a)
Surveys and Studies	CU + 2	GC 12946, 34090; 29 CFR 516.6(2); 29 CFR 1602.14	Includes classification, wage rates
Training Records Non-Safety	CU + 7	GC 6250 et seq.	Employee applications, volunteer program training, class training materials, internships
Personnel (by name)	T + 7	GC 34090	Paperwork documenting officers' internal and external training.
Safety	CU + 2	GC 34090	Certifications/designations
Vehicle Mileage Reimbursement Rates	S + 2	GC 34090	Annual mileage reimbursement rates.
INFORMATION SERVICES			
Internet, World Wide Web	S + 2	GC 34090	Management/Policies and supporting documentation
Inventory, Information Systems	S + 2	GC 34090	Hardware/Software Inventory logs; systems manuals. Backup tapes are not a record.
Network Information Systems (LAN/WAN)	CU + 4	GC 34090; CCP 337.2; 343	Configuration maps and plans
Program Files and Directories	CU + 2 CU + 2 mo. CU + 1 CU + .5	GC 34040, 34090.7	Annual backup Daily backup Monthly backup Weekly backup
Tapes Information Systems	CU + 2	GC 34090	System Generation
LEGAL/LEGISLATIVE			
Agendas, Notices and Meetings	CU + 2	GC 34090	Original agendas and special meeting notices, including certificates of posting, original summaries, original communications and action agendas for Council, Boards and Commissions
Agenda Reports (Master, Subject Files)	CU + 2	GC 34090(d)	Documentation received, created or submitted to Council.
Appeals, Civil	CU + 3	CCP 583.3209a)(3); GC	

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
		34090	
Applications, Boards, Commissions, Committees (Not Selected)	CL + 2	GC 34090	
Applications, Boards, Commissions, Committees (Selected)	T + 5	GC 34090; 40801	
Articles of Incorporation	P	GC 34090; CCP 337.2	
Case Log	CL + 7	CCP 337.2, 343	From Close of cases listed; Chronological listing of cases.
Case Records – High Profile	P	GC 6254	Significant cases that have importance or set legal precedent. Includes logs, complaints, police reports, court orders, motions, notes, briefs.
Case Records	CO + 7	42 USC 1983	Includes logs, complaints, police reports, court orders, motions, notes, briefs, closing statements (unless minors – 3 years after attaining 18)
Contracts and Agreements Excl. Capital Improvement	T + 5	CCP 337.2, 343; B&P 7042.5*	Includes leases, equipment, services or supplies. *PU 7685; 48 CFR 2; GC 53066
Contracts and Agreements Incl. Capital Improvement	P	2.08.110*	Construction *GC 37090(a), 4004; H&S 19850
Index, Attorney Case	L	GC 6254	Including notations on activities related to case
Legal Advertising	CU + 4	CCP 343, 349 et. seq.; GC 911.2, 34090	Includes public notices, legal publications.
Logs, Attorney Service Request	CU + 2	GC 34090	Service request, summary of monthly requests
Minutes	P	GC 34090(d), 36814, 40801	Official minutes and hearing proceedings of governing body or board, commission or committee
Opinions	S + 2	GC 34090; GC 6254	Confidential
Ordinances	P	GC 34090(d), 40806	Charter amendments; municipal code
Petitions	CU + 1	GC 50115; GC 6253	Submitted to legislative bodies
Resolutions	P	GC 34090(d), 40801	Legislative bodies
Tapes, Audio/Video	CU + 3 mo.	GC 34090.7	When used for minute preparation and may have historical value
MUNICIPAL CLERK			
Assessment Districts	P	GC 34090	Original documentation
Inventory, Records	CU + 2	GC 34090; 80	Inventory of non-current or inactive records holdings and location, indices. Tapes may be

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
		Ops.Atty.Gen. 106	recycled.
Municipal Code	P	GC 34090	Supplements included
Public Records Request	CL + 2	GC 34090	
Records Management Policies	CL + 2	GC 34090	Document includes retrieval, transfers - inactive
Records Management Disposition Certification	P	GC 34090	Documentation of final disposition of records
Records Retention Schedules	S + 4	CCP 343	
POLICIES/PROCEDURES			
General Administrative	S + 2	GC 34090, 40801	All city policies and procedures
Policy, Council	S + 2	GC 34090	Directives rendered by council not assigned a resolution or ordinance number.
Proclamations	4		
PUBLIC INFORMATION			
Brochures, publications, newsletter, bulletins	S + 2	GC 34090	
Calendar, City	CU + 2	GC 34090	
CDBG-Public Information File	T + 5		CDBG Grant Management Manual, Chapter 18.
Media Relations	CU + 2	GC 34090	Includes cable, newspaper, radio, message boards, and presentations.

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City of Pacific Grove
Records Management and Records Retention Schedule

COMMUNITY DEVELOPMENT DEPARTMENT

Records Series	Retention	Citation	Descriptor
ADMINISTRATION			
Benchmark Data	CU + 2	GC 34090(d)	Horizontal, vertical & control
Bids & Proposals (Unsuccessful)	CL + 2	GC 34090(d)	
Bonds Development Security	 CL + 10 CL + 2	 CCP 337.5 GC 34090	 Housing; Industrial Development Documentation created or received in connection with the performance of work/services for the City, or for parcel maps and subdivision work.
Code Books	P	GC 34090(e)	National Electrical Code, Uniform Building, Fire, Mechanical, Plumbing and Supplements
Contractor	CU + 2	GC 34090(d)	Current listing
Correspondence	CU + 2	GC 34090(d)	Working documentation
Development Conditions	L	GC 34090	Mitigation measures; filed with case files
Development Agreements	P	CCP 337, 337.1(a), 337.15; GC 34090; 48 CFR 4.703	Infrastructure contracts, franchises. Original maintained for 7 years.
Development Standards	P	GC 34090(a)	Landscape mediums, parkway landscape development, public works construction. Zoning, Subdivision, and Sign Ordinance Standards
Drawings, Project Plan	CU + 2	GC 34090(d)	Does not include those usually filed with case or project.
Franchises	P	GC 65964, 65869.5, 34090*	Including subdivision agreements, contracts for sale or purchase of property, cable, grant of easements or involving construction of improvements. *CCP 337.2, 343; AC 16023
General Subject Files	CU + 2	GC 34090(d)	Internal working files, including correspondence
Grants, Community/Urban Development (includes CDBG)	CL + 5	24 CFR 570.502(b)(3); 241 CFR 85.42; OMB Cr. A-110, Attach. C*	Project files, contracts, proposals, statements, reports, sub-recipient dockets, Environmental review, grant documents, applications, inventory, consolidated plan, etc. Includes Section 108 loan guarantee *OMB Cir. A-102 & 128 HUD regulations. For planning grants only.
Historic Preservation Inventory	S + 2	GC 34090(d)	Historic structures and landmarks
Incident Files	2	GC 34090(d)	Emergency Call Outs
Land Uses, nonconforming	P	GC 34090(a)	Building or site usage which does not conform to current standards
Logs	CU + 5		Logs, registers or similar records listing permits, certificates of occupancy issued; may include inspection, building activity, daily, plan check, utility

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
Maps and Plats	P	GC 34090(a)	Engineering and field notes and profiles; cross-section of roads, streets, right-of-way, bridges; may include annexations, parks, tracts, block, storm drains, water easements, bench marks, trees, grading, landfill, fire hydrants, base maps, etc.
Master Plans, Annual	S + 2	GC 34090	Special or long range program plan for municipalities – coordination of services; strategic planning.
Permits, Construction	P	GC 34090(a); H&S 19850; 4003, 4004	Plans, building, signs, grading, encroachment, including blueprint and specification.
Permits, Other	CL + 2	GC 34090(d)	Alterations, encroachment, excavations, road, street sidewalk and curb alterations, transportation, swimming pool draining, temporary uses, etc.
Photographs	S + 2	GC 34090(d)	Aerial photographs
Projects, Not Completed or Denied	CL + 2	GC 34090(d)	Building, engineering, planning
Reports	CU + 2	GC 34090	Activity, periodic
Seismic Retrofit Program	P	GC 34090(a)	Includes Certificates of Compliance
Street Names and House Numbers	P	GC 34090(a)	Street dedications, closings, address assignments/changes
Studies, Special Projects & Areas	CL + 2	GC 34090(d)	Engineering, joint powers, noise, transportation.
Surveys	P	GC 34090(a)	Recording data and maps
BUILDING			
General Information	2		
Address Files	P	GC 34090d	Paper & Microfiche, address assignments
Projects in Plan Check	C + 2	GC 34090	Destroy when Plan Check expires
Finalled Projects	P	GC 34090	Plans, building, signs, grading. Destroy paper after scanning
Code Books	P	GC 34090e	National Electrical Code, Uniform Building, Fire, Mechanical, Plumbing & Supplements
Archive Plans	P	GC 34090d	Residential & Commercial; Large projects retained pursuant to the Reilly Act – pertains to schools and public buildings that are not exempt from the Architectural Practices Act.
Contractors	C	GC 34090	Current list-contractor database is contained within Permits Plus software

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
Structural Calculations	D/R	GC 34090	Destroyed when permit is finaled
Issued Permit Documents	P	GC 34090a; H&S 19850	
RZZR	P	GC 34090	Residential property inspections
Inspection Logs	C + 2	GC 34090	Daily inspections
General Information	2		
	P	GC 34090d	Paper & Microfiche, address assignments
CODE ENFORCEMENT			
Abandoned Vehicles	CL + 2	GC 34090(d)	
Case Files	CL + 2	GC 34090(d)	Building, housing and mobile home code violation records including inspections; public nuisance rubbish and weed abatement, vehicle abatement, citations, massage parlor permits, general.
Liens & Releases, Supporting Recorded	 CL + 2 P	GC 34090	Utilities, abatement, licenses
Logs	CU + 2	GC 34090(d)	Lien recovery, citations, complaints
Regulations	S + 2	GC 34090(d)	Includes rules
Reports, Federal and State	P	GC 34090(a)	Code enforcement statistics; may contain records affecting title to real property or liens thereon.
Violations, Building, Property & Zoning	CL + 2	GC 34090(d)	Supporting code enforcement activity.
ENVIRONMENTAL QUALITY			
Air Quality (AQMD)	CU + 7	CCP 338(k); GC 34090	Participants/voucher logs, Total Daily Mileage Survey (TDM); various local authorities; Commute Alternative
Asbestos	P	GC 34090(a)	Documents abatement projects, public buildings
California Environmental Quality Act (CEQA)	P	GC 34090(a) + CEQA Guidelines	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
			considerations
Congestion Management	CU + 2	GC 34090(d)	Ride sharing, trip reduction
Environmental Review	CL + 2	GC 34090(d)	Correspondence, consultants, issues, conservation
Pest Control	CU + 2	GC 34090(d)	Pesticide applications, inspections & sampling, documents
Soil	CL + 2	GC 34090(d)	Analysis, construction recommendations
Soil Reports	P	GC 34090(d)	Final Reports
HOUSING			
Bonds	CL + 4	CCP 337	Revenue Bond Documentation
Programs	CL + 5	24 CFR 570.502(b)(3); 24 CFR 85.42 & OMB Cir. A-110, #C	Includes comprehensive Housing Authority Strategy, Meeting Credit Certificate, Housing bond advisory, HOME, In-Lieu Housing Mitigation, Low/Moderate Housing, Rental Housing Assistance.
Redevelopment Budgets	P	GC 34090, 40802, 53901;	Includes annual audit
Bond Issues	P	GC 43900 et seq.	
MUNICIPAL FACILITY			
Capital Improvements, Construction	P	2.083110; GC 34090(a), 4004; H&S 19850; GC 34090(a)	Contains records re: Planning, design, construction, conversion or modification of local government-owned facilities, structures and systems.
Facility Rentals/Use	CU + 2	GC 34090	Permits, contracts, diagrams, schedules, insurance binders
Maintenance & Operations	CU + 2	GC 34090(d)	Service requests, invoices, supporting documentation; buildings, equipment, field engineering, public facilities including work orders and graffiti removal
PLANNING			
Case files, Planning and Zoning	P	GC 34090(a); H&S 19850; 4003, 4004	Pertains to real property. May include case-tracking reports, project-related photos, approval resolutions and project-related Board/Commission meeting minutes, blueprints, drawings, maps, plans, reports, evaluations, correspondence, uses, permits, variances, studies, appeals, compliance certificates, lot line adjustments or other planning-related matters brought before legislative body.
Certificates	L	GC 34090	Retain during life of structure
Flood Records	CU + 2	GC 34090	

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
General Plan and Elements	P	GC 34090	Includes sphere of influence
General Plan Amendments Approved Denied	 P CU + 2	 GC 34090 GC 65103*	 *GC 50110
Interpretations	S + 2	GC 34090	
Maps, Plans, Drawings, Exhibits, Photos	P	GC 34090; H&S 19850; GC 34090.7	Zoning, tentative subdivision, parcel, land use map, aerial photos, specific plans
PROPERTY			
Abandonment	P	GC 34090(a)	Buildings, Condemnation, Demolition
Acquisition/Disposition	CL + 10	GC 34090(a); GC 6254	Supporting documents re: sale, purchase, exchange, lease or rental of property by City
Annexation Case Files	P	GC 34090(a)	Reports, agreements, public notices
Appraisals	CL + 2	GC 34090, 6254(h)	Exempt until final acquisition or contract agreement obtained
Deeds & Promissory Notes	P	GC 34090(a)*	*24 CFR 570.502(b)(3); 24 CFR 8.42 & OMB Circ. SA-110
Maps, City Boundary	P	GC 34090	Recorded maps, surveys and monuments
Lot Split Cases	P	GC 34090(d)	
Relocation Files	CL + 2	GC 34090	e.g., Redevelopment

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City of Pacific Grove
Records Management and Records Retention Schedule

FINANCE

Records Series	Retention	Citation	Descriptor
ACCOUNTING			
Accounts Payable	AU + 5	GC 34090	Invoices, check copies, supporting documents
Accounts Receivable	AU + 5	GC 34090	
Applications	CL + 2	GC 34090	Utility connections, disconnects, registers, service
Assessment Districts	P	GC 34090	Collection information; original documentation files with City Clerk
Bank Reconciliation	AU + 5	GC 34090; 26 CFR 16001-1	Statements; summaries for receipts, disbursements, and reconciliation
Budget	P	GC 34090	
Budget Adjustments, journal entries	AU + 5	GC 34090	Account transfers
Checks	AU + 5	GC 34090; CCP 337	Includes payroll, canceled and voided checks
Deposits, Receipts	AU + 5	GC 34090; CCP 337	Checks, coins, currency
Invoices	AU + 2	GC 34090	Copies sent for fees owed, billing, related documents
Ledger, General Voucher	P AU + 5	GC 34090* GC 34090; CCP 337	*CCP 337 Account postings with supporting documents
Taxes, Receivable	AU + 5	CCP 338	
Warrant Register	AU + 5	GC 34090.7	
ADMINISTRATIVE SERVICES			
Budget Operating (copies)	S	GC 34090	Departmental Reference
Budget Proposed Adopted	 CU + 2 P	GC 34090	Presented to Council
FIXED ASSETS			
Inventory	AU + 5	GC 34090; 26 CFR 301 65-1(F)	Reflects purchase date, cost, account number

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City of Pacific Grove
Records Management and Records Retention Schedule

Records Series	Retention	Citation	Descriptor
Surplus Property Auction Disposal	 AU + 2 AU + 5	 GC 34090 GC 34090; CCP 337	 Listing of property Sealed bid sales of equipment
Vehicle Ownership & Title	L	VC 9900 et. seq.	Title transfers when vehicle sold
PAYROLL			
Adjustments	AU + 6	GC 34090; 29 CFR 516.5 – 516.6	Audit purposes
Employee Time Sheets	AU + 6	GC 34090; 20 CFR 516.2*	Signed by employee for audit and FEMA Reports *20 CFR 516.6(1); IRS Reg. 31.6001-1(e)(z); R&T 19530; LC 1174(d)
Public Employee Retirement System (PERS) Employee Deduction Reports	T + 6	GC 34090; CAC 22-1085-2	Record of deductions 26 CFR 31.6001-1; 29 CFR 516.5, 516.6, LC 1174(d)
Register	P	GC 34090, 37207	Labor costs by employee and program
Salary Records	T + 6	GC 34090; 29 CFR 516.2	Deduction authorization, beneficiary designations, unemployment claims, garnishments
PURCHASING			
Bids, RFQs, RFPs, Successful Unsuccessful	AU + 2 AU + 5 CU + 2	GC 34090; CCP 337*	Requests for Qualifications; Requests for Proposals regarding goods and services. *GC 25105-1, GC 34090
Requisitions Purchase Orders Stores	 AU + 5 CU + 2	GC 34090; CCP 337	 Original documents. Completed forms for ordering.
Vendor Register	P	GC 34090	Alpha vendor listing of purchase orders, invoices, account numbers and check date.
FINANCIAL REPORTING			
Audits	P	GC 34090	
Deferred Compensation	T + 5	GC 34090; 26 CFR 16001-1*	Records of employee contributions and city payments *29 CFR 1627.3(2)
Federal and State Tax	AU + 6	GC 34090; 29 USC 436*	Forms 1096, 1099, W-4s and W-2s *26 CFR 31.6001.1-4; IRS REG 31.6001-1(e)(2); R&T 19530; 29 CFR 516.5-516.6
Financial, Annual	P	GC 34090.7	

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Records Series	Retention	Citation	Descriptor
Investment Transactions	P	GC 34090; CCP 337; GC 53607	Summary of transactions, inventory and earnings report.
RISK MANAGEMENT			
Accident Reports – City Assets	CL + 7	29 CFR 1904.2*	Reports and related records *29 CFR 1904.6
Bonds, Insurance	P	CCP 337.2, 343	Bonds and other insurance policies insuring city property and other assets.
Claims, Damage	CL + 7	GC 34090, 25105.5	Paid/denied.
Incident Reports	CL + 7	29 CFR 1904.2; 29 CFR 1904.6	Theft, arson, vandalism, property damage or similar occurrence (excluding fire/law enforcement)
Insurance, ACCEL JT Powers Agreement	P	GC 34090	(Authority California Cities Excess Liability Insurance) B Accreditation/MOU = s/agreements/agendas
Insurance, Certificates	P	GC 34090	Insurance certificates filed separately from contracts, includes insurance filed by licensees
Insurance, Liability/Property	P	GC 34090	May include liability, property, Certificates of Participation, deferred use of facilities
Insurance, Workers Compensation	P	GC 6410; 29 CFR 1910.20	Indemnity; PERS – working files – originals with Administrator
Photographs, Negatives, Film	CL + 7	GC 34090	
Risk Management Reports	CL + 7	OMB 1220-0029; 29 CFR 1904.4; GC 34090	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies
TREASURER			
Bank Statements	AU + 5	FC 3368, 30210; GC 43900 et seq.	Financing authority.
Bonds Account Statements Administration Bonds and Coupons	 CL + 10 CL + 10 CL + 2	 GC 34090; CCP 337.5; GC 53921	 Monthly statement of transactions Supporting documents Paid/canceled.

PUBLIC SAFETY

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City of Pacific Grove
Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
EMERGENCY MANAGEMENT			
Mutual Aid, Strategic Plans	S + 2	GC 34090	
FIRE SAFETY ADMINISTRATION			
PERSONNEL			
Exposure	T + 30	29 CFR 1910.1020	Sampling results, collection methodology, background
Medical	T + 30	29 CFR 1910.1020	
Medical	T + 30	29 CFR 1910.1020*	Employees less than one year *GC 34090
PROPERTY			
Apparatus/Vehicle	CU + 2	GC 34090; CCP 340.5*	Repair and Maintenance *8 CCR 3203(b)(1)
Inventory, Equipment & Supplies	CU +2	GC 34090	
Logs, Fire Equipment/Gear	CU + 2	GC 34090	
REPORTS			
HAZARDOUS MATERIALS			
Hazardous Waste Disposal	CU + 10	CAL OSHA; 40 CFR 122.21	Documentation re: handling and disposal of hazardous waste
Permits, Hazardous Materials Storage	CU + 2	GC 34090	Departments consistently recommend permanent retention of environmentally sensitive materials
Programs, Household Hazardous Wastes	S + 2	GC 34090	
Training Materials	S + 2	Cal Code*	Standards and Administration *Reg. 3204(d), et. seq.
Underground Storage Tank Compliance, Maintenance and Operation	P CU + 2	GC 34090(a) GC 34090	Documents re: storage Location, installation, removal, remediation

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Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
LAW ENFORCEMENT ADMINISTRATION			
Accounting/Cash Reconciliation	CU + 2	GC 34090	
Alarm Records	P	GC 34090	Electronic files only – maintained in TracNet.
Department Manual	S		Changes to manual are recorded in the General Orders (permanent)
Equipment Communication Inventory	 T + 2 S + 2	 GC 34090 GC 34090	 Retained until termination of equipment use; Manuals, instructions, procedures Listing of equipment assigned to division, to whom it is assigned.
Reports Activity	P	GC 34090	Weekly/monthly/quarterly/annual activity/statistical reports by division. Retain only one form for retention period. Maintained in TracNet.
Chemical Emissions	CU + 2	GC 34090	
Survey Response Files	CU + 2	GC 34090	Surveys, responses, correspondence with other agencies requesting statistical data.
INVESTIGATIONS			
Administrative/Internal	CL + 5	PC 832.5, 801.5, 803(c); EVC 1045; GC 12946; VC 2547	Initiated by citizens complaints or internally initiated; includes complaint, reports, findings
Asset Forfeiture Investigations/Proceedings Case File Notification	CL + 2	GC 34090	
Case Books, Investigative	CL + 2	GC 34090	Retained by division until a case is suspended/closed; transfer to Records Division to be filed with associated Daily Report (DR) file
Case Files Homicide Investigator's File Narcotics (No. arrest, Narcotics Cases) Officer Involved Shootings	 P	 PC 799 GC 34090 GC 34090	 Maintained in TracNet.
Court Daily Schedule	CU + 1	GC 34090.7	Printouts of daily court scheduling

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Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
Evidence, Disposition Forms			Electronic files only.
Inked/Palm Cards	AC + 20		Persons booked into detention facility; (Copies distributed to county, state, federal agencies)
Records Latents		Approp. PC Section	1) Retain for applicable case statute of limitation; 2) or until evidence in case is destroyed; Hard copy and digitized
Suspect, Adult/Juvenile	CL	Law Enforcement Management Guide by POST	Adults/juveniles suspected of a crime, take for comparison. Destroy after original purpose achieved.
Guns, Dealers Record of Sale	CU + 6	PC 12070	Applicants, Monthly Gun Audits, Applications Denied, Stolen (DOJ File)
Informant Files	P		Legal notifications, identification information, payment information, activities information
Licenses Bicycle	P	GC 34090	Electronic files only – maintained in TracNet.
Bingo, Mace	CU + 2	GC 34090	
Business License Review Board Administrative Files	T + 1	GC 34090	
Duplicate (pink), Secondhand dealer, Pawn Brokers	CU + 2	GC 34090	Original to licensee, Blue duplicate to DOJ; Pink duplicate retained by agency; renewals issued annually by local agency
Logs Auto theft	P		Electronic files only – maintained in TracNet.
Case Assignment	P		Electronic files only – maintained in TracNet.
Daily Activity	CU + 2	GC 34090	
Report Summary	P	GC 34090	Report numbers, type, names, dates retained for research value. Electronic files only – maintained in TracNet.
Juvenile Detention	CU + 2	GC 34090	Logs document juvenile processing per CYA
Property Control	P	GC 34090	Logs items coming into and going out of property room. Electronic files only – maintained in TracNet.
Subpoena	CU + 2	GC 34090	Subpoenas received/served daily.
Pawn Slips/Tickets	CU + 3	B & P 21628	
Photographs	P		Crime scene, registrant/applicant, photo file, accident. retain according to practical and functional association. Electronic files only – maintained in TracNet.
Registration Files, Arson, Sex and Narcotics	Life of registrant		Fingerprint card, photo, information also forwarded to DOJ. Electronic files are maintained permanently in TracNet.

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Record Series	Retention	Citation	Descriptor
	within jurisdiction		
Arrest/Conviction H&S § 11357(b), (c), (d), (e) or H&S 11360(b) violations (Occurring after January 1, 1996)	Mandatory destruction from date of conviction or date of arrest with no conviction	H&S 11361.5	Application to convictions occurring after January 1, 1996 or arrests not followed by conviction occurring after January 1, 1996; Exception: H&S 11357(e), the record shall be retained until a juvenile offender attains the age of 18 years, then destroyed pursuant to 11361.5. Electronic files are maintained permanently in TracNet.
Arrest/Conviction H&S § 11357(b), (c), (d), (e) or H&S 11360(b) violations (Occurring before January 1, 1996)	Mandatory Destruction upon notice from DOJ		Application to convictions prior to January 1, 1996 or arrests not followed by conviction occurring prior to January 1, 1996 for violations of H&S 11357, 11364, 11365 and 11550. Electronic files are maintained permanently in TracNet.
Crime Felony Crimes With or Without Arrests	P	PC 800, 801	Prosecution for an offense punishable by imprisonment in state prison for eight years or more must commence within 6 years after offense commission. Commencement of prosecution defined in PC 804. Exception: See PC 803 – Tolling/Extension of time periods; Appeals process and "Three Strikes" also considerations in assigning retention. Electronic files only - maintained permanently in TracNet.
Misdemeanor/Infractions	P	GC 34090	No arrests, identifiable property or missing persons (See: Note 1). Electronic files only - maintained permanently in TracNet.
Supplemental Felony Capital Crimes, Crimes Punishable by Death, Life Imprisonment	P	PC 799	No statutory limitation for prosecution. Includes Murder, kidnapping for ransom, treason, procuring execution by perjury, train wrecking, assault with a deadly weapon by a life-term prisoner, bombing resulting in death or bodily injury, making defective war materials that cause death. Electronic files only - maintained permanently in TracNet.
Destruction Guns	P		
Narcotics	P		
Disposition of Arrest/Court Action	P		Electronic files only - maintained permanently in TracNet.
False Alarm (Duplicate)	P	GC 34090	Electronic files only - maintained permanently in TracNet.
Non-Criminal Occurrences	P	GC 34090	Injured or sick persons; missing persons where person has been retuned; traffic collision reports not sued as the basis for criminal charges. Electronic files only - maintained permanently in TracNet.
Property Original	P		Copy retained in records case file; Refer to Managing Property in Law Enforcement

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Record Series	Retention	Citation	Descriptor
			Agencies (By POST). Electronic files only - maintained permanently in TracNet.
Range Inventory	S + 2	GC 34090	Quarterly reports of inventories of weapons
Reports	CU + 2	GC 34090	Arrest & Citation Register; Arson Offenses; Crimes Against Senior Citizens; Death in Custody; Domestic Violence; FBI Include Return A/Supp; Hate Crime Incidents; Homicide Reports; Supp.; Officers Killed or Assaulted; Original to FBI – DOJ; Uniform Crime Reports. The electronic files are maintained permanently in TracNet.
Statistical (Crime Analysis)	CU + 2	GC 34090	Internally generated information using activity logs, citizen calls, current and past crime statistic reports, finance dept expenditure and budget records; citations, crime reports, accident reports, permits, receipts. Reports created for variety of purposes including increases/decreases in criminal activity; officer workload, deployment, time usage. The electronic files are maintained permanently in TracNet.
Statistical (UCR), Uniform Crime Reports Mandatory to DOJ (LEIC); FBI Include Return A/Supplement; Supplementary Homicide Report; Law Enforcement Officers Killed or Assaulted; Monthly Return of Arson Offenses Known to Law Enforcement; Number of Violent Crimes committed Against Senior Citizens; Monthly Report of Domestic Violence Related Calls for Assistance; Monthly Arrest and Citation Register; Monthly Hate Crimes Incidents; Death in Custody Reporting	CU + 2	GC 34090	Originals sent to FBI, DOJ. The electronic files are maintained permanently in TracNet.
Research Project Files	CL + 2	GC 34090	May include request forms, background materials, staff reports, final project reports and supporting data
Sealed Adult Found Factually Innocent	Mandatory destruction upon and pursuant to court order	PC 851.8	General provision: Upon petition, records of agency must be sealed and destroyed in accordance with the provisions set by court record; exceptions.
Juvenile	Mandatory destruction	WIC 826(a) & (b) WIC 781 (a)	Upon petition, local laws enforcement records within WIC 826(b) may be destroyed as ordered by the court, if related probation and juvenile court records have been

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City of Pacific Grove
Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
	upon and pursuant to court order		destroyed by the probation officer. Records involving arrests, detention and/or petitioning juvenile before juvenile court.
Subpoenas (Duplicate)	CU + 2	GC 34090	The electronic files are maintained permanently in TracNet.
Tapes Audio, Telephone and Radio Communications	CU + 180 days	GC 34090.6	Exception: Recordings used as evidence in a criminal prosecution or claim filed or litigation or potential claims and litigation shall be preserved for 100 days after conclusion of the court action.
Surveillance/Security Video (Jail)	CU + 13 mos.	GC 34090.6	
Use of Force Supervisory Review Files	CU + 2	GC 34090	Includes review forms, arrest report copies, logs
Warrants Felony	Recall after 10 yrs. Exception: murder or escape		Recommended by the California Law Enforcement Warrant Officer's Association
Misdemeanor Criminal	Recall after 5 yrs.		Recommended by the California Law Enforcement Warrant Officer's Association
Served	CU		Includes Warrant Service Information Card, alpha index card
Unserved (Local)	Until served, recalled or purged		
PATROL			
Cards	CU + 2	GC 34090	
Field Interview	P	GC 34090	Electronic files only - maintained permanently in TracNet.
Citations 11357(e), Juvenile	P	H&S 11361.5	Electronic files only - maintained permanently in TracNet.
H&S 11357(b), 11357(c), 11360(b) Violations	P	H&S 11361.5*	*CA Admin. Code, Chapter 1, Title II, Sec. 708. Electronic files only - maintained permanently in TracNet.
Cite and Release	P	GC 34090	
California Vehicle Code Infractions (Duplicates)	CU + 90 days	GC 34090	Original is forwarded to court.
Parking /Traffic, Duplicates	P	GC 34090.7	Original is forwarded to court after agency processing; includes citations forwarded

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City of Pacific Grove
Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
			to court, filed for reference. Electronic files only - maintained permanently in TracNet.
Transmittals	CU + 2	GC 34090	Listing of citations forwarded to curt, filed for referenced
Equipment Radio Logs (Communications)	CU + 2	GC 34090	Documents problems, malfunctions, resolution to provide equipment performance history
General Orders	P		
Patrol Requests (Correspondence)	CU + 2	GC 34090	From citizens for patrol presence
Radar Calibration Records	T + 2	GC 34090	Documentation of Radar instruments retained during use/ownership
Reports Accident	P	GC 34090	Non-jury. Electronic files only - maintained permanently in TracNet.
Traffic Collision Fatalities	P		Electronic files only - maintained permanently in TracNet.
Repossession/Private Impounds	CU + 2	GC 34090	
Vests, Bulletproof Letters	CU + 2	GC 34090	Authorization to purchase
Warrants Parking	Recall after 1 year		Recommended by the California Law Enforcement Warrant Officer's Association
Traffic	Recall after 5 yrs.		Recommended by the California Law Enforcement Warrant Officer's Association
Weapons, Database	P		Departmentally-owned weapons, personal weapons, alternate weapons, secondary handguns, produces inventory reports.
SERVICES			
Grievance Files	CL + 2	GC 34090	Grievance filed by employees, supporting documentation
Investigations, Background	CL + 2	GC 34090	Nonhired
Background – Hired	P		Include original reports re: PC 832.5 investigations
Permits Alcoholic Beverage Control License	L + 2	GC 34090	Approval process
Concealed Weapons	CL + 2	GC 34090	
Photographs Personnel	S + 2	GC 34090	
Press Releases	CU + 2	GC 34090	
Press, Video Programs (Community Relations)	CU + 2	GC 34090	Collection of videos of programs and events; outside press coverage of department

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City of Pacific Grove
Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
Property Files	P	GC 34090	Electronic files only - maintained permanently in TracNet.
Property, Pawn Broker or Secondhand	CU + 2	GC 34090	Sales, slips. Dealer required to file duplicate with agency
Reports Dealer of Gun Sales, Duplicate	CU + 6 mos.	GC 34090.7	Originals maintained by DOJ. Dealer required to file duplicate with agency.
Restraining Orders, Emergency Protective Orders, Temporary Restraining Orders, Legal Stipulations, Orders After Hearing	P		Electronic files only - maintained permanently in TracNet.
Rosters (Divisional)	S + 2	GC 34090	Personnel assigned to division
Schedules, Daily	CU + 2	GC 34090	Schedules of Officers on duty
Watch Assignment/ Timekeeping Records	CU + 2	GC 34090	
Training Bulletins	P		
Event Files	CU + 2	GC 34090	Correspondence, brochures, promotional materials, info on speakers, guests, supporting documents
Lesson Plans, Range	CL + 15	GC 34090	Scope, content, time period of courses
Personnel (by name)	T + 7	GC 34090	Paperwork documenting Officers' internal and external trainings
Schedules, Range	CU + 2	GC 34090	Daily, weekly, monthly schedules of training events at range

Note 1: The destruction of felony, misdemeanor and infraction Crimes/Supplemental Reports is permitted providing all of the following conditions are met:

1. They do not relate to an unadjudicated arrest except for H&S 11357 or H&S 11360 violations;
2. They do not relate to unserved warrants;
3. They do not involve identifiable items that have not been recovered;
4. They do not relate to PC 290, PC 457.1, or H&S 11590 registrants;
5. They do not relate to violations listed in PC Sections 799 and 800; and
6. The cases are not presently involved in either a civil or criminal litigation.

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City of Pacific Grove
Records Management and Records Retention Schedule

PUBLIC WORKS

Record Series	Retention	Citation	Descriptor
ENGINEERING			
Capital Improvement Projects	CL + 10	CC 337.15	Supporting documents including bidders list, specifications, reports, plans, work orders, schedules, etc.
Construction Tracking, Daily	P	CC 337.15	Assesses value of real property
Drawings, Traffic Control Plan	P	GC 34090(a)	Signs, signing and striping, road construction.
Flood Control	CL + 2	GC 34090(d)	Storm drains
Special Districts	P	GC 34090(a)	Supporting documents re: improvement, lighting, underground utility; bonds, taxes & construction
Street/Alley (Abandonment/Vacation)	CL + 2	GC 34090(d)	Relinquishment of rights and fee title
Traffic Signals	CL + 2	GC 34090(d)	Counts, collisions, accidents
PARKS			
Agenda, Board	CU + 2	GC 34090	
Grants (refer to Admin.)			
Inventory, Equipment	AU + 2	GC 34090	Warranties, Purchase Orders
Landscape	CU + 2	GC 34090	Drawings, contracts, complaints, specifications, photos, reports
Maintenance/Operations	C + 2	GC 34090	Includes work orders, inspection, repairs, cleaning, reports, complaints
Maps	P	GC 34090	Irrigation, plot plans
Minutes, Board	P	GC 34090	
Photographs	S + 2	GC 34090	
Plans, Proposed	CU + 2	GC 34090	Future plans, new sites, expansions
Policies and Procedures	S + 2	GC 34090	Includes rules and regulations
Railroad Right-of-way	CL + 3	36 CFR 64.11	Land acquisitions, correspondence, improvements, statutory records
Reports			
Accidents	CL + 2	GC 34090	Patrons, employees
Others	CL + 2	GC 34090	
Studies	CL + 2	GC 34090	Future sites, expansions
Resolutions, Boards	P	GC 34090	
Schedules, Class & Events	CU + 2	GC 34090	Enrollment, liability releases, evaluations, attendance, flyers

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City of Pacific Grove
Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
SANITATION, SOLID WASTE, WASTEWATER			
Maintenance and Operations	CU + 2	GC 34090	Includes work orders, inspection, repairs, cleaning, reports, complaints
Maps, Septic Tank	P	GC 34090	Location maps
Rates	CU + 2	GC 34090	
Recycling Programs	S + 2	GC 34090	
Regulations	S + 2	GC 34090	Includes legislation
Reports			
Studies	CL + 2	GC 34090	
Tonnage	CU + 2	GC 34090	
STREETS/ALLEYS			
Abandonment/Vacations	P	GC 34090	
Closures	P	GC 34090	
Easements, Dedications, Rights-of-Way	P	GC 34090	
Field Books	P	GC 34090	
Grants (see Admin.)			
Intersection Records	CU + 2	GC 34090	Includes correspondence, volume counts, accident history
Inventory, Traffic Control Device	S + 2	GC 34090	Signs, lights
Landscaping	CU + 2	GC 34090	Plants, tree maintenance, work orders
Lighting	CU + 2	GC 34090	Maintenance, work orders
Maintenance/Operations	CU + 2	GC 34090	Includes work orders, inspection, repairs, cleaning, reports, complaints, signals, striping
Maps	P	GC 34090	Fire hydrants, lighting districts, wheel chair ramps, storm drains, streets, sidewalks, sewers
Master Plans	CU + 2	GC 34090	Copies
Parking			
Lots	CU + 2	GC 34090	
Regulations	S + 2	GC 34090	
Reports/Studies	CL + 2	GC 34090	
Permits			
Encroachment	P	GC 34090	
Improvement	CL + 2	GC 34090	May include curbs, sidewalks; Applications for excavation, fill, alterations

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City of Pacific Grove
Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
Paving	CL + 2	GC 34090	
Use (Temporary)	CU + 2	GC 34090	Includes Special Events
Photographs	S + 2	GC 34090	Includes aerials
Plans, Capital Improvement, Projects	P	GC 34090	Streets, curbs, gutters, sidewalks, storm drains
Policies and Procedures	S + 2	GC 34090	Includes rules, regulations, standards
Naming and Numbering	P	GC 34090	
Speed Limits	S + 2	GC 34090	
Programs			
Federal Aid Urban	CL + 2	23 CFR 633 (a), (c)	
Traffic Safety	S + 2	GC 34090	Drivers Education, Pedestrian Safety, Bicycle Lanes
Reports			
Inspection	CU + 2	GC 34090	Includes intersection, sidewalks. Bridges and Overpasses, keep life of structure
Studies	CL + 2	GC 34090	Traffic volume, accident history, requests, statistics, drawings supporting traffic devices
Traffic Count	CL + 2	GC 34090	Evaluation of traffic volume
Vehicle Accident	CL + 2	GC 34090	
Routes, School Bus & Truck	S + 2	GC 34090	Truck routes, access ramps, rest areas
Signage	L + 2	GC 34090	Log books, index register cards, inventory lists, records of traffic signs
Traffic Signals	L		Logs, drawings, wiring diagrams, codes, circuit numbers, installation records, testing and maintenance
UTILITIES			
Facilities	T + 2	GC 34090	If city owned
Gas & Electric Rates	S + 2	GC 34090	
Underground	P	GC 34090	GC 4003, 4004; H&S 19850
WATER			
Connection Records	P	GC 34090	Maps, water line connections
Flood Control			
Drainage Facilities	P	GC 34090	Includes dams, lakes, basins, creeks
Flood Zones	P	GC 34090	Includes flood maps
Insurance Programs	S + 2	GC 34090	Includes copies of policies, rules, programs

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City of Pacific Grove
Records Management and Records Retention Schedule

Record Series	Retention	Citation	Descriptor
Policies/Procedures	S + 2	GC 34090	Rules and Regulations
Reports/Studies	CL + 2	GC 34090	
Grants (see Admin.)			
Inventory, Equipment	CU + 2	GC 34090	
Locations	P	GC 34090	Mains, valves, hydrants, wells
Maintenance and Operations	CU + 2	GC 34090	Includes work orders, inspection, repairs, cleaning, reports, complaints
Service	CU + 2	GC 34090	Includes work orders, entry cards, manholes, service to property owners
Well & Pumping	CU + 2	GC 34090	Times operational, power used and quantity
Maps	P	GC 34090	Line location; easements
Master Plans	CU + 2	GC 34090	Copies
Meter Operations	CU + 2	GC 34090	Reader reports, orders, tests, Maintenance Reports
Permits			
National Pollutant Discharge Elimination System (NPDES)	P	40 CFR 122.28	Municipalities of 100,000 or more, compliance with Clean Water Act re: pollutants
Others	CU + 2	GC 34090	May depend on terms of state or federal agency
Policies and Procedures	S + 2	GC 34090	Includes rules and regulations
Rates	S + 2	GC 34090	
Reclamation	CU + 5	GC 34090	Daily operations including sewage flow, grit removal, chlorine usage, lab analysis results, etc.
Reports			
Conservation	CU + 2	GC 34090	
Consumption	CU + 2	GC 34090	
Corrosion Control	CU + 12	40 CFR 141.91	Compliance documentation
Discharge Monitoring	CU + 5	40 CFR 122.41	Average amount of pollution discharged into waters of municipality
Drinking Water Corrections	CU + 10	40 CFR 141.33	
Hydrograph	P	GC 34090	Daily flow of streams
Lead Service Line	CU + 12	40 CFR 141.91	Compliance documentation
Public Education	CU + 12	40 CFR 141.91	Compliance documentation
Quality Parameters	CU + 12	40 CFR 141.91	Compliance documentation
Sanitary Surveys	CU + 10	40 CFR 141.33	Statistics, reports, correspondence
Source Water	CU + 12	40 CFR 141.91	Compliance documentation, e.g. lead and copper
State Certification	CU + 12	40 CFR 141.91	Compliance documentation
Variances, Water System	CU + 5	40 CFR 141.33	

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City of Pacific Grove
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Record Series	Retention	Citation	Descriptor
Well Level	CU + 2	GC 34090	
Sources	CU + 2	GC 34090	May include wells, rivers, lakes, districts
Surveyor Field Notes	P	GC 34090	Notes preparatory to maps of water installations
Surveys, Water System Sanitary	CU + 10	40 CFR 141.33	Statistics, reports, correspondence
Tests			
Bacteriological Analysis	CU + 5	40 CFR 141.33	Compliance records include location, date, method and results; corrections, analysis of bacterial content
Chemical Analysis		40 CFR 141.33	Compliance records include location, date, method used and results; corrections, analysis of chemical content
Quality		40 CFR 141.91	Compliance documentation including sampling data, analysis, reports, surveys, documents, evaluations, schedules, valves, etc.
Valve and Main Records	P	GC 34090	
Violations, Drinking Water	CU + 3	40 CFR 141.33	Retention applies to each violation.

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City of Pacific Grove
Records Management and Records Retention Schedule

TRANSPORTATION

Record Series	Retention	Citation	Descriptor
ADMINISTRATION			
Agreements	T + 4	CCP 337	Including concessionaire, slip rental, facility storage
Special Events	CU + 2	GC 34090	Permits, correspondence, related documents re use of rights of way
Fueling	AU + 3	CCP 337	Meter readings, fuel consumption reports, invoices, receipts and records pertaining to refueling operations
Hazardous Waste Disposal	CU + 10	CAL OSHA; 40 CFR 122.21	Documentation re: the handling and disposal of hazardous waste
Inventory, Equipment, Parts & Supplies	L + 2		Includes vehicles, aircraft, vessels and related documents re repairs
Inventory, Vehicle Ownership and Title	L + 2		Owners manual, warranty documents, DMV title and registration, and related documents
Licenses, Permits	CU + 2		Forms, related documentation re: licenses and permits required by federal and state agencies
Maintenance/Operations	L + 2	GC 34090	Related to requests for service and work orders for fuel, vehicle and equipment maintenance and repairs
Report, Accident (Copies)	CU + 2	GC 34090	Memos and working documents
Vehicle Assignment	CU + 2	GC 34090	Log books, request forms, lists
GROUND TRANSPORTATION			
Auto for Hire	T + 4	GC 34090	License, permits for Taxicabs, shuttles, etc.
HARBOR			
Registers, Transient Vessel Reservation	AU + 3		Reservation applications, receipts, and index registers relating to boats in transit, temporarily moored.
Slip Rental Index	CU + 5		Annual and periodic reports of slip renters
Slip Rental Permits	CL + 2		Applications, statement of rental conditions, vessel inspection check sheets, copy of DMV registration, boat owner information, and other documents re: dock slip spaces.
Slip Rental Waiting List	CU + 2		

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City of Pacific Grove
Council Policy

Subject	Policy Number	Effective Date
Records Management and Records Retention Schedule	**000-19**	**January 18, 2012**

Implementation
The purpose of this policy is to provide for the management of the City of Pacific Grove's records in an efficient manner, to streamline paper flow, provide for document archiving, minimize the temporary storage constraints, and remain in compliance with the California Public Records Act and the California Government Code.

This Policy establishes the practice to be followed with respect to records retention and records management.

Definitions

- **Active Records** - Records that are referred to at least once a month per cubic foot of records. Also, as a retention period for a Perpetual Record that remains "active" until some event occurs to change its status, at which time it has fulfilled its function. (See **Perpetual Record**)

- **Administrative Records** - Records commonly found in all offices and used in the conduct of daily business. These are typically retained for short time periods, i.e., fewer than five years. Examples include subject, chronological, work plans, and policy files.

- **Archival Records** - Records with enduring value because they reflect significant historical events, document the history and development of the City, or provide valuable research data.

- **Damaged Records** - Records that have been damaged by water, fire, and other forms of contamination during natural and man-made disasters. Dependent on the severity of the damage, records may be recovered or may need to be declared unrecoverable and destroyed.

- **Discovery** - The pretrial disclosure of pertinent facts or documents by one or both parties to a civil action or proceeding. Anything requested during discovery <u>must</u> be disclosed if it exists - even non-records and records that should have been destroyed earlier. Discovery effectively freezes selected holdings until released by the opposing attorney or the court.

- **E-mail** - The transmission of messages over communications networks. The messages can be notes entered from the keyboard or may include attachments of electronic files stored on disk.

- **Inactive Records** - Records that are accessed an average of less than once per month per cubic foot of records, but that have not completed their full retention period. These records may be stored in a separate location from active files. Also, a Perpetual Record that has fulfilled its function. (See **Perpetual Record)**

- **Local Government** - Government Code § 6252 provides: ‘‘‘Local Agency’ includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or nonprofit entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Government Code, Section 54952.”

- **Non-Records** - Material not usually included within the definition of records or kept in the ordinary course of business, such as transitory documents, voicemail, e-mail, unofficial copies of documents kept only for convenience or reference, working papers, appointment logs, stocks of publications and blank forms, and library or museum material intended solely for reference or exhibition. Also, documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents. NOTE: A draft that contains substantive comments from a project applicant, an applicant’s attorney, consultant or agent, should be treated as a record of comments received from that source, and the draft or portions showing the substantive comments should ordinarily be retained accordingly. (See **Discovery)**

- **Permanent Records** - Records required to be kept in perpetuity, usually identified by statute or other written guidance. Examples include original minutes, ordinances, resolutions, land grant deeds, etc.

- **Perpetual Records** - Records retained as active files for an indefinite period of time and then stored or destroyed after some event takes place. Examples include office personnel files which are active until a person terminates employment; policy files kept until the policy is changed; contract files that are active until the contract terminates, then destroyed a fixed number of years later; current database information until it is superseded; etc.

- **Program Record** - Record that relate to the primary function of the City in response to its daily mission. Examples include lien files, recorders files, election files, probate records, medical records, etc.

- **Public Record** - For purposes of the California Public Records Act, any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by the City regardless of physical form or characteristics.

- **Record** - A thing that constitutes an objective, lasting indication of a writing, event, or other information that is in the custody of a public officer and has been kept because it is necessary or convenient to the discharge of the public officer’s duties and was made or retained for the purpose of preserving its informational content for future reference. Substantive written communications from individuals or entities who are not City employees, officials, or contractors are ordinarily not considered records.

- **Records Retention Schedule** - A list of all records produced or maintained by the City and the actions taken with regards to those records. A retention schedule is the City’s legal authority to receive, create, retain, and dispose of official public records. It assists the City by

documenting which records require office or temporary storage, which records have historic or research value, and which records should be destroyed because they no longer have any administrative, fiscal, historical, or legal value. In the event of litigation, courts accept a retention schedule as establishing the City's "normal course of doing business." The Schedule is attached hereto and incorporated herein by reference.

- **Retention Period** - The length of time a record must be retained to fulfill its administrative, fiscal historical and/or legal function. Then a record should be disposed of as soon as possible in accordance with an approved Records Retention Schedule.

- **Software** - any system, program, application, instruction, or protocol designed to store, control or process data.

- **Vital Record** - record required for daily operations and to resume those operations after a disaster. A Vital Records program protects records from the effects of the disaster and assists in recovery from the event.

General Records Management

Official records are comprised of a collection of documentation, including legislative, historic, legal, fiscal, and administrative documents, as well as vital records. Records management entails administering various document formats such as correspondence, mail, e-mails, faxed material, historical reference, and electronic media.

Records management archiving is a conventional method of safeguarding history for the benefit of education, accessibility to research and preservation of valuable fiscal, legal and administrative information. As the records management system for the City includes a vast array of elements; it is incumbent upon each department to ensure proper safekeeping and destruction pursuant to the criteria set forth herein.

Statutory references are legal citations setting forth the retention and destruction guidelines. These guidelines ensure that the records are maintained legally and efficiently. Records that are not appropriately maintained or improperly destroyed expose the City to potential liability.

In all instances that documentation of destruction is required, an Authorization to Destroy Obsolete Records must be completed and signed by the program manager and City Attorney. This form serves as a permanent record, and would be utilized in any legal proceedings as evidence of proper destruction.

California Government Code Section 34090.5 provides that if a record series can be produced electronically and proper archival methods are set in place, the original may be destroyed, with the exception of those documents that are required to be kept permanently in their original format as outlined in the retention schedule.

It is the goal of the City to move toward an electronic imaging program. Until an electronic system is in place, a concerted effort will be made to adhere to the retention schedule and to destroy all appropriate records that are being stored in various facilities throughout the City, and prepare archival material for electronic filing. Preparation of archival material will include indexing according to the City's Filing System. Once an electronic imaging or other acceptable system has been installed, and training has been provided, all departments will manage the backlogged materials and proceed with proper archiving or destruction pursuant to the requirements in the retention schedule under the leadership of the City Clerk's Office. This process will eliminate a large number of storage boxes and release space for other uses, as well as bring our records management program into full compliance.

In most cases, records not addressed in the attached schedule should be considered routine in nature and identified as general information under a specific record series. Retention for those files would be two years unless specific laws, decisions or opinions apply to that record series. Transitory correspondence files, consisting of correspondence, routine transactions, memoranda, or e-mails holding no administrative, fiscal, historical, or legal value should not be filed in working files. Examples of transitory documents may be, but are not limited to transmittal letters, forms, e-mails (see section on e-mail below), requests for routine information or publications, announcements, and other documents not requiring action by the receiving office.

Documents that are not transitory in nature, not addressed in this schedule, and for which there are legal requirements or the record is essential either for legal, historical, fiscal, or administrative value, shall have a record series number and title assigned to them and added to the retention schedule. The retention schedule is not a permanently fixed document, but flexible in nature to accommodate legal, administrative, or fiscal policy changes. Contact the City Clerk for review of any requested changes.

E-mail Retention Policy

It is the City's policy that City e-mail and e-mail systems are intended to be a medium of communication. City e-mail systems are not intended to be and may not be used for the electronic storage or maintenance of City records. The email system, to function as intended, anticipates or requires that employees regularly delete communications from the system.

E-mail messages and attachments comparable to hard copy documents that would be retained under this policy should be retained as follows: The document must be categorized in the appropriate record series and converted to the appropriate electronic format or printed in hard copy and retained for the required time period as outlined in the City's Records Retention Schedule. No matter what form in which the record is retained, proper procedures as outlined in City's Records Retention Policy must be followed prior to the destruction of any record.

Routine e-mail messages comparable to telephonic communications are non-records. They are not intended to be retained in the ordinary course of City business, and the informational content of such communications is neither necessary nor intended to be preserved for future City use or reference. Each user will have the responsibility to remove such non-records from folders within

the City's electronic mail system on a rolling 120-day schedule. This includes items in "received" and "sent" folders as well as any folders set up by individual users. Upon removal from the City's email system, the non-records will be disposed of in the City's ordinary course of business. An e-mail is considered destroyed as soon as it has been deleted from a user's mailbox, even though it is temporarily stored in the trash folder before being purged from the e-mail system. This action is analogous to throwing a paper document into an office trashcan. Digital e-mail back-up tapes are destroyed on a regular basis.

Each e-mail user will be trained in the application and implementation of this policy.
This policy does not prohibit employees from maintaining temporary working files or folders to allow for quick reference to recent e-mails.

Retention of Other Electronic Data
With the increased use of electronic data, attention to the retention requirements for electronic records becomes extremely important. Other than Internal Revenue Service Revenue Procedure 91-59, which recognizes electronic data interchange records and specifies that these records may be retained in electronic form unless a visible record is requested by a tax auditor, no other law at this time requires an organization to maintain both the electronic and hard copy form of the same information. You may, therefore, maintain records in any form unless the law either specifies the form or restricts the forms that can be used.

Databases
Databases consist of electronic files and fields of data that provide useful information to the organization. Typically, databases are modified over time through the addition, deletion, or modification of records. Reports are periodically prepared to reflect information from the databases that may be useful for specific purposes. Due to the large volume of information maintained in databases, reports rarely reflect all the information found in the database. Backups of databases, which are stored on City servers, are performed daily and would be used to restore the databases in case of accidental erasure or disaster.

Databases maintained by the City could include financial information, mailing lists, customer information, employee information, work order tracking, marketing information, records management information, etc. Since reports typically do not reflect the entire content of the database, the electronic form of the database contains different information than the visible reports. Electronic databases are often more useful than the paper reports, so visible reports are not equivalent to electronic databases.

For records retention purposes, a database is an official record of the organization. The retention period is established as 'until superseded (SUP)" to reflect that only the current version needs to be maintained. Daily digital backup tapes are destroyed after four days; weekly backup tapes are destroyed every three weeks; and monthly backup tapes are destroyed on a rolling twelve-month cycle. Periodic reports, which are produced in hard copy format from a database and used for administrative, fiscal, legal or historical purposes, may be official records. These reports must be maintained for the requisite retention period according to the particular records series they are

assigned. For example, the City's annual Budget Report is a "snapshot" of our financial position at the end of the fiscal year, and is used to inform Council (legal), staff (administrative) and citizens (legal & historical). That snapshot must be retained for its designated retention period to reflect operational needs.

Word Processing Files

Many organizational documents are prepared using word processing. A draft of the document is generally typed into the word processing system from hand-written notes or other materials, or transcribed from automated dictation devices. The word processing document is then printed and revised until the final printed version is accepted by the author.

For records retention purposes, the original notes and recorded media from dictation are non-records or work-in-progress. This version should be destroyed upon acceptance of the final draft. Similarly, successive drafts of a document and the successive revisions of the electronic word processing file are non-records or work-in-progress. Only the final, approved, paper record should be considered an official organization document.

If the final product of the word processing process is a communication in an electronic mail system, the communication will only become an official record of the organization if the formalization process discussed above is followed.

For operational reasons, you may want to maintain some of the electronic-word processing files for extended periods of time to facilitate the revision of drafts. These decisions should be made based upon the importance of the final document produced and the likelihood of revision or use of the material for other purposes. The word processing operator would then destroy the computer version when it is no longer needed.

Note: Lawyers sometimes argue for the preservation of multiple drafts of contracts. They argue that problems with a final contract can often be resolved by determining the party's intent through the use of previous drafts. The City's policy prohibits the consideration of previous drafts or other information that has not been incorporated into this final written document. Therefore, drafts and earlier versions of the computer files related to each draft should not be kept; only the most current version should be retained.

Word processing computer information is treated differently than databases. The computer information from a word processing file is printed letter-for-letter onto a final paper document, which in many instances is then signed. In essence, the paper document "mirrors" the information in the word processing systems and may contain authorizing signatures, so only the most useful version - the printed, paper version becomes the official record and is retained in the normal course of business.

Disaster Prevention and Damaged Records Recovery Policy

It is the policy of the City to ensure that its records are identified and protected as much as humanly possible from natural and man-made disasters. This policy applies to all employees who

create, receive, and maintain City records. The administrative procedures described below afford the City the most efficient and cost effective method for protecting City records and recovering records when disasters occur.

Adopted: October 5, 2011 (Resolution No. 11-079)
Revised: January 18, 2012 (Resolution No. 12-003)

City of Pacific Grove
Council Policy

Subject	Policy Number	Effective Date
Discretion to Reduce or Waive Fees on FPPC Late Filings	**000-20**	**December 7, 2011**

Implementation
The purpose of this policy is to provide authorization for the City Clerk or his/her designee to have the discretion whether to assess a fee on a Fair Political Practices Commission (FPPC) form(s) filed late, if on an impartial basis, he or she determines that "good cause" exists for the late filing.

Purpose
The purpose of this policy is to:
1. Establish Council policy to have the ability to reduce or waive fees for late filing(s) on FPPC form(s);
2. Broaden the definition of "Good Cause" from the FPPC standards; and
3. Authorize the City Clerk and/or his/her designee to make the determination based on the guidelines adopted in this Policy.

Process for Requesting a Waiver
Fair Political Practices Commission forms must be filed by the filing deadline. No extension of the deadline to file the statement will be granted.

Upon failure of a person or committee subject to the filing requirement to file a Fair Political Practices Commission form(s) on or before the filling deadline, the City Clerk or his/her designee will send written notice of the filing requirement.

After written notice of the filing requirement for Statement of Economic Interest is sent, the filer has 30 days to comply.

If, after written notice of the filing requirement is sent, the filer does not request and is not granted a waiver, a late fee will be assessed for each day the Fair Political Practices Commission form(s) is late beginning the first day after the filing deadline until the Fair Political Practices Commission form(s) is filed. A campaign statement shall be considered late starting the day after the filing deadline imposed by the Political Reform Act until the date it is filed. .

The City Clerk or his/her designee shall assess a fee as stipulated in the Government Code. Fees are as set forth in Government Code Section Chapter 9 and as amended from time to time. The City Clerk or his/her designee is given the authorization and discretion whether to assess a fee on a Fair Political Practices Commission form(s) filed late if on an impartial basis he or she determines that good cause exists for the late filing.

A request for waiver of the late filing fee must be in writing signed by the filer. This request will accompany the Fair Political Practices Commission form for the duration of the document's life in accordance with the approved Records Retention Schedule.

Definition of Good Cause

The following reasons with supporting documentation will be deemed "good cause":

a. Incapacitation for medical reasons. This must be supported by documentation consisting of the statement of a doctor, psychologist, therapist or chiropractor identifying the filer, the nature of the filer's incapacitation and the dates therefore. The statement must be on the medical provider's letterhead.
b. Hospitalization. Documentation supporting this reason must be in the form of a hospital bill or physician's statement (on letterhead) showing the patient's name and the date(s) of the hospitalization.
c. Accident Involvement. If involvement in an accident causes the late filling, such involvement shall be documented by one or more of the following <u>and</u> the filer must provide the City Clerk or his/her designee with a written statement explaining how the accident caused the late filing and include one of the following:
    i. A police report showing the filer's name, the date and time of the accident, and if applicable, whether or not the vehicle was disabled;
    ii. If medical attention is provided and results in the late filing, a copy of the hospital bill, emergency room service, or a doctor's statement (on letterhead) showing the patients name and date(s) and time(s) of medical attention.
d. Death. Adequate documentation consists of a copy of the filer's death certificate, published death notice, or obituary.
e. Duties involving protection against terrorism. Terrorism as defined as premeditated, politically motivated violence perpetrated against noncombatant targets by sub national groups or clandestine agents and involving a territory greater than two states.
f. Other unique, unintentional factors beyond the filer's control not stemming from a negligent act or non-action, such as, loss or unavailability of records due to fire, flood, theft, earthquake or similar reason supported by documentation consisting of a police, fire or insurance's report containing the date of the occurrence and the extent of the loss or damage.
g. Compelling reasons beyond the filer's control, including problems associated with electronic filing of campaign or lobbying disclosure information. Electronic filing problems must be documented for waiver consideration.
h. No error of the filer. Examples are document originally file and misplaced by filing officer (must provide a copy with date stamp) and proof showing that the address sent by the City was a bad address on file.
i. First time offense with valid documentation.
j. Other factors that could allow the City Clerk or his/her designee to reduce but not eliminate the penalty amount, include: out of area to care for an elderly relative; emergency family situation; serious illness of family member; or being destitute. All request for waivers need to be accompanied with proper documentation that is acceptable to the City Clerk and/or his/her designee.

Adopted: December 7, 2011 (Resolution No. 11-093)

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
City's Distribution of Complimentary Tickets and Passes	000-21	February 15, 2012	1 of 3

Purpose
This policy governs the distribution of tickets and passes donated or given to the City. This policy is established in accordance with Section 18944.1 of the Fair Political Practices Commission (FPPC) Regulations, which sets forth the circumstances under which the City's distribution of tickets or passes to a City official does not result in a gift to the individual official.

Application of Policy
This policy applies to the distribution of all tickets or passes received by the City that provide admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose.

Definitions
Unless otherwise expressly provided in this Policy, terms in this Policy shall have the same meaning as that ascribed to such terms in the Political Reform Act (Government Code Sections 81000 et seq., as it may be amended from time to time) and the FPPC Regulations (Title 2, Division 6 of the California Code of Regulations, Sections 18110 et seq., as they may be amended from time to time.)

- **City** shall mean the City of Pacific Grove.

- **City official** means every elected official or employee of the City of Pacific Grove, as defined in Government Code Section 82048 and FPPC Regulation 18701.

- **City venue** means any facility owned, controlled or operated by the City of Pacific Grove.

- **Immediate family** means spouse, registered domestic partner and dependent children.

- **Ticket** means "ticket or pass" and includes anything that provides an admission privilege to an event or function and for which similar tickets or passes are offered for sale to the public. If other benefits, such as food, beverages or other items, are provided to the City official at the event and such benefits are not included as part of the admission to the event, those benefits are not covered by this Policy.

Procedures for Distribution

1. Tickets received by the City from an outside source without designation as to the specific City official who may use the tickets shall be forwarded to the City Clerk or designee. The City Clerk or designee shall determine the face value of the tickets, the individuals who

may use them, and report their distribution as provided in the Section of this policy entitled "Ticket Reporting and Disclosure Requirements."

2. The City Clerk shall have the authority, in his or her sole discretion, for the distribution of tickets and passes in accordance with this Policy.

Public Purpose

The distribution of any ticket by the City to, or at the behest of, a City official must accomplish a "public purpose" of the City. The public purposes to be accomplished by the distribution of tickets or passes by the City include, but are not limited to:

- To obtain oversight of facilities or events that have received City funding or support;
- To review facilities or events that may require City funding or support in the near future or to gather information about the operation of a facility similar to one presently or potentially operated by the City;
- To promote local and regional businesses, community programs, economic development and tourism within the City;
- To attend a community event in which the City is a participant;
- To attend an event, activity or program sponsored by the City;
- To promote intergovernmental relations, including but not limited to, attendance at an event with, or by, elected or appointed public officials from other jurisdictions, their staff and their guests;
- To promote public and private facilities available for City resident use;
- To support and/or show appreciation for community and nonprofit programs or services that benefit City residents;
- To encourage or recognize significant academic, athletic, or public achievements by City students, residents, or businesses;
- To reward City employees and community members for his or her exemplary service to the public;
- To promote City growth and development, including economic development and job creation opportunities;
- To promote open and accessible government by appearances or participation of City Officials at business and community events;

- To promote employment retention, including enhancement of employee morale;
- To promote City recognition, visibility, and/or profile on a local, state, national or worldwide scale;
- To comply with all written contracts where the City as a form of consideration has required that a certain number of tickets or suites be made available for City use.

Prohibited Transfer of Ticket
A City official may not transfer any ticket distributed to him or her pursuant to this policy, to any other person, except to members of the City official's immediate family solely or one guest for personal use.

Ticket Reporting and Disclosure Requirements
Tickets distributed by the City to a City official shall be documented in a completed FPPC Form 802. The completed Form 802 shall be filed with the City Clerk and posted on the City's website in a prominent fashion within 30 days after the distribution.

Such postings shall include the following information and any other information that may be required by the FPPC:

1. The name of the recipient, except that if the recipient is an organization, the City may post the name, address, description of the organization, and number of tickets provided to the organization in lieu of posting the names of each recipient;
2. A description of the event;
3. The date of the event;
4. The face value of the ticket;
5. The number of tickets provided to each person or organization;
6. If the ticket was distributed at the behest of a City official, the name of the City official who made such behest; and
7. A description of the public purpose(s) under which the distribution was made, or, alternatively, that the City official is treating the ticket as income.

A Form 802 posted to the City's website shall be maintained on the City's website for a period of not less than four years and a copy mailed to the FPPC.

Alternatives to Policy
As an alternative to complying with this Policy, a City official may either:

- Ask that the City report the distribution of the ticket or pass as income to the City official and then treat the ticket or pass as income consistent with applicable state and federal income tax laws, or
- Report the receipt of the ticket or pass on their Form 700, if the value of the ticket or pass is over $50 and the aggregate value of tickets and passes from single source in a calendar year is $420 or less.

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
Social Media Policy	000-22	October 18, 2012	1 of 5

PURPOSE
The City of Pacific Grove encourages the use of social media to further the goals of the City and its programs through the dissemination of information about the City's mission, meetings, activities, and current issues to members of the local and distant public. This policy sets policies and procedures regulating the City's presence on social media websites and regulating employees responsible for maintaining the City's presence on social media websites. The most appropriate uses of social media tools are as informational channels to increase the City's ability to broadcast its messages to the widest possible audience.

The City should use social media to:

- Increase the public's knowledge, trust, and use of City services; and
- Promote the value and importance of City services among and between governing officials, civic leaders, and the general public; and
- Maintain open, professional and responsive communication between the City and members of the public and the news media.

OWNERSHIP
All social media communications composed, sent, or received on City equipment are and remain the property of the City. While the social media sites are administered by the City, the content on the sites is not entirely controlled by the City. The City shall not endorse any links or advertisements on its social media sites placed.

The City's social media sites may be subject to California's civil discovery statutes and the California Public Records Act. Any content maintained in a social media format that is related to City business, including a list of subscribers and posted communication (with certain exceptions), may be a public record.

California law and relevant City records retention schedules apply to social media formats and social media content.

POLICY

A. All City social media sites will be subject to approval by the City Manager or designee.

B. City social media sites shall make clear that they are maintained by the City and follow this Social Media policy.

C. The City's website (*http://www.ci.pg.ca.us*) will remain the City's primary and predominant internet presence.

D. Wherever possible, content posted to the social media sites must first be made available on the City's website by the program's website content manager(s).

E. Wherever appropriate, content posted to social media sites must contain hyperlinks directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct business with the City.

F. The City's public information officer or designee will monitor content on social media sites to ensure adherence to both the City's Social Media policy and the interest and goals of the City.

G. Wherever possible, use of social media sites must comply with all appropriate City policies and procedures, including but not limited to:
    1. Electronic Communications Policy.
    2. Administrative Policy and Procedures Manual.
    3. Employee Handbook.
    4. Council policies, including records retention policies.

H. Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of City logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identified the Pacific Grove Police Department and/or City of Pacific Grove on any personal or social networking or other website or web page, without the permission of the Chief of Police and/or City Manager is strictly prohibited.

I. Accessing websites for non-authorized purposes, or use of any personal communication devise, game device or media device, whether personally or department owned, for personal purposes while on-duty, except in the following circumstances:
    1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
    2. During authorized breaks, such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

J. The program maintaining the site is responsible for responding to any public records request for public records on social media; provided, however, such requests must be handled in collaboration with the City Clerk's Office and the City Attorney's Office. Content related to City business must be maintained in an accessible format so that it can be produced in response to a request. Wherever possible, such sites must clearly indicate that any articles and any other content posted or submitted for posting may be or are subject to public disclosure upon request.

K. California law and the City records retention schedules apply fully to the City's social media formats and social media content. Unless otherwise addressed in a specific social media standards document, the program maintaining a site must

preserve records required to be maintained pursuant to an applicable records retention schedule for the required retention period in a format that preserves the integrity of the original record and is easily accessible.

L. City social media sites shall be managed consistent with the Brown Act. Members of the City Council and City advisory bodies should refrain from responding to any published postings, or from using such a site to respond to, blog, engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body.

COMMENT POLICY

A. Users and visitors to the City's social media sites must be notified that the intended purpose of the site is to serve as a means of communication between City programs and members of the public. All comments posted by others to the City's social media sites will be monitored. Articles, posts, and comments containing any of the following forms of content will not be allowed and must be removed as soon as possible:
    1. Profane language or content;
    2. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, sexual orientation or any other basis protected by state or federal law;
    3. Sexual content;
    4. Solicitations of commerce and other purely commercial speech;
    5. Conduct or encouragement of illegal activity;
    6. Comments in support of or opposition to political campaigns or ballot measures;
    7. Information that may compromise the safety or security of the public, public systems, or employees;
    8. Content that violates a legal ownership interest of any other party;
    9. Any link or direction to another site that contains content referenced by the foregoing restrictions.

B. Users and visitors to the City's social media sites must also be notified that:
    1. A comment posted by a member of the public on any City social media site is the opinion of the commentator or poster only, and the publication of a comment does not imply endorsement of, or agreement by, the City, nor do such comments necessarily reflect the opinions or policies of the City.

    2. The City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law. Notwithstanding the foregoing, the City is not obligated to take such actions, and the City disclaims any and all responsibility and liability for any materials that the City deems inappropriate for posting, which cannot be removed in an expeditious and otherwise timely manner.

    3. By posting a comment, users agree to indemnify the City, its officers and employees from and against all liabilities, judgments, damages, and costs

(including attorney's fees) incurred by any of them which arise out of or are related to content posted by users. If a user does not agree to these terms, the individual should not use the City's social media sites.

4. The City does not guarantee the authenticity, accuracy, appropriateness, nor the security of external links, websites, or content linked thereto.

C. The above comment guidelines and disclaimers ("Terms of Use") must be displayed to users or made available by hyperlink. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster in accordance with the City's policy on the retention of such information.

D. When a City employee responds to a comment, in his/her capacity as a City, the employee's name and title should be made available and the employee should not share personal information about him/herself, or about other City employees.

"Social media" refers to activities that integrate technology, social interaction and content creation. This media allows people to generate, organize, share, edit and comment on web content. Examples of social media include, but are not limited to, Facebook, Twitter, YouTube, Blogs, Really Simple Syndication ("RSS"), LinkedIn, and Flickr.

This policy does not govern or regulate the use of social media sites by City employees or the privacy rights associated therewith.

Adopted 9/19/2012 by Resolution No. 12-067

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Committee Classification; Board, Commission, and Committee Appointments and Procedures	000-5	February 2, 2011	1 of 3

1. Purpose. This policy establishes standards for: 1). the classification of Council committees; 2). the appointment of board, commission, and committee members; and 3). board, commission, and committee procedures.

2. Classification. The following classification shall be in place to handle the committee and other referral needs of the Council not otherwise subject to the jurisdiction of charter or municipal code boards and commissions:

a. Ad hoc committees. This class of committee shall consist either of citizens only or a mixed group of Council members and citizens. Such committees shall have limited assignments related to temporal issues and shall be expected to complete the assignments within a relatively short time. The Council shall provide a written statement of mission to an ad hoc committee, shall ask that the work of the committee be completed by a certain date, shall advise as to record keeping and form of recommendation and shall provide guidance on legal and practical aspects of proceeding with committee work, including suggested formats for agenda and minutes. Ad hoc committees shall be required to submit summary progress reports to the Council on a regular basis, or at least semi-annually. Unless otherwise directed by the Council, ad hoc committees shall designate their chair and vice chair. Ad hoc committees shall be free to request that the Council expand committee missions, i.e. scope of work, but shall make no such changes without specific approval of the Council.

b. Standing committees. This class of committee shall consist either of citizens only or a mixed group of Council members and citizens. Assignment(s) shall not necessarily be permanent, but a standing committee may exist to address issues arising more or less continually in an area of interest to the Council. With the exception of the time specific items, the provisions set out in the ad hoc committee section, above, shall apply as well to standing committees.

c. Council subcommittees. This class treats the situation where one, two, or three Council members are given direction to perform work/research and to return to the Council with some pre-assigned product.

NOTE: Staff shall not be named as committee members. Staff's role is advisory and supportive; naming staff as committee members confuses staff's relationship and responsibility to assigned committees.

3. Appointment of Board, Commission, and Committee Members.

a. Members of charter and municipal code boards and commissions are selected by the Mayor, subject to approval by the Council. Selection shall occur annually at the second regular meeting in January and on an as-needed basis thereafter. The appointment process includes a minimum two-week notification period, including posting, posting on the City's web site, and media notices specifying the board(s) or commission(s) having a vacancy, the number of vacancies on each, the

term of service, the application process, and the application closing date. The City Clerk shall make available a folder containing all applications for Council examination, and the Mayor's selections for Council approval will be placed on the next available regular meeting agenda following the closing date. If a vacancy arises during a term, and there are one or more active applications for that board or commission on file, appointment can be made from those applications, without re-noticing. This can help avoid a significant disruption in the operations of the board or commission due to extended vacancy. In any event, applications are valid for a maximum of only 12 months.

b. When considering appointments to a City Boards or Commissions, Pacific Grove residency and voter registration shall be required.

1. Residency in Pacific Grove is established when all of the following conditions are met: the applicant is registered to vote; the address listed on the applicant’s drivers license; the address where the applicant receives his or her mail; and where the applicant physically resides, combined with the intent to remain there.

2. Should a Pacific Grove resident serving on a City Board or Commission no longer qualify as a Pacific Grove resident under paragraph (b) 1, above, that office shall be vacated.

3. As an exception to the residency requirement set by this paragraph (b), a non-resident may be appointed to the Economic Development Commission.

c. With respect to appointment of citizen members of ad hoc committees and standing committees, appointment opportunities shall be announced at a Council meeting and in the media, as appropriate, with a stated closing date that is a least one week before the meeting at which the appointments will be made. If there are not sufficient or appropriate applications, the time limit may be extended and announcements may be repeated. Recommendations shall be invited from everyone with interest or expertise, i.e., Council, staff, board/commission/committee members, and citizens. Recommendations shall be made to the Mayor or the City Clerk. Any interested Council members may review the applications in the Clerk's file. The Mayor shall submit final selections for Council approval on the next available regular meeting agenda following the closing date.

d. Membership of boards, commissions, and committees shall not be changed without Council approval.

e. In making appointments to the many bodies referenced in this policy, the Council shall endeavor to distribute the appointments as broadly as possible throughout the city population. Unless a special talent or expertise otherwise dictates, the Council shall not favor appointment of more than one member of a household to a single body. Further, in considering appointments, the Council shall be attentive to the City’s status as an Equal Employment Opportunity (EEO) organization.

f. (l) With the exception of charter boards and commissions (which service limitations are set out in the city charter) a citizen member of a body covered by this policy shall not be reappointed to a new term if such reappointment would result in continuous service on the body for more than eight consecutive years. Service for less than a full term shall not be counted in applying the eight-year limit.

(2) Lengths of terms, commencement, and expiration dates of said terms for members of boards, commissions, and committees established by the Municipal Code shall be as provided by the

Municipal Code. Expiration dates are staggered, so as to provide continuity.

(3) Lengths of terms of standing committee members shall be as provided at the time the Council establishes a standing committee. Said terms shall in any event be set to expire on January 31 of the appropriate year.

(4) Ad hoc committee member terms shall be for the time required for the work of the committee to be completed, as specified by the Council.

g. Appointments to outside agencies shall be made by the Mayor subject to approval by the Council.

4. Board, Commission, and Committee Procedures. Charter, municipal code, ad hoc, and standing boards, commissions, and committees shall adhere to standard procedures for notice, conduct of meetings, reporting to the Council, and other matters, as provided in three documents—*Boards and Commissions Standard Protocols*, *Meeting Guidelines and Procedures*, and *Motions*—attached to and made a part of this policy.

5. Council Review of Board Actions. The City Council shall not "approve" the minutes of any board, commission, or committee; rather the minutes shall be "received." If there is an item in the minutes that requires actions of the Council, it shall be separately and specifically listed on the Council agenda for action (see *Standard Protocols*, page 5). As set forth in the municipal code (PGMC §23.73.080) the Council, acting its next regular meeting following a final decision of any board or commission, may "call up" an item acted upon by that board or commission. The vote of three members of the Council shall be required to call an item for review. The action so called shall be reviewed by the Council, de novo, within thirty days of the decision to compel review. Notice of the review shall be provided in the same manner as required for the initial action. The review, by majority vote, may affirm or modify the original decision.

Attachments:
City of Pacific Grove Boards and Commissions Standard Protocols
City of Pacific Grove Boards and Commissions Meeting Guidelines and Procedures
City of Pacific Grove Boards and Commissions Motions

Adopted: June 17, 1992 Resolution No. 6280
Amended: September 1, 1993 Resolution No. 6361
Amended: March 29, 1996 Resolution No. 6-017
Amended: May 15, 1996 Resolution No. 6-026
Amended: January 8, 1997 Resolution No. 7-001
Amended: February 19, 1997 Resolution No. 7-006
Amended: September 1, 2010 Resolution No. 10-069
Amended: December 1, 2010 Resolution No. 10-103
Amended: February 2, 2011 Resolution No. 11-007

City of Pacific Grove

BOARD and COMMISSION

Standard Protocols

Every City board and commission needs basic protocols by which it operates. The standard protocols presented here are to be observed by all Pacific Grove boards and commissions (hereinafter referred to as "boards"). An individual board may append to these protocols additional standards relating to its specific needs.

I. Term, Council Charges, and Annual Work Plan/Calendar

Purpose. Generally, the City's 11 boards advise the Council on matters within their jurisdiction. The City Charter and the Council have also delegated some decision-making authority to some of the boards. The City can achieve its overall goals only if all 11 boards function effectively. The specific responsibilities of all 11 boards are provided in *Current Duties of City Boards, Commissions, Panels, and Committees*.

Term. The term of each board shall be February 1 through January 31 of the following year.

Calendar and Annual Work Plan. The generalized annual board calendar is as follows:

Date	Task
Feb 1	**Start of new term**
Feb	**Orientation of new member(s)**
1st Mtg in Feb	**Organizational meeting: review City Council approved charter; elect officers; approve operating rules and procedures**
Mar	**Adopt work plan; AB 1234 training to be completed (biennial requirement) by all members**
Apr	**Secretary turns certificates of completion into City Clerk**
June	**First of two meetings of City Council with all chairs**
Nov 1	**Last date for City Clerk to publish vacancies**
Nov	**Second of two meetings of City Council with all chairs**
Nov 30	**Annual report due to City Council**
Early Dec	**Applications for vacant seats due**
Jan	**Mayor fills vacancies, with approval of City Council**

At its first meeting after the February 1 start of the new term, each board shall agendize organizational actions and decisions. These actions include:

- Welcoming and installing new members.
- Electing officers.
- Starting the process of developing the effective relationships necessary for the members of the board or commission to work effectively together and with staff.

- Accepting or recommending updates to its duties, responsibilities, and authority.
- Reviewing and updating norms and standard procedures.
- Working with staff to continuing developing members' knowledge of the involved professional disciplines and current issues.

- Planning its year by developing its annual work program.

The annual work program is the commission's expressed joint effort for the year. It addresses the important problems, challenges, and opportunities that need to be addressed during the year. The work program should be developed within the framework of the City Council's adopted strategic plan (available on the City's website or from the Council liaison and lead staff) to ensure consistency.

In addition to each board's ongoing duties, it may from time to time, receive a specific request from the Council. Such requests will be in writing, specifying the exact request of the Council, and such details as the requested completion date.

II. Organization, Officers, and Responsibilities

Organization. The board shall consist of voting and, in some cases, non-voting members, appointed by the Mayor, with the approval of the City Council. Any member may be removed at the pleasure of the City Council. Terms are for two or four years and are generally staggered, to provide continuity. A board shall report to the Council the unexcused absence of any member from three or more consecutive meetings.

Officers. Following the installation of any new board members, a Chair, Vice-Chair, and Secretary shall be elected annually from among the board's membership at the first meeting in February, to serve at the pleasure of the board. Each officer is elected to serve a one-year term, which starts on February 1 of each year and is renewable in subsequent years.

The Vice-Chair shall succeed the Chair if s/he vacates his or her office before the term is completed, and shall serve the unexpired term. A new Vice-Chair shall be elected at the next regular meeting.

In the absence of the Chair and Vice-Chair, any other member shall call the board to order, whereupon a temporary Chair shall be selected from the members present, to preside over that meeting. In the event that an officer cannot serve due to resignation or other reasons, the committee shall select an interim officer to fill the position until the next organizational meeting.

The board Chair or, if there is no Chair, the person who called the meeting to order, will ask for nominations for the office of Chair. Any member of the board may nominate himself/herself or any other member of the board; no second is required. Once nominations are complete, the Chair will close nominations, announce the slate of nominees, and ask for a vote on the nominees in the order of nomination. Each voting member of the board shall have one vote. The nominee receiving votes from a majority of the members in attendance shall be declared the winner. If no member receives a majority, the process shall be repeated, except in the event of a tie between the top two vote-getters, in which case a run-off shall be held. The winner shall assume the office of Chair immediately. Using the same procedure, the new Chair shall secure the election of a Vice Chair and Secretary.

Responsibilities
The responsibilities and powers of board officers shall be as follows:

Chair

- In consultation with staff, determine the agenda.
- Call special meetings of the board.
- Preside at all meetings.
- Fully participate in the board's deliberations.
- See that all actions of the board are properly taken.
- Act as parliamentarian, applying and enforcing these protocols and parliamentary procedures.
- Sign all documents of the board.
- Report to the Council, at scheduled times and as needed, on matters of interest.

All process decisions by the Chair are final unless overruled by a majority of the board.

As a member of the body, the Chair has full rights to participate in dialogue and decision making, and to make and second motions. The Chair often strives to be the last to speak during any round, and generally does not make or second a motion unless he or she is convinced that no other member of the body will do so.

Vice Chair
During the absence, disability, or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all responsibilities of the Chair.

Secretary

- Repeat motions prior to a vote, if requested by Chair.
- Prepare and attest to approved minutes.
- Forward meeting recordings to staff.
- Forward draft minutes to the members and the City Clerk as soon as possible after the meeting.
- Keep track of AB 1234 ethics training requirements and training sessions completed, for each member, and forward those to the City Clerk.

III. Committees

The board may appoint committees of less than a quorum of its members to address specific matters within its purview. In certain instances, a committee may be formed with members of two or more boards, to address issues crossing boundaries of normal responsibilities. Board committees have narrowly defined discretion and shall not stray from the board direction.

IV. Meeting Types

All board meetings shall be held in full compliance with all provisions of the Brown Act (California Government Code, Section 54954.2) the Municipal Code, and Council Policy. At a minimum, this shall include:

- Posting of the agenda a minimum of 72 hours prior to regularly scheduled meetings, with a listing of agenda items in terms adequate to advise the public of the business to be considered. (A catchall for "miscellaneous" or "new business" items is not permissible; new matters raised shall be placed on future agendas.) In the case of special meetings, notice and agenda posting shall occur a minimum of 24 hours prior to the meeting.
- Agenda and packet materials shall be available prior to meetings at a location to be

designated by the board and indicated on the posted agenda. Materials presented at meetings shall also be available to the public in attendance.

- Provision for public comment shall be made at all meetings for items on the agenda as well as matters not on the agenda that are under the purview of the board.
- Open and public meetings shall be the rule; all business of the board is to be conducted at such meetings. Closed sessions may be held only under Brown Act restrictions and upon approval of the city attorney.

Regular Meetings. Regular meetings shall be held at a regular date and time, either once or twice a month. Regular meetings shall also be held at a regular place, generally in Council Chambers or the City Manager's Conference Room. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day or canceled by motion adopted by the board.

In the event it is the wish of the board to adjourn its meeting to a certain hour on another day, a specific date, time and place shall be set by the board, as part of the motion to adjourn.

If unable to attend a meeting, members should announce their upcoming absence prior to the adjournment of the prior meeting. If they become aware of their inability to attend after that, they should notify the Secretary immediately.

Meetings may be cancelled by the chair due to a lack of business, or if the Chair determines a quorum will not be met. Such cancellations shall be posted.

Special Meetings. Special meetings for the purpose of conducting study sessions or workshops, or for other purposes, may be held at any time upon the call of the Chair, a majority of the voting members of the board, or the City Council, following notice as required by law. The time and place of the special meeting shall be determined by the convening authority.

Meetings of Individual Members with Applicants or the Public. Meetings and other communication between a board member and members of the public interested in the outcome of an agendized item can be a valuable method for the board member to determine what decision will be best for the community. The board member should share useful information with the full board in open session.

When the board is acting on a given item in a quasi-judicial capacity, the member shall report on any such *ex parte* communications at the beginning of the meeting at which the item is considered (see *Meeting Rules and Procedures*).

V. Process and Administrative Matters

Agendas and Posting. The agenda for each meeting of the board shall be prepared by the Secretary or staff, and approved by the Chair. The number of items to be considered on each agenda will be determined based on the nature and complexities of the items and what can reasonably be considered in the two or three hours set for the meeting.

The agendas for all regular and special meetings shall be posted at the Library, the outdoor display cabinet at the City Hall, and on the City's web site. In addition, if the meeting is held somewhere other than at City Hall, the agenda shall be posted at that facility, in a location that is accessible by the public for a full 72 hours prior to a regular meeting, or a full 24 hours prior to a special meeting.

Any item within the board's purview may be placed on a future agenda when requested by a board member through the Chair. (An exception to this rule is reconsideration of a decision; see *Meeting Rules and Procedures*.)

Conduct of Meetings. Board meetings shall follow the meeting rules and procedures approved by the Council and provided in *Meeting Guidelines and Procedures*.

Recordings. Meetings shall be recorded on an audio tape or digital audio recorder, and kept by the Secretary or designee. The recording is to be erased after one year or upon approval of the minutes, whichever comes second.

Minutes. Minutes shall be kept, are to be limited to a report of actions taken at the meeting (including findings or a reference to the findings for quasi-judicial actions, and any appropriate attachments, and shall note either unanimity or a record of the vote for all actions). The draft minutes of all meetings shall be forwarded to the members and the City Clerk, so they can be included in the packets of the next available City Council meeting. Approved minutes shall be signed by the Chair and filed with the City Clerk.

Matters Needing the Attention of Others. Each board shall ensure that the Council or staff is notified promptly of matters needing the attention of Council, staff, or another board. Such matters can be noted clearly in the minutes, carried forward by staff, forwarded to the City Manager by the Council liaison, or presented to the Council by a member of the board at the next available Council meeting. If the matter needs prompt Council action, then the Chair shall ensure that the City Clerk is notified as soon as possible, to ensure the matter is agendized and any additional necessary analysis can be undertaken.

Ethics. Each member of a board is a representative of the City and the board on which he or she serves. Each member has a duty to represent the City to the best of his or her ability, and to take those actions that the member believes are for the benefit of the City as a whole.

Each member shall take the required AB 1234 ethics training at least biannually and notify the Secretary upon completion. Each member shall adhere to the standards of ethics established by the City Council and file with the City Clerk on a timely basis all appropriate FPPC reports.

Annual Report. Each board shall forward to the Council, prior to January 1 of each year, a report on matters of interest. Such reports are not to repeat what is contained in the meeting minutes, but address those matters and suggestions that are designed to assist the Council and to improve the effectiveness of the board or the system of advisory boards in future years.

Adoption and Amendment of Board-Specific Protocols. A board may adopt board-specific protocols consistent with these standards. They shall be adopted and amended by a majority vote of the members present and voting, shall be reviewed annually by the board, and may be suspended at any meeting of the board by a majority vote of the members present and voting.

City of Pacific Grove

Board and Commission Meeting Guidelines and Procedures

The best board meetings are an appropriate mixture of formality and informality, process and substance. Too much structure can prevent effective decision-making; too little structure enables those who do not agree with the majority to stifle progress. In order to strike the right balance, Pacific Grove boards and commissions use simplified rules of parliamentary procedures for conducting their meetings.

Parliamentary procedures are the body of commonly accepted rules and customs governing meetings and other operations of deliberative assemblies. Such groups follow parliamentary procedure to elicit a broad range of perspectives, deliberate collaboratively, and reach the best possible group decisions, while simultaneously continuing to develop the group's capabilities.

Fundamentally, parliamentary procedures assist groups effectively meet and make decisions in a fair and consistent manner—and make good use of everyone's time. The procedures provide a mechanism whereby: 1) only one subject may rightfully claim group attention at one time; 2) every proposal properly presented for consideration is due a free and full deliberation; and 3) the will of the majority is determined in orderly procedure, while preserving the rights of the minority. The guidelines provided in the next few pages have been developed and tested over time. They work best when they become second nature.

Many new members might initially assume that a City board or commission must operate under *Robert's Rules of Order*[1]. The City Code requires the City Council to adhere to Robert's Rules (PGMC §2.04.010) but is silent as to boards and commissions. As a result, we use a simpler set of procedures, featuring group-friendly norms. These norms allow the use of well-accepted meeting facilitation tools that enable all members of the board or commission to engage in a more productive dialogue to address constituency problems and opportunities. Boards and commissions benefit from a shared sense of inquiry, trust, empathy, and collaboration, which are often inhibited by the use of rigid rules.

Parliamentary procedures should assist a board in being successful, and never get in the way of success. To the extent that meeting facilitation techniques (detailed in several documents, see the list of sources, at the end) can augment or supplant rules, the board benefits. More formal use of these guidelines is appropriate for items with greater importance, greater legal strictures, and greater conflict.

Boards and commissions (hereinafter referred to as "boards"), and their committees, shall adhere to these guidelines and procedures for notice, conduct of meetings, reporting to the Council, and other matters, to the end that all deliberations are conducted and actions taken openly, that the public is well informed in a timely manner, and that the work is performed for the entire community's benefit.

The failure of a board or its committees to conform to these guidelines shall not in any instance invalidate the action taken.

I. Quorum

A quorum shall consist of a majority of the board's voting member positions. On a 5-member board, the quorum is 3; on a 7-member board, the quorum is 4. There is no meeting when a quorum is not present. Either an ex-officio member or a vacancy reduces the number of voting member positions.

II. Order of Business

The order of items shall be based on the complexity and importance of the items. Generally, the order of business shall be as follows:

1. **Call to Order.** The presiding officer shall take the chair at the hour appointed for the meeting and call the meeting to order. Members present and absent shall be recorded; the Secretary shall announce if a quorum has not been achieved.

2. **Approval of Agenda**. Items to be continued, withdrawn, or reordered.

3. **Public Comment**
   a. Written communications. Receive written correspondence related to a matter within the board's purview not but on that meeting's agenda. Such communications have been included or listed in the agenda packet or, if received after the distribution of the packet, placed at the members' positions. Note: correspondence from members of the public relative to an item on that meeting's agenda are noted during the board's consideration of that item.

   b. Oral communications. Receive oral input from members of the public on any item within the board's purview but not on that meeting's agenda. Comments are generally limited to three minutes and will not receive board action. Note: comments from members of the public relative to an item on that meeting's agenda are normally taken during the board's consideration of that item. However, the chair may accept public comment at the beginning of the meeting on items on the agenda, in the case of schedule conflicts, site visits, or other appropriate reasons.

4. **Member and Staff Announcements**
   a. **Attendance at meetings with relevance to the board**

   b. **Ex Parte Meetings and Communications.** It is the responsibility of each member of a decision-making or advisory body to be as well informed as is feasible on matters that are to be addressed by the body. If a member of a decision-making or advisory body is contacted by a member of the public on such a matter, and provided information that is germane in developing his or her position on an issue, that information is also of value to other members of the body and should be shared.

      If the issue is quasi-judicial ("adjudicative"), members should seek to avoid receiving any such information outside of the meeting. Quasi-judicial matters are applications and hearings that determine rights or obligations of named individuals or of specific

property, such as requests for variances, appeals, and similar matters. These matters require a decision based upon notice and a hearing record. If a member does receive a communication on a pending quasi-judicial matter, the member shall announce such *ex parte* communication at the beginning of the body's consideration of the item and shall share the information received with the other members. Copies of the communications, including but not limited to electronically transmitted communications such as email, email attachments, and facsimile transmissions, shall be included in the public record.

b. **Consent Agenda**
   a. **Approval of Minutes of Prior Meetings.** As a general rule, the minutes of one meeting should be available for approval at the start of the next meeting. This helps every member be fully up to speed on the board's actions, whether they attended the prior meeting or not. It also helps get people's minds in gear.

   b. **Other routine and non-controversial items**, including receiving the minutes of other bodies.

   Any member of the board or public has the right to pull an item from the Consent Agenda. If an item pulled from the Consent Agenda can be handled quickly, it can be addressed immediately following approval of the remaining Consent Agenda items. If the item now appears to be controversial or otherwise time consuming, then it often best addressed later in the meeting, in its correct spot on the Regular Agenda.

c. **Regular Agenda**
   a. Public Hearings
   b. Unfinished Business
   c. New Business
   d. Reports from Subcommittees

d. **Adjournment.** The Secretary shall announce the date and time of the next meeting. It is helpful if any member who will be unable to attend announces that now.

Depending on the board, meetings should be scheduled to last either two or three hours. As a convenience to members and the public, meetings shall generally be kept within the scheduled time limits.

The board will not normally consider any new items after a set time, to be determined by the board. Affirmative vote on a motion to extend the meeting is required. Any items remaining on the agenda shall be continued to either the next regular meeting or a special meeting, at the discretion of the board.

III. Adding an Item to the Published Agenda

Items not included on the posted agenda may be considered only if they fall within any of the below exceptions:

- In advance of the meeting—by creating an amended agenda, circulating the agenda and item to the board members, and posting all materials on the City's website at least 72 hours prior to the meeting.

- At the meeting—there are two possibilities. First, when a majority of the members decides an emergency exists; an emergency includes a work stoppage, crippling disaster, or any other activity that impairs public health and safety. Second, when two-thirds of the members present and voting (or, if less than two-thirds of the members are present, a unanimous vote of those members present) decide that there is a need for immediate action that cannot reasonably wait until the next regularly scheduled meeting and the matter came to attention only after the agenda had been posted[2].

If an item does not fall within one of these exceptions it may not be discussed and acted upon, but may be added to a subsequent agenda.

IV. The Process for Consideration and Action on an Agenda Item

The agenda constitutes the body's agreed-upon road map for the meeting. Most regular agenda items can be handled by the board and chair in the following 4-phase process. Reasonable variations are acceptable; on simple items, several steps are often combined.

A. Presenting Item

1. **Opening Item**. The chair should clearly announce the agenda item number and should state what the subject is. The chair should then announce any special procedures to be followed (e.g., if the item is a public hearing.) This is also when any member would announce his or her recusal, if a conflict of interest exists, and leave the room.

2. **Receiving Report**. Following that announced procedure, the chair should invite the appropriate people to report on the item, including any recommendations they might have. The appropriate person may be a member of the governing body, staff, or the chair of a committee that was charged with examining the matter in depth prior to its consideration by the board. Verbal presentations should be short, so as to not repeat the basic information that should have been included in the agenda packet. (By including all key information in the packet, members of the commission and the public can be informed about the item before the meeting, and have already requested any additional information they desire.) The prepared information should include the purpose of the item, all needed background information, options considered, the results of any analysis, and the recommended action, if any.

B. Taking Public Input. The chair should open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the total amount of time available for public comment in order to ensure all items set for consideration may be heard at that meeting. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed). A challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The chair should not allow any person to go over the limit, stray from the topic, or become disrespectful or abusive.

C. Considering—the chair then brings the matter to the board for a collaborative, less formal deliberation.

1. **Developing a Common Knowledge Base and Understanding**. The chair should ask members of the body if they have any questions of the person(s) making the report or others with knowledge relevant to the issue. Questions should go through the chair.

2. **Identifying Options**. The chair should invite members to identify all alternative solutions to the questions and issues at hand. It is important to get all options on the table early in the deliberations, so they can be addressed simultaneously, not sequentially.

3. **Deliberating**. Once the options have been identified, unless the path forward is clear to all, the chair should ensure that the board undertakes deliberations that analyze all the options in full. As we do not follow Roberts' Rules, but instead more collaborative norms, the chair has great flexibility in how this is to be conducted. Initial discussion should focus on identifying all relevant facts, ensuring the full range of alternatives has been identified, and inquiry, not advocacy. An analysis of the advantages and disadvantages of all identified alternatives should be undertaken. This can often be facilitated by the creation of a visual record, such as a separate flip chart for each alternative, with separate space for the pros and cons. Time committed to this step should be adequate to allow the sense of the commission to emerge.

D. Deciding—the matter stays at the board, but more formality is introduced.

1. **Motion and Second**. The chair should then invite a motion from the members. When a motion is made, the chair should ask for or accept a second. If there is no member willing to second, the motion would stand little chance of passage. If no other motion is offered, the board is probably not ready to make a decision. Thus, the chair should ask the members what additional information needs to be presented, or what other steps need to be undertaken, for them to be ready.

2. **Discussing the Motion's Merits**. Once a motion is made and seconded, and the chair believes all members understand the motion, the chair should allow any additional desired discussion. This allows those supporting the motion, and those who may be opposed, to give their reasons. Now is the time for opinion and persuasion; advocacy not inquiry.

   Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal or emotional.

3. **Voting**. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, the Chair should ask the secretary or staff to repeat the motion.

4. **Announcing Action Taken**. Upon the completion of the vote, the Chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. The board has approved the proposed work plan for the year, with two adjustments."

Public Hearings. For public hearings, there are a few additional guidelines. After receiving the staff report, the Chair opens the public hearing and accepts testimony in the following order:

1. Statement of the applicant and/or his/her agents.
2. Public input on the matter.

The Chair shall then close the public hearing.

The public input portion of the public hearing may be reopened before voting on the item if a new issue is raised. It is not be necessary to re-open a public hearing to ask questions of the project applicant. If the public hearing is reopened, all interested parties may be heard, but the chair can limit the input to the new issues and can further limit the time per comment.

Rules of Testimony. No person or member shall address the board without first securing the permission of the Chair to do so. All comments shall be addressed to the board as a whole. All questions shall be placed through the Chair.

Speakers are not required to give their name or address, but it is helpful (though not required) for speakers to state their name in order that the secretary may identify them in the minutes of the meeting.

If there are numerous people in the audience who wish to participate on the issue, and it is known that all represent the same opinion, a spokesperson should be encouraged to speak for the entire group. The spokesperson will then have the opportunity of speaking for ten minutes and of presenting a complete case.

To avoid unnecessary cumulative evidence, the Chair may limit the time of testimony to not more than three minutes on a particular issue by each individual. However, an applicant and designated opponent are generally allowed ten minutes of comment and an opportunity to rebut at the end of public comment.

V. Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly, and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. In the absence of informal facilitation of dialogue, it is best for only one person at a time to have the floor, and it is best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal or too emotional.

Getting the floor. Every member desiring to speak shall address the chair and, only upon recognition by the chair, confine contributions to the matter at hand, avoiding all indecorous language and personal attacks.

In general, a member may not interrupt the speaker except for the following reasons:

- **Privilege.** The proper interruption would be: “Point of privilege.” The chair would then

ask the interrupter to, "State your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

- **Order.** The proper interruption would be: "Point of order." Again, the chair would ask the interrupter to, "State your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

- **Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and, after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

- **Call for orders of the day.** This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

- **Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn; and any other member may make the motion, once recognized.

VI. Motions

Motions are the vehicles for decision making. As indicated above, a motion should be introduced on a matter after general information is shared and options have been identified, but before members share their opinions and seek to persuade.

The chair shall ensure that all motions are clearly stated and commonly understood before allowing deliberations to begin.

The types of motions, and the hierarchy of motions, are described in an accompanying document, *Motions*.

VII. Voting

Voting Requirements. The City Code requires the affirmative vote of a majority of the total members of a board or commission (excluding any non-voting members), on any item, for any action by a board[3], unless otherwise provided. In addition, proxy votes for absent members are not allowed.

Disqualification from Voting; Recusal. A board member shall disqualify him/herself from deliberation and voting on any matter before the board, prior to the board's consideration of the

matter, when there is a conflict of interest requiring disqualification as a matter of law. A member may also disqualify him or herself due to personal bias or the appearance of impropriety.

Upon the chair's announcement of an item, the member shall state that he/she is disqualifying him/herself due to a conflict of interest, state the nature of the conflict (e.g., financial), and leave the voting area until the completion of that item. Best practice is to leave the room, since facial expressions and other gestures might otherwise be viewed as an attempt to influence the remaining board members. (Given that the Council chambers sound system allows people in the hallway and outdoors, members of Boards meeting there can still listen to the proceedings even upon leaving

Should the number of members recusing themselves as a result of a conflict of interest disrupt the quorum, the "rule of necessity" allows the random selection of the fewest number of conflicted members to vote as is needed to enable a quorum to participate and reach a decision.[4]

If a member is in doubt as to whether or not a conflict of interest exists, s/he should consult with the City Attorney prior to the meeting.

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Voting Methods. When a motion is not likely to be opposed, the chair says, "If there is no objection, …". The members show their agreement, called "general consent," by their silence. If a member says, "I object," the item is put to a vote. Most votes shall be by voice vote. The chair asks those in favor to say, "Aye," and those opposed to say "No." If the outcome is unclear by voice, a hand vote may be taken. Any member may move for an exact count. In some cases, a roll call vote is required, with each member answering "yes" or "no" as his or her name is called. The order of voting for roll call votes shall be random. Secret ballots are allowed, but not required, only for elections of officers.

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Recording of Votes. The minutes of the board's proceedings shall show the vote of each member, including whether they were absent or failed to vote on a matter considered. This is normally done as shown in the following example: "The motion passed 5-2, Brown and Smith voting no."

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Unless a super-majority is required (addressed in the accompanying document, *Motions*), a simple majority determines whether each motion passes or is defeated. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

IX. Deciding to Move on

Items may be continued by a board to a continuation (or subsequent) meeting for the following types of reasons:

- The board requires additional information during the meeting.
- New information or issues come to light during the meeting that need further study.
- Other reasons deemed appropriate and substantial by the board.

In addition, a board that has been delegated authority to act on submitted applications (e.g., ARB, NRC, TSC, Planning Commission) may continue an item when:

- The applicant cannot appear at the meeting and has requested that the item be continued.
- The application is revised by the applicant during the meeting.
- The board requests that the application be revised.

X. When Action Is Necessary

Once there is a defeated motion, the chair needs to decide how to proceed, based on the type of issue being addressed, and the reason the motion was defeated. The chair can, for example, facilitate additional fact-finding, analysis of the issue, or dialogue that can lead to a motion able to garner a majority. Before positions become hardened, it is frequently helpful to step back and explore shared interests. Such efforts should be continued until action is achieved or it becomes clear that the body is not likely to become "unstuck." In most circumstances, the chair should then move the group on to the next agenda item.

In certain circumstances—a permit application, for example—the lack of any action is not acceptable (e.g., an application must ultimately be approved or denied). There are four primary options here:

- *Continuing the item*. This is often undertaken if one or more members of the body are absent or if new information can be developed. Continuance can also provide the applicant time to consider his/her options, develop a project more likely to receive approval, etc.

Continuance is normally undertaken only with the concurrence of the applicant, and generally requires a super majority.

- *Technically denying the application*. This option is based on the philosophy that, for a project that has been proposed, approval requires a majority of members to vote in favor. Anything less than the required majority is thus considered a denial. One option under "technical denial" is to allow any applicant or other party to appeal the matter (assuming an appeal would otherwise have been available) on the grounds that the matter was "deemed denied." This option avoids the need for the body to take further action (e.g., if the body is unable to achieve a majority vote to forward the matter to the next higher body).

- *Denying the application without prejudice*. This option may, in some situations, require at least one member of the body to switch his or her vote, in order to vote to deny for procedural reasons only. Such reasons should be stated in the motion, so the record is clear. It allows the applicant to either: 1) appeal to the next higher body; or 2) resubmit the same project or a modified project reflecting board or City input, without paying fees, waiting a minimum number of months, etc. (such a delay could be for any number of possible reasons, including awaiting turnover on the board). This option is in addition to the provisions exclusively for the Planning Commission detailed in PGMC Section 23.70.080.

- *Forwarding the matter to the next higher body* for a *de novo* hearing. This is similar to an appeal, but since it is an action of the body (and therefore takes a majority vote) requires no fees or other action by the applicant. [Note: this option is generally not available for land use issues. Before any board takes such action, staff supporting the board should check with the City Attorney.]

XI. Special Notes about Public Input

The guidelines outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is often wise to apply three general guidelines that apply to each agenda item:

1. Tell the public what the body will be doing.
2. Keep the public informed while the body is doing it.
3. When the body has acted, tell the public what the body did.

Public participation in public meetings is an important element of our community's decision-making process. One challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

In summary, the guidelines presented here for conducting a meeting are offered as tools for effective meetings and as a means of developing sound public policy. When these guidelines are silent, the chair shall decide all questions of order, subject to appeal by a member. When in doubt, the chair may submit the question to the board, in which case a majority vote shall prevail.

Notes

[1] Robert III, Henry M. et al., *Robert's Rules of Order*, 10th Edition, Cambridge, MA: DaCapo Press, 2009, Introduction and Chapter 1.

[2] California Government Code §54954.2(b)

[3] PGMC §3.02.070 and §3.04.080

[4] Pursuant to the Political Reform Act.

[5] This protocol is based on several California Appellate Court decisions, an opinion of the Attorney General, and common law.

Sources

Doyle, Michael and David Straus, *How to Make Meetings Work: The New Interaction Method*, New York: Berkley Trade, 1993.

Institute for Local Government, *An Ounce of Prevention: Best Practices for Making Informed Land Use Decisions*, Sacramento, CA, 2006.

League of California Cities, *Parliamentary Procedure Basics Relating to League Policy Committees*, Sacramento, CA: League of California Cities, 2006.

National Association of Parliamentarians, http://parliamentarians.org/procedure.php.

Robert III, Henry M. et al., *Robert's Rules of Order*, 10th Edition, Cambridge, MA: DaCapo Press, 2009.

Rosenberg, Dave, *Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century*, Sacramento, CA: League of California Cities, 2003.

Susskind, Lawrence E. and Jeffrey L. Cruikshank, *Breaking Robert's Rules: The New Way to Run Your Meeting, Build Consensus, and Get Results*, Oxford: Oxford University Press, 2006.

City of Pacific Grove

Board and Commission Meeting Guidelines and Procedures

The best board meetings are an appropriate mixture of formality and informality, process and substance. Too much structure can prevent effective decision-making; too little structure enables those who do not agree with the majority to stifle progress. In order to strike the right balance, Pacific Grove boards and commissions use simplified rules of parliamentary procedures for conducting their meetings.

Parliamentary procedures are the body of commonly accepted rules and customs governing meetings and other operations of deliberative assemblies. Such groups follow parliamentary procedure to elicit a broad range of perspectives, deliberate collaboratively, and reach the best possible group decisions, while simultaneously continuing to develop the group's capabilities.

Fundamentally, parliamentary procedures assist groups effectively meet and make decisions in a fair and consistent manner—and make good use of everyone's time. The procedures provide a mechanism whereby: 1) only one subject may rightfully claim group attention at one time; 2) every proposal properly presented for consideration is due a free and full deliberation; and 3) the will of the majority is determined in orderly procedure, while preserving the rights of the minority. The guidelines provided in the next few pages have been developed and tested over time. They work best when they become second nature.

Many new members might initially assume that a City board or commission must operate under *Robert's Rules of Order*[1]. The City Code requires the City Council to adhere to Robert's Rules (PGMC §2.04.010) but is silent as to boards and commissions. As a result, we use a simpler set of procedures, featuring group-friendly norms. These norms allow the use of well-accepted meeting facilitation tools that enable all members of the board or commission to engage in a more productive dialogue to address constituency problems and opportunities. Boards and commissions benefit from a shared sense of inquiry, trust, empathy, and collaboration, which are often inhibited by the use of rigid rules.

Parliamentary procedures should assist a board in being successful, and never get in the way of success. To the extent that meeting facilitation techniques (detailed in several documents, see the list of sources, at the end) can augment or supplant rules, the board benefits. More formal use of these guidelines is appropriate for items with greater importance, having greater legal strictures, or subject to greater conflict.

Boards and commissions (hereinafter referred to as "boards"), and their committees, shall adhere to these guidelines and procedures for notice, conduct of meetings, reporting to the Council, and other matters, to the end that all deliberations are conducted and actions taken openly, that the public is well informed in a timely manner, and that the work is performed for the entire community's benefit.

The failure of a board or its committees to conform to these guidelines shall not in any instance invalidate the action taken.

I. Quorum

A quorum shall consist of a majority of the board's voting member positions. On a 5-member board, the quorum is 3; on a 7-member board, the quorum is 4. There is no meeting when a quorum is not present. Either an ex-officio member or a vacancy reduces the number of voting member positions.

II. Order of Business

The order of items shall be based on the complexity and importance of the items. Generally, the order of business shall be as follows:

1. **Call to Order.** The presiding officer shall take the chair at the hour appointed for the meeting and call the meeting to order. Members present and absent shall be recorded; the Secretary shall announce if a quorum has not been achieved.

2. **Approval of Agenda**. Items to be continued, withdrawn, or reordered.

3. **Public Comment**
   a. Written communications. Receive written correspondence related to a matter within the board's purview not but on that meeting's agenda. Such communications have been included or listed in the agenda packet or, if received after the distribution of the packet, placed at the members' positions. Note: correspondence from members of the public relative to an item on that meeting's agenda are noted during the board's consideration of that item.

   b. Oral communications. Receive oral input from members of the public on any item within the board's purview but not on that meeting's agenda. Comments are generally limited to three minutes and will not receive board action. Note: comments from members of the public relative to an item on that meeting's agenda are normally taken during the board's consideration of that item. However, the chair may accept public comment at the beginning of the meeting on items on the agenda, in the case of schedule conflicts, site visits, or other appropriate reasons.

4. **Member and Staff Announcements**
   a. **Attendance at meetings with relevance to the board**. Information gleaned that may be helpful to other members should be shared. In addition, CA Gov't Code §53232.3(d) provides that, "Members of a legislative body *[which, based on the State's definition, includes all City advisory boards]* shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body."

   b. **Ex Parte Meetings and Communications.** It is the responsibility of each member of a decision-making or advisory body to be as well informed as is feasible on matters that are to be addressed by the body. If a member of a decision-making or advisory body is contacted by a member of the public on such a matter, and provided information that is germane in developing his or her position on an issue, that information is also of value to other members of the body and should be shared.

If the issue is quasi-judicial ("adjudicative"), members should seek to avoid receiving any such information outside of the meeting. Quasi-judicial matters are applications and hearings that determine rights or obligations of named individuals or of specific property, such as requests for variances, appeals, and similar matters. These matters require a decision based upon notice and a hearing record. If a member does receive a communication on a pending quasi-judicial matter, the member shall announce such *ex parte* communication at the beginning of the body's consideration of the item and shall share the information received with the other members. Copies of the communications, including but not limited to electronically transmitted communications such as email, email attachments, and facsimile transmissions, shall be included in the public record.

b. **Consent Agenda**
   a. **Approval of Minutes of Prior Meetings.** As a general rule, the minutes of one meeting should be available for approval at the start of the next meeting. This helps every member be fully up to speed on the board's actions, whether they attended the prior meeting or not. It also helps get people's minds in gear.

   b. **Other routine and non-controversial items**, including receiving the minutes of other bodies.

   Any member of the board or public has the right to pull an item from the Consent Agenda. If an item pulled from the Consent Agenda can be handled quickly, it can be addressed immediately following approval of the remaining Consent Agenda items. If the item now appears to be controversial or otherwise time consuming, then it often best addressed later in the meeting, in its correct spot on the Regular Agenda.

c. **Regular Agenda**
   a. Public Hearings
   b. Continuing and Unfinished Business
   c. New Business
   d. Reports from Subcommittees

d. **Adjournment.** The Secretary shall announce the date and time of the next meeting. It is helpful if any member who will be unable to attend announces that now.

Depending on the board, meetings should be scheduled to last either two or three hours. As a convenience to members and the public, meetings shall generally be kept within the scheduled time limits.

The board will not normally consider any new items after a set time, to be determined by the board. Affirmative vote on a motion to extend the meeting is required. Any items remaining on the agenda shall be continued to either the next regular meeting or a special meeting, at the discretion of the board.

III. Addition of an Item to the Published Agenda

Items not included on the posted agenda may be considered only if they fall within any of the below exceptions:

- In advance of the meeting—by creating an amended agenda, circulating the agenda and item to the board members, and posting all materials on the City's website at least 72 hours prior to the meeting.
- At the meeting—there are two possibilities. First, when a majority of the members decides an emergency exists; an emergency includes a work stoppage, crippling disaster, or any other activity that impairs public health and safety. Second, when two-thirds of the members present and voting (or, if less than two-thirds of the members are present, a unanimous vote of those members present) decide that there is a need for immediate action that cannot reasonably wait until the next regularly scheduled meeting and the matter came to attention only after the agenda had been posted[2].

If an item does not fall within one of these exceptions it may not be discussed and acted upon, but may be added to a subsequent agenda.

IV. The Process for Consideration and Action on an Agenda Item

The agenda constitutes the body's agreed-upon road map for the meeting. Most regular agenda items can be handled by the board and chair in the following 4-phase process. Reasonable variations are acceptable; on simple items, several steps are often combined.

A. Presenting Item

1. **Opening Item**. The chair should clearly announce the agenda item number and should state what the subject is. The chair should then announce any special procedures to be followed (e.g., if the item is a public hearing.) This is also when any member would announce his or her recusal, if a conflict of interest exists, and leave the room.

2. **Hearing the Report**. Following that announced procedure, the chair should invite the appropriate people to report on the item, including any recommendations they might have. The appropriate person may be a member of the governing body, staff, or the chair of a committee that was charged with examining the matter in depth prior to its consideration by the board. Verbal presentations should be short, so as to not repeat the basic information that should have been included in the agenda packet. (By including all key information in the packet, members of the commission and the public can be informed about the item before the meeting, and have already requested any additional information they desire.) The prepared information should include the purpose of the item, all needed background information, options considered, the results of any analysis, and the recommended action, if any. Some chairs provide an opportunity here for board members to ask any clarifying questions of the person providing the report. Others do not, as this has a tendency to segue into position statements before public input is taken, which is inconsistent with open meeting principles.

B. Taking Public Input. The chair then opens the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the total amount of time available for public comment in order to ensure all items set for consideration may be heard at that meeting. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed). A challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The chair should not allow any person to go over the limit, stray from the topic, or become

disrespectful or abusive.

C. Considering the Item—the chair then brings the matter to the board for a collaborative, less formal deliberation.

1. **Developing a Common Knowledge Base and Understanding**. The chair should ask members of the body if they have any questions of the person(s) making the report or others with knowledge relevant to the issue. Questions should go through the chair.

2. **Identifying Options**. The chair should invite members to identify all alternative solutions to the questions and issues at hand. It is important to get all options on the table early in the deliberations, so they can be addressed simultaneously, not sequentially.

3. **Deliberating**. Once the options have been identified, unless the path forward is clear to all, the chair should ensure that the board undertakes deliberations that analyze all the options in full. As we do not follow Roberts' Rules, but instead more collaborative norms, the chair has great flexibility in how this is to be conducted. Initial discussion should focus on identifying all relevant facts, ensuring the full range of alternatives has been identified, and inquiry, not advocacy. An analysis of the advantages and disadvantages of all identified alternatives should be undertaken. This can often be facilitated by the creation of a visual record, such as a separate flip chart for each alternative, with separate space for the pros and cons. Time committed to this step should be adequate to allow the sense of the commission to emerge.

D. Deciding—the matter stays at the board, but more formality is introduced.

1. **Motion and Second**. The chair should then invite a motion from the members. When a motion is made, the chair should ask for or accept a second. If there is no member willing to second, the motion would stand little chance of passage. If no other motion is offered, the board is probably not ready to make a decision. Thus, the chair should ask the members what additional information needs to be presented, or what other steps need to be undertaken, for them to be ready.

2. **Discussing the Motion's Merits**. Once a motion is made and seconded, and the chair believes all members understand the motion, the chair should allow any additional desired discussion. This allows those supporting the motion, and those who may be opposed, to give their reasons. Now is the time for opinion and persuasion; advocacy not inquiry.

   Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal or emotional.

3. **Voting**. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, the Chair should ask the secretary or staff to repeat the motion.

4. **Announcing Action Taken**. Upon the completion of the vote, the Chair shall announce the result of the vote and what action (if any) the body has taken. In announcing the

result, the chair shall indicate the names of the members, if any, who voted in the minority on the motion. (Note: effective January 1, 2014, state law now requires an oral announcement of all voting positions.) This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. The board has approved the proposed work plan for the year, with two adjustments."

Public Hearings. For public hearings, there are a few additional guidelines. After receiving the staff report, the Chair opens the public hearing and accepts testimony in the following order:

1. Statement of the applicant and/or his/her agents.
2. Public input on the matter.

The Chair shall then close the public hearing.

The public input portion of the public hearing may be reopened before voting on the item if a new issue is raised. It is not be necessary to re-open a public hearing to ask questions of the project applicant. If the public hearing is reopened, all interested parties may be heard, but the chair can limit the input to the new issues and can further limit the time per comment.

Rules of Testimony. No person or member shall address the board without first securing the permission of the Chair to do so. All comments shall be addressed to the board as a whole. All questions shall be placed through the Chair.

Speakers are not required to give their name or address, but it is helpful (though not required) for speakers to state their name in order that the secretary may identify them in the minutes of the meeting.

If there are numerous members of the public who wish to participate on the issue, and it is known that all represent the same opinion, a spokesperson should be encouraged to speak for the entire group. The spokesperson will then have the opportunity of speaking for ten minutes and of presenting a complete case.

To avoid unnecessary cumulative evidence, the Chair may limit the time of testimony to not more than three minutes on a particular issue by each individual. However, an applicant and designated opponent are generally allowed ten minutes of comment and an opportunity to rebut at the end of public comment.

V. Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly, and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. In the absence of informal facilitation of dialogue, it is best for only one person at a time to have the floor, and it is best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal or too emotional.

Getting the floor. Every member desiring to speak shall address the chair and, only upon recognition by the chair, confine contributions to the matter at hand, avoiding all indecorous language and personal attacks.

In general, a member may not interrupt the speaker except for the following reasons:

- **Privilege.** The proper interruption would be: "Point of privilege." The chair would then ask the interrupter to, "State your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

- **Order.** The proper interruption would be: "Point of order." Again, the chair would ask the interrupter to, "State your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

- **Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and, after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

- **Call for orders of the day.** This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

- **Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn; and any other member may make the motion, once recognized.

VI. Motions

Motions are the vehicles for decision making. As indicated above, a motion should be introduced on a matter after general information is shared and options have been identified, but before members share their opinions and seek to persuade.

The chair shall ensure that all motions are clearly stated and commonly understood before allowing deliberations to begin.

The types of motions, and the hierarchy of motions, are described in an accompanying document, *Motions*.

VII. Voting

Voting Requirements. The City Code requires the affirmative vote of a majority of the total members of a board or commission (excluding any non-voting members), on any item, for any

action by a board[3], unless otherwise provided. In addition, proxy votes for absent members are not allowed.

Disqualification from Voting; Recusal. A board member shall disqualify him/herself from deliberation and voting on any matter before the board, prior to the board's consideration of the matter, when there is a conflict of interest requiring disqualification as a matter of law. A member may also disqualify him or herself due to personal bias or the appearance of impropriety.

Upon the chair's announcement of an item, the member shall state that he/she is disqualifying him/herself due to a conflict of interest, state the nature of the conflict (e.g., financial), and leave the voting area until the completion of that item. Best practice is to leave the room, since facial expressions and other gestures might otherwise be viewed as an attempt to influence the remaining board members. (Given that the Council chambers sound system allows people in the hallway and outdoors, members of Boards meeting there can still listen to the proceedings even upon leaving

Should the number of members recusing themselves as a result of a conflict of interest disrupt the quorum, the "rule of necessity" allows the random selection of the fewest number of conflicted members to vote as is needed to enable a quorum to participate and reach a decision.[4]

If a member is in doubt as to whether or not a conflict of interest exists, s/he should consult with the City Attorney prior to the meeting.

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In certain circumstances—a permit application, for example—the lack of any action is not acceptable (e.g., an application must ultimately be approved or denied). There are four primary options here:

- *Continuing the item*. This is often undertaken if one or more members of the body are absent or if new information can be developed. Continuance can also provide the applicant time to consider his/her options, develop a project more likely to receive approval, etc. Continuance is normally undertaken only with the concurrence of the applicant, and generally requires a super majority.

- *Technically denying the application*. This option is based on the philosophy that, for a project that has been proposed, approval requires a majority of members to vote in favor. Anything less than the required majority is thus considered a denial. One option under "technical denial" is to allow any applicant or other party to appeal the matter (assuming an appeal would otherwise have been available) on the grounds that the matter was "deemed denied." This option avoids the need for the body to take further action (e.g., if the body is unable to achieve a majority vote to forward the matter to the next higher body).

- *Denying the application without prejudice*. This option may, in some situations, require at least one member of the body to switch his or her vote, in order to vote to deny for procedural reasons only. Such reasons should be stated in the motion, so the record is clear. It allows the applicant to either: 1) appeal to the next higher body; or 2) resubmit the same project or a modified project reflecting board or City input, without paying fees, waiting a minimum number of months, etc. (such a delay could be for any number of possible reasons, including awaiting turnover on the board). This option is in addition to the provisions exclusively for the Planning Commission detailed in PGMC Section 23.70.080.

- *Forwarding the matter to the next higher body* for a *de novo* hearing. This is similar to an appeal, but since it is an action of the body (and therefore takes a majority vote) requires no fees or other action by the applicant. [Note: this option is generally not available for land use issues. Before any board takes such action, staff supporting the board should check with the City Attorney.]

XI. Discipline

Each group has the authority to enforce its own rules. The chair should respectfully point out any fault or violation of these rules and request the member to avoid such action. If the member refuses to conform, the chair shall call the member to order by stating, "The member is out of order," direct the member to conform, and indicate what remedy will be taken if the member refuses to conform. If the member still refuses to conform, the chair should clearly state the breach involved and put the question to the group: "Shall the member be allowed to continue _____." This question is not debatable and is followed immediately by a call for votes. In extreme cases, the body may then ask the member to leave or the chair may call either a recess or an adjournment. In such cases, the chair shall direct the secretary to describe in the minutes the objectionable actions by the member in sufficient detail so that members not present will fully understand the reasons for the body's actions.

If it is the chair who is violating the rules, then any member may call a, "Point of order." After the member describes the concern, the chair shall either agree and make the appropriate adjustment, or

shall put the question to the group, as above.

XII. Special Notes about Public Input

The guidelines outlined here help make meetings very public-friendly. But in addition, and particularly for the Chair, it is often wise to apply three general guidelines that apply to each agenda item:

1. Tell the public what the body will be doing.
2. Keep the public informed while the body is doing it.
3. When the body has acted, tell the public what the body did.

Public participation in public meetings is an important element of our community's decision-making process. One challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

In summary, the guidelines presented here for conducting a meeting are offered as tools for effective meetings and as a means of developing sound public policy. When these guidelines are silent, the chair shall decide all questions of order, subject to appeal by a member. When in doubt, the chair may submit the question to the board, in which case a majority vote shall prevail.

Notes

[1] Robert III, Henry M. et al., *Robert's Rules of Order*, 10th Edition, Cambridge, MA: DaCapo Press, 2009, Introduction and Chapter 1.

[2] California Government Code §54954.2(b)

[3] PGMC §3.02.070 and §3.04.080

[4] Pursuant to the Political Reform Act.

[5] This protocol is based on several California Appellate Court decisions, an opinion of the Attorney General, and common law.

Sources

Doyle, Michael and David Straus, *How to Make Meetings Work: The New Interaction Method*, New York: Berkley Trade, 1993.

Institute for Local Government, *An Ounce of Prevention: Best Practices for Making Informed Land Use Decisions*, Sacramento, CA, 2006.

League of California Cities, *Parliamentary Procedure Basics Relating to League Policy Committees*, Sacramento, CA: League of California Cities, 2006.

National Association of Parliamentarians, http://parliamentarians.org/procedure.php.

Robert III, Henry M. et al., *Robert's Rules of Order*, 10th Edition, Cambridge, MA: DaCapo Press, 2009.

Rosenberg, Dave, *Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century*, Sacramento, CA: League of California Cities, 2003.

Susskind, Lawrence E. and Jeffrey L. Cruikshank, *Breaking Robert's Rules: The New Way to Run Your Meeting, Build Consensus, and Get Results*, Oxford: Oxford University Press, 2006.

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Council, Board, Commission and Committee Member Appearances at City Hearings and Meetings.	000-6	May 2, 2007	1 of 2

Statement of Purpose
It is of paramount importance to the City Council that all City business be conducted in a fair and impartial manner. At the same time, the Council recognizes that citizens serving their community cannot be expected to give up their right of free speech. This policy is an attempt to establish guidelines that balance the individual's right of free speech with the community's right to due process through the fair and impartial conduct of City business.

Policy Governing Council Members
Members of the City Council may attend and observe hearings and meetings of City boards, commissions, and committees of which they are not members. However, since Council Members may later be required to review and act on decisions and recommendations of lower bodies, Council Members should not participate in or attempt to influence the decisions of such bodies.

Policy Governing Members of Boards, Commissions and Committees
Appointed members of City boards, commissions, and committees may attend hearings and meetings held by other City bodies of which they are not members. If the member is not attending at the direction of and as an official representative of another body, he or she may still participate in the meeting as long as it is clearly explained in advance that such participation is strictly personal and unofficial. Those who serve their community hold a public trust and they should avoid giving any appearance of unfairness.

It is intended that boards, commissions, and committees are provided ample opportunity to exchange information with the City Council during regular City Council meetings. It is recognized that the advisory bodies may benefit from direction by the City Council and that the Council may benefit from timely updates from advisory bodies on their progress and challenges. To foster this communication, the following provisions are adopted:

- Only members of the board, commission, or committee are permitted to speak on behalf of the body.
- The member presenting must be the Chair or another member designated by the advisory body to present material to the Council.
- The material being presented must have been approved by the advisory body at a legally noticed public meeting.
- If the report requires action by the Council at that meeting, a legally noticed agenda report shall be prepared and submitted to the Council prior to the meeting.

Advisory body representatives who do not meet these criteria should speak during the public comment portions of the agenda and clearly identify that they are speaking as individuals and not on behalf of the advisory body.
Adopted: February 1, 1989--Resolution No. 5957
Amended: May 2, 2007-- Resolution No.07-016

City of Pacific Grove, California
City Council Policy

Policy Governing	Policy No.	Effective Date	Page
Processing and Settling Claims Against the City	000-7	June 7, 1989	1 of 1

PURPOSE

It is the purpose of this policy to establish procedures for processing and settling claims made against the City as a result of personal injury, property damage, or job-related illness or injury (workers' compensation).

POLICY

With regard to workers' compensation, it is the policy of the City to provide treatment and care for employees injured on the job. Treating physicians must be approved by the City, or the employee must have designated a personal physician in writing prior to the illness or injury. The City may not be liable for costs incurred through unauthorized treatment.

With regard to general liability claims for personal injury or property damage, it is the policy of the City that all such claims be investigated quickly and carefully, and that prompt and equitable restitution be offered to the injured parties when it is found that a claim is meritorious. Conversely, when a claim or lawsuit is filed which does not appear to have legal merit, or it appears that a claim or lawsuit has been pursued in bad faith, is frivolous, or is untimely, the City shall resist and defend such claims or actions vigorously. No claims shall be paid without an underlying basis of legal merit. Further, the City may consider the institution of litigation under Section 128.5 of the California Code of Civil Procedure in order to discourage claims made frivolously or in bad faith and to obtain reimbursement for City's incurred costs.

The City Manager and City Attorney, and their designated representatives, shall have the authority to retain adjusters, attorneys, investigators and any other assistance deemed necessary to administer, adjust, investigate, and defend against or settle claims against the City. The City Council shall be advised of all settlements, and any settlement in excess of $25,000.00 shall have prior approval from the City Council.

PROCEDURES

Workers' Compensation

All on-the-job accidents which result in personal injury must be reported to a supervisor immediately, regardless of the severity of the injury. A standard report shall be prepared and forwarded to the City Manager without delay for all incidents of job-related illness or injury. This policy is necessary for the protection of the employee and to provide information which may be used to prevent similar accidents.

General Liability

All claims for personal injury or property damage shall be filed with the City Clerk or a designated representative, as required by law. When it is determined that it will take more than 30 days to investigate or settle a claim, such claim shall be referred to the City Council for denial in order to protect City's legal rights.

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page
Council Guidelines	000-9	February 3, 2010	1 of 4

I. AGENDA PACKET PREPARATION AND DISTRIBUTION

The general procedure is as follows:

1. Agenda packets are prepared and placed in Council boxes for pick-up on the Thursday evening or Friday morning preceding the meeting. Staff will e-mail Council when the Agenda packet is available.

2. The working deadline for agenda submissions is Wednesday at 8:00 a.m., one week prior to the scheduled Council meeting. (By Code, Councilmembers have until noon that same day to submit agenda items.)

3. (a) Agenda material from any Council Member who proposes an agenda item should be supplied to staff for distribution according to the same schedule set for all staff-initiated agenda items. Supplemental material arriving after the preparation of the packets will be placed in the "blue folders." Such supplemental material will also be placed with the agenda packets available to the public.

   (b) The goal is to have a complete agenda packet at the time of its distribution. If, however, staff receives substantiating information, reports, proposed emergency ordinances and other such information to the Council after packet distribution, including at the time of the Council meeting, staff may provide this material, so long as the public is correspondingly informed and is given access in accordance with the Brown Act.

   (c) Nothing contained in this policy shall prevent the normal flow of legally permissible information from staff to the Council needed to keep the Council informed.

4. Staff does not duplicate petitions in their entirety. The front page is submitted and a note is attached indicating that the Deputy City Clerk has the original petition and the specified number of signatures. This procedure is also followed whenever there are form letters on the same subject.

5. City staff will ensure the Council receives copies of all correspondence mailed to City Hall and directed to the Mayor and Council. To streamline this procedure and minimize duplication, time, and paper, staff will often make eight copies for Council and the City Attorney, rather than for the full 18 agenda packets.

6. Staff tries not to duplicate letters previously received by the Council. This can get complicated as sometimes people mail or deliver letters directly to Council Members, then mail individual copies to City Hall, bring in copies for individual distribution, or bring in copies to the meeting. There is no practical way to control or monitor this flow of correspondence to determine what has or has not been received. All staff can do is process

the single letter that comes in the mail directed to the Mayor and Council. Staff does make sure that Council receives copies of this material.

7. As a general rule, if correspondence refers to an upcoming agenda item, staff includes it in the packet. If correspondence comes in that refers to some informational item or refers to a past Council action, staff duplicates it and places it in Council boxes.

8. In order to allow the Council to review the agenda packet before it is the subject of a newspaper article, it is our policy to not release the agenda packet until it has been made available to the Council.

II. PUBLIC HEARING PROCEDURES

Each public hearing on the City Council agenda will be called in the order noted on the agenda. Staff will first present a brief report on the public hearing item, including correspondence.

The public hearing will then be opened. For public hearings involving a quasi-judicial determination by the Council (e.g. where a decision modifies vested property rights, or when a matter is raised by appeal pursuant to the Municipal Code), the applicant or proponent of an item shall be allocated a maximum of 10 minutes to speak. If a single designated spokesperson provides the City Clerk, in advance of the meeting, names of persons who request her or him to speak on their behalf, such persons being 10 or greater in number, that single spokesperson shall be allocated an increased amount of time to speak, not to exceed 10 minutes. Depending on time available and the number of people wishing to speak, all other speakers will be limited in their allocated time to 3 minutes each or less.

In public hearings not involving a quasi-judicial determination by the Council, all speakers will be limited in their allocated time to 3 minutes each or less, whether in support or opposition to the item.

Very brief rebuttal and surrebuttal may be allowed, at the sole discretion of the Council.

Questions by any speaker shall be directed to the Mayor.

Once all persons desiring to address the Council have done so, or the allotted time has expired, the matter will then be returned to the Council. All questions having been directed to the Mayor will then be addressed by staff, in the order and format as directed by the Mayor.

The Mayor has the option of requesting that a motion be made to move the item or first facilitating discussion of the issue at hand, to allow the Council to explore the various views and available options. Once a motion is made and seconded, Council Members will discuss and then vote on the motion. If the motion fails, additional discussion and motions can follow, until the matter is resolved.

III. RECOGNITION BY CHAIR

All persons, including members of the Council, wishing to speak shall first be recognized by the Chair.

IV. APPEAL HEARING FROM PLANNING COMMISSION

In accordance with Municipal Code Section 23.72.130, any person aggrieved by an action or decision of the Planning Commission, may appeal to the City Council, by paying a prescribed fee and submitting a written statement of the grounds for appeal. The Code also requires notice to the Planning Commission of such appeal, and a report submitted by the Planning Commission to the City Council, setting forth the reasons for action taken, or the Planning Commission shall be represented at the Council meeting. The City Council shall render its decision within 45 days after the filing of such appeal.

Further, Section 23.72.130(f) reserves the Council's authority to review any action or decision of the Planning Commission, and to make its own decision on such action or matter. The Council shall always have until its next regularly scheduled meeting following such action for review.

The Council shall hold a hearing de novo on appeals and matters called. A de novo hearing on appeal is not dependent on the record of the body from which an appeal is taken. Evidence is taken, witnesses appear and statements are made, all without regard to whether precisely the same evidence, witnesses and statements were recorded at the hearing below. Thus, although the Municipal Code labels it an appeal, it is in fact a second (or third, if it is a hearing on the Planning Commission's decision on appeal from the Architectural Review Board) full, *de novo* consideration of the issue.

The Council may also return an appeal to the Planning Commission because the Council has heard new evidence. From the description above, Council will infer that virtually no hearing de novo will result in a duplication of the hearing below—something, some statements, some piece of documentation, will be new.

Failure of the Council to reverse, uphold, or uphold with modifications the action appealed or called up, results in the Planning Commission action standing as decided. (Such failure would occur, for example, in the event of a Council tie vote.)

V. APPOINTMENT OF COUNCIL COMMITTEES

From time to time, the Council may see fit to appoint an *ad hoc* committee. When a Council committee is appointed, the Mayor will assign a maximum of three Council Members.

The Mayor designates the Council Member to serve as Committee Chair. In the event of a change in Council or committee assignments, the senior member of the Council will serve as Committee Chair. If there is a Council-Planning Commission committee, a member of the Council shall serve as Chair for the group.

VI. VOTES REQUIRED FOR ACTION

Article 15 of the Charter provides that four affirmative votes of the Council are necessary to adopt ordinances, resolutions, or claims against the City. Except as specified elsewhere, it is also Council policy that all actions of the Council (except those calling for five votes, such as urgency ordinances) require the affirmative vote of four members, irrespective of the number in attendance when an action is taken.

VII. BROWN ACT PROCEDURES

The City Council operates in accordance with the provisions set forth in the Ralph M. Brown Act (Brown Act). The City Attorney shall provide training and written materials on the Brown Act.

Adopted: March 6, 1991 (Resolution No. 6151)
Amended: February 17, 1993 (Resolution No. 6329)
Amended: December 6, 1995 (Resolution No. 6492)
Amended: February 3, 2010 (Resolution No. 10-014)

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

Subject	Policy No.	Effective Date	Page
USE OF CHAUTAUQUA HALL BUILDING	100-1	6/15/88	1 of 2

BACKGROUND

The City owns and operates a building known as Chautauqua Hall. This building is located on Central Avenue between 16th and 17th Streets. The building was constructed in 1889 and is on the State Historic Register as a historically significant building. The building was deeded to the City in 1922 with no restrictions on use. The building was acquired from the Boy Scouts of America and has been used over the years for scouting and other general recreation activities. In recognition of the scout heritage, City policy has been to give priority use to the scouting groups.

PURPOSE

The purpose of this policy is to:

1. establish Council policy on the maintenance of the building; and

2. establish Council policy on the operation and supervision of the building; and

3. establish Council policy on permitted uses of the building.

POLICY

1. Chautauqua Hall is considered to be a valuable resource and historically significant structure for the City. As such, the Council indicates its intent to maintain the building in the best possible condition for the use and enjoyment of Pacific Grove citizens.

2. The responsibility for operation and maintenance of the building is assigned to the City Manager and his designated representative, the Recreation Director. The City Recreation Board shall serve as the advisory body to the City Manager and Recreation Director regarding the use and operation of this facility.

3. Chautauqua Hall shall be used primarily for leisure program activities as determined by the City Manager and Recreation Director. Other activities may be permitted on a time available basis.

4. In scheduling activities, it is the policy of the Council that first priority for the use of the building shall be given to Pacific Grove scout organizations. It is further the policy that the upstairs meeting room and the downstairs southwest room shall be provided for the use of the scout organizations. For purposes of this policy, scout organizations shall include Boy Scouts, Girl Scouts, and Brownies. Use of these areas by other community groups shall be on a non-interference basis and subject to the approval of the Recreation Director. Scout organizations may mount permanent wall displays in these rooms, subject to the approval of the Recreation Director.

5. In accordance with Council policy adopted on January 7, 1981, Chautauqua Hall shall not be used for public dance hall purposes. This is due to insurance and safety issues pertaining to public dance activities.

6. All users of the building with the exception of the Boy Scouts and other groups exempted under City Resolution No. 5516 shall pay the appropriate rental fees for use of the building.

7. All users of the building shall abide by rules and regulations established by the City.

PROCEDURE

1. The Recreation Department shall be the City department responsible for scheduling of all activities in Chautauqua Hall.

Adopted: June 15, 1988
Resolution No. 5905
Amended: January 4, 1989
Resolution No. 5948

CITY OF PACIFIC GROVE, CALIFORNIA

COUNCIL POLICY

Subject	Policy No.	Effective Date	Page
HOST LIQUOR LIABILITY INSURANCE	100-3	02/05/87	1 of 1

In order to minimize risk and transfer potential liability exposure resulting from the consumption of alcoholic beverages on City property, the following policy is hereby adopted:

~~1. Any person or organization using a City rental facility, including, without limitation, Chautauqua Hall, the Community Center, Rec. Club, and the Senior Citizens' Center, for a function at which alcoholic beverages are consumed must provide the City with a certificate of insurance covering host liquor liability in an amount not less than $1 million. The certificate must state that the City will be notified at least 30 days in advance of cancellation of such insurance coverage.~~

1. The City will provide liquor liability insurance to cover events held in the Community Center at which alcoholic beverages are consumed. Individuals and organizations responsible for such events shall pay a prorata share of the cost of such insurance, as may be determined from time to time by the City Council.

2. If the person or organization imposes a cover charge, sells alcoholic beverages, or otherwise comes under the jurisdiction of the State Department of Alcoholic Beverage Control, the City must be provided with evidence of a valid license from the State Department of Alcoholic Beverage Control.

Adopted: February 18, 1987

Resolution No.: 5800

Amended: January 6, 1988

Resolution No.: 5871

CITY OF PACIFIC GROVE, CALIFORNIA

COUNCIL POLICY

Subject	Policy No.	Effective Date	Page
RECREATION PROGRAM INSURANCE	100-4	02/05/87	1 of 1

The City Recreation Department authorizes or co-sponsors a number of programs and classes provided by private contractors. In order to protect the City and participants, the following policy is hereby adopted:

> Any person or organization holding programs, classes, etc., in a City facility must provide the City with a certificate of liability insurance in an amount not less than $500,000.00. The certificate must state that the City will be notified at least 30 days in advance of cancellation of such insurance coverage. Such insurance requirement shall be made a part of any contract or agreement between the City and the sponsoring individual or organization.

Adopted: February 18, 1987

Resolution No.: 5800

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Parking Lots- Permits Parking	100-5	February 4, 2009 (revised)	1 of 2

1. In consideration for the payment of a fee, as specified from time to time by the City Council, the City will issue parking permits, subject to the conditions an restrictions indicated, for the following City-owned parking lots:

   FOUNTAIN AVENUE LOT (Lot #1 located on the north side of Laurel Avenue between Fountain and 15th Street (behind the Lighthouse Cinema). Five designated spaces in the southwest corner of the lot are rented to neighboring residents who have no off-street parking. Authorized vehicles may be parked in these five spaces without regard to posted time limited.

   17th STREET LOT (Lot #2) located south of Lighthouse Ave between 16th and 17th Street. Fifty permits are authorized for this lot, and permit holders may park in established parking spaces without regard to posted time limits. Parking is on a "first com, first served" basis; there are no reserved parking spaces.

   FOREST AVENUE LOT (Lot #4) located south of Central Avenue between Forest Avenue and 16th Street. Permit holders shall have use of assigned spaces from 9:00 a.m. to 5:00 p.m., Monday through Friday, only. At all other times the lot is open for general public use.

   15th STREET LOT (Lot #5) located on 15th Street south of Central Avenue (behind the Monterey Federal Credit Union). Seven parking permits are authorized for this lot, and permit holders may park in any designated space without regard to posted time limits, except that the permits are not valid on Saturdays and Sundays. Parking is on a "first come first served" basis; there are no reserved parking spaces.

2. Permit fees are payable in advance and must be received at City Hall by 3:00 p.m. on the first day of the month beginning the permit period. It is the responsibility of the permit holder to pay all fees when due. The City **is not required to** ~~will not~~ issue bills or reminders notices. For the convenience of the permit holder, permit fees may be paid on a semi-annual or annual basis; however, permit holders will be liable for any fee increase which occurs during the period for which fees have been paid in advance.

3. If a permit fee is not received at City Hall by 3:00 p.m. on the first day of the month beginning the permit period in which due, the City will send a delinquent notice by certified mail, return receipt requested. If the permit fee, plus a penalty in an amount established by the City Council, is not received at City Hall within 10 days of the **certified mail receipt** ~~by the tenth of the month in which due,~~ the permit shall be revoked without further notice and the vehicle for which the permit was issued shall be ticketed if parked in violation of time limits.

~~the month in which due,~~ the permit shall be revoked without further notice and the vehicle for which the permit was issued shall be ticketed if parked in violation of time limits.

4. The permit remains the property of the City of Pacific Grove and must be surrendered to the City on demand. The permit should not be permanently affixed to the vehicle. It should be mounted on a piece of cardboard and prominently displayed in the rear window of the vehicle. The permit must be visible to parking enforcement personnel or the vehicle will be ticketed if parking in violation of posted time limited.

5. Permit application forms and issuance procedures shall be as specified by the **City Manager** ~~Administrative Services Director~~.

Adopted: September 1, 1992
Resolution No. 6302

Amended: April 21, 1997
Resolution No. 7-016

Amended: March 17, 1999
Resolution No. 9-012

Amended: February 4, 2009
Resolution No. 09-002

Policy for Use of Public Facilities at Pacific Grove City Hall 300 Forest Avenue

The Facilities at City Hall include:

City Council Chambers

Forest Avenue Conference Room

City Manager's Conference Room

GENERAL RULES AND PROCEDURES:

Each use described herein is a rental of **The Facilities,** whether or not a fee is required. No rental use will be approved without a completed application/rental agreement form and fees, if any, submitted to the Office of the City Manager at least five days in advance of the proposed use. Each rental agreement form shall include a Hold Harmless Agreement that shall be signed by the responsible person who is renting **The Facilities.**

The Facilities shall **NOT** be available for private meetings or other gatherings that exclude members of the public, except those held for official City business.

During times that City Offices are open for business, **The Facilities** are available for meetings sponsored by city, county, state or federal agencies at no charge. The meeting space is not available on recognized City holidays. The second and fourth Wednesday of each month is reserved for the City Council unless special permission has been granted by the City Manager.

During times that City Offices are open for business, **The Facilities** are available for meetings sponsored by officially recognized non-profit organizations, formed within the City or organized elsewhere, as defined below. A fee based on the City Fee schedule will be charged.

During times that City Offices are closed, including weekday evenings and weekends, **The Facilities** may be available for meetings sponsored by city, county, state or federal agencies and Pacific Grove officially recognized non-profit organizations for a fee based on the City Master Fee Schedule.

A Pacific Grove officially recognized non-profit organization is defined as a non-profit organization organized within the City limits of the City of Pacific Grove, or where the membership of the organization is so that at least 75 per cent of the members are Pacific Grove residents; or where attendance at the meeting is 75 per cent Pacific Grove residents.

Users of **The Facilities** will be fully responsible for the care and maintenance of the areas that they use. Failure to care for any of **The Facilities** shall be cause for the loss of future privilege to use **The Facilities.** No chairs, tables, or other furniture shall be brought into **The Facilities**. Projectors, easels, and other presentation materials may be used in **The Facilities**, but all must be removed, without damage to the **The Facilities** when the use is over for the day. Multiple day users may be allowed to keep these items in **The Facilities** only with prior permission from the City Manager.

No meeting or use of **The Facilities** will be approved that disrupts the normal operations of the City, as determined by the City Manager.

Any costs incurred for damage to City property will be billed to the user of **The Facilities.**

PROHIBITED USE

- No individual, group of individuals, organization, or agency shall be permitted to use **The Facilities** for any activity that violates any provision of the Pacific Grove City Charter, the Municipal Code, or state or federal law.

RULES FOR SPECIFIC FACULTIES:

City Council Chambers:

- No meeting will be scheduled that anticipates less than ten (10) or more than seventy (70) persons in attendance.
- No food or drink shall be served in the City Council Chambers.
- City presentation equipment may be used; however, a special equipment deposit of $200 per use will be required. Deposit will be refunded upon return of key and/or remote control devices. Computers to use projector must be supplied by renter.
- Meetings may not begin prior to 8 a.m. and must be concluded by 5 p.m., or full use fee will be required.
- Dais chairs shall not be removed from the dais.
- No materials may be mounted to the walls by any means, except the presentation board.
- Sound amplification system may be used; however, changes to the sound level may be performed only by the City Clerk.
- Portable microphones are available, a special equipment deposit of $200 per microphone will be required.

- All chairs and other equipment in the Chambers must be replaced to their original positions at the end of the meeting.
- The Forest Avenue door to the old City Hall must remain locked at all times during use of the Council Chambers
- All uses of the Chambers for regular official meetings of any government body other than the City of Pacific Grove shall be televised. Arrangements for the broadcast of the meeting shall be the responsibility of the renting agency. Television equipment may not be stored in **The Facilities**.

Forest Avenue Conference Room:

- No meeting will be scheduled that anticipates more than ten (10) persons in attendance.
- Presentation equipment may be used but must be supplied by the renter.
- Meetings may not begin prior to 8 a.m. and must be concluded by 5 p.m., or full use fee will be required.
- All chairs and other equipment in the Conference Room must be replaced to their original positions at the end of the meeting.
- The Forest Avenue door to the old City Hall must remain unlocked at all times during use of the Forest Avenue Conference Room.

City Manager's Conference Room (Second Floor):

- No meeting will be scheduled that anticipates more than twenty (20) persons in attendance.
- Presentation equipment may be used but must be supplied by the renter.
- Meetings may not begin prior to 8 a.m. and must be concluded by 5 p.m., or full use fee will be required.
- All chairs and other equipment in the Conference Room must be left in their original positions.
- Entry to this Conference Room is from the City Hall Plaza, stairs or elevator, to second floor.
- The Forest Avenue door to the old City Hall must remain locked at all times during use of the City Manager's Conference Room.

GENERAL INFORMATION AND REGULATIONS:

1. Public restrooms are located on the first floor of City Hall. They are accessible from outside of the building, off the Civic Center Plaza. Restrooms and the first floor entrances must remain open during the meeting and secured prior to leaving the premises.

2. Lighting in the City Hall Buildings is on motion detectors. Do not turn lights off, unless necessary for presentations. Lights will go off automatically a short time after everyone has left the room. Heating is also automated. Make no changes to thermostats located in the buildings.

3. No verbal or telephone reservations will be accepted.

4. Person signing the Facilities Use Permit must be twenty-one (21) years of age or older.

5. Reservations will be taken on a first come, first served basis, a maximum of six months and a minimum of five (5) working days prior to use. **Facilities** are not reserved until applicable fees have been paid, all permits are signed and final approval is granted.

6. A security deposit of ___ (not included in the rental fee), plus **The Facilities'** fee, and a valid driver's license must be presented with a signed application to secure date.

7. The security deposit or portion of will not be refunded if there are damages to furnishings, floors, walls, extra cleanup, landscaping, noise/sound permit violation, refusal to vacate premises at established ending time, or other unusual costs incurred. Renters are responsible for guests' conduct and/or damages and will be billed for any costs not covered by the security deposit. Payment for additional fees, damages, etc., is due in full, ten (10) calendar days after billing date.

8. City is not responsible for any items left on premises.

9. Any group using a City facility on a rent-free basis is expected to clean up after such usage. Any group which fails to clean up to the City's satisfaction will be charged a minimum clean-up fee of $50.00.

10. The renter agrees to indemnify and hold harmless the City of Pacific Grove, its agents, employees, or any other person against loss or expense, including attorney's fees, by reason of the liability imposed by law upon the City, except in cases of the City's sole negligence, for damage because of bodily injury, including death at any time resulting there from, sustained by any person or persons, or on account of damage of property are due or claim to be due to any passive negligence of the City, its employees or agents, or any other person. It is further understood and agreed that the renter shall, at the option of the City, defend the City of Pacific Grove with appropriate counsel, and shall further bear all costs and expenses, including the expense of counsel, in the defense of any suit arising hereunder.

CITY OF PACIFIC GROVE – CITY HALL
300 Forest Avenue
Pacific Grove, CA 93950
TEL: (831) 648-3106
www2.ci.pacific-grove.ca.us

CITY HALL FACILITY USE PERMIT APPLICATION

PLEASE PRINT

A. **Check Facility Requested:** **Today's Date:**_____

- ☐ City Council Chambers
- ☐ City Manager's Conference Room
- ☐ Forest Avenue Conference Room

B. **NAME OF INDIVIDUAL/ORGANIZATION:** _____

Street address: _____ City _____ Zip _____

Home phone: _____ Work phone: _____

Mailing address (if different than above): _____

C. Purpose Of Use: _____

D. Estimated Attendance: Adults _____ Youth (18 & Under) _____ Total: _____

E. Event Open To The Public? ☐ Yes ☐ No

F. Will Admission* Be Charged, Or Donation Collected? ☐ Yes ☐ No
* Admission Includes Dues, Fees, Collections, Donations, Or Other Charges.

G. Purpose Of Admission: _____

Price Of Admission: Adult _____ Youth _____

H. Does Your Group Plan To Have Live Or Recorded Music? ☐ Yes ☐ No
(Live Or Recorded Music Requires Sound Permit Approval By Pacific Grove Police Department - $10 Fee)

I. Dates and times of use: (for recurring meetings, bookings are made six (6) months in advance.)

DATE(S) OF EVENT **TIME OF EVENT**

FOR OFFICE USE ONLY:

ITEM	AMOUNT PAID	DATE	REC'D BY
Facility Charge			
Hourly Charge _____ after 4 hrs			
Deposit (Refundable)			
Sound Permit (if needed)			
Other Fees			
Host Liability Insurance			
Insurance Certificate issued	cert #_____		

City Manager Approval_____ **DATE OF EVENT:**_____

These regulations are intended to provide access to the City Hall **Facilities** while keeping **The Facilities** free from damage or misuse. Rules may be changed by the City Manager from time to time to protect the facilities and to maintain normal operations of the city government.

Dated: September 18, 2002
Council Policy 100-6
Resolution No. 2-042

RENTAL POLICIES

1. Renter agrees to abide by the policies stated below and those contained in Council Policy 100-6.
2. All renters of The Facilities shall complete and have on file with the City Manager a rental Facility Use Application. The Facilities may not be sublet by renters.
3. Reservations will be initiated by completing and signing all necessary Permits, and paying the applicable fees. Reservations will be confirmed (or denied) within two (2) business days of receipt of the completed permit application.
4. NO VERBAL OR TELEPHONE RESERVATIONS WILL BE ACCEPTED.
5. Person signing the Use Permit must be twenty-one (21) years of age or older.
6. Reservations will be taken on a first come, first served basis, at a maximum of six months and a minimum of five (5) working days prior to use. Facility is not reserved until applicable fees have been paid, all permits are signed and final approval is granted.
7. A security deposit of $____ (not included in the rental fee), plus the event fees, and a valid driver's license must be presented with a signed application to secure date.
8. The security deposit or portion of will not be refunded if there is damage to furnishings, floors, walls, extra cleanup, landscaping, noise/sound permit violation, a refusal to vacate premises at established ending time, or other unusual costs incurred by the City. Renters are responsible for guests' conduct and/or damages and will be billed for any costs not covered by the security deposit. Payment for additional fees, damages, etc., is due in full, ten (10) calendar days after billing date.
9. Time used for set-up and/or clean up will be included in the total number of hours charged to an individual or organization.
10. The City Manager may require appropriate deposits or extra payments for special charges incurred.
11. Sound Amplification may not be used outside of building without a Sound Amplication Permit that must be signed and returned with applicable fee 30 days prior to event. Live music requires authorization from City Manager.
12. Candles or other open flame devices are prohibited.
13. A City of Pacific Grove Police officer or reserve officer may be required at some activities at renter's expense, as deemed necessary by the City. A minimum of one officer will be utilized.
14. City is not responsible for any items left on premises.
15. Future usage will depend on adherence to all policies and procedures governing use of the facility.
16. Any group using a City facility on a rent-free basis is expected to clean up after such usage. Any group which fails to clean up to the City's satisfaction will be charged a minimum clean-up fee of $50.00.
17. The renter agrees to indemnify and hold harmless the City of Pacific Grove, its agents, employees, or any other person against loss or expense, including attorney's fees, by reason of the liability imposed by law upon the City, except in cases of the City's sole negligence, for damage because of bodily injury, including death at any time resulting there from, sustained by any person or persons, or on account of damage of property are due or claim to be due to any passive negligence of the City, its employees or agents, or any other person. It is further understood and agreed that the renter shall, at the option of the City, defend the City of Pacific Grove with appropriate counsel, and shall further bear all costs and expenses, including the expense of counsel, in the defense of any suit arising hereunder.

This certifies that I have read the regulations of this Facility Use Permit Application and agree to abide by and enforce all rules and regulations of the City of Pacific Grove, to guarantee proper use and care of the facility requested herein, and to reimburse the City for any loss or damage.

_____ _____

Signature **Date**

City of Pacific Grove, California
City Council Policy

Policy Governing	Policy No.	Effective Date	Page
City Benches	100-7	December 18, 2002	Page 1 of 3

BACKGROUND: Throughout the City, there are benches that have been installed by various persons on City property. These benches are installed for various reasons, such as memorials to deceased family members, to commemorate charitable organization, and to otherwise recognize persons and entities.

PURPOSE:

The purpose of this policy is to create an inventory of the location and physical condition of existing benches, to identify locations for new benches, and to provide for the placement and replacement of benches.

POLICY:

1. City staff shall generate an initial inventory of existing benches, noting the location, inscription/ownership information, and condition (wooden slats, metal legs, hardware) of the benches by March 31, 2003.

2. Based on this inventory, if benches exist that are in need of repair/replacement, bench location holders shall be contacted and informed of this need and such repairs shall be completed within six months after notification. If the bench location holder is not reachable/contactable, the bench location shall be offered to person(s) on the bench waiting list maintained by the Public Works Department, in chronological order of requests made.

3. Based on the inventory required under paragraph 1, and if new bench locations are identified by City staff where no benches are presently located, a new bench location shall be offered to person(s) on the bench waiting list maintained by the Public Works Department, in the chronological order of requests made, after the exhaustion of bench placement offers under paragraph 2.

4. After all existing benches have been repaired/replaced, and after any new bench locations have had benches installed pursuant to paragraph 3, no new bench sites/locations will be allowed/considered along the ocean front, recreational trail, cemetery, park & open space areas or in the commercial/retail/business districts. New bench locations will only be considered for residential areas/neighborhoods outside the areas listed in the previous sentence.

5. For new residential area benches, the following procedure will be followed. Proponent locates location(s), then contacts Department of Public Works (Department).

Department staff reviews location and determines if the site is appropriate (ADA considerations, etc.). If found to be appropriate, proponent then consults with neighboring property owners to ensure no negative impacts will result from bench placement at proposed location. If these conditions are met to the satisfaction of the Department, then bench placement can proceed.

Effective upon the adoption of this policy, the following policy shall be followed with respect to existing as well as new benches placed in the City:

(a) No new bench locations except in residential areas/neighborhoods;

(b) After completion of the inventory and filling of bench locations set forth in Paragraph 3 above, the "list" of persons waiting for a bench location other than in a residential area will be limited to twenty (20) persons. These names shall be initially obtained from the existing bench waiting list and in the chronological order of requests made. After this new list of twenty (20) persons is established, all remaining person(s) on the existing bench waiting list shall be notified by letter of the current policy/program, and they shall be dropped from the bench waiting list for non-residential bench locations. Additionally, this letter shall include alternate options such as the residential bench placement program and the Beautification Program.

(c) Person(s) on the list of persons waiting for a non-residential bench location shall be contacted only in the case of replacement of an existing bench in an existing location;

(d) Should a person on the non-residential bench location waiting list decline an offer of a bench location, the person shall be dropped from the waiting list; when the list of twenty (20) persons has been exhausted, either through acceptance of bench locations, or removal of names from the list due to non-acceptance, the City shall advertise in a newspaper of general circulation that the City will accept applications for non-residential bench locations. Twenty (20) of the applications shall be selected, by random drawing, thereby refreshing the list. This process may be repeated from time to time as necessary.

(e) The costs associated with the bench program shall be as adopted from time to time in the City's fee schedule;

(f) All bench location holders shall be notified that as of the date of adoption of this policy, benches are a "permitted" activity in the City, and bench location holders shall be required to obtain a permit to continue their holding of the bench location. The permit is valid for five (5) years, and the initial permit fee is $100.00. At the end of five years, and every five (5) years thereafter, all bench location holders/owners will be contacted and a renewal fee of $100.00 is due and payable. For this permit fee, the bench will be maintained by City staff (the bench's structural condition--wood slats and metal supports, etc.). Any cosmetic maintenance (e.g., cleaning) or any improvements (e.g., varnishing) will be/remain the responsibility of the bench location holder.

(g) If a current bench location holder should not obtain or renew the permit with the City, the City will offer the bench location to the next person on the list of persons waiting for a bench location along the beach/waterfront, then next to the persons on the bench waiting list for other locations. Costs of transferring the bench

to the new bench location holder will be the obligation of the new bench location holder.

(h) The City Council will not consider bench placement requests, nor entertain appeals of bench placement decisions of the Department. Should the City, at any time, not be able to provide the services for ordering, engraving, installing, etc., any bench, the City reserves the right to contract with outside vendors for such services and bill the bench location holder accordingly.

(j) Notwithstanding the term set forth in any permit issued pursuant to this policy, if, in the sole discretion of the Director of Public Works/City Engineer, a bench must be removed in the interests of public health, safety or welfare, the bench may be removed, and the bench location holder shall not be entitled to any refund of permit fees or any other expenses associated with the installation or maintenance of the bench.

Adopted: December 18, 2002
Resolution No.: 2-064

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy	Policy No.	Effective Date	Page No.
Municipal Softball Park Master Plan	100-8	March 2, 2011	1 of 6

I. Introduction

The Pacific Grove Municipal Softball Park, located at the intersection of 17 Mile Drive, Short Street, and Pico Avenue in Pacific Grove, provides a venue for organized softball games for youth and adult players. The purpose of the master plan is to provide a framework of operating rules to allow for community use while protecting the residential character of the surrounding neighborhood. The plan also outlines priorities for future improvements to the ballpark.

The original master plan was the product of an extensive community process, led by the Planning Commission and Recreation Commission and adopted by the City Council in 1992. The involved groups envisioned periodic updates in response to evolving community needs and circumstances.

II. Rules and Regulations

A. Scheduling of Play. The length of seasons is defined as follows.

High School Softball	February through mid May
Youth Baseball/Softball League:	March through July and August through November
Adult Socko League:	September to November

1) Regular Youth league games will be scheduled Monday – Saturday, while adult Socko League games will be scheduled Monday through Thursday only.
2) Weekdays are defined as Monday through Friday; Weekends are defined as Saturday, Sunday, and holiday Mondays.

B. Tournaments. A maximum of five weekends per year will be used for tournament play. Every attempt will be made not to schedule tournaments on consecutive weekends. Under no circumstance shall tournaments be scheduled on three consecutive weekends.

C. Special Events. The primary purpose of the ball park is as a ball field; up to three special events per year may be scheduled with Recreation Board and City Council approval.

D. Hours of Play.
1) Game starting time will be no earlier than 9:30 a.m.
2) No new innings will be started after 9:30 p.m.
3) Field lights will be turned out by 10:00 p.m., whether the game is finished or not.
4) These hours of play will apply to all games whether on a weekday, weekend, or holiday.

E. Nuisances. No alcoholic beverages shall be allowed at the ball park. There shall be no littering, and no blowing of car horns or air horns. The field shall be watered before dragging the infield. Smoking is not allowed within 20 feet of the park.

F. Complaint Procedures. The City Recreation staff are responsible for operating the ball park in accordance with the terms set forth herein.
   1) Grievances should be directed to the Recreation office staff at City Hall, who will document the complaint and will provide a written response to the complainant.
   2) Residents may call City Hall to leave a message at the time of the infraction.
   3) The complaint will be documented the following day, and a response will be provided from staff.
   4) The Recreation Office will maintain a log, which will be available for review by interested parties.

G. Clean-up: Groups using the Softball Park shall clean up the field, dugout, and bleacher areas upon completion of events. Public Works maintenance staff will clean facilities periodically as part of City-wide maintenance and custodial responsibilities.

III. Recommendations for Physical Improvements to the Ball Park

Major Improvements

A. Build rest rooms equipped for mobility impaired patrons on the upper level. *(Completed)*

B. Construct viewing areas for mobility impaired patrons adjacent to the rest room on the upper level. *(Completed)*

C. Construct a modified second story on the concession stand. *(Completed)*

D. Extend the fence on the north boundary of the park. *(Completed)*

E. Gable the roof on the old bathroom/storage building for better design and to improve safety.

F. Install a free standing illuminated scoreboard with signage (no advertisements) behind the outfield fence of the ball field. (Adopted by City Council 7-20-05) *(Completed)*

G. Pave the outfield parking and access ways.
   1. The City should seek professional advice in order to maximize use of the outfield parking, the measures considered to include improved access and the installation of low level lighting.
   2. The City should negotiate with the Pacific Grove School District for the use of the playground adjacent to the ball park for additional off-street parking.
   3. Written notice will be sent to all participating teams encouraging the use of outfield parking.

H. Pave all exterior sidewalks and driveways on 17 Mile Drive. The intention is that all exterior walkways and access ways on 17 Mile Drive will be paved.

I. Erect natural rock walls along the left and right field lines to control soil erosion; plant additional foliage in the same areas.

Minor Improvements

A. Repair the cracks in cement bleachers.
B. Enclose dugouts and cement floors.
C. Refinish or repaint wooden bleachers.
D. Add landscaping to screen the outfield and the bathroom addition.

Deferred Improvements

A. Consideration of the construction of an overhang above the bleachers will be held in the future when the Recreation Department submits a plan.
B. Installation of playground equipment adjacent to the present rest rooms is deferred until such time as the school site adjacent to the ball park becomes available.

Improvements Needing Further Study

The City should hire a consultant to conduct a survey of the lighting at the ball park to determine the adequacy of the lights, taking account of the residents' desire to reduce light spillover into the surrounding neighborhood. The study should address the feasibility of amelioration and the costs of doing so. The results of the study should be presented to the Recreation Board for action.

IV. Environmental Review

The City Council adopted a Negative Declaration for the Ball Park Master Plan on November 20, 1991, with the following mitigation measures:

A. Submittal of a drainage plan to dispose of parking lot drainage into the storm drain system. The method for disposing of roof runoff shall be to the approval of the City Engineer.
B. Proposed walls and fences shall be designed to provide intermittent openings to accommodate the movement of deer.
C. All drainage from new structures and paving for parking area will collect, conduct, and dispose of surface runoff into the storm drain system.
D. New construction shall be harmonious with regards to design, style, and materials and consistent with the scale of the surrounding neighborhood.

V. Policies Governing Use of the Ball Park

A. **General**. The Pacific Grove Municipal Softball Park is dedicated to serving the softball/baseball public for recreational purposes. Preferential treatment is not to be given to any individual or group.

B. **Operation**. The park is a facility of the City, operated under the direction of the City Manager and his or her designated representative(s), the Recreation staff.

C. **Enforcement**. The City Manager and his or her designated representative(s) shall be responsible for the enforcement of these rules and regulations.

D. **Violation**. Violation of any rules contained in this policy or other City Ordinances pertaining to the park shall subject the person, teams, leagues, or organizations to removal or possible suspension from the park.

E. **Existing Ordinances**. The City has adopted certain rules and regulations regarding parks in the Municipal Code. Violation of these laws is a misdemeanor (MC 1.16.010). In cases

of conflict between these rules and Municipal Code provisions, the Municipal Code and the penalties set out there shall prevail.

F. **Softball and Baseball Rules**. Amateur Softball Association Rules, or the Official Baseball Rules (or their modifications), shall govern all play in the park.

G. **Liability**. The City of Pacific Grove is not responsible for accidents, injury, or loss of individual property. The individual or organization granted use of a facility shall be held responsible for reimbursing the City for any loss or damage to City property caused by such use. The applicant shall be required to file a certificate of insurance in an amount not less than $1 million, naming the City of Pacific Grove as an additional insured. This certificate will be filed with the Recreation staff at least 30 days prior to the event, and must have at least 10 days notice of cancellation. Such insurance must and will be primary to any City Insurance.

H. **Priority Classifications**.
   1. Department Sponsored Activities. Recreation activities and programs sponsored by the City of Pacific Grove.
   2. Co-sponsored Recreation Groups. Recognized civic, community, or local organizations whose recreation activities are being presented in conjunction with the Recreation Department.
   3. School-sponsored activities. 1) Adult or youth activities sponsored by the Pacific Grove School District, or 2) activities or programs sponsored by the schools within the Pacific Grove School District area and run by the Associated Student Body.
   4. Community Youth Groups. Any organized youth group having the following qualifications: is a non-profit group; has a majority of its members 17 years of age or younger and residents of Pacific Grove; has voluntary adult leaders or chaperones; is recreational in nature; has no membership restrictions other than age or gender; has a definite organizational structure; meets regularly; maintains a primary interest in community school-age youth.
   5. Community Adult Groups. Any organized group having the following qualifications: is a non-profit group; has a majority of its members who are residents of Pacific Grove; has no membership restrictions other than age and gender; is recreational in nature; has a definite organizational structure; meets regularly.
   6. Resident Use, Private. Any resident youth or adult group, or any individual not covered by qualifications of any other priority grouping which meets for the purpose of private recreational activities.
   7. Non-resident Use, Private. Groups or organizations composed of non-residents of the City of Pacific Grove. Depending on the type of use, this classification may be required to meet specific criteria as deemed appropriate by the Recreation Director.
   8. Commercial Use. Groups or organizations which are commercial or profit oriented.

I. **Conditions of Priority Use**.
   1. Permission for use of facilities will be granted upon the condition that all rules governing the use of said facilities will be followed. Failure to comply with these rules will be cause for the permit to be revoked.

2. The Recreation Department reserves the right to cancel, reassign, or otherwise adjust reservations to comply with the demands of its own programs or emergency requirements.

3. A permit to use the facilities will be issued provided 1) issuance will not obstruct or interfere substantially with recreational use, and 2) the date and time requested have not been allocated by permit or assigned to a Recreation Department function.

4. The application must be completed in person by a qualified representative of the requesting group or party, at least 18 years of age.

5. The representative of the requesting group or party shall be required to post a cash deposit, applicable to the rental of the facility, as stated in the Use Fee Policy, at the time the permit is issued. The balance of the fees due must be paid three days prior to use.

6. Applications for permits may be filed up to 180 days in advance of the date requested, and at least ten days in advance of that date. Permits may not extend over 90 days. All requests for facilities for fund raising purposes must be filed at least 45 days in advance of the event.

7. If the nature of the event changes, or if the number of the participants increases, the Recreation Department must be notified at least seven days in advance and, if necessary, fees and charges will be changed in accordance with applicable rates.

8. The premises and facilities must be restored to the condition of the permitted use, within the time specified in the permit.

9. The requesting group or party is personally responsible for all damages to the facilities being used.

10. The requesting group or party shall comply with all requirements of the Health and Safety Code, City Ordinances, Recreation Department Policies, Fire Department Policies, and any other applicable laws.

11. The Recreation Department agrees to furnish, at the established service charges, the equipment which is regularly a part of the facility. Additional equipment is the responsibility of the group granted use, subject to Recreation Department approval.

12. The use of facilities must be compatible with the established purpose of the recreational facility.

13. The sponsoring organization, group, or individuals must reimburse the City for all direct and incidental expenses for the use of City personnel and facilities. The City has absolute discretion in determining the number of personnel that will be provided for an event.

J. **Limitations of Use**. The following activities are prohibited in the park: tackle football, archery, soccer, circuses, rugby, lacrosse, golf and related golf skill activities, operation of electric or gas model airplanes, cars, or rockets, and the use of firearms.

Adopted by City Council 4-1-92
Amended 7-20-05
Amended 3-2-11; Resolution 11-015

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Naming Guidelines for the Pacific Grove Museum of Natural History	100-9	September 7, 2011	1 of 2

Purpose. This document outlines guidelines to be used as referenced in Section 5.12 of the Pacific Grove Museum of Natural History ("Museum") Public/Private Operating Agreement and Lease (the "Operating Agreement") between the City of Pacific Grove (the "City") and the Museum Foundation of Pacific Grove, Inc. (the "Foundation").

Naming opportunities are integral to the fundraising process and an important form of donor recognition. As specified in the Operating Agreement, this document defines conditions and procedures for naming of Museum properties, facilities, permanent exhibits, galleries, and other items in honor of persons who or entities that have made important and/or significant contributions to the Museum. Guidelines for sponsorship recognition are managed by the Foundation – defined as support that is received to underwrite all or part of costs associated with, for example, temporary exhibitions, events, programs, publications, or other ongoing operating costs.

What Can Be Named. Significant gifts to the Museum provide an ideal opportunity to link a donor with the traditions and future of the Museum through major capital gifts and/or the establishment of named endowment funds.

The name of the Museum itself, the *Pacific Grove Museum of Natural History*, cannot be altered. Any tangible property can be named including, but not limited to: building wings, rooms, galleries, and exhibit halls, architectural features and structures, circumscribed outdoor areas, natural features, trees, collections, benches, murals, books, and permanent exhibits and displays.

Guidelines for Naming

1. To name an area within a building or an outdoor area, or a new structure, the size of the gift shall generally be at least one-half of its construction/renovation cost.

2. To name permanent exhibits, natural features, collections, trees, benches, or other facility enhancements, the entire cost shall generally be covered by the gift. The entire cost includes the maintenance costs when the City is responsible for major maintenance of the item acquired by the gift.

3. To name existing galleries and spaces, the Foundation will establish an appropriate amount based on the perceived value of the public recognition afforded by that space, but in no case less than the pro-rated operating and maintenance costs necessary to support activities in that space.

.

Gift Requirements. In order for a building, facility, program, center, or space to be named based upon a contribution, the gift shall comply with the following guidelines:

1. As general practice, the naming opportunity gift shall be in an irrevocable form to be paid over a period of no longer than five years, based upon a signed pledge commitment.
2. All gifts given as a naming opportunity for the construction, enhancement, or renovation of a facility, structure, or space shall be used for that particular facility, structure, or space. Any excess funds shall be placed in the Foundation's unrestricted endowment for general Museum support.
3. All gifts given as a naming opportunity for a facility, structure, or space that is already constructed or that needs no enhancement or renovation shall be placed in the Foundation's unrestricted endowment for general Museum support.
4. Named gifts to endowments may be made through irrevocable deferred gift vehicles including but not limited to: a charitable remainder trust, pooled income fund, charitable gift annuity, deferred pledge agreement, or flexible endowment agreement.

Understanding on Length of Time, or Term, of Naming. A specific time or a more general statement such as, "for the useful life of the building or gallery" shall be detailed in the gift agreement and signed by the donor and a Foundation representative (if the item is not owned by the City) and by a City representative (if the structure is owned by the City). The "useful life" of an asset is the number of years that the asset is designed to be serviceable, before needed a major renovation or replacement.

Guidelines for Renaming, Changing, and Removing Names. A name may be removed from a facility or space if:

1) the useful life of the facility or other property has been reached;
2) a donor has not fulfilled the philanthropic pledge within the time designated in the donor pledge document or a reasonable period of time; or
3) the Foundation determines either that the actions or deeds of the individual or corporation are not in keeping with the mission or standards of the Museum, or that these actions would negatively reflect on the reputation of the Museum, the Foundation, or the City.

If a previously named building, room, gallery, exhibit hall, or other area needs to be substantially renovated or serve a re-designated purpose, it may be named for a new donor. When a change occurs, some form of continuing recognition for the original honoree shall be established. This may include a prominent plaque installed giving the earlier name(s), the date the structure was built, a very brief statement about whom the structure was named for and why, and the starting and ending dates to which the past name(s) applied.

Adopted: September 7, 2011 by minute action

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CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Naming Guidelines for City Facilities	100-10	March 7, 2012	1 of 2

Purpose. This policy serves to establish guidelines for naming City land and facilities, with the exception of the Museum of Natural History (addressed in Council Policy No. 100-9). This policy replaces Council Policy 000-10 (Dedication of Public City Facilities), which was adopted in 1982.

Naming of City facilities provides the opportunity to: enhance and preserve the City's heritage; recognize individuals who provided exemplary service to the community; and allow fundraising by recognition of major donors and commercial naming rights.

General Guidelines

1. The City encourages the preservation of its heritage, including historical building and place names. Keeping these names is an important part of preservation.
2. City land, facilities and tangible properties are eligible for naming.
3. The City reserves the right to determine how a name is established but, in general, would use the name in formal documents, public communications in print and internet, and/or appropriate signage.

Heritage Names. Names can be used that preserve the cultural or historical heritage of the City. This includes distinct geographic, environmental, or developmental features and historical uses of the site or surrounding area.

Honoree Names. Names can be used that honor individuals who have made outstanding contributions to the quality of life and well-being of the community.

Donor Names. Names can be used to recognize major financial donors to the City. In this instance, donations should be irrevocable. The significance of the named facilities should be in proportion to the donation. A signed donor commitment specifying the facility to be named is recommended. It shall state a length of time the name is to be applied, normally the useable life of the facility before major renovation is required. How donor funds are to be used shall be specified.

Commercial Naming Rights. Facility names can be sold to obtain funding for either new or renovated facilities. A contract specifying the purchase price and facility to be named is required. The contract shall specify a length of time, not exceeding 5 years, the name is to be applied. Purchases shall be nonrefundable. Funds obtained shall be applied solely to the named facility unless agreed to in writing by both the City and purchaser.

Renaming. Renaming should rarely occur so as to preserve City heritage. However, there may be future unforeseen instances when renaming becomes desirable. A name may be changed if its replacement better reflects the cultural and historical heritage of the City.

Other instances for renaming are:

- The donor commitment or purchase contract has ended;
- The donor or purchaser of naming rights has not fulfilled his/her commitment;
- The City finds that actions or deeds of the donor or purchaser of naming rights would negatively reflect on the City's reputation. In this situation, monies may be refunded

Procedure

1. Naming requests shall be submitted to the City in writing for consideration. Requests can be initiated by any member of the public, City staff, or City committees.
2. Requests for names of land, parks, facilities and major tangible property shall be reviewed by the appropriate board, commission, or committee and City staff and approved by City Council.
3. Requests for names of minor tangible property shall be reviewed by the appropriate board, commission, or committee and City staff. Implementation is at the discretion of the City Manager.

Adopted February 5, 1992—Resolution No. 6237
Amended March 7, 2012—Resolution No. 12-016

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Display of Banners on Light Standards in Downtown Commercial District	100-11	May 19, 2010	1 of 2

I. PURPOSE

The purpose of this policy is to establish guidelines for the display of signs, flags, and banners on the Victorian streetlights that grace the downtown commercial district. Banners are an effective and aesthetically pleasing way of promoting a community event or special occasion, or just enriching the character and beauty of downtown Pacific Grove.

In conjunction with displaying banners, it is prudent to establish certain standards to ensure that such things as size, color, design, content, scheduling, and duration of banner display reflect the character and qualities of Pacific Grove.

II. POLICY OF THE CITY

1. The size of the banner displayed shall not exceed 5 feet in length or 24 inches in width and must accommodate the banner arm and hardware (a minimum of 2 3/8 inches in diameter).

2. The length of time for banners to be displayed shall not exceed 30 days. Banners will be removed within 72 hours after the event regardless of whether or not the 30 maximum display period has expired.

3. Banners will be accepted for the following organizations, events, and activities in descending order:
    1. City events/activities
    2. City co-sponsored events/activities
    3. Event/activities within the city limits of Pacific Grove
    4. Events/activities not within the city limits of Pacific Grove, but that benefit or support the City

4. Banners shall not display a company logo, trademark, commercial advertising, or political message.

5. A fee to recover the cost of installing and removing the banners by City of Pacific Grove employees or an agent of the City shall be established and reflected in the Master Fee schedule. City events, City co-sponsored events, and non-profit organizations within the City of Pacific Grove are exempt from this fee.

6. An application to display banners shall be completed by all organizations and submitted to the City Manager for review and approval not fewer than 30 days before the first day of display. The application shall include a rendering of the banner showing proposed colors and text. The submittal schedule will allow adequate time to review the proposal and plan for installation of the banners.

7. Banners approved for display shall be delivered to the Public Works Corporation Yard not fewer than 5 working days before the first day of display.

8. The City Manager shall be responsible for maintaining a calendar of days scheduled for banner displays.

9. The applicant/organization shall indemnify, defend, and hold the City of Pacific Grove harmless from any claim or action due to theft, vandalism, damage, or loss of banners, or to any harm, injury, or loss that may result, due to any cause whatsoever while on display. The City may require written confirmation of the hold harmless provision.

10. The City Manager may grant exemptions to one or more of the above standards for events of special significance.

11. No poster, handbill, notices, announcements, or similar devices shall be posted on the metal of a streetlight post. No exceptions to this restriction will be granted.

12. Approval under this Policy may be revoked by the City Manager, at any time, with or without cause. Notice of revocation shall be provided as soon as possible to the affected applicant/organization, but delay in delivery of notice shall not affect the City's ability to remove any banner.

Adopted by Minute Motion: December 19, 1996
Note: Originally adopted and amended in 2010 as Policy 000-15
Amended May 19, 2010 by Resolution #10-037

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

POLICY GOVERNING	POLICY NO.	EFFECTIVE DATE
Procedures for Review of Proposed Improvements to City Properties	100-12	July 6, 1994

STATEMENT OF PURPOSE

The City Pacific Grove enjoys a wealth of enthusiastic volunteers willing to offer their services in the revitalization of City properties. To ensure the success of such projects, as well as compliance with appropriate laws and regulations, it is the City Council's intent to provide a uniform procedure for reviewing proposed improvements to City properties.

POLICY

The following procedures are hereby established for the review of any improvements to City properties as proposed by a City board, commission, or committee:

1. Initial presentation to the City Council of the proposed project by the recommending body.

2. Upon concurrence of the City Council that a project should be pursued, the project is referred by the responsible department head to the Community Development Department for a clearinghouse review of applicable procedural requirements.

3. Upon completion of applicable requirements (e.g. preparation of plans and program budget, review by the appropriate board or commission, review for compliance with ADA, Title 24, or other uniform code requirements) the project is presented for acceptance and authorization to expend funds by the City Council.

4. Upon receiving authorization to proceed by the City Council, the responsible department head will coordinate implementation of the project, using the Community Development as a clearinghouse for obtaining required ministerial permits and the sign off by the City Manager prior to work being done.

A modified version of this process shall be used for public works projects or improvements to City facilities approved administratively, or as part of the City's capital improvements program, to insure compliance with ADA, Title 24, or other uniform code requirements.

ADOPTED: July 6, 1994, RESOLUTION NO. 6409

Note: Originally adopted as Policy 200-7

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Bequests and Fungible Donations and Appreciated Real Estate	100-13	December 19, 2013	1 of 2

Purpose. This policy establishes guidelines for the solicitation, receipt, use, and recognition of bequests and other donations. This policy is intended to reassure persons and groups considering donations that the City will invest the proceeds of their gift for the highest and best possible use. This policy is to be used in conjunction with Council Policy 000-10 (Naming Rights).

The City encourages and sincerely appreciates all donations and bequests. If made in conformance with this policy, such gifts are tax deductible. The appropriate use of bequests and other one-time donations ensures that: the community benefits to the greatest extent possible; those persons and groups who make major donations to the City are appropriately recognized; and the City does not use the gift in a manner that creates future liabilities difficult to successfully absorb in the City's constrained budget.

Financial donations may be made in a number of ways:

- Endowments: Such gifts are invested and preserved for future needs, such as capital improvements, that public funding alone cannot meet.
- Gifts of Appreciated Assets: Through gifts of publicly traded securities such as stocks, bonds, or mutual fund shares, a donor has the advantage of seeing the donation at work helping the City. Gifts of highly appreciated stock or securities provide the donor with a charitable tax deduction, avoidance of capital gains tax, and the satisfaction of helping the City. Donors can also receive similar benefits from gifts of appreciated real estate (e.g. the Poet's Perch).
- Bequests: A bequest to the City creates a legacy. Many generous donors have considered the City as they prepare or revise their wills.
- Donations: Donors may elect to contribute resources to the City during their life to assist existing City objectives, to encourage new efforts, or to provide incentives to others who choose to assist the City (e.g. challenge grants).

General Guidelines. In conformance with this policy, the City:

1. Encourages bequests and other donations.
2. Will, to the maximum extent reasonable, honor the wishes of each donor. To the extent the donor's wishes cannot be fully met, the City will work with the donor or his/her heirs or agents to seek agreement on the best course of action.
3. Will separately account for all restricted donations over $100,000 and invest those sizeable donations in a secure, interest-bearing account until the funds can be appropriately used.
4. Will appropriately acknowledge the gift and honor the donor, unless the donor requests anonymity.

5. Welcomes donations earmarked for a specific purpose or program activity. In general, however, each donation should be free of advance restrictions that must be met prior to receipt by the City (i.e., conditions or requirements should not need to be satisfied by the City before it can receive the donation.)
6. Must be mindful that donations should not be used in such a way as to impose significant long-term costs (e.g., maintenance or replacement) upon the City, unless the donation establishes the endowment to pay for those costs.

Appropriate Uses. When the person or group donating the funds does not fully specify the use of the funds, the following criteria will be followed (in no particular order):

- Aligning with the donor's interests.
- Aligning with City Council's priorities.
- Establishing or adding to an endowment.
- Leveraging the gift as matching funds for a grant or similar source of additional funding.
- Jump-starting an effort (e.g., a fund-raising campaign).
- Investing in program areas not likely to otherwise attract funding or for which there is already not a funding stream or reserve.

Uses shall meet one or more of the above criteria; generally, the more non-mutually exclusive criteria that can be met, the better.

In addition, uses should be:

- Meaningful— consistent with our community values.
- Identifiable—not fully subsumed within a larger project.
- Appropriate--enabling the donor to receive appropriate, ongoing recognition (e.g., a named room at the Library).

A single donation may be dedicated for more than one use.

Honoring the Donor

1. The donor of each bequest or other donation will be recognized, proportionate with the size and importance of the donation, but consistent with the donor's wishes, if expressed.
2. If the donation is used for a construction or purchase of a physical asset, the donation will be honored with a grand opening, ribbon cutting, or the like. For donations meeting the appropriate criteria in the naming guidelines (see Policy 100-11, *Naming Guidelines*), a plaque will also be installed.
3. The donor and gift will be acknowledged with a letter to the donor (usable for tax deduction purposes) and honored on the City's website, in the City's annual report, and through social media.

Adopted December 18, 2013 by Minute Action

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Municipal Tennis Program	200-3	March 9, 2011	1 of 4

I. PURPOSES AND OBJECTIVES OF THE MUNICIPAL TENNIS PROGRAM

The Community Center tennis complex is provided by the citizens of Pacific Grove to meet the recreational needs of the tennis-playing public. The tennis recreational experience should offer opportunities for all age and ability levels in a wide variety of activities.

While meeting the recreational needs of the entire Pacific Grove community is of primary concern, this must be done in the context of providing a setting that is conducive to the neighborhood that surrounds the Morris Dill Tennis Courts. Tennis activity and participants must be mindful that they are sharing a residential area that places high value on reasonable peace and quiet.

The program should encourage maximum and proper use of the tennis complex in a manner beneficial to the entire community. It should be flexible enough to easily allow for revision if certain provisions prove to be ineffectual or not in the best interests of the entire community.

It is recognized that the recreational needs of the tennis-playing public are the highest in priority. However, in order to foster and promote a broad tennis program for all, certain priorities must be established to cover lessons, clinics, tournaments, leagues, and other activities deemed to be in the best interests of the sport.

In order to foster and promote tennis as a recreational activity the City of Pacific Grove shall allow a tennis club. Play upon the municipal courts shall not be predicated upon membership in the tennis club nor shall such membership imply special playing privileges. However, the City encourages club membership in order to provide a forum that gives the tennis-playing public the opportunity to make their program needs known and to create opportunities to make the tennis-playing experience more enjoyable.

II. PROGRAM

The courts will be available daily for use by the general public unless booked for a clinic, tournament, or activity deemed by the Recreation program to be in the best interests of the overall tennis program. However, at no time shall non-tennis related programming dominate use of the courts to the detriment of the general tennis-playing public or the surrounding neighborhood.

III. LESSONS, CLINICS, AND CAMPS

The teaching of proper techniques and etiquette is of primary importance to the enjoyment of the game. To ensure that this priority is met, a City-approved teaching professional or City-designated instructor shall have priority use of one court for the purpose of teaching private lessons and three courts to conduct group lessons, camps, and clinics. If no reservations have been made, lessons may be taught on all five courts. The

clinics shall cover all facets of tennis. Clinics offered at no fee, and particularly those offered to the beginning player, shall be a priority.

IV. TOURNAMENTS

All tournaments shall be co-sponsored by the City. Tournaments shall be so structured as to ensure against financial loss. No tournament shall be structured for individual financial gain. A reasonable honorarium may be paid the tournament director and staff. A tournament financial statement must be filed with the Recreation program within 20 days of the tournament conclusion. Recreation staff shall provide the necessary forms.

Revenues derived from tournaments co-sponsored by the Tennis Club shall remain in its treasury. Revenues derived from tournaments sponsored by the Recreation program will revert to the Recreation Fund, unless co-sponsored by the Tennis Club.

V. LEAGUE AND SPECIAL ACTIVITIES

Leagues and special tennis activities that add to the total tennis-playing experience will be conducted as deemed necessary.

VI. COURT RULES AND GENERAL INFORMATION

Hours of Operation:

1. The posted hours of court operation will be from 9:00 a.m. to sunset, seven days a week, year round. No tennis activity is allowed before 9:00 a.m.
2. A court deposit may be required for court reservations if demand warrants. The amount of such a deposit shall be set forth in the City's Master Fee Schedule. The deposit will be returned (less applicable court fees) upon arrival. Deposit is forfeited if cancelled inside 24 hours of requested court time or in the event of a no-show.

Tennis Court Operation and Management:

1. The City may enter into an agreement with a tennis professional for general operation and management of the Morris Dill Tennis Courts.
2. Unless otherwise limited by this policy, provisions of law, or the Pacific Grove Municipal Code, tennis professional operations shall be conducted in compliance with good business practices and standards.
3. The tennis professional shall keep an updated calendar of events posted in the Pro Shop window.
4. The tennis professional shall inform the neighbors of any upcoming special event, tournament, or social a minimum of 14 days prior.
5. The City will assist the tennis professional market and advertise the program, through the City's website, the *Recreation Guide*, and other appropriate means.

Court Rotation:

1. First priority for court assignments shall be by reservation. Otherwise, courts will be available on a first-come, first-to-play basis.
2. Players must register and pay applicable fees in the Pro Shop and be assigned to a court.
3. Time limit for play is one hour. Play may continue if no one is waiting. Court time begins as soon as you are assigned your court.
4. If you lose one player in doubles, you may find a replacement.

5. If you lose two players in doubles, or your opponent in singles, you must give up the court if other players are waiting.
6. If a singles match adds two for doubles during their playing time, the original singles remain. If no one is waiting, doubles time should then start.
7. All challenge matches should be played at non-prime time. No challenge matches can be played during any other activity (interclub, social, etc.). Players competing in club challenge matches may extend playing time by making prior arrangements when registering for play. Only one challenge match can be extended at any one time.
8. No court may be used by only one person when a group of two or more is waiting for a court.

Waiting List:

1. You may not sign up until your partner is at the court and ready to play.
2. If you wish to play doubles, you may add the names of two players who are at the court and ready to play to the sign-up list while waiting.
3. Players not present and ready to play when court is available must register again at the bottom of the list.
4. Names may not be added to the waiting list until the player finishes play, and then only at the bottom of the list.

Court Rules:

1. Non-marking tennis shoes must be worn on the court.
2. Metal racquets must have protectors.
3. No dogs are allowed on courts or in the Pro Shop.
4. Shirts must be worn at all times.
5. No bikes, skates, or skateboards are allowed on the courts at any time.
6. No food or beverages (other than water) on the courts.
7. No rain checks.

Residency:

1. Residents are defined as persons who reside with the city limits of Pacific Grove.
2. Business addresses in Pacific Grove do not qualify for resident status.
3. Pebble Beach and the Monterey Peninsula Country Club are not within the city limits.

Fees: Unless established in the City's Master Fee schedule, fees may be set by the Tennis Professional.

Socials:

1. There may be a maximum of four Tennis Club social events in any calendar year, with only one per quarter.
2. Regular daily court fees shall apply if the player does not have a valid player card or complimentary status by the City.
3. All socials shall pay for themselves; i.e., expenses must not exceed income.

Interclub:

1. No more than four Pacific Grove Tennis Club teams may play out of the Morris Dill Tennis Courts.
2. The Pacific Grove Tennis Club pays the daily fee for each guest player.

3. Each Pacific Grove Tennis Club player without a valid player card or complimentary status from the City must pay the Daily Court Fee.
4. All matches must start on time unless wet courts must be rolled dry; then play must begin as soon as courts are playable.
5. Courts are reserved until 11:00 a.m. (men and women) or 2:00 p.m. (seniors), or until matches are completed, whichever is earliest.
6. Women's Interclub matches shall be scheduled between 9:00 and 12 noon Monday through Friday, and not on the weekends.
7. Men's Interclub matches shall be scheduled Saturdays or Sundays between 9:00 a.m. and 12 noon.
8. A total of four courts may be reserved for Interclub matches. A fifth court shall be available for use if no daily players are waiting to use it, and no tennis lessons are scheduled.

Junior Tennis: The tennis teams associated with PGUSD may have use of courts at no charge for tennis activities, subject to the approval of the tennis professional and the City Manager. Approval shall not be withheld, if courts can be made available without unreasonable impact on other tennis operations.

Tournaments:

1. A maximum of five tournaments shall be allowed within a calendar year.
2. All tournaments shall be co-sponsored by the City of Pacific Grove.
3. Tournaments shall be structured as to ensure against financial loss.
4. No tournament will be structured for individual financial gain.
5. A reasonable honorarium may be paid to the tournament director and tournament staff.
6. A tournament financial statement shall be filed with the Recreation program within 20 days of the tournament conclusion, upon request.

Clinics: Top priority shall be given to no-fee clinics.

Showers: Showers are available for tennis players.

Adopted: April 20, 1988
Amended: August 16, 2006, Reso. 6-019
Amended: March 9, 2011, Reso. 11-017

City of Pacific Grove, California
City Council Policy

Policy Governing	Policy No.	Effective Date	Page
Municipal Softball Park Rules & Regulations	200-4	March 8, 1990	1 of 5

1. General: The Pacific Grove Municipal ballpark is dedicated to serving the softball/baseball public for recreational purposes. Preferential treatment is not to be provided to any individual or group.

2. Operation: The Municipal Softball Park is a facility of the City, operated under the direction of the City Manager and his designated representative, the Recreation Director.

3. Enforcement: The City Manager and his designated representative(s) shall be responsible for the enforcement of these rules and regulations.

4. Violation: Violation of any rules contained in this policy or other City Ordinances pertaining to the Municipal Softball Park shall subject the person/teams/leagues/organizations to removal or possible suspension from the park.

5. Existing Ordinances: The City has adopted certain rules and regulations regarding parks in the Municipal Code, attached as Appendix A. Violation of these laws is a misdemeanor (MC 1.16.010). In cases of conflict between these rules and Municipal Code provisions, the Municipal Code and the penalties set out there shall prevail.

6. A.S.A./Official Baseball Rules: Amateur Softball Association or the Official Baseball Rules shall govern all play in the Pacific Grove Municipal Softball Park.

7. Liability: The City of Pacific Grove is not responsible for accidents, injury or loss of individual property. The individual or organization granted use of a facility shall be held responsible for reimbursing the City for any loss or damage to City property caused by such use. The applicant shall be required to file a certificate of insurance in an amount not less than $1 million, naming the City of Pacific Grove as an additional insured. This certificate will be filed with the Director of Recreation at least thirty (30) days prior to the event, and must have at least ten (10) days notice of cancellation. Such insurance must and will be primary to any City insurance.

8. Priority Classifications

A. Department Sponsored Activities: Recreation activities and programs directly sponsored by the Recreation Department.

B. Co-Sponsored Recreation Groups: Recognized civic, community, or local organizations whose recreation activities are being presented in conjunction with the Recreation Department.

C. School-Sponsored Activities: 1) Adult or youth activities or programs sponsored by the Pacific Grove School District, or 2) activities or programs sponsored by the schools within the Pacific Grove School District area and run by the Associated Student Body.

D. Community Youth Groups: Any organized youth group having the following qualifications - is non-profit; a majority of the members are 17 years or younger and Pacific Grove residents; has voluntary adult leaders or chaperones; is recreational in nature; shall have no membership restrictions other than age and gender; has a definite organizational structure; meets regularly; its primary interest is community school-age youth.

E. Community Adult Groups: Any organized group having the following qualifications - is non-profit; a majority of the members are Pacific Grove residents; shall have no membership

restrictions other than age and gender; activities are recreational in nature; has officers and a definite organizational structure and meets regularly.

F. Resident Use - Private: Any resident youth, adult, group, or individual not covered by qualifications of any other priority grouping which meets for the purpose of private recreational activities.

G. Non-resident: Groups or organizations which are composed of non-residents of the City of Pacific Grove. Depending upon type of use, this classification may be required to meet specific requirements as deemed appropriate by the Director of Recreation.

H. Commercial Use: Groups or organizations which are, by their nature, commercial or profit-oriented.

9. Conditions of Priority Use

a) Permission for use of facilities will be granted upon the condition that all rules governing the use of said facilities will be followed. Failure to comply with these rules will be cause for the permit to be revoked.

b) The Recreation Department reserves the right to cancel, reassign or otherwise adjust reservations to comply with the demands of its own programs or emergency requirements.

c) A permit to use the facilities will be issued provided a) issuance will not obstruct or interfere substantially with recreational use, and b) the date and time requested have not previously been allocated by permit or assigned to a Recreation Department function.

d) The application must be completed, in person, by a qualified representative of the requesting group or party, 18 years of age or older.

e) The requesting group or party representative shall be required to post a cash deposit, applicable to the rental of the facility, as stated in the Use Fee Policy, at the time the permit is issued. Balance of the fees due must be paid three days prior to use.

f) Applications for permits may be filed up to 180 days in advance of the date requested, and at least ten days in advance of the date requested. Permits may not extend over 90 days. All requests for facilities for fund raising purposes must be filed at least 45 days in advance of the event.

g) If the nature of the event changes or if the number of the participants increases, the Recreation Department must be notified at least seven days in advance and, if necessary, fees and charges will be changed in accordance with applicable rates.

h) The premises and facilities must be restored to the condition of the permitted use, within the time specified in the permit.

i) The requesting group or party is personally responsible for all damages to the facilities being used.

j) The requesting group or party shall comply with all requirements of the Health and Safety Code, City Ordinances, Department Policies, Fire Department Policies, and any other applicable laws.

k) The Recreation Department agrees, at the established service charges, to furnish only the equipment which is regularly a part of the facility. Additional equipment is the responsibility of the group permitted use, subject to Recreation Department approval.

l) The use of facilities must be compatible with the established purposes of the recreation facility.

m) The sponsoring organization, group, or individuals must reimburse the City for all direct and incidental expenses for the use of City personnel and facility. The City has absolute discretion in determining the number of personnel that will be provided for the event.

10. Limitations of Use: The following activities are prohibited in the park - tackle football, archery, soccer, circus, rugby, lacrosse, use of firearms, golf and related golf skill activities, operation of gas or electric model airplanes, cars and rockets.

11. Local Rules and Regulations for Municipal Softball Park

A. Length of Seasons:

Adult Softball League - April to August

Youth Baseball/Softball League - March to August

Adult Socko League - September to December

B. Tournaments per Year:

Adult Softball - Four (4)

Adult Socko - Three (3)

Youth Baseball/Softball - Three (3)

C. Special Events Per Year:

With Recreation Board/Council Approval - Five (5)

D. Starting Times

Adult Softball, weekdays - 6:30, 7:45 PM

Adult Socko, weekdays - 6:00, 7:00, 8:00 PM

Weekend Starting Time - 9:30 AM

Youth Baseball/Softball - 5:00 PM

E. No alcoholic beverages, no littering, no blowing of car horns or air horns; field shall be watered prior to dragging infield. Playing field lights should be turned off immediately after completion of the last game.

APPENDIX A
CITY OF PACIFIC GROVE MUNICIPAL CODE SECTIONS

14.08.010 – Unlawful acts within limits of park, golf course, or beach.

Within the limits of any public park, golf course, or beach in the city of Pacific Grove it is unlawful for any person to do any of the acts hereinafter specified:

a) To cut, break, injure, deface, or disturb any tree, shrub, plant, rock, building, monument, bench, or other structure, apparatus or property; or to pluck, pull up, out, take or remove any shrub, bush, plant, or flower; or to mark, or write upon any building, monument, fence, bench, or other structure; or to cut or remove any wood, turf, grass, soil, rock, sand, or gravel in excess of one handful; or to dump, leave, discard or let fall any rock, sand, or gravel in excess of one handful, except that city employees in the course of their duties of maintenance of said areas shall be permitted to do any or all of the within set-out acts, and other acts prohibited by this subsection may be permitted to private individuals where the public so requires on authorization of the city manager, and except that this section shall not be construed so as to restrict the accidental damages to trees, shrubs, and turf normally incident to the playing of golf in areas designated therefore;

b) To distribute any handbills, or circulars, or to post, place, or erect any bills, notice, paper, or advertising device or matter of any kind;

c) To make or kindle a fire for any purpose, or to in any manner transport fire or any burning substance, except in designated picnic areas where fireplaces are provided therefor, or in such designated fireplaces to leave any fire or live coals unextinguished and unattended except that this shall not be construed as a restriction on the smoking of any cigar, cigarette, pipe, or other device for smoking nicotine compounds, provided, further, it is unlawful to discard, throw or drop any lighted match, cigar, cigarette, or any other burning substance within such areas;

d) To camp, lodge, occupy sleeping bags, or sleep between the hours of twelve midnight and six a.m.;

e) To kill or have in possession any wild birds, animals, at any time within said areas;

f) To throw, deposit, place, or leave in or upon any place within said parks or upon said beaches or golf course any waste papers, cans, bottles, trash, refuse, or rubbish on any kind, except in a receptacle provided for such purpose by the city;

g) To place in trash receptacles provided in such parks, household trash or garbage generated or accumulated outside of said park, golf course, or beach.

11.04.020 – Consumption in public place.

It is unlawful and it is an infraction for any person to drink or consume any intoxicating liquor in or on any public park, street, or alley, public property, public parking area, public wharf, public dock, public waterfront or marine life refuge, or any beach within the city; provided, that the provisions of this section shall not apply to consumption of intoxicating liquor within the confines of any enclosed building where express permission for the consumption of alcoholic beverages has been granted by the city council (Ord. 833 N.S./6 (part), 1975: N.S. (part), 1968).

16.32.130 – Driving on beaches or in parks.

A. Prohibition. It is unlawful for any person to drive, propel, or operate any motor vehicle, except as provided in subsection B herein, on any public beach, public golf course, public park, public cemetery or other public place within the City of Pacific Grove, except on roads, streets, driveways and parking areas designated and laid out for vehicular use by the public. It is unlawful for any person to drive, propel, or operate a motor vehicle in a direction contrary to signs indicating a westerly one-way direction for traffic, on that certain roadway, in the oceanfront park known as Perkins Park, which enters from Ocean View Boulevard near Acropolis Street.

14.08.030 – Dogs prohibited in public parks.

It is unlawful for any person to lead or conduct any dog, whether or not on a leash, within any public park or cemetery in the city.

City of Pacific Grove, California
City Council Policy

Policy Governing	Policy No.	Effective Date	Page
Library Card Applications	200-6(A)	December 2, 1992	1 of 2

GENERAL: Before checking out any library materials, the Library must have on file information about where the materials are located.

OPERATION: The Pacific Grove Public Library is a facility of the City, operated under the direction of the City Manager and his designated representative, the Library Director.

PURPOSE: The Library is responsible for the materials owned by the City and kept at the Library. These materials are public property and must be accounted for. Therefore the following rules are established to provide the Library with the information needed to circulate these materials to citizens.

RULES AND REGULATIONS:

1. Applications for library cards must be completed in ink by the applicant.

2. Verification of residence address is required, for example a valid California Driver's license, a utility bill, a rent receipt or lease agreement, a piece of mail or voter registration card.

3. Cards issued to minors under 14 years of age or below 9th grade must be signed by a parent or guardian.

4. Non-residents from outside Monterey, Santa Cruz and San Benito Counties may apply for a temporary card which is retained at the Library, to be used for a term of less than one month, for a charge as established in the current City Resolution on fees. In these cases, the local address as well as the permanent address is required.

5. It is the responsibility of the borrower to present a valid library card (or apply for one) in order to check out library materials.

6. Library cards will be issued upon completion of the application and verification of residency. The library card may be used immediately. Library cards are not mailed nor are they retained by the Library, with the exception of cards for shut-in patrons. Cards left in the Library or in library materials will be held to be picked up by the patron.

7. It is the responsibility of the patron to notify the Library of changes of address in person with verification of current address. Telephone numbers may be changed in person or by phone.

8. Library cards are issued for a period of three years.

9. Borrowing privileges may be lost by repeated misuse of materials or failure to observe library rules, and may be applied to a particular type of materials (i.e., videos, books, etc.) or to borrowing any materials. Fines in excess of the maximum fine established by the City's current Fees Resolution must be paid before any additional materials may be checked out.

Approved by Pacific Grove Library Board, July 14, 1992
Adopted by City Council Resolution #6315, Council Policy No.200-6(A)
Approved by Pacific Grove Library Board, April 11, 1995
Adopted by City Council Resolution #6-003, February 7, 1996

City of Pacific Grove

Council Policy

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Library Materials Selection	200-6 (B)	Nov.18,1992	1 OF 2

Purpose:

It is the goal of the Pacific Grove Public Library to select, organize, and make accessible library materials in many formats to meet the expressed and anticipated needs and interests of the community it serves.

Policy:

To achieve this purpose these materials will:

- Meet the informational and recreational needs of the community
- Provide a variety of materials on matters of current interest
- Assist the individual to grow intellectually and culturally
- Reflect a broad range of opinions
- Provide insight into a wide range of human and social conditions and cultural heritages
- Support self-education and supplement formal education

Materials will not be excluded because they may cause concern to some individuals. They will not be excluded solely because they contain political, religious or moral views that may be controversial, nor because of language or frank sexual depictions if they meet other selection criteria. The Pacific Grove Library supports the Library Bill of Rights.

Selection Criteria and Procedures:

Under the direction of the Library Director, library materials are selected by professional librarians who use critical reviewing media, suggestions from patrons, and professional knowledge. Each proposed selection is evaluated on

its own merit and in relation to the collection as a whole, using some or all of the following criteria:

- Suitability of subject and style for the intended audience
- Current and future relevance to community needs
- Literary quality, artistic value or importance to its genre
- Popular demand by the public
- Importance of the author or artist
- Timeliness
- Cost
- Existing collection
- Availability of the material elsewhere
- Sustained interest

(Attachment, The Library Bill of Rights)

Adopted: November 18, 1992

Resolution No.: 6315

APPENDIX A

THE LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable bases, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1943. Amended February 2, 1961, June 27, 1967, and January 23, 1980, by the ALA Council.

City of Pacific Grove, California

Council Policy

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Library Reference Policy	200-6 (C)	Nov. 18, 1992	1 of 4

General policy:

All questions asked by a patron are considered valid questions, and equal consideration and effort will be given in answering them as accurately and completely as possible within the conditions set by the patron. Sources for the information/answers are given as a matter of course. (Staff members do not rely on their own opinions to answer questions.) If published information is not available in the library collection, the patron may be referred to an outside source, or the Reference Librarian will contact another library resource, such as the Monterey Bay Area Cooperative System headquarters (MOBAC), the State of California Answering Network (SCAN) or the California State Library.

In general, telephone reference service will be limited to specific requests for information. If an answer is not immediately available, the Librarian will either phone the patron back or ask the patron to call back. Since time and staff are limited, the Librarian cannot conduct long reference searches in response to telephone questions. For questions involving prolonged reference use of periodicals, bibliographic and biographic sources and indices, the patron is asked to come to the Library. Patrons with physical disabilities will, of course, receive all over-the-phone reference assistance we are able to provide.

The reference collection consists of materials which may not be borrowed or used outside the Library. These materials are classified as reference so that they may always be available to answer patron needs as well as for Reference staff to use in helping patrons.

> **Definition of a reference question:** Any question which requires a search of the card catalog, reference to any book or material in the collection, or to other informational source, including community resources.

Procedures:

WHO ANSWERS WHAT:

Directional questions, and questions relating to Circulation Desk procedures may be answered at the Circulation Desk. (Shelvers and volunteers answer only directional questions.) All other questions should be referred to the appropriate Librarian. Questions on library policy, history, programs, and resources may be directed to the Library Director; questions having to do with the Children's Department may go to the Children's Librarian.

> **Note:** Because of staff limitations, there may be periods when no Librarian is available. If this happens, Library Assistants may do author/title card catalog checks, and provide answers involving the spelling of a word, an address, a date and the like, if they feel competent to do so.

Procedure for Staff Referral:

In transferring a reference call, or sending a patron to the Reference Librarian on duty, the desk staff should explain to the inquirer that he/she is being referred to the Reference Librarian. If the Librarian is working on another question, explain to the patron that there will be a short delay. If it is a telephone question, ask if he/she would like the Librarian to return the call. If the Reference Librarian is not on duty at a particular time, the staff should consult the posted schedule and refer as needed to the Library Director or Children's Librarian. If none of these are available, take the caller's name and phone number, and a Librarian will call back as soon as possible.

Limitations and restrictions:

The following guidelines are observed in answering certain types of questions:

1. Ready Reference telephone service. Ready reference telephone service is supplied for information that is readily available, does not require extensive searching, and may be accurately given over the phone. These inquiries are answered in the initial telephone call and are limited to up to 3 items of information. Generally these type of questions would take 1-3 minutes.

2. Medical questions. Factual information can be provided from medical dictionaries and reference books but for questions which involve interpretation and opinion, the patron will be referred to his/her physician, the Monterey County Health Department or other resource agency which may be found in the Directory of Community and Human Services for Monterey County.

3. Legal questions. Citations from codes can be given and other legal resources may be suggested, but for legal recommendations and/or explanations the patron will be referred to his/her attorney or to Legal Aid.

4. Art:

   A. Art, antiques, and rare-book appraisals. The Librarian can provide published information on the subject but for estimations of value the patron will be referred to experts in the field.

   B. Identification of works of art. The Librarian will assist the patron in searching for information on artists and their works, but, for the identification or verification of works of art, the patron will be referred to experts.

5. Original translations. Short phrases may be translated depending on the resources of the library's collection and staff, but, for long or difficult passages, the patron will be referred to a translator or to other community resources.

6. Genealogical searches. The Librarian can guide the patron to documents and biographical information from published sources and can suggest sources for further investigation.

7. Original research and bibliographies. The Librarian will assist the patron in searching for existing bibliographies and will suggest additional resources available on the subject.

8. Consumer information. The Librarian will assist the patron in searching the published material on various consumer products. For recommendations or value judgments, the patron will be asked to consult dealers and other experts.

9. Mathematical calculations and formulae. Formulae may be read over the phone but the Librarian takes no responsibility for accuracy. No mathematical computations of any sort are undertaken for patrons. If a formula involves words or symbols which the Librarian or patron cannot understand, the Librarian will suggest alternate sources for an explanation.

10. Contests. The Librarian will assist in the search for, but cannot provide answers for contests, crossword puzzles or school tests.

11. School papers. The Librarian will help the student in any type of school research project or homework. However, for this type of assistance, the patron is asked to come to the Library in person. The Librarian will assist the student in developing library skills.

12. Locked case, special collection, and local history materials. These materials are available to the public for in-library use. Because of time, space and staffing restrictions, patrons are requested to apply in advance to the Reference Department for any prolonged use of these collections.

13. Consumer price index. The Librarian will read over the phone the current CPI figures, but will not, in the interest of accuracy, make lists of CPI changes nor compute index changes. The patron may be referred to other sources for this information.

14. Recommendations. The Librarian will not make specific recommendations on restaurants, doctors and dentists, mechanics, second-hand book dealers or other community resources, but will suggest a number of alternatives to the patron, or refer him/her to appropriate agencies or printed sources.

15. City directory or criss-cross questions. Requests for address or telephone numbers from the city directory or the criss-cross directory will be limited to the specific address or telephone number and near-by numbers will not be given. Patrons may come in to use the directories themselves for additional information.

Library policy, 1982
Approved by Pacific Grove Library Board, July 14, 1992

Adopted: November 18, 1992

Resolution No.: 6315

City of Pacific Grove, California

City Council Policy

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Withdrawal of Library Materials	200-6 (D)	Dec. 2, 1992	1 of 2

Purpose:

In order to keep the collections up-to-date, relieve congested shelves, and improve the appearance of the entire library, it is necessary to continually examine the collections on a systematic basis to determine if items should be withdrawn or stored.

Policy:

Recommendations for withdrawal will be done by professional staff members. Final decisions regarding disposition of candidates for withdrawal will be made by the Library Director.

It is acknowledged that, after all guidelines herein are followed, there is a subjective element in the weeding process.

It is recognized that through networking it is possible to borrow copies of items that may have been withdrawn.

Guidelines for withdrawal:

General considerations to be observed:

Circulation record, literary merit, obsolescence of factual content, physical condition, reader appeal, duplication of copies beyond period of demand, listing in standard bibliographies or indexes.

Specific criteria for weeding are outlined in the procedures appendix (Continuous Review, Evaluation, and Weeding [C.R.E.W.] Manual).

Disposition of withdrawn materials:

Storage on premises: Copies of seasonal popularity.

Discarded books may be traded or given to another library. An attempt is made to sell all other discarded items, either on the Library discard shelf or

to a rare book dealer, if appropriate. Revenues realized from the sale of these items is deposited in the City's General Fund. Surplus discards may, on the written authority of the Library Director, be given to the Friends of the Library for their sale(s).

Schedules and procedures for withdrawal:

- An attempt should be made to complete weeding all collections every 12 months.
- Weeding should be done as much as possible during hours the Library is closed.
- Prompt decisions should be made on the disposition of withdrawn materials.
- Consult the C.R.E.W. Manual for further procedures.

Library policy, 1982
Approved by Pacific Grove Library Board, July 14, 1992

Adopted: December 2, 1992

Resolution No.: 6320

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Library Acceptance of Art Gifts Policy	200-6(E)	May 4, 2011	1 of 1

Purpose
As part of its mission "to inform, educate, and culturally enrich " our community, the Pacific Grove Public Library collects and exhibits fine art. The following policy has been established to ensure that donations will: serve the best interests of the Library; be compatible with community interests; and be assessed in a consistent manner.

Definition
"Art gifts" are art works given to the Library for display or sale to benefit the Library.

They include two- and three-dimensional works of art, as well as other objects intended for display. As defined, art gifts encompass a broad group of objects including paintings, photographs, maps, murals, sculpture, objects of scientific, historic or literary interest, and other graphic matter. Not covered by this policy are gifts of books or other Library materials.

Guidelines for Evaluation of Art Gifts
1. All art placed in the Library shall meet a high level of aesthetic quality, as determined by the Library's Art Acceptance Panel.
2. A declared preference for art work of local interest, determined by subject and/or artist. As stated in the *Municipal Code 3.24.010* "Standards. (d) Works of art appropriate to the city's heritage and culture should be preserved, fostered and encouraged."
3. Art work that complements the Library's collection, for example an image of John Steinbeck or Robinson Jeffers.
4. Failure to fit the general décor and atmosphere of the Library, as determined by the Library's Art Acceptance Panel.
5. Art gifts intended as a memorial. As stated in the *Municipal Code 3.24.090*, "It is the policy of the city council not to accept works of art or memorials which are proposed or offered for placement on public property, where the primary purpose of the memorial or work of art is to memorialize or perpetuate the memory of any person, although works of art may be accepted if deemed worthy, where the name of the donor is conspicuously noted on the work."
6. Works of art shall be constructed in a manner that insures longevity of the artwork. The making of the art should include the use of correct technical processes and materials that have a relative permanence.
7. Works of art shall be presented in a professional manner. Two-dimensional work shall be suitably framed and wired and ready for hanging. Freestanding statuary shall rest on a durable and appropriate base material that is proportionate in size. Pedestal sculpture shall sit on a carefully constructed pedestal that is of a durable and appropriate material and of proportionate size.
8. Availability of space for display or storage.

Nature of Acceptance of a Gift
All gifts shall be unconditional, transferring ownership and all rights of ownership to the Library. Gifts are accepted only with the understanding that the Library has the right to determine retention, location or disposal of the gift. The Library may sell the item for value and use the proceeds for any purpose appropriate to the Library's mission.

Donor's Responsibilities
The donor shall submit a completed *Art Acceptance Form* with each proposed donation.

It is the responsibility of the donor to have art donations appraised for tax purposes. The Library, as a non-profit organization, may issue donation receipts that may be used for Internal Revenue Service tax deduction purposes. However the Library cannot set a value on gifts.

If the work has been appraised for tax purposes, a copy of the appraisal shall be given to the Library at the time of the donation. The Library will issue a letter to the donor acknowledging receipt of the gift and of the appraisal letter. The acceptance of the gift and letter does not mean endorsement of the appraisal by the Library.

Role of Art Acceptance Panel, City Advisory Boards, and City Staff
Ordinarily a request for consideration by the Art acceptance Panel will come from the senior Librarian. It is understood that the Senior Librarian may not find it necessary to refer every offer to the Panel.

The Art Acceptance Panel consists of one member from the Library staff, one member from the Library Advisory Board, and one individual, (selected by the other two members), with expertise in the visual arts. The term of service of Panel members shall be at the discretion of the Library Advisory Board.

With regard to exterior works of art, the Panel will take into account that it is the responsibility of the Natural Resources commission to recommend action to the City Council.

The Panel will convene on an as needed basis to evaluate art gifts. In respect to donors, they will convene within four weeks (28 days) of the receipt of an art gift. The Art Acceptance Panel may also convene to re-evaluate the retention of art in the Library's collection. Note: Art work may not be sold or acquired directly from the Library by any city employee, Art Acceptance Panel member, Library Board member or their family members.

Issues and legalities involved in donations of art works are numerous, and there will be occasions when the City Attorney's advice may be essential. For example, an artist may be entitled under law to a royalty under certain circumstances of resale; a copyright may be involved; an artist may ask for rights and privileges such as the first chance to purchase, borrowing for an exhibition, reproduction rights, control of alterations, repairs or restoration.

Placement

1. The installation and placement of works of art will be determined by the Committee.
2. Placement of works of art at a site shall consider the materials, colors, and textures of the existing building site. Art will not be placed in locations that result in visually poor and conflicting relationships between the object and the site.
3. Placement of works of art shall support clarity of the original architectural plan, particularly as it relates to the harmonious whole, within the distinct and separate interior designs and according to the master plan of the Library.
4. Works of art will be placed so as not to obstruct clear lines of vision or upset the relative proportion of visual elements within the building.
5. There will be no changes made to the structure of the building to accommodate art.
6. A work of art may not be placed in an area of the building that is structurally unable to bear the object's load.
7. Placement of works of art at a site shall consider art conservation concerns. Exposure to direct sunlight and direct contact with venting from air conditioning and heating systems will greatly deteriorate some works of art.
8. The internal traffic flow of the building shall be considered. Art will not be placed in areas which obstruct ease of mobility of large groups through interior building thoroughfares.
9. Placement of works of art shall take into account emergency situations. Art will not be placed in locations which inhibit efficient access to emergency exit routes.

Adopted: December 2, 1992—Resolution No. 6320
Amended: May 4, 2011—City Council approved amended policy 5-4-11

City of Pacific Grove, California
City Council Policy

Policy Governing	Policy No.	Effective Date	Page
Children's Services	200-6(F)	February 7, 1996	1 of 2

PURPOSE: As a division of the Pacific Grove Public Library, a department of the City of Pacific Grove, the Children's Department serves a specific clientele with unique needs. This policy addresses the areas of service which the Library will provide to this clientele.

MISSION STATEMENT: The goal of the Pacific Grove Library Children's Department is to provide young people aged 0-18 and those who work with them (parents, teachers, etc.) with both print and non-print materials of informational, educational and recreational interest. The Library will provide reference service to answer the needs of these patrons. Programs of interest to young people will be provided throughout the year.

MATERIALS SELECTION: The Children's Department adheres to the Library's selection policy and the Library Bill of Rights (City Policy 200-6 [B]). The Library does not monitor or restrict children's access to materials of any kind. Any restriction of a child's access to materials is the responsibility of the parent or guardian.

REFERENCE: The Children's Department adheres to the Library's Reference Policy (City Policy 200-6 [C]). Librarians will assist young people with homework, but are not responsible for the completion or accuracy of an assignment. Young people needing assistance with school assignments are asked to come to the Library in person, rather than ask their questions by phone. With regards to all patrons, but especially to young people, the Library endeavors to teach patrons how to use the resources in the Library to help themselves.

PROGRAMS: The Children's Department attempts to provide programs throughout the year for young people of all ages, as time, space and staffing allow. These programs include:

1. Weekly storytime for ages 2-8.
2. The Junior Friends of the Library Club.
3. A minimum of 3 special programs per year for different age groups.
4. Summer reading program for ages 2-13.
5. School visits involving young people aged 2-18.

   Classes are invited to visit the Library, by appointment. The Children's Librarian is available by appointment to visit classes at schools for storytelling, book talks, etc., as time permits. Teachers wishing to bring classes to regularly scheduled programs, such as Storytime, must first talk with the Children's Librarian.

CHILDREN'S ROOM:

USE: The Children's Room is for the use and enjoyment of young people, their parents and all those using the materials in the Children's Room. Adults with unrelated business are asked to use other areas of the Library. When programs are in session in the Children's Room, patrons are asked to look for materials without disrupting the program.

An attempt is made to maintain order in the Children's Room. Running, jumping and vigorous play are not safe activities to those participating or to others in the Room. Disruptive or disturbing activity will be cause for action: a warning to maintain order, separation of parties and/or removal from the Library.

UNACCOMPANIED CHILDREN: Children age 7 and under should be accompanied by a responsible adult at all times while in the Library. The Library is not responsible for unattended children. If children under the age of 12 are left unattended at closing, staff must call local law enforcement to pick up the child.

DISPLAY OF MATERIALS: The bulletin boards in the Children's Room are available for public announcements which meet the criteria of City Policy 200-6 (G) or for Library exhibits. Library exhibits will be developed by or with the Children's Librarian, in keeping with the Library Bill of Rights.

COMPUTER USE: The Apple IIe computer is primarily for the use of young people aged 2-18. The computer is available for use on a limited basis; computer hours and appointments are at the discretion of the Children's Librarian. Young people demonstrating basic computer knowledge, verified by the Children's Librarian, may use the computer when the Children's Librarian is not available, at the Library's convenience. Children age 8 and under must be accompanied by an adult while using the computer.

GIFT POLICY: The Children's Department welcomes the donation of print and non-print materials, as well as display items such as dolls and toys, but is not able to accept all such materials offered due to the limitations of space and number of personnel available for the storage and maintenance of such materials. The Children's Department adheres to City Policy 200-6 (I) regarding acceptance of gifts of print and non-print materials.

APPROVED: February 7, 1996

RESOLUTION NO.: 6-003

City of Pacific Grove, California

City Council Policy

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Display of Materials in the Library	200-6 (G)	Dec.2, 1992	1 OF 3

Purpose:

The Library daily receives announcements, brochures, advertisements, calendars, public-service newspapers, newsletters, and similar materials for posting or display. In addition the Library has space available for temporary special exhibits. It is the purpose of this policy to ensure that consistent guidelines are used to determine distribution, display and posting of these materials.

Policy:

Permanent bulletin boards and free material for pick-up

A. General

Generally, no attempt is made by the Library to locate and obtain materials for bulletin board display or pick-up, but items brought in or sent through the mail may be displayed/made available.

Materials for posting or pick-up may be submitted by anyone who wishes to promote or announce a service, event, meeting, class or job, which falls into the approved category.

Announcements, brochures, calendars, schedules, newsletters, public-service newspapers, and similar materials may be posted/put out only by library staff, after approval by the Library Director, who also determines where the material will be placed.

B. Criteria for approval/disapproval

No individual commercial announcements will be displayed; that is, no announcements from places of business or from individuals who are selling a product or service nor from any enterprise on which a profit is expected to be made. It is recognized that there is often a fee for certain educational and cultural events, but these are generally not for profit. It is also recognized that the free community-service newspapers may contain advertising and

listings of items for sale, but the presence of these papers is not regarded as an endorsement of any product or service.

To conform to City policy, announcements promoting a particular political point of view are generally not displayed unless the opposing viewpoint can also be represented. Material promoting a candidate for political office is not displayed.

Material having to do with religious or social themes which might be considered controversial may be displayed, especially if there are various viewpoints represented among these materials.

No personal messages of any kind will be posted.

Special exhibits - glass cases, moveable display panels, and tables

A. General

The library may seek out and take active steps to obtain special displays and exhibits.

Displays and exhibits are encouraged by any person or group who has material to display which falls into the approved category.

Exhibits are usually planned and executed (as to format) by the owner or displayer of the material, with the approval of the Library Director. In special cases, library staff may assist in setting up displays or making labels.

B. Criteria for approval/disapproval

Materials displayed will usually be of general interest to major segments of the library clientele.

Not acceptable will be items of such great intrinsic value that special insurance coverage would be necessary. Insurance carried by the City of Pacific Grove to cover its own property, including the library collections, will generally be sufficient to cover most exhibits. A receipt/release form, to be signed by both the exhibitor and the Library Director, will be used, so that the exhibitor is aware that the City makes no special guarantee of protection for his/her materials.

No commercial displays will be permitted; that is, displays for which the primary purpose is to sell a product or service. Generally, items which are being offered for sale may not be shown, and firm names may not be included for advertising purposes. Credit may be given to a commercial source, if, in the

Director's opinion, the purpose is not for advertising. It is recognized that collectors may occasionally or frequently sell or trade objects, and this is not construed as a commercial activity, as long as a display is not primarily for this purpose.

To conform to City policy, displays and exhibits promoting a particular political point of view, or those with religious or social themes which might be considered controversial are generally not allowed, since it is not usually possible to present another display at the same time showing opposing viewpoints. No displays promoting a candidate for political office will be permitted.

Approved by Pacific Grove Library Board, September 17, 1991
Re-approved by Pacific Grove Library Board, July 14, 1992

Adopted: December 2, 1992

Resolution No.: 6320

City of Pacific Grove, California
City Council Policy

Policy Governing	Policy No.	Effective Date	Page
Circulation of Library Materials	200-6(H)	December 2, 1992	1 of 2

PURPOSE: To establish policies regarding the circulation of library materials which are consistent and which may be fairly applied, and which will protect the property of the City of Pacific Grove.

POLICY:

1. Materials are checked out to anyone holding a valid Pacific Grove Library or Monterey Public Library card.

   The Library will not monitor or restrict children's access to materials of any kind; any restriction of a child's access to materials is the responsibility of the parent(s) or guardian(s).

2. Check-out periods:

   a. "14 day" materials include: all circulating non-fiction, new or old; all children's and young adult books; paperbacks; sound recordings; periodicals; maps; pamphlets; and fiction, except as described below.

   b. "7 day" materials include: video tapes (except as described below), equipment, kits, and new short fiction (under 300 pages, added within 6 months).

   c. "3 day" materials include: feature film video tapes.

   d. "1 month" materials include: art prints.

   e. "Non-circulating" materials include: reference books (see Reference Policy City Policy 200-6[C]), newspapers, magazines (newest and storage issues), documents, rare items from the rare Book Room, library equipment, microforms, computer software and any other materials so designated.

3. Renewal of materials

   a. Materials may be renewed twice by telephone or in person on any 14-day or 1-month materials, except for periodicals and unless the material is on reserve.

   b. 7-day materials may not be renewed.

   c. Automatic renewals are available for teachers, vacationers and shut-ins.

   d. Materials on reserve may not be renewed and should be returned promptly.

4. Return of materials

a. All materials must be returned, in good condition, by the date due marked on the material at the time of check-out, unless the material is renewed. Failure to return materials by the due date will result in the assessment of a fine according to the current City Resolution on fees.

b. Video tapes must be rewound and the tapes handed to a staff member to be checked or fees will be assessed. Video tapes left in the outside bookdrop will be assessed a fee.

c. Patrons are asked to report any damage or problems with library materials. Fees for damages may be assessed if the patron is responsible for the damage.

d. All library materials, except videotapes, may be returned inside the library, in the outside bookdrop at the corner of Grand and Central Avenues or at a MOBAC member library. Videotapes must be returned inside the Library and may not be returned to another library.

5. Patrons may reserve library materials (except for videotapes) not found on the shelf by paying the current charge.

a. Reserved items are held for one week after notification has been mailed.

b. If a patron requests a hold on materials currently in the library, the material will be held for 48 hours.

6. Patrons may request materials not in the Pacific Grove Library collection, adhering to the national interlibrary loan standards, by completing a request form and paying the current charge.

Approved by Pacific Grove Library Board, July 14, 1992
Adopted by City Council Resolution #6320, Council Policy No.200-6(H)
Approved by Pacific Grove Library Board, April 11, 1995
Adopted by City Council Resolution #6-003, February 7, 1996

City of Pacific Grove, California

City Council Policy

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Library Gift Acceptance Policy for Print and Non-Print Materials	200-6 (I)	Dec.2, 1992	1 of 1

Purpose:

The Library is the recipient of many donations of print and non-print materials. In the interests of the Library and the community it serves, the City Council wishes to establish a uniform policy regarding the acceptance and disposal of these gifts.

Policy:

The Pacific Grove Public Library welcomes the donation of print and non-print materials to its collections, but is not able to accept all such materials offered due to the limited amount of space and number of personnel available for the storage and maintenance of such materials.

Materials donated to the Library are screened by professional library staff and subject to the guidelines established in the Library's selection policy and gift acceptance policy.

1. Acceptance of materials shall be guided by the same criteria used in the purchase of new materials.

2. Materials accepted are subject to the condition that they become the property of the Library and may be disposed of in the best interests of the Library at any time.

3. Materials donated but not added to the Library's collections, may be donated to the Friends of the Library for their book sale(s) or may be discarded.

4. Due to space limitations, the Library cannot accept: Readers Digest condensed books, outdated textbooks, books in poor repair or condition.

Approved by Pacific Grove Library Board, March 13, 1976
Re-approved by Pacific Grove Library Board, May 16, 1989
Re-approved by Pacific Grove Library Board, July 14, 1992

Adopted: December 2, 1992

Resolution No.: 6320

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Internet Use	200-6 [J]	March 22, 2012	1 of 3

Purpose
This policy establishes the guidelines for public use of the Internet as an access to electronic resources from information networks.

Policy
1. Access to Internet Resources
1.1 In providing Internet access as an information resource, the Pacific Grove Library's goal as a public access agency is to give opportunity to anyone who wishes to participate in navigating the Internet, either at the Library or at home through the Library's website.

1.2 The Internet allows access to ideas, information, and commentary from around the globe. The Internet is a vast, unregulated global network of information resources. As such, it provides access to materials that may be personally, professionally, and culturally enriching to individuals of all ages. It also enables access to materials that may be inaccurate or controversial as well as materials which may be offensive to users.

1.3 The Library assumes responsibility only for the information provided on the home page and the supporting web pages resident on its server. The Pacific Grove Library does not monitor and has no control over the information accessed through the Internet. The Library provides links to useful and interesting sites, but the Library does not edit or restrict Internet content. The Library upholds everyone's intellectual freedom and applies no restriction on the right to read, listen or view. Patrons themselves must evaluate the information. Users are responsible for the choice of sites that they visit.

1.4 It is the Library's policy that parents or legal guardians must assume responsibility for deciding what library resources are appropriate for their children. There may be some resources parents may feel are inappropriate for their children. Parents should let their children know if there are materials they do not want them to use. Restriction of a minor's access to library resources including the Internet is the responsibility of the parent or guardian; the Library does not have the right or responsibility to act in the parent's places. At least two library computers will be designated as a Children's workstation. Selected web pages on these workstations will guide young users to age-appropriate educational and fun sites selected by Library staff. Parents and guardians should be aware that children will not be restricted to these sites.

2. Access
2.1 Internet workstations are available during normal library hours except during maintenance periods. Workstations will be shut down 15 minutes before the library closes.

2.2 Pre-registration and time limits may be imposed at workstations based on public use.

2.3 Library patrons may download information from the public Internet workstations onto their own flash drives.

2.4 Printing is available for a fee as established by the City's current Master Fee Schedule.

2.5 Library Reference staff will provide basic assistance to patrons using the Internet; however, staff cannot provide extended training or technical support for Internet users.

3. Privacy

3.1 The Library respects but cannot guarantee users' right to confidentiality when using Library resources. including the Internet. Patrons should respect the privacy of Internet users and Internet users should not show displayed material to other Library patrons.

3.2 While respecting the user's right to privacy, Library staff may take appropriate action to resolve problems that might arise during the use of the Library's Internet service and to enforce Library policies and rules.

4. Appropriate use of the Library's Internet Service

4.1 The Library's Internet workstations are for research, educational, cultural and recreational use.

4.2 The Library does not provide local email accounts.

4.3 Patrons using the Public Internet Stations to purchase items online or to do sensitive financial transactions should be aware that the workstations have no firewall. The Library cannot guarantee the user's right to confidentiality.

4.4 Any use of the Internet that violates Federal, California, or local laws is prohibited. Examples of illegal activities include but are not limited to fraud and displaying or distributing child pornography or other obscene materials.

4.5 The Internet must be used in a responsible manner, consistent with appropriate behavior for the Library. Users must be quiet, courteous towards others, and respectful of Library equipment.

4.6 Users may not modify Library hardware or software, change configurations, or attempt to access non-public files or accounts.

4.7 Users may not use personal software, download software, or bookmark sites.

4.8 The United States Copyright Law (title 17, U.S. Code) prohibits the unauthorized reproduction of copyrighted materials, except as permitted by the principle of "fair use". This includes most electronic information sources. Users may not copy or distribute many electronic materials without the explicit permission of the copyright holder. Users are responsible for any consequences of copyright infringement.

4.9 Both the City of Pacific Grove and the Pacific Grove Public Library are committed to providing an environment free from sexual harassment. Internet users are asked to refrain from

the display of material which may be interpreted as part of an intimidating, hostile, or offensive work environment. Internet users should not attempt to show material displayed to other library patrons or staff.

Failure to follow these guidelines and any of the other rules for Internet use in the Library may result in suspension of Internet privileges. Continued violation may result in suspension of library privileges as provided by the Pacific Grove Public Library's "Library Behavior Policy."

Approved by the Library Board, January 11, 2000
Adopted by the City Council, February 9, 2000, Reso No. 0-011

Amendments approved by the Library Board, January 10, 2012
Adopted by the City Council March 21, 2012, Reso. No. 12-_____

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Library Behavior	200-6(K)	May 4, 2011	1 of 1

Purpose
The Pacific Grove Public Library serves the general public and encourages people of all ages to visit the library. Those using the library and its resources have the right to expect a safe, comfortable environment that supports appropriate library services. These rules of conduct are established to provide such an environment.

Rules of Conduct
1. The violation of federal, state, or local laws is not permitted on library property, including:
    - Physical, verbal, or sexual harassment of patrons or staff
    - Threats of violence
    - Theft or vandalism of library or other persons' property

2. Smoking in the library or within 25 feet of the library building is not permitted

3. Disorderly conduct or disruptive behavior that interferes with the normal operation of the library or that disturbs patrons or staff is not permitted. Examples of this type of behavior include, but are not limited to, running, fighting, drunkenness, abusive or threatening language or behavior, and excessively loud conversations.

4. Library patrons shall abide by library rules and shall obey any reasonable direction give by a library staff member.

5. Tampering with library machines, technology systems, and computer hardware or software is prohibited.

6. No pets or animals of any kind, with the exception of service animals or animals being used as part of a library-sponsored program, will be allowed in the library.

7. Patrons shall leave the library at closing time.

8. Library computers may not be used for illegal or criminal activities. Nor may they be used to download or print obscene material.

9. Shoes and acceptable clothing shall be worn in the library at all times.

10. Eating and drinking, with the exception of bottled water, unless part of a program or reception, is not permitted in the library.

11. Bags larger than 20" by 14" by 8" could present a safety risk and may not be brought into the library

12. Children ages 8 and under may not be left unattended in the library and shall be accompanied by someone 12 years or older.

- Children ages 9 and up are allowed to use the library unaccompanied by an adult as long as their behavior is not disruptive to patrons or staff.
- Children under 12 left unattended at closing time will be transferred to the Police Department.

13. Computers in the Children's Room are reserved for children ages 18 and under. Adults with small children may use computers in the Children's Room with permission of the librarian in charge.

14. Personal appliances, such as laptop computers and MP3 players, may be used if the noise level is low and use does not interfere with others. Cell phone use is prohibited in the library and phones shall be turned off or switched to a non-audible signal. Texting is allowed if it does not disrupt the normal operation of the library.

15. No weapons may be brought into the library.

Adopted: March 15, 2000—Resolution No. 0-011
Amended: May 4, 2011—City Council approved amended policy 5-4-11

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Library Local History Collections Policy	200-6(L)	May 4, 2011	1 of 1

Purpose
To promote the city's heritage by collecting, preserving, organizing and making available historical resources related or relevant to the City of Pacific Grove.

Policy
Collection Profile. The Pacific Grove Public Library collects, organizes, stores and displays books, maps, images, manuscripts, audio visual materials, oral histories, biography files, directories, voter registers, local newspaper clippings, ephemera, and other printed, handwritten and drawn artifacts pertaining to Pacific Grove's heritage. Due to the importance of this unique collection, appropriate preservation methods and materials are sought out and utilized.

The collection is limited to those materials which deal directly with Pacific Grove. Materials broader in scope than Pacific Grove which include Pacific Grove as a significant part or which contain unique information about the city are also collected. The Pacific Grove Public Library collects an assortment of City documents but makes no attempt to store all such documents. The City Clerk's Office, located in City Hall, is the official repository of documents related to the City.

Selection/Acquisition. Items included in the Local History Collection are selected based on the collection profile, historic value, interest, and need. Bulky, cumbersome or difficult to display and store items are evaluated for acceptance on an individual basis. Reference staff will make final decisions on the acquisition and de-selection of materials.

Use. Due to the unique nature of the collection, materials stored in the Local History Collection do not circulate. Materials are made accessible by reference staff during the Library's regular open hours. Due to the unique nature of some materials, appointments may be necessary.

Attachment
Pacific Grove Public Library Local History Collections Rules and Procedures

Adopted: May 4, 2011—City Council adopted policy 5-4-11

Attachment

Pacific Grove Public Library
Local History Collections
Rules and Procedures

The Local History Collections of the Pacific Grove Public Library houses maps, images, manuscripts, audio visual materials, oral histories, biography files, directories, voter registers, local newspaper clippings, ephemera, and other printed, handwritten and drawn artifacts pertaining to Pacific Grove's heritage.

This document shall be read before registering to view Local History Collections materials. The applicant's signature on the registration form shall indicate that s/he understands and agrees to these terms.

The following rules apply:

1. Patrons have access to materials at the reference librarian's discretion.

2. A library card or driver's license will be required. It will be held while the patron is viewing Local History materials.

3. Neither food nor drink of any kind will be allowed while viewing Local History materials.

4. Materials may not leave the Pacific Grove Public Library. Any person convicted of theft of library materials of any kind, regardless of where they took place will be prohibited from view Local History Collections materials.

5. Certain materials, determined on a case-by-case basis by the reference librarian, may require the patron to wear white cotton gloves. To protect materials patrons are required to keep all personal property, such as bags and backpacks, off the table. Only loose paper, pencils and laptop computers are permitted on the table. (Paper can be supplied if necessary.)

6. Materials from the Local History Collections may be photocopied with permission from the reference librarian. If photocopying the item will cause any harm or damage to that item then photocopying will be restricted. Some photographic or videographic reproduction may be allowed, without flash, at the discretion of the reference librarian.

7. Unless otherwise noted, all photographs in the collection are the property of the Pacific Grove Public Library. Neither the original photographs nor the digital images in the catalog may be used on the Internet, published, or used in any other way without express, written permission of either the Pacific Grove Public Library or the copyright holder. Credit must appear in each publication, display, or other use indicating that the materials are from the Pacific Grove Public Library, and/or the copyright hold if applicable or discoverable. See also: the Copyright Law of the United States (Title 17 U.S. Code).

8. For extensive research inquiries it may be necessary to make an appointment for a future date.

CITY OF PACIFIC GROVE, CALIFORNIA

COUNCIL POLICY

Subject	Policy No.	Effective Date	Page
EMPLOYEE PERFORMANCE RECOGNITION	300-1	09/03/86	1 of 1

It is the policy of the City of Pacific Grove that employees receive proper recognition for exemplary job performance. The following guidelines are established in furtherance of that policy:

1. All letters of employee commendation should be acknowledged with a letter to the employee from the employee's department head. A copy of the letter of commendation and the department head's acknowledgement should be transmitted through the City Manager to the employee's personnel file.

2. When a letter of commendation points out meritorious service beyond the scope of the employee's normal duties, the commendation should be recognized with an appropriate letter from the City Manager to the employee. Copies of the letter of commendation and appropriate acknowledgments should be transmitted to the Council for information and placed in the employee's personnel file.

3. In those cases where it is determined that the employee has performed an act of heroism or other extraordinary service, the City Manager may ask the Council to formally recognize the employee through the adoption of a resolution or other appropriate means.

Adopted: September 3, 1986

Resolution No.: 5762

CITY OF PACIFIC GROVE, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NO.	DATE
Equal Employment Opportunity	300-2	7/6/88

In recognition of the need to rectify a historical national pattern of discrimination based on race, color, gender, national origin, religion, age disability and sexual preference, the City of Pacific Grove commits itself to a policy designed to ensure equal employment opportunities to all job applicants and employees.

In the recruitment, selection, assignment, promotion, discipline and training of personnel, the City will consider only job-related skills, abilities, knowledge and performance. The City will follow positive measures to eliminate considerations based on any of the factors listed in the paragraph above. In addition, the City is committed to the elimination of any form of sexual harassment in the workplace.

This policy statement represents a commitment that all program operations shall be carried out in a manner which insures fair and equal treatment of all employees and job applicants.

Finally, the City welcomes constructive suggestions that will improve the effectiveness of City's equal employment opportunity activities.

Adopted: July 6, 1988

Resolution: No. 5913

Subject	Policy No.	Effective Date	Page
Workers' Compensation Coverage for City Volunteers	300-3	03/20/91	1 of 1

March 4, 1991

TO: Mayor and Council Members

FROM: George C. Thacher

SUBJECT: Workers' Compensation Coverage for City Volunteers

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As you will read in the accompanying materials there are a variety of reasons why it is advisable to cover City's volunteers for workers' compensation. The resolution you are asked to approve will provide workers' compensation insurance for those doing volunteer work for the City.

Our volunteer firefighters, marine rescue and police reserve personnel are already covered, so this resolution will extend coverage to the miscellaneous volunteers who assist the various departments. Included, for example, are senior volunteers at the police and fire departments, museum volunteers and those who help out at the library. Also, if some of the proposed park replanting programs involve community volunteers, those people would also be covered.

This extended workers' compensation is to City's advantage as well as to those who donate their time as volunteers. Please adopt the resolution.

George C. Thacher
City Attorney

cc: Gary Bales
Chris Kirchhofer

ADOPTED: March 20, 1991

RESOLUTION NO. 6154

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Emergency Leave Pool	300-4	December 21, 2005	1 of 1

I. PURPOSE

In the event of a medical or personal emergency, whereby a City employee shall suffer a loss in wages, for reasons unforeseen and beyond their control, an "Emergency Leave Pool" may be established. The purpose of this pool is to allow other City employees the opportunity to voluntarily contribute a portion of their accumulated vacation or sick leave towards the leave of the stricken employee.

II. PROCEDURE

1. All requests for the establishment of an emergency leave pool shall be subject to the review and approval of the City Manager. Requests shall be considered on a case-by-case basis and afforded only to those employees who have a legitimate medical or personal emergency. Employee's demonstrating a history of vacation and/or sick leave abuse, may not qualify for the program.

2. Upon the approval of the City Manger, all City employees shall be advised of the emergency situation, and, of the request for their voluntary donation of sixteen (16) hours vacation or sick leave for the benefit of the stricken employee. All donations are voluntary and confidential. Each employee shall make their own determination whether or not they wish to contribute to the emergency leave pool.

3. Those employees wishing to contribute shall submit a written agreement approving the use of their vacation or sick leave for this purpose. Donors shall be selected at random by the payroll department and leave will be provided only "as needed" to the employee. Every effort shall be made to prevent the abuse of donated leave, and, therefore, leave requests submitted by the stricken employee shall be monitored accordingly.

4. Upon the termination of the employee's medical or personal emergency situation, vacation and sick leave agreements shall become invalid and the pool terminated.

Adopted: September 4, 1991—Resolution # 6200
Amended: January 17, 1995—Resolution # 6444
Amended: December 21, 2005—Resolution # 5-049

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
ADA Grievance Procedure	300-5	November 4, 1992	1 of 4

I. PURPOSE

Under Title I of the Americans with Disabilities Act of 1990 (ADA), no local government or covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.

In addition, Title II of the Act requires a public entity to make its programs, services, and activities accessible to the disabled in all cases, except where to do so would result in a fundamental alteration of the nature of the program, service, or activity or in undue financial and administrative burdens.

II. POLICY

A member of the public who believes that he or she (individually or on behalf of a specific class of individuals) has been subjected to unlawful discrimination on the basis of disability by a City of Pacific Grove policy, service, or program, may file a complaint by himself, herself, or by an authorized representative. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

Grievances by City employees, relating to matters within the scope of the employee bargaining agreements, are excluded from this grievance procedure, and should follow the applicable procedures set forth in the appropriate Memorandum of Understanding.

Definition A grievance is an expression of dissatisfaction with a City of Pacific Grove policy, service, or program regarding access or the opportunity to participate in such programs on the basis of disability as defined in the Americans with Disabilities Act of 1990.

Objectives The objectives of this policy are:

- to comply with the Americans with Disabilities Act of 1990;
- to assure that grievances are promptly acknowledged and resolved;
- to establish uniform standards and procedure for handling grievances throughout the entire City organization;

- to provide citizens with an accessible, convenient, efficient system for bringing complaints to the City's attention;

- to demonstrate that the City is responsive to the concerns of its citizens; and

- to reduce or prevent the occurrence of circumstances that lead to justifiable citizen complaints.

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III. PROCEDURE

A. To File a Complaint

1. Any individual who believes he or she has been discriminated against on the basis of their disability may make a written complaint. In order to facilitate the investigation, the complainant is encouraged to submit the complaint within thirty (60) calendar days of the alleged incident(s). If the filing of a written complaint is prohibitive, complainant shall contact the ADA Coordinator who will discuss what alternative arrangements can be made to file the complaint.

   All complaints should be sent to the ADA Coordinator, Community Development Department, 300 Forest Avenue, Pacific Grove, California 93950, for resolution. A written record of the complaint and the action taken will be maintained in the City's ADA Coordinator's Office for three (3) years. A decision by the ADA Coordinator (Coordinator) will be rendered in writing within 15 calendar days from the date it is received. ADA Grievance Procedure forms are available from the Coordinator.

2. The complaint shall include:
   - a description of the alleged discriminating activity, policy, program, or service;
   - date(s), time(s), and location(s) of incident(s);
   - names(s) of alleged offender(s), if any;
   - name(s) of witnesses, if any; and
   - remedy desired

3. Upon receipt of a complaint, the Coordinator shall investigate all charges. The investigation shall include, but not be limited to, interviews with: (a) the complainant within 15 calendar days after receipt of the complaint, to discuss the complaint and possible resolution(s); (b) the person(s) responsible for the activity, policy, program, or service engaged in the alleged incident; and (c) any other person the Coordinator believes to have relevant knowledge concerning the complaint.

4. Upon completion of the investigation, the Coordinator shall determine whether or not the alleged complaint should be sustained, giving consideration to all factual information gathered through the investigation, all of the circumstances, including

the nature of the activity, program, or service and the context in which the alleged discrimination occurred.

5. Within 15 calendar days after the meeting, the ADA Coordinator will respond in writing (or in a format accessible to the complainant) explaining the position of the City and offer options for resolution of the complaint. The results of the investigation and determination with appropriate recommendation(s) shall be conveyed to the complainant, the head of the City department which is the subject of the complaint, and any other person deemed relevant by the Coordinator.

B. Appeal Process

1. If the complaint is not resolved to the complainant's satisfaction by the Coordinator, the complainant can request the Coordinator to forward the complaint to the City Manager. Complainant must make any such request within fifteen (15) calendar days after receiving the response of the Coordinator. The request must state why complainant is appealing the Coordinator's determination and any proposed remedies as well as what remedy the complainant is seeking.

2. The City Manager will consider complaints on appeal that are not resolved by the Coordinator to the satisfaction of the complainant. The City Manager will meet with the complainant within 15 calendar days of the receipt of the appeal to discuss the complaint and resolution(s), consider the complaint and the record from the Coordinator and shall make a decision on the complaint within 15 calendar days after receipt of the appeal. Within 15 calendar days of the meeting, the City Manager will respond in writing (or in a format accessible to the complainant) with a final resolution to the complaint. The decision of the City Manager shall be final.

C. Written Record

A written record of the action taken on each request or complaint shall be maintained as part of the records at each level of the grievance process for (3) years.

D. Pursuit of Other Remedies

The complainant's right to prompt an equitable resolution of the complaint will not be affected by the complainant's pursuit of other remedies, such as the filing of a complaint with the Department of Justice or the Equal Employment Opportunity Commission. Furthermore, this procedure does not preclude, nor must it precede, the filing of a complaint with the appropriate federal agency. Complaints filed with federal agencies must be filed in accord with their time lines and procedures.

Adopted: November 4, 1992
Resolution No.: 6312

Amended: December 7, 2005
Resolution No.: 5-042

Amended: January 16, 2008
Resolution No. 08-001

RESOLUTION NO. 08-001

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AMENDING COUNCIL POLICY NO. 300-5, REGARDING ADA GRIEVANCE PROCEDURE

THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:

Council Policy No. 300-5, (regarding the ADA Grievance Procedure) as amended in the copy of the policy attached hereto and incorporated herein by this reference is hereby approved and adopted.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 16th day of January, 2008, by the following vote:

AYES: Council Members Bennett, Cohen, Cort, Davis, Miller, Nilmeier, Stilwell

NOES: None

ABSENT: None

APPROVED:

DANIEL E. CORT, Mayor

ATTEST:

CHARLENE WISEMAN, City Clerk

APPROVED AS TO FORM;

DAVID C. LAREDO, City Attorney

RESOLUTION NO. 5-042

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AMENDING COUNCIL POLICY NO. 300-5 ADA GRIEVANCE PROCEDURE

THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:

Council Policy No. 300-5, (regarding the ADA Grievance Procedure) as amended in the copy of the policy attached hereto and incorporated herein by this reference is hereby approved and adopted.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 7th day of December, 2005, by the following vote:

AYES: Cort, Costello, Bennett, Goldbeck, Miller, Nilmeier, Schenk

NOES: NONE

ABSENT: NONE

APPROVED:

JAMES W. COSTELLO, Mayor

ATTEST:

JAMES J. COLANGELO, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney

RESOLUTION NO. 6312

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE ADOPTING COUNCIL POLICY NO. 300-5, TO ESTABLISH GRIEVANCE PROCEDURES IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990

THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:

SECTION 1. Council Policy No. 300-5, entitled "ADA Grievance Procedure", copy attached hereto and incorporated herein by this reference, hereby is approved and adopted.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 4th day of November, 1992, by the following vote:

AYES: Cavallaro, Gasperson, Nunn, Rogge, Schaefer, Whitman

NOES: None

ABSENT: Davis

APPROVED:

Florence B. Schaefer

FLORENCE B. SCHAEFER, Mayor

ATTEST:

William S. Pitt

WILLIAM S. PITT, 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.
Drug Free Workplace	300-6	June 15, 2005	1 of 7

I. POLICY OF THE CITY

Employees of the City of Pacific Grove shall not be under the influence of alcohol, illegal drugs or controlled substances while at work. Employees shall not use, possess, or manufacture alcohol, illegal drugs or controlled substances while at work. Employees shall not manufacture, sell or provide alcohol, illegal drugs or controlled substances to any person at work. The illegal use, sale, consumption or manufacture of alcohol, illegal drugs or controlled substances while at work constitutes grounds for discipline. This policy applies to all City employees.

II. INTRODUCTION

The City and the Employee Associations recognize that behavior resulting from the use of alcohol and/or illegal drugs and/or other controlled substances detrimentally affects work performance, safety, security, public confidence in the City's work force, and presents a risk to City employees and the health and welfare of the citizens of Pacific Grove.

In recognition of the City's responsibility to maintain a safe, healthy and productive work environment, and each employee's responsibility to perform work for the public safely, effectively and efficiently, the City will act to eliminate any substance abuse, which increases the risk for accidents, absenteeism, substandard performance, or damage to the City's reputation. Substance abuse includes the use, possession or manufacture of illegal drugs, alcohol or controlled substances, which could impair an employee's ability to perform his or her job safely, effectively and efficiently.

The City of Pacific Grove believes that its employees are its most important asset and that the successful treatment of substance abuse will enable the affected employee to return to a satisfactory job performance level.

III. EMPLOYEE ASSISTANCE PROGRAM

The thrust of this policy shall be directed toward the voluntary utilization of the Employee Assistance Program (EAP) established by the City as a primary method for dealing with substance abuse. All potential problems will be handled on a case-by-case basis. Overall consideration is directed towards the health and safety of the employee, co-workers, and members of the general public.

The EAP is available for assessment, referral to treatment, treatment, and follow-up. Any employee wishing confidential assistance can call the Community Hospital Recovery

Center for Chemical Dependency at 831/373-0924 and arrange an appointment with a counselor.

Employees who are concerned about their alcohol and/or drug use are strongly encouraged to voluntarily seek assistance through the EAP. In addition, employees who are concerned about alcohol and/or drug use among their co-workers should strongly encourage those individuals to seek assistance through the EAP. Voluntary use of the EAP by the employee may consist of counseling, outpatient rehabilitation, inpatient rehabilitation, or any other treatment recommended by the EAP Counselor, provided the employee and public safety are not compromised. EAP usage is not considered voluntary in the case of a management referral or if the employee decides to use the EAP services after their substance abuse problems have been discovered by City officials.

All voluntary or self-referral contacts are held in confidence by the EAP unless the employee requests, through specific written release of information, that the personnel director, supervisor, employee association, or other parties be notified.

The employee's compliance with the EAP is voluntary. The employee's job security and/or promotional opportunities will not be jeopardized by voluntary utilization of the EAP or any other treatment service. Use of the program does not replace normal disciplinary procedures for unsatisfactory job performance.

The employee can schedule an appointment on his/her own time (days off, before or after the work shift, lunch break) without letting anyone know of this. Vacation and sick leave may be used for self-referral appointments during regular work hours. If an employee requires additional leave time for substance abuse treatment, he/she should contact the City Manager directly; such contact shall remain confidential.

Employees and/or their dependents are responsible for all expenses, deductibles, and co-payment costs associated with inpatient or outpatient counseling services and substance abuse treatment. The City will only bear any expenses necessary to keep the EAP in effect and available.

IV. SIGNIFICANT THREAT TO EMPLOYEE OR PUBLIC SAFETY

As outlined in the policy statement of this policy, "The illegal use, sale, consumption or manufacture of alcohol, illegal drugs or controlled substances while on City time constitutes grounds for discipline." The City can and will discipline (up to and including dismissal) an employee for substance abuse when the specific situation is one, which poses an ***immediate and substantial threat*** to employee or public safety or risk to damage of public property. It is hoped that such cases will be rare and the City will not be forced to use this provision.

Absent such an immediate or substantial risk, the employee may be allowed to participate in an alcohol, drug, and/or controlled substance abuse rehabilitation program in accordance with all other procedures as outlined in this policy. The City would rather

work with the employee toward rehabilitation than be forced to discipline an employee, but will if the City feels the specific events leave no other recourse.

V. DRUG TESTING OF APPLICANTS

All applicants for City employment shall be informed in writing on the job announcement that a condition of employment includes passing a drug-screening test as part of the pre-employment physical examination. The applicant shall also be informed verbally at the time of said physical. The drug test shall be by means of urine drug screen. Applicants are required to notify the doctor at the time of their physical of any prescription drug or other medication they are taking which may affect the drug test results.

Should the applicant test positive in one of the screens, the applicant will be given the opportunity to explain a positive result and a second test of the original sample may be requested. The applicant will bear the costs of the second test payable in advance. If the second test is negative, the City will refund the applicant for the costs the applicant incurred. Such information shall be kept sealed in the City Personnel Department for one year.

Failure to successfully complete the drug screen will result in the applicant not being hired. Applicants who refuse to take the drug test or who test positive in both the initial test and the retest shall be ineligible for City employment for one year.

VI. DRUG TESTING OF EMPLOYEES

With the exception of the Department of Transportation (DOT) alcohol and drug testing regulations, there shall be no across-the-board or random testing. Testing will only be conducted for individual employees when a reasonable suspicion or probable cause to suspect that the employee may be under the influence of alcohol or drugs while on duty. Probable cause is defined later in this policy.

A. If probable cause exists, the employee shall have four (4) options:

(1) Submit to urine/blood testing for the presence of a controlled substance and release the results to the City Manager;

(2) Submit to urine/blood testing for the presence of a controlled substance and decline to release the results to the employer;

(3) Decline testing; or

(4) Submit to voluntary rehabilitation in lieu of testing.

B. If the drug test results (Option 1) for a controlled substance are positive, the employee shall be placed on extended leave, using any available employee sick or vacation leave. Once available vacation and sick leave are used, the employee shall be on leave without pay status. Health coverage would be continued, at employee expense, during leave without pay. Within two weeks from notice of the positive test result, the employee shall be required to schedule participation in a drug rehabilitation program. If

the employee refuses or fails to participate in the rehabilitation program, the City may initiate disciplinary action pursuant to the City Personnel Rules and Regulations.

C. If the employee declines to release the results (Option 2) or declines testing (Option 3), the employee must within twenty-four (24) hours contact and make an appointment with an Assessment Therapist, selected from a list agreed upon by City and Associations, for diagnosis to determine whether he/she can perform the job. The employee must sign a waiver to have the therapist release any pertinent information to the City Manager. The employee is responsible for the costs of the diagnosis.

(1) In the event the exam concludes that the employee cannot reasonably perform his/her job due to substance abuse, the employee shall be required to, within two weeks from notice of the exam results, schedule participation in an alcohol, drug, and/or controlled substance rehabilitation program. If the employee refuses or fails to participate in the rehabilitation program, the City may initiate disciplinary action pursuant to the City Personnel Rules and Regulations.

(2) If the exam finds no reason or need for a rehabilitation program or if the drug test results are negative, the City will amend all documentation in the employee's personnel file to show no record of the drug test or exam. The "probable cause" items relating to work performance, safety, attitude, etc., which triggered the initial personnel investigation shall remain a part of the personnel file only if such items could form the basis for counseling or discipline independent of the suspected involvement of alcohol or drugs. If the drug or alcohol screening is negative, the City shall furnish the employee with a letter of explanation and clearance.

D. If the employee elects for immediate participation in lieu of testing (Option 4) or elects rehabilitation under any of the subsections listed above, he/she will do so at their own expense. The employee will have the right to use any accumulated leave to participate in a rehabilitation program.

E. If the employee begins a rehabilitation program, disciplinary action will be held in abeyance until the employee has successfully completed the rehabilitation program.

F. Should the employee elect to undergo a urine/blood test (Option 1), the following provisions shall apply:

(1) The initial screening shall be performed by the immunoassay (EMIT method). If the initial test is positive, the results shall be confirmed by the thin layer chromatography method. If the results are still positive, the results will be confirmed by the gas chromatography/mass spectrometer (GC/MS method).

(2) To insure a proper chain of custody, all urine/blood specimens shall be collected as follows:

(a) The specimens shall be provided in circumstances, which maintain the integrity of the sample.

(b) The specimen shall be sealed, labeled, and initialed without the container leaving the employee's presence.

(c) Any specimen deemed positive shall be retained and preserved by the laboratory for a minimum of six (6) months or until legal proceedings relative to the test have been concluded.

(d) Every employee shall be advised of his/her right to retain a urine/blood specimen and to submit said specimen(s) for independent testing. Samples retained by the employee shall be handled in the same manner as provided in (a) and (b) and (c) above.

(3) If the employee tests positive only for a substance(s) with a medically recognized usage either as a prescription or as an over the counter drug, the employee shall be given the opportunity to produce a prescription for the drug or a physician's (or dentist's) statement relative to the need for such a drug. The said prescription must be dated before the date of the drug screen. If such evidence is produced and no other factors exist prohibiting continued employment, the employee shall immediately be returned to normal status. All associated leave with this absence shall be returned.

(4) If the employee tests negative, the City shall reimburse employee for the cost of the test.

G. Demands for drug and alcohol analysis by supervisors or managers which are determined to be malicious or vexatious, will not be tolerated and will subject the directing individual to disciplinary action.

VII. PROBABLE CAUSE

Probable cause shall mean that a clear indication exists based upon objective suspicion that an employee is under the influence of a controlled substance or alcohol during working hours and has impaired performance or judgment in his/her job. Such objective suspicion shall be based on specific facts and personal observation of at least two employees, one of which must be a supervisor. Suspicion shall not be based on third party reports. However, third party reports may be cause for a supervisor to begin observations of the employee to verify or refute whether or not the allegations have any merit.

Whether reasonable suspicion exists to warrant the testing of a particular employee must of necessity be determined on a case by case basis. Any one or combination of the following may constitute reasonable suspicion of substance abuse or other health related problems that require attention:

(1) slurred or thick speech;
(2) alcohol on breath;
(3) inability to perform work properly;
(4) physical altercation where blows are involved;
(5) work related accidents of a suspicious nature;
(6) problems walking or other physical activity impairment;
(7) unusual, anti-social behavior which is so unusual that it warrants summoning a supervisor or anyone else with authority;
(8) possession of alcohol or drugs while on duty;
(9) eyes that stare blankly or appear glassy;
(10) wide and severe mood swings.

It is recognized that some medical problems may cause similar symptoms as those identified above. Any manager or supervisor requesting an employee to submit to a drug and/or alcohol analysis shall, prior to or within twenty-four (24) hours of such request, document in writing the facts constituting the reasonable suspicion surrounding the employee in question. The manager or supervisor must contact the City Manager before a drug or alcohol test is requested of the employee.

VIII. EMPLOYEE RESPONSIBILITIES

An employee must:

(1) demonstrate satisfactory job performance;
(2) not be at work while his/her ability to perform job duties is impaired due to alcohol or drug use;
(3) not possess, use, manufacture, or be under the influence of alcohol, illegal drugs or controlled substances while on duty;
(4) not directly or through a third party sell or provide illegal drugs to any person or to any other employee while either employee or both employees are on duty.

IX. GENERAL PROVISIONS

1. Use of medically prescribed drugs is not a violation of this policy. Employees must notify their supervisor before beginning work when taking prescription drugs which may interfere with the safe and effective performance of their duties. Employees unaware that such drugs may interfere with work performance, who become so affected on the job, shall notify their supervisor immediately upon becoming affected. If use of the prescribed drug is such as to substantially limit the employee's ability to perform his/her job, the employee will be directed to go home on sick leave until such time as they can report back to work free from any ill effects.

2. Employees reasonably believed to be under the influence of alcohol or drugs shall be prevented from engaging in further work which could harm themselves, harm others, cause damage to City property, or in any way put the City at risk.

3. This policy is applicable to any employee who is convicted for use of a controlled substance. Employees falling under such a situation must immediately notify the City Manager. In such a case, the employee may be required to receive treatment as a condition of continued employment. Failure on the part of the employee to notify the City Manager of such a situation shall be subject to discipline.

4. If the City terminates an employee for an immediate and substantial threat situation, the City will notify the employee of their opportunity for Employee Association representation. If the City has probable cause to suspect an employee and the City confronts the employee with said cause, the City will at that time notify the employee in writing of their opportunity for Employee Association representation if such representation exists. All applicable provisions of City's personnel rules shall apply in any disciplinary matter.

5. Supervisors and all other employees involved with suspended offenders of this policy will deal with these employees and these issues as discreetly and confidentially as possible.

6. Nothing contained within this policy shall be construed to deny or limit employee rights under the Americans with Disabilities Act.

7. **HOLD HARMLESS CLAUSE**. The City agrees to indemnify, defend and hold the various Employee Associations harmless in the event of a lawsuit by an employee alleging that his/her civil or constitutional rights have been violated by implementation of this substance abuse policy. In the event an association chooses to allow the City to defend the association under the terms of this clause, City shall have the exclusive right to determine whether any such claim or suit shall or shall not be compromised, resisted, defended, tried or appealed. If an association chooses to defend itself against such charges, this hold harmless clause shall be of no force and effect.

Adopted: December 15, 1993--Resolution #6380
Amended: June 15, 2005--Resolution #5-017

City of Pacific Grove
City Council Policy

Subject	Policy Number	Effective Date	Page
Employee of the Quarter Award Program	300-7	March 17, 2010	Page 1 of 4

PURPOSE
The City Council of the City of Pacific Grove acknowledges that employee morale is an essential ingredient in the attainment of a high level of work productivity and the development of an efficient organization. Recognition of employee achievement is a positive morale builder, a means to increase public awareness of employees' actions and contributions, and an inspiration to others through increasing community service and awareness. For these reasons, the City has established an "Employee of the Quarter" Award Program to provide appropriate recognition for exemplary job performance.

PROGRAM
Under this program, one outstanding employee of the City of Pacific Grove will be selected for recognition each quarter of the calendar year (January, April, July, and October). Each "Employee of the Quarter" will receive a cash award of $100 and a certificate commemorating the occasion.

The City Manager's Office shall be responsible for the overall administration of the Program. Information regarding the program will be disseminated through a press release~~,~~ and all other means available in order to foster interest in the Program.

ELIGIBILITY
All employees of the City shall be eligible, with the exception of:
1. Employees involved in administering the program; and
2. Employees who have received the award within the past two years of the date under consideration.

PROCEDURE

A. Nominations
Nominations for special recognition may be submitted by fellow employees, citizens, community organizations, and elected or appointed City Officials. Each department is encouraged to nominate at least one employee per quarter and may nominate more than one employee at any time.

B. Award Selection Criteria
Nominations may be based on one or any combination of the following selection categories:

1. **Overall Work Performance:** Significant in quality or quantity enough to distinguish the employee from fellow staff members.

a. **Quantity**: Extra effort demonstrated by responding capably and positively to a special project, additional assignment, personnel shortage, etc.

b. **Quality**: Demonstrated by superior skill in execution of duties or application of outstanding job knowledge. Work product or service is superior in every detail.

c. **Achievement**: Significant individual effort or contribution led to the achievement of department goals and objectives.

2. **Leadership/Interpersonal Skills:** Demonstrated exemplary behavior toward other City employees and the public, shared knowledge and skills with others, provided positive and helpful feedback and guidance through suggestions and training opportunities.

3. **Public Relations:** Individual efforts that generated lasting or significant positive public relations for the City as demonstrated through citizen feedback and compliments by way of telephone, letter, news articles, etc. May also be demonstrated by employee's exceptional judgment, communication skills, and strong rapport in dealing with the public under adverse or pressure situations.

4. **Cost Saving or Safety Suggestions:** Provided suggestions or proposals that were implemented and resulted in a significant costs savings for the City through staff efficiency, effectiveness, equipment or materials purchase or usage. Provided and/or implemented suggestions or proposals that significantly reduced the potential for employee or citizen injury or a lawsuit through the elimination of a safety hazard or risk exposure.

5. **Team Work:** Made a significant contribution to the success of a coordinated project within a City department, between several City departments, or between the City and other government or local community groups.

6. **Emergency Response:** Demonstrated outstanding individual effort that minimized or solved a serious work related situation. May be demonstrated by a meritorious act in saving the life of another employee or citizen through administering first aid or rescuing a person in a life threatening situation.

C. Award Selection

Nominations for quarterly awards must be received in the City Manager's office by the close of the last day of the month prior to the award date (December 31st, March 31st, June 30th, and September 30th) to be eligible for consideration during

that quarter. Any nomination submitted following the deadline will be considered during the following quarter.

The City Manager's office shall be responsible for verifying the information supporting the nomination, as necessary, and may provide additional information.

The review, screening, and selection process will be the function of the Review Panel as follows:

1. **Initial Review Panel**:
   For the first year the initial Review Panel will be made up of department heads appointed by the City Manager. Thereafter, the system as outlined in section 2, below, will apply.

2. **Review Panel:**
   The composition of the Review Board will change each quarter.

   Prior to a quarter's selection process, the four (4) most recently selected "Employees of the Quarter" will serve on the Review Panel. Under this rotation system, there will be one new panel member each quarter and four new panel members each year.

   The Review Panel will meet at the appropriate time, prior to the close of the quarter, and select the "Employee of the Quarter".

   The Review Panel will base its selection on the attributes listed in the selection criteria. Nomination documentation must demonstrate and justify how the employee has clearly met the criteria over the previous quarter.

   All nominations, discussions, and actions shall be confidential. Award recipients shall be selected by secret ballot.

   In the event the panel is unable to reach a decision, the final determination shall be made by the City Manager.

   Nominated employees not selected will be carried over for continued consideration for a period of three (3) consecutive quarters. If, during that period of time, new nominations are received on an individual already under consideration the new nomination will replace the previous one and the individual will receive consideration for that quarter and a new three-quarter cycle.

D. Presentation of Award

Presentation of a cash award of $100 and a certificate commemorating the occasion shall be made to the "Employee of the Quarter" at the first Council meeting of each quarter.

Along with the award, the honored employee shall be recognized in a news release to the local media.

E. Miscellaneous Provisions

1. An annual budget shall be established to cover program expenses.

2. While it is the intent of the City to continue this program indefinitely, the City retains the right to amend or terminate the offering of this program at any time.

Adopted: August 2, 1995 (Resolution No. 6468)
Amended: March 17, 2010 (Resolution No.10-024)

City of Pacific Grove, California
City Council Policy

Subject	*Policy No.*	*Effective Date*
Creation of New Special Funds	*400-2*	9-16-92

Purpose:

The management of the City of Pacific Grove is responsible for establishing and maintaining an internal control structure to insure that all transactions are administered properly, in accordance with generally accepted accounting principles. It is therefore recommended that the following policy regarding the creation of new special funds be established.

Policy:

Council or staff may recommend the creation of a new special fund when it is determined that a fund is required by law or considered essential to maintaining financial management control.

All recommendations regarding the creation of a new special fund shall be approved by the City Council and shall include the following information:

1. *The purpose and/or necessity of the new special fund; and*
2. *The type of revenue and expenditures associated with the fund.*

A determination shall be made in each instance, as to whether the creation of a special fund is desired, or, if an account or department in the general fund is sufficient.

The creation of any new special fund shall be approved by final vote of the City Council and noted in Council minutes.

Adopted: 9-16-92

Resolution No.: 6305

CITY OF PACIFIC GROVE, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Transient Occupancy Tax Reimbursements for Emergency Housing	**400-3**	November 5, 1997	1 of 1

The City will provide reimbursements of any Transient Occupancy Tax (TOT) paid by a non-profit organization in the course of providing emergency temporary housing to victims of emergencies requiring such housing.

Reimbursements will be processed by the Administrative Services Director or his designate. To receive a reimbursement for taxes paid, a non-profit organization must provide the following information, in writing, to the Administrative Services Department:

1. Satisfactory evidence of non-profit status of the organization. This is not required of requests from known non-profits, such as the Red Cross.

2. Detail of the taxes paid, including the names of facilities used, the dates and number of rooms used, and total amounts paid for lodging at each facility. Receipts of payments are helpful but not required.

3. Certification that the facility use was the result of a need for emergency housing, citing the specific event or circumstances that prompted the need. If the event was a declared disaster, reference to the name of the disaster declaration should be included.

The City will process reimbursement requests promptly and will expedite processing if requested. If there is a need for urgent cash reimbursement, a statement to that effect should be included in the reimbursement request.

Passed and Adopted: November 5, 1997

Resolution No.: 7-058

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Fees, Charges, and Cost Recovery	400-4	June 15, 2011	1 of 2

I. PURPOSE

The purpose of the policy is to guide the City Council's establishment of fees for service, fines, and other charges for service, in order to help ensure consistency in fee setting rationale. The policy is intended to provide broad guidance for service areas, without providing detailed guidance for all fee categories

It is the City Council's intent that the policy may be amended over time to address additional services area and evolving economic circumstances.

II. POLICY OF THE CITY

The City establishes fees according to Pacific Grove Municipal Code Chapter 6.02. Pursuant to Article XIIIB of the California Constitution, it is the intent of the City Council to recover a portion or all costs reasonably borne for providing government services to the extent such cost recovery reflects the appropriate balance of general revenue support and fees paid by the individual(s) benefiting from the service.

For enterprise services, in which the City is offering products or services for which the customer has broad market choices—facilities rental, cemetery land sales, or golf, for example—the City may choose to set rates based on current market conditions, with the goal of optimizing revenue for the City, beyond the cost of providing the service, and where rates accurately reflect the value received by the customer.

In setting fees, City staff shall prepare fees for City Council consideration, based on the following percentages of cost recovery:

Service	Basis for Fees / Charges
Community Development	
Planning permits (e.g., use permits and variances)	Not to exceed 100% of costs
General plan and zoning amendments	Not to exceed 100% of costs
Architectural Review	75% of costs
Historic Review	75% of costs
Long-range planning	50% of costs
Construction plan check	Not to exceed 100% of costs
Construction inspection	Not to exceed 100% of costs

Service	Basis for Fees / Charges
Public Works	
Tree permit	50% of costs
Encroachment permits (other than sidewalk)	Not to exceed 100% of costs
Encroachment permit: sidewalk	50% of costs
Permits & Licenses	
General license administration (e.g. massage licenses)	Not to exceed 100% of costs
Public Safety	
Parking enforcement	Not to exceed 100% of costs
Animal licensing	Not to exceed 100% of costs
City Facility Rental	
Private parties	Market
Non-profit organizations	50% of Market
Ongoing, frequent, or unique rental (e.g., weekly classes, or street closure)	Discount from Market
City–sponsored events	No charge
Special Events	
For-profit sponsor	Market; at least 100% costs
Non-profit sponsor	100% of costs
Events designated "traditional" by City Council	No charge
Recreation	
Sports programs	100% of costs
Recreation programs	100% of costs
Pre-school program	100% of costs
Youth programs (other than Youth Center)	100% of costs
Cemetery	Market
Golf	
Residents and club members and in-fill times	Discount from Market
All daily fee payers (non-residents and in-frequent players)	Market

Adopted June 2, 2010 (Resolution No. 10-044)
Adopted June 15, 2011 (Resolution No. 11-052)

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Investments	400-5	September 15, 2010	1 of 3

Purpose
This policy is intended to provide guidelines for the prudent investment of the City's temporary idle cash and reserves, and to outline the procedures for managing the City's treasury.

Objective
The City's investment objective is to enhance the economic condition of the City while ensuring the safety of the funds invested. The City attempts to obtain the highest yield on its investments consistent with the criteria established for safety and liquidity. The City's cash management system is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible.

The City Treasurer is responsible for investing the City's funds in accordance with California Government Code, Sections 53600, et seq. and 53635, et seq. The City manages its investments under the prudent person rule (Civil Code Section 2261, et seq.) which states, in essence, that "in investing…property for the benefit of another, a trustee shall exercise the judgment and care, under the circumstances then prevailing, which people of prudence, discretion, and intelligence exercise in the management of their own affairs…"

Three principle factors—safety, liquidity and yield—are considered, in the following priority order, when making investment decisions:

A) **Safety**. Safety means limiting the potential for loss of principal, interest, or a combination of the two.

B) **Liquidity**. Liquidity refers to the ability to convert an investment to cash promptly with a minimal risk of losing principal or interest. A portion of the portfolio should be maintained in liquid short-term securities that can be converted to cash if necessary to meet disbursement requirements.

C) **Yield**. Yield is the average annual return on an investment based on the interest rate, price, and length of time to maturity. The City attempts to obtain the highest yield possible, provided that the basic criteria of safety and liquidity have been met.

Permitted Investment Instruments
The Treasurer shall invest in the following investments and only under the guidelines as provided herein:

A) **Certificates of Deposit**. Time Certificates of Deposits will be made only in FDIC or FSLIC insured accounts. For deposits in excess of the insured maximum of $250,000, approved collateral shall be required in accordance with Government Code 53652 and/or 53651 (m) (1). Investment in these instruments: shall be limited to financial institutions

that in the Treasurer's judgment are of high quality, and shall not have a term exceeding five years from the date of purchase.

B) **Securities of the U.S. Government or its Agencies**. Includes obligations issued by Federal Home Loan Banks, Government National Mortgage Association, Farm Credit System, the Federal Home Loan Bank, Federal Home Loan Mortgage Association, Federal National Mortgage Association, or obligations or other instruments of or issued by a federal agency or a United States Government sponsored enterprise. Investment in these instruments shall not have a term exceeding five years from the date of purchase.

C) **Treasury Bills and Notes**. U.S. Treasury Bills, Notes, Bonds, or Certificates of Indebtedness, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest. The term of such securities shall not exceed five years from the date of purchase.

D) **Local Agency Investment Fund (LAIF)**. Investment of funds in the California LAIF which allows the State Treasurer to invest through the Pooled Money Investment Account (PMIA). Maximum investment is subject to state regulation. LAIF investments are available for City use.

E) **Repurchase Agreements**. A purchase of securities by the City pursuant to an agreement by which the seller will repurchase such securities on or before a specified date, or on demand of either party, and for a specified amount. Investments in repurchase agreements will be used solely as short-term investments not to exceed 30 days.

F) **Other**. Other investments that are, or may become, legal investments through the State of California Government Code, only with prior approval of the City Council.

Diversification
Investments shall be diversified among institutions, types of securities, and maturities to maximize safety and yield with changing market conditions. Local financial institutions will be given preferential consideration for investment of City funds consistent with the City's objective of attaining market rates of return, and consistent with constraints imposed by its safety objectives, cash flow considerations, and state laws.

Safekeeping
All investments of the City shall have the City of Pacific Grove as registered owner or shall be kept in the custody of the City or by a qualified safekeeping institution.

Investment Reports
The City Treasurer shall submit an investment report to the City Manager and City Council, as frequently as directed (but not less than quarterly). The report shall include, but not be limited to, the following information, for each investment:

- Name of Financial Institution
- Type of Investment
- Amount of Deposit
- Rate of Interest

- Maturity Date
- Current Market Value
- Other Data as Requested

The City Treasurer shall review this Investment Policy from time to time, identifying any concerns or recommended changes for Council consideration. The Treasurer shall bring this Policy to Council for formal review at least once every two years.

Adopted September 15, 2010, Resolution 10-078
Amended October 21, 2015, Resolution 15-055

City of Pacific Grove
Council Policy

Subject	Policy Number	Effective Date	Page
Budget and Financial Management	**400-6**	**October 1, 2014**	**Page 1 of 7**

Purpose

This Budget and Financial Management policy is established to help ensure that the City's financial resources are managed in a manner that fosters administrative transparency and confidence among the City Council, citizenry, and staff that the City's resources shall be available to fund ongoing City services, consistent with local economic conditions and the City Council's service priorities.

Budget Process

Budget management occurs year-round, with ongoing City Council direction and public input. In addition to formal updates on the budget and fiscal forecast, staff provides periodic updates on revenues and expenditures.

The City uses a five-year fiscal planning horizon, in which the annual budget is the first year of the forecast. The forecast is a tool that helps decision-makers identify important trends and understand long-term consequences of budget decisions. Importantly, the forecast is not a budget and does not represent a plan. It is a model based on cost and revenue assumptions that is updated continuously. Since the degree of revenue uncertainty increases with each successive year of the forecast (i.e., we can place much more confidence in projections for the first year of the forecast period than for the last, the forecast is a more viable framework for decision-making in the near-term, and only suggests relative financial health based on stated economic assumptions in the later years.

The annual budget process begins in January or February with City Council discussion of goals for the following year. At this meeting, staff presents an update of the current year budget and five-year fiscal forecast, as well as estimates of revenues for the following year and baseline expenditure assumptions. Baseline expenditures include existing staffing levels and other costs required to continue current service levels. At this meeting, the City Council provides direction to staff on the goals for the following budget year and five-year forecast, which include both goals for services and capital projects as well as the amount of additional funding or expenditure reduction required to achieve the goals.

Based on this direction, the City Manager distributes budget instructions and baseline staffing cost information to department managers for developing the budget. Subsequently, the City Manager and Finance Director work with program managers to develop the budget consistent with Council goals.

In February and March, the City Council reviews evolving revenue information and expenditure assumptions and determines the process for City Council consideration of the budget.

The City Manager finalizes the recommended budget and presents it to the City Council in May. After public input and discussion at this meeting, the City Council either directs modifications to the budget or introduces an ordinance adopting the budget. At the second reading of the ordinance at a subsequent regular City Council meeting, the budget is adopted and effective July 1st of the fiscal year.

Fiscal Forecast

- Staff shall maintain a five-year General Fund fiscal forecast to include revenues, expenditures, as well as the net results of operations and the beginning and ending fund balances for each year of the forecast.

Operating Budget

- The City Council shall adopt an annual operating budget, pursuant to Article 29 of the City Charter, prior to the start of the fiscal year.
- Revenue projections for a given year shall include a contingency reserve of 1%, either positive or negative, depending on the general direction of the economy. The need for such a contingency can be re-evaluated after January 1 of the budget year.
- Subject to exception for specific circumstances, the City Manager's recommended budget shall include an expenditure contingency in the General Fund equal to 1%, which may only be spent on projects required to advance City Council goals, expressed either explicitly or through the City Council's work plan.
- The operating budget shall include ongoing operating revenues sufficient to fund ongoing operating expenditures. Reserves may be used as a resource to fund operations, with City Council acknowledgement of such use and a plan for re-establishing operations within annual anticipated revenues.
- The budget shall provide for adequate maintenance and the orderly replacement of fixed assets and equipment.
- Each October, staff shall present a report to the City Council estimating the year-end results for the preceding fiscal year. This report shall compare unaudited actual figures with budgeted and the most recently estimated actual figures.
- Appropriations are approved at the fund level, and in the case of the General Fund, at the department or program level. All amendments to the budget at these levels may be approved only by the City Council.
- For budget purposes, programs and departments are defined as follows:
    - City Council
    - Legal Services
    - City Manager/Human Resources/City Clerk
    - Finance
    - Information Systems
    - Community and Economic Development
    - Police and Disaster Preparedness
    - Fire and Emergency Medical Services
    - Library
    - Museum
    - Recreation
    - Public Works

The City Manager shall have authority to transfer funds within a given fund and department to ensure that programmatic budgets may adapt throughout the year to evolving circumstances. These changes shall have no negative effect on the given fund or the General Fund.

Capital Projects
The City shall adopt a five-year capital improvement and maintenance plan, with the first year of the plan to be appropriated as part of the operating budget. The purpose of the plan is to identify and prioritize capital project needs.

The budget shall also include capital expenditures; where possible, such capital expenditures will be funded with non-recurring revenues or grants.

At least the first two years of the plan shall be fully funded, with funding shortfalls and challenges clearly identified in remaining years.

A Capital Improvement is defined as property, plant, or improvement~~s~~ having a useful life of two or more years and a total amortized acquisition and maintenance cost of $2,500 or more. All estimated construction, maintenance, and operating costs and potential funding sources for each proposed capital improvement shall be identified.

The City shall finance only those capital improvements consistent with the adopted capital improvement plan and City priorities. All capital improvement operating and maintenance costs shall be included in the fiscal forecast.

Basis of Accounting
Financial statements are prepared in accordance with General Accepted Accounting Principles and all relevant Pronouncements promulgated by the Governmental Accounting Standards Board (GASB). All governmental fund types are accounted for using the modified accrual basis of accounting. Their revenues are recognized when they become measurable and available as net current assets.

Expenditures are generally recognized under the modified accrual basis of accounting when the related fund liability is incurred. An exception to this general rule is principal and interest on general long-term debt, which is recognized when due. Financial resources usually are appropriated in other funds for transfer to a debt service fund in the period in which maturing debt principal and interest must be paid. Such amounts are not current liabilities of the debt service fund, as their settlement shall not require expenditure of existing fund assets.

All proprietary fund types and nonexpendable trust funds are accounted for using the accrual basis of accounting. Their revenues are recognized when they are earned, and their expenses are recognized when they are incurred.

Basis of Budgeting
The basis of budgeting is the same as the basis of accounting.

Treasury and Cash Management
The City shall manage the treasury in compliance with California Government Code Section 53600 and City Council Policy 400-5, which requires quarterly Treasurer's Reports to the City Council, reconsideration of Policy 400-5 by the Council at least once every two years, and selection of investments based on considerations of safety, liquidity, and yield, in order of decreasing priority.

In circumstances where short-term borrowing (i.e., fewer than 12 months) is required to mitigate the effects of uneven revenue disbursements from the state and ensure expenditure cash-flow demands may be met, the following options shall be considered, with the ultimate course of action dependent on the least cost, greatest security for the City, and administrative efficiency:

- Tax and Revenue Anticipation Notes (TRAN)
- Treasury Loan from Monterey County
- Inter-fund loans
- Commercial line of credit.

Should inter-fund loans be selected as a cash-flow strategy, the following conditions shall apply:

- City Council approval required for all loans;
- Duration of less than 12 months with the loan and repayment occurring within the same fiscal year;
- Fixed loan term (i.e., specific number of months with repayment date);
- Borrowing fund must pay interest at level to result in no loss of interest revenue to the lending fund;
- Specific revenue pledged to repay the loan based on realistic expectations for receipt;
- Funds in the lending fund must not be needed for operations during the period of the loan; and
- Loans must not be made from grant funds or other funds enabled by State or Federal legislation.

The City Council shall receive real-time reports of warrants drawn on the City Treasury.

Reserves
Reserves are established to ensure that sufficient resources shall be maintained in specified funds in amounts sufficient to manage reasonable risks, meet unanticipated needs, capitalize on opportunities, and provide for reasonable contingencies. Further, reserve balances shall be categorized and prioritized in accordance with GASB Statement #54 (GASB 54).

- In the City of Pacific Grove, "operating reserve" is equivalent to portions of the accumulated fund balance that are classified as either committed, assigned, or unassigned, per GASB 54.

- The order in which spendable reserves may be used is prioritized as follows: restricted, committed, assigned, and then unassigned, per GASB 54. Council action is

required to increase, decrease, eliminate or reclassify amounts reported in each category.

- Use of reserves must be authorized in advance by the City Council.
- If reserves are expended for their intended use, the City Council shall prioritize restoration of reserves to levels established by policy before allocating resources to fund new or improved services.
- *General Fund*. The City establishes a target reserve level of 10% of the General Fund annual operating budget, and shall maintain reserves of at least 10%, unless otherwise approved by the City Council for specific purposes. The 10% reflects the following components:
    - Emergency financial need (e.g., capital repair, natural disaster)
    - Economic contingency (to mitigate sudden service and staffing cuts in response to economic shocks and downturns)
    - Economic opportunity (to leverage public resources for public investment opportunities, e.g., downtown property)
    - One-time opportunities to invest in assets (e.g., an expanded Library), as an alternative to debt financing
- *Golf Fund.* The purpose of the Golf Fund is to enable operation of the golf course as an enterprise without operating subsidies from the General Fund, unless deliberately authorized. The City establishes a target reserve level of 25% of revenues of the Golf Fund, as of June 30th of two fiscal years prior, to be used for capital improvements, cash management, and emergency protection. Given the vulnerability of the golf business to recession, 20% of the 25% would be retained for use in mitigating the effects of unexpected revenue downturns, and 5% would be available retained for emergency repairs or other emergencies.
- *Sewer Fund.* The Sewer Fund shall maintain a reserve of at least $500,000.
- *Workers Compensation Fund:* The Workers Compensation Fund shall maintain a balance of current assets equal to 67% of total liabilities, or higher, should actuarial analysis conclude an imminent risk to the City for unanticipated losses.
- *Liability Insurance Reserve*: The Liability Insurance Reserve shall maintain a balance of at least $300,000 in current assets, which is equivalent to the maximum amount the City would be required to pay in the event of two catastrophic losses in a single year (City's Self-Insured Retention Limit is currently $150,000 per claim).

Debt Management

- Long-term borrowing shall be restricted to the purpose of funding capital improvement projects and equipment. The use of long-term borrowing for ongoing operations shall be avoided.

- The term of the debt shall not exceed the expected useful life of the object of the financing.

- Debt obligations shall be prioritized in the budget process and payments shall be made in a timely and efficient manner.

- Refunding techniques shall be employed where appropriate, and with all due City Council approval, to allow for restructuring of outstanding debt to remove or change restrictive covenants, and/or to reduce annual debt service in an amount sufficient to justify the costs related to restructuring the debt.

- Total debt in any fund shall not exceed prudent levels.

Property Acquisition and Disposition

- Acquisition of real property shall be tied to a specific objective, with the source of adequate funds identified and considerations given for the long-term fiscal and policy impacts.

- Disposition of real property shall be considered for those properties without specific deed restrictions and that are unused, under-utilized, economically not viable, or that were acquired for an outdated plan or purpose.

Annual Audit

The City of Pacific Grove shall undertake an annual independent audit.

- The City's Comprehensive Annual Financial Report (CAFR) including accompanying schedules and notes shall be completed no later than December 31 of each contract year.

- All funds of the City shall be audited in accordance with auditing standards generally accepted in the United States of America and Government Auditing Standards, issued by the Comptroller of the United States.

- The form of the CAFR shall be compliant with the requirements of the Government Finance Officers Association (GFOA) Certificate Program and will include the independent auditor's opinion on the Government-Wide Financial Statements and Fund Financial Statements.

- A separate "management letter" shall be published that includes recommendations for improvements in internal control, accounting procedures and other significant observations.

Capital Policy

All assets, including land, buildings, machinery and equipment, with an original cost in excess of $5,000 and a useful life of three years or more will be subject to capitalization.

- The capitalization threshold is applied to individual units of fixed assets. For example, ten chairs purchased via a single order, each costing $600 will not qualify for capitalization although the total cost of $6,000 exceeds the threshold of $5,000.
- Repair costs for fixed assets will be subject to capitalization when the repair extends the useful life of the related fixed asset.
- Useful Life Schedule

Description	Useful Life In Years
Buildings	100 Years
Machinery and equipment	5 Years
Furniture and fixtures	5 Years
Improvements other than buildings	3 Years
Sidewalks, curb, gutters, and streets	20-50 Years
Traffic signals	15 Years
Street signs	15 Years
Storm drains	20-50 Years
Park equipment	10-50 Years

- For construction in progress, no depreciation is recorded until the asset is placed in service. When construction is completed, the asset shall be reclassified as building, building improvement, land improvement, or equipment and should be capitalized and depreciated.
- The City shall use the straight-line method for depreciating all fixed assets (the basis of the asset is written off evenly over the useful life of the asset). Depreciation shall begin in the month the asset is placed in service.
- All computer and computer related equipment will be recorded and controlled as inventory and not depreciated. Constant changes in technology, software demands, and system configurations cause this asset class to be obsolete before it reaches its useful life.

Donated Assets

Fixed assets acquired by gift, donation or payment of a nominal sum not reflective of the asset's market value shall be assigned cost equal to the fair market value at the time of receipt.

Adopted: Resolution 11-086 (Adopted November 2, 2011)
Amended: Resolution 14-063 (Amended October 1, 2014)
Amended: Resolution 15-055 (Amended October 21, 2015)

City of Pacific Grove
Council Policy

Subject	Policy Number	Effective Date	Page
City Credit Card	**400-7**	**November 1, 2015**	**Page 1 of 3**

PURPOSE

The purpose of this policy is to establish a framework for the City of Pacific Grove's credit card program and the appropriate use of City-issued credit cards. The City credit card program is intended to: streamline small dollar purchases, reduce the acquisition period, reduce requests for employee reimbursements, and minimize the use of employee personal credit cards for City and business related expenses.

POLICY

The City credit card is to be used for official City of Pacific Grove business only. The City credit card may only be used by the cardholder whose name is imprinted on the card and the cardholder cannot authorize anyone else to use his or her credit City credit card.

CARD USES AND RESTRICTIONS

Maximum single and 30-day period transaction limits are as follows:

1. A maximum of $2,500 per transaction including tax. (Exceptions to this transaction limit may be authorized by the City Manager and/or the Finance Director. In no event may the total exceed the cardholder's approved, 30-day transaction limit.)
2. A maximum of $2,500 - $5,000 per 30-day period per credit card (depending upon cardholder's approved transaction limits).

Examples of services and supplies that may be purchased using the City credit card include:

- On-line, mail and telephone orders
- Office supplies, department specific supplies
- Subscriptions, publications, and book orders
- Travel expenses such as airline tickets, restaurants, gas, parking, hotel reservations, conference registration fees and training
- Printing and postage expenses
- Small tools and office equipment
  Hammers, screwdrivers, wrenches, small power tools, calculators, keyboards, mouse, staplers, paper shredders, hole punches, etc.
- Small office furnishings
  Tables, chairs, work surfaces, lamps, lateral or vertical files, storage units
- Special event meals & supplies
  For City Council and Commission meetings, training sessions, City Manager meetings, refreshments for other City functions
  Table coverings, plastic cutlery, paper and/or plastic plates, cups and napkins
- Minor equipment repair
  Printer, fax machine and other small equipment repairs

- Recruitment advertising and public notices
- Necessary products and/or services during a City Manager declared emergency.

PROHIBITIONS
Employees are strictly prohibited from using the City credit card to:
- Purchase personal items
- Purchase supplies for the benefit of another department
- Split purchases to circumvent purchasing dollar limits

The City credit card may not be used for products or services such as the ones listed below:
- Alcoholic beverages and tobacco products
- Gift Cards
- Gambling: Lottery Tickets, Betting, Casino Gaming Chips, Off-Track Betting
- Ammunition
- Cash Advances, Foreign Currency, Money Orders, Travelers Checks, Wire Transfers, Savings Bonds
- Cellular Phones and Pagers and/or Related Monthly Service Charges
- Office Furnishings or Equipment over $1,000
- Professional/Consultant Services
- Instructors, Speakers, Performers
- Political Organizations
- Religious Organizations
- Fines
- Bail and Bond Payments
- Tax Payments
- Government Loan Payments

Failure to follow this policy may lead to the suspension or termination of a City credit card, disciplinary action, and/or reimbursement for the City for all unauthorized purchases.

PROCUREMENT CARD RECEIPTS
The cardholder shall verify that the amount is correct before signing the sales receipt. The cardholder shall obtain from merchant one copy of the signed sales draft for his/her records. The cardholder shall retain this copy and attach it to his/her monthly Statement of Account. Documentation is necessary for all transactions.

STATEMENT PROCESSING PROCEDURES At the close of each billing cycle, each cardholder that made purchases will receive a Statement of Account from the bank. The statement will itemize each transaction that was charged to the procurement card account. Within 5 days, the cardholder shall review the statement for accuracy, attach all original receipts to the statement in order, sign the statement, provide the appropriate accounting codes to the purchases, and submit to the Finance Department for payment processing.

CARDHOLDER RESPONSIBILITIES

1. Comply with the City of Pacific Grove City credit card Policy.
2. Maintain the credit card in a secure location at all times.
3. Resolve disputes or billing errors directly with the vendor and immediately notify the Finance Director and Bank of the dispute.
4. Immediately report a lost or stolen card to the Bank and the Finance Director.
5. Return card to the Finance Department upon termination with the City of Pacific Grove.

Adopted: Resolution 15-055 (October 21, 2015)

City of Pacific Grove
Council Policy

Subject	Policy Number	Effective Date	Page
Cash Handling	**400-8**	**November 1, 2015**	**Page 1 of 3**

Purpose

The purpose of this Cash Handling Policy is to provide guidelines for standard City-wide cash handling practices for City of Pacific Grove employees. Certain locations within the City of Pacific Grove have employees that are required to receive, deposit, account for and safeguard cash/checks, and account for credit card transactions and change funds in their possession.

The Finance Director is authorized to promulgate rules for establishing procedures for the receipt, handling, documenting, reporting, safeguarding and depositing of City Cash. The term "City Cash" applies to currency, coin, checks, credit card payments, other electronic payment media and other negotiable instruments payable to the City.

Finance Department Responsibilities

It is the responsibility of the Finance Department to track and ensure the timely deposit of City funds collected or generated at authorized locations and account for all funds submitted by all revenue collection sites. The Finance Department will assist and provide materials needed to departments and cashiers as follows:

- The necessary training to authorized cashiers to handle all cashier responsibilities and all forms used to account for revenues.
- A cashiers' training class will be provided on an as needed basis by the Finance Department to ensure continuing education and training for cashiers.
- The Finance Department will perform cash deposit reconciliations between bank records and cash receipt vouchers that are input into the Financial System. Any discrepancies resulting from errors by the bank or the City will be resolved by the Finance Department.
- The Finance Department will provide revenue locations with a change fund to allow cashiers to give change to customers. These change funds at City locations are subject to random audits with no advance notice by Finance staff.

Department Responsibilities

The following responsibilities must be exercised by each department to ensure compliance with the City-wide Cash Handling policy:

- It is the department's responsibility to ensure that staff and program managers follow and comply with the City-wide Cash Handling Policy.
- Program managers must ensure that all new authorized cashiers receive training from the Finance Department before accepting any payments.
- Any problems with missing money should be reported to the Finance Department the same day.
- The program manager is responsible for assigning keys to cash boxes and providing safe

combinations to cashiers. When personnel changes occur, the program manager is responsible for collecting keys and changing safe/cash box combinations. Any time an employee with access to the safe is no longer required to have access to a safe or cash box, the combination must be changed.

Daily Operations

Each cashier at each City location will perform daily cashiering operations in a manner consistent with the City-wide Cash Handling Policy.

Opening Activity/Cash Drawer

Each revenue site will have a cash drawer. Upon setting up the cash drawer, the following procedures must be followed:

1. Verify the dollar amount of the beginning cash before any transactions take place.
2. Arrange coin and currency in a consistent manner. The cash drawer is divided into separate compartments for different currency denominations, checks, credit card receipts, etc. It is recommended that smaller denominations be located to the far right, and the larger denominations be located to the left. The standard bank practice is from left to right ($20s, $10s, $5s, $1s, etc.)

Receiving City Funds

The City of Pacific Grove only accepts payments in U.S. Currency in the form of cash, traveler's checks, money orders, cashier's checks, credit cards and first party checks drawn on federal or state chartered banks, savings and loan associations or credit unions. The only exception to the payment method is the repayment of returned checks. All payments for returned checks must be in the form of cash or money order for the amount of the returned check plus the fee imposed for returned checks.

A. ***Checks*** must be made payable to the "City of Pacific Grove" in the exact amount of payment due. If a check is made out in excess of the amount due, see the section for refund procedures. No cash change may be given for any check transaction.

- Checks may come in the form of ***Personal checks, Company checks, Cashier's checks, Personal money orders*** and ***Traveler's checks.***
- No personal checks may be exchanged for cash.
- No third party checks (checks made payable to another party) may be accepted.
- No checks drawn on foreign currency may be accepted.
- Any individual making payments for checks that have been returned by the bank unpaid must be sent to the Finance Department for processing. Payment for such items must be in cash or money order in the amount of the check plus applicable fees for returned items unless an alternative payment method is approved by Finance.

B. ***Credit Card Transactions:*** these transactions are processed using an electronic Point of Sale (POS) system. Credit cards must be authorized on the credit card machine. Upon approval, the credit card machine will generate a sales slip for the customer's

signature. The original sales slip is kept in the cash drawer; a copy is given to the customer. All credit card transactions must be recorded on the cash register the same day the transaction takes place.

General Guidelines for Receiving Currency and Coins

The following steps must be taken for receiving currency and coins:

1. ***Always*** keep money received in view of the customer.
2. ***Never*** place money received in the cash drawer before the transaction is completed.
3. Count all currency and coin in the presence of the customer.
4. Verify the grand total against the amount listed on the billing or invoice.
5. If any discrepancies exist between your total and the customer's total, count the money again.
6. Put away currency and coins from the last transaction before starting a new transaction.

Making Change

- Change should be counted at least twice; once when the cash handler counts it out of the cash drawer and a second time when the cash handler counts it back to the customer.
- Customers should be encouraged to count the change on their own before they put it in their pocket for accuracy.
- Always give the customer a receipt and put the amount received in the cash drawer and close the drawer.

Preparing Receipts for City Funds

All customers must receive a receipt when paying for City goods or services. If a cash register is not available, then a manual receipt must be provided to the customer. These materials provide the Finance Department with a standardized audit trail should payments require research.

- ***Cash Register Receipt:*** the receipt from the cash register should include name (City of Pacific Grove), department, phone number, date, time, clerk number, transaction number, method of payment, purpose of payment, and total amount paid.
- ***Manual Receipts:*** if a pre-numbered manual receipt book is used, the customer gets the white copy, the yellow copy remains in the receipt book for the permanent record. The receipt should include date, department name, payor name, amount paid, method of payment (check, cash, etc.), purpose of payment, and name of cashier receiving funds.

Refunds

If original payment was made by cash or check, the refund must be in the form of a check through a check requisition. If the original payment was made using a credit card, a credit card refund must be generated. The refund must be authorized and approved by authorized department personnel. ***Cash refunds are not allowed at any location.***

A. ***Check Refunds:*** all check refunds must be done through a Request for Warrant. Each request needs department approval and must be sent to Finance for final review and

approval. The check request for refunds must include proof of payment (receipt), the date paid, amount paid, purpose of payment, and the financial system account that was credited when payment was originally received.

B. ***Credit Card Refund:*** all refunds must be made to the same credit card number used to make the initial payment. Credit card refunds are only for refunding payments received via credit card. Credit card refunds need to come out of the same account that was credited when the payment was received. The same documentation and department approvals as indicated under "check refunds" apply. If a refund is required 24 hours after payment, period a refund must be issued by request of warrant via Accounts Payable.

Safeguarding City Funds

Revenue must be safeguarded to prevent loss. As part of the custodial responsibilities of cash handlers, City funds must be secured at all times. The cash handler is responsible for monies received. Safeguarding includes maintaining control of funds from receipt to delivery to Finance, access to safe combinations and keys, cash register controls, and overall security measures. The following security measures are important for all operations.

- If a safe is used, lock all funds in the safe. The combination to the safe must be restricted to authorized personnel only. When personnel changes occur, the combination must be changed. If a cash box is used, the box and its contents must be under the direct control of assigned personnel. At night, the cash box must be locked in a secure place (if no safe is available) to protect any cash that has not been deposited.
- If a cash register is used, the register must be totaled at the end of the day, and all monies removed. The cash register keys must be removed from the register at night to prevent unauthorized access to the internal tape.
- All cash registers should be closed and cash receipts delivered to the Finance Department no later than 4:45pm Monday through Friday.
- If cash receipts are received on weekdays, the Program Manager is responsible for securing the cash until it can be delivered to the Finance Department at the next available time.

Closing Activity

- To begin the closing activity, the cash drawer and supporting documents need to be removed from use for close-out.
- Balancing should occur out of public view in a location away from the collection area to protect the safety of the cash handler and prevent interruptions.
- Run the tape on cash register or sales report.
- Run the summary report on the credit card machine to make sure it balances to the cash register. The summary report should list all credit card transactions for the day. If it does not agree with the cash register, research and correct the discrepancy.
- Compare your total money received with the total on the tape from the register tape or sales report. These two amounts should match. If any discrepancies exist, cash handler should research them and make the necessary corrections. Re-run the tape. Document all

your corrections by explaining the transaction number you are correcting and the reason for the correction.

- Count currency, coins, checks and credit card transactions separately and list them on the daily transmittal sheet. Deliver all to Finance no later than 4:45pm.

Reporting Overages/Shortages:

A **Shortage** is an unintentional collection error such as an error in making change. An **Overage** occurs when a cash handler has collected too much money and cannot immediately return the excess to a specific customer. In case of an overage or shortage, every effort should be made to locate amounts causing the out of balance condition regardless of the amount of the overage/shortage. If an out of balance cannot be identified or corrected, prepare the bank deposit and report it on the cash receipt as an overage/shortage.

Adopted: Resolution 15-055 (October 21, 2015)

CITY OF PACIFIC GROVE, CALIFORNIA

C O U N C I L P O L I C Y

SUBJECT	POLICY NO.	DATE
Requirements for Graphic Presentation	600-2	8/05/87

June 9, 1987

MEMORANDUM

TO: Mayor and City Council

FROM: Planning Commission

SUBJECT: **POLICY RE REQUIREMENTS FOR GRAPHIC PRESENTATIONS FOR DEVELOPMENT PERMITS**

At your request, the Planning Commission developed a policy governing the types of graphic materials to be requested of applicants during the permit review process.

Attached is a copy of the Commission's subcommittee report which was considered at the June 4, 1987 meeting.

On a motion by Schmidt, seconded by Robertson, the Planning Commission voted 5 - 0 to recommend to the City Council the policy contained in the subcommittee's report.

Anthony W. Lobay
Secretary

enclosure

Approved By City Council 6/17/87

MEMORANDUM

DATE: May 28, 1987

TO: Planning Commission

FROM: Commissioners Flatley, Honegger, and Cram

SUBJECT: Presentation Material Requirements for Applicants

Discussion:

At the request of the City Council, a Planning Commission subcommittee has reviewed methods of providing sufficient information about a project to enable decision-makers and the public to assess a proposal in a comprehensive manner. Commissioners Cram and Honegger replaced former Planning Commissioners Cotham and Culp in serving on this subcommittee.

The subcommittee acknowledges a desire to not unduly burden applicants with costly requirements, but concludes that the obligation of decision-makers to make reasoned choices necessitates certain requirements for applicants.

The subcommittee has reviewed the photomontage technique of simulating a project and concluded that this is generally a more effective planning tool than a model. Models may offer unrealistic views of a project as well as often not providing contextual information.

The subcommittee met with local architects to discuss various aspects of the application process. The importance of notifying applicants of submittal requirements as early as possible was stressed by participants in this meeting. The issue of a standard policy vs. case-by-case flexibility was also discussed, with varying opinions expressed.

Recommendation:

The subcommittee recommends that the following policy be adopted:

> Applicants for new construction and proposed additions which in staff's judgement have the potential for massing and height impacts and/or which are located in visually sensitive areas are required to include photomontages in their application documents. For some applications, other means of simulation and representation may provide more information and therefore be preferable to a photomontage. During the course of project review, further information may

Requirements for photomontages:

1) Photomontages must be technically accurate and be certified as such by the preparer.

2) Photomontage simulations shall include at least two views for an interior location on a block's frontage, and at least three views for a corner location. More points may be required if necessitated by grade or other aspects of the site or project. View points shall be approved by staff in consultation with the applicant.

3) Visual simulations shall be considered part of the application and retained with the project file.

John Flatley
Subcommittee Chairman

Delbert Cram

Steve Honegger

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Water Allocation Policy	600-4	July 17, 1996	1 of 14

City of Pacific Grove
Joint Planning Commission/City Council Water Issues Committee

June 10, 1996

TO: Mayor, City Council, City Manager
FROM: Councilmember Bob Davis, Chair, Joint Planning Commission/City Council Water Issues Committee
SUBJECT: Policy Recommendations, Retrofit of Public Facilities

Monterey Peninsula Water Management District **Ordinance 75** [Attached] allows water saved through toilet retrofits and other permanent water saving methods at publicly owned and operated facilities to be credited to the allocation of the jurisdiction.

The City Council has directed the Water Issues Committee to recommend policies to be considered when such retrofitting is proposed for City and other public facilities. Following are the unanimous recommendations of the Committee as adopted on June 7, 1996:

1) The City of Pacific Grove shall maintain the water allocation categories established in Municipal Code Section 11.68--Residential, Commercial, Governmental, and Community Reserve.

2) The City shall strive to ensure that all water credits gained through retrofit of City facilities or other public facilities within its jurisdiction shall be retained as part of the City's water allocation.

3) The City of Pacific Grove shall be involved in all water fixture retrofit projects undertaken under WMD Ordinance 75 per provisions of that Ordinance.

4) Water credits obtained through retrofit of City or other public facilities shall be used and allocated per Chapter 11.68 of the Pacific Grove Municipal Code or other applicable City regulations.

5) Water credits which are created through retrofitting of city facilities or other public facilities within the City's jurisdiction shall be allocated initially to the category "Community Reserve." Following periodic analysis of demand for additional water credits in the Residential, Commercial or Governmental water allocation categories, water credits may be transferred by the City Council from the Community Reserve to one of these categories pursuant to Municipal Code Chapter 11.68. However, the City Council should strive to assure that the Community Reserve always retain no less than one acre foot of water.

6) The Committee recognizes that the creation of water credits through retrofit may be costly. The Committee believes that the City should recover all costs associated with these actions. Initially, the City shall begin by pursuing water credits that can be sold to the end users at a price which is equivalent to Water Management District charges. At such time this

is no longer possible, the cost of water to those requiring it shall rise accordingly and additional City Council action will be necessary to set an appropriate price.

7) The City shall recognize and acknowledge that any ordinance and/or policy created by the Monterey Peninsula Water Management District and/or order from the State Water Resources Control Board could supersede all of the City's attempts to make water available for public benefit.

ORDINANCE NO. 75

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT ALLOWING PUBLIC WATER CREDITS

FINDINGS

1. This ordinance shall amend the process by which the Monterey Peninsula Water Management District expands the water allocation of local jurisdictions.

2. This ordinance amends existing standards and procedures for the tracking of water credits and shall amend the Rules and Regulations of the District.

3. This ordinance shall allow both retrofit credits and other water credits to be transfered to a jurisdiction's general allocation.

4. The following District Rule shall be added by this ordinance: Rule No. 25.7, ("Public Water Credits").

NOW THEREFORE be it ordained as follows:

ORDINANCE

Section One: **Short Title**

This ordinance shall be known as the Public Water Credit Ordinance of the Monterey Peninsula Water Management District.

Section Two: **Statement of Purpose**

The Monterey Peninsula Water Management District enacts this Ordinance to modify the standards for the issuance of water permits during this time of limited water supply. This Ordinance shall allow water saved through toilet retrofits and other permanent water saving methods at a publicly owned and operated facility, to credit an allocation of one or more jurisdictions.

Section Three: Water Users Affected

A. Systems and Water Users Affected. The transfer of public water credits allowed by this Ordinance shall originate from publicly owned facilities in each of the following water distribution systems deriving their source of supply from the Monterey Peninsula Water Resource System:

- California-American (Cal-Am) Water Company, and all Cal-Am sub-units including Water West and Rancho Fiesta Mutual
- Seaside Municipal
- Bell/Vandevort
- Clark/Wells Fargo
- Fair Weather
- Old River Ranch
- Los Robles Road
- Rancho San Carlos Road
- Riverside Park
- Shulte/Jones
- Selle
- Sleepy Hollow Mutual Potable
- any water system which derives its source of supply from one or more subunits of the Monterey Peninsula Water Resource System

Section Four: Definitions

A. Unless the context specifically indicates otherwise, the following phrases shall be given the definitions set forth below for the purpose of this Ordinance:

1. "Public Water Credit" - shall mean an amount of water saved by permanent quantified reduction in water use at a publicly owned and operated facility. Public Water Credits shall include toilet retrofits and any other means of permanently reducing water demand at a public facility.

2. "Public" - shall mean a facility owned and operated by a public agency.

B. Unless the context specifically indicates otherwise, all words and phrases used in this Ordinance shall be given definitions as set forth in Rule 11 of the District Rules and Regulations, or as set forth in Ordinance No. 59.

Section Five: Application for Public Water Credits

The following shall be published in the District Rules and Regulations as Rule 25.7, Public Water Credits:

A, A jurisdiction shall request consideration of public water credits by making a written request to the District. The request shall identify the property, the types of water savings proposed, and a contact person. Projects may be sponsored by more than one jurisdiction.

B. District staff (1) shall verify that the water use reductions are permanent, and (2) shall quantify the amount of credit available. Credit shall be granted for reductions caused by both toilet retrofits and other credits as outlined in Rule 25.5. Fifteen-percent (15%) of the water saved will be deducted before the credit is applied to an allocation. No time limit shall be applied to the use of public water credits allowed by this Ordinance.

C. When the public water credit is less than 5 acre-feet, the jurisdiction(s) may elect to postpone accounting for the required fifteen-percent 15% reduction until the next allocation becomes available. Requests for postponement must be made in writing to the District.

D. Upon completion of the proposed retrofit and verification by District staff, the jurisdiction(s) shall be credited for the amount of water saved according to the procedure outlined in Rule 25.5. Credit may include water saved through toilet retrofits. Credits are not available for retrofits which occurred prior to the effective date of this ordinance.

E. The transfer of a public water credit to an allocation shall not affect the connection charge assessed for a water permit. Water permits for all debits to an allocation will continue to require payment of connection charges for all increases in use.

Section Six: Effective Date

This Ordinance shall be given effect at 12:01 a.m., May 17, 1995.

Section Seven: Review and Sunset Provision for this Ordinance

The standards enacted by this Ordinance to allow public water credits shall not have continuing effect, but shall have a sunset date of July 1, 1998, unless the District allocates a new supply of water, in which case this Ordinance may be rescinded by action of the District's Board of Directors.

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Water Allocation Policy	600-4	July 17, 1996	6 of 14

Section Eight: Publication and Application

The provisions of this Ordinance shall cause the republication and amendment of the permanent Rules and Regulations of the Monterey Peninsula Water Management District. This Ordinance shall be read in conjunction with and compliment those provisions of the District's Rules and Regulations; provided however, that the provisions enacted by this measure shall take precedence and supersede any contradictory provision of those rules. Section titles and captions are provided for convenience and shall not be construed to limit the application of the text.

Section Nine: Severability

If any subdivision, paragraph, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this Ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director Heuer, and second by Director Haddad, the foregoing Ordinance is adopted upon second reading this 17th day of April, 1995, by the following vote:

AYES: Directors Farina, Hughes, Heuer, Pendergrass, Karas and Haddad

NAYS: None

ABSENT: Director Burkleo

I, James R. Cofer, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an Ordinance duly adopted this 17th day of April, 1995.

Witness my hand and seal of the Board of Directors this 24th day of April, 1995.

James R. Cofer

James R. Cofer, Secretary to the Board

City of Pacific Grove
Joint Planning Commission/City Council Water Issues Committee

June 7, 1996

TO: Mayor, City Council, City Manager
FROM: Councilmember Bob Davis, Chair, Joint Planning Commission\City Council Water Issues Committee
SUBJECT: Policy Recommendations, Transfer of Commercial Water Credits

Monterey Peninsula Water Management District **Rule 28** [Attached] provides that water credits may be transferred from one commercial use to another commercial use, the latter to have on file with the WMD a current and valid water permit application requesting intensification of a commercial use. A complete set of the final construction documents showing plans for accommodation of the intensified water use must be submitted to the WMD when the application for transfer of credits is turned in. Prior to WMD authorization of this type of water credit transfer, "the transfer must be approved (in writing)" by the home jurisdiction (city, county or airport district). The WMD has power of final approval. There is no mention of the sale of commercial water credits from one commercial use to another commercial use. The transfer of open space or residential water use credits is specifically prohibited.

MPWMD **Ordinance 79** [Attached], adopted September 18, 1995, modifies **Rule 28** by permitting commercial and industrial water credits to be transferred to "a jurisdiction's allocation," with the approval of the jurisdiction (city, county or airport district) and the WMD. Once transferred, "the use of credits resulting from a property-to-jurisdiction transfer[s] shall be at the discretion of the jurisdiction." Unstated is the understanding that once in a jurisdiction's allocation, water credits, at the option of the jurisdiction, may be re-transferred to residential, commercial, or governmental use. However, credits transferred to the jurisdiction's allocation may not originate from any residential or prior open space use. Again, there is no mention of the sale of water credits.

An effectively administered plan for the allocation of water resources is part of a vital City plan. Presently, there is insufficient water to serve all projected water needs in the City of Pacific Grove. For that reason, the Committee recommends that each of the water allocation categories established in Pacific Grove Municipal Code, Chapter 11.68.060, be studied to determine the appropriate allotments of water.

The City Council has directed the Water Issues Committee to recommend policies for implementation of the above referenced Water Management District Ordinances which permit the transfer of commercial water credits to a jurisdiction's allocation. Following are the recommendations of the Committee as adopted unanimously on June 7, 1996.

The Committee recognizes that there may be circumstances under which the transfer of commercial water credits to the City's allocation should be considered by the City Council.

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Water Allocation Policy	600-4	July 17, 1996	8 of 14

Some of these circumstances would be:

A) If the water credits otherwise would be lost to the City's allocation, or
B) If there is a clearly identified public benefit from the transfer.

In the event the City Council determines that a water transfer is appropriate, the following general principles should be considered by the City Council:

1) The City's projected water needs and the water presently available to it shall be a consideration in all proposed water credit transfers.

2) The transfer must be consistent with the City's General Plan and all current City water policies, procedures and regulations.

3) The future use and projected water needs of each property from which commercial water is proposed to be transferred shall be considered in any decision to permit such transfer. The City is not permitted under Water Management District Ordinance 79 to allow a property to be depleted of water, that is, to "go dry."

4) Any water credits acquired through commercial property to jurisdiction transfer per Ordinance 79 shall be assigned initially to the City's "Community Reserve" water category. Thereafter, the City Council may allocate such water credits to the Residential, Commercial, or Governmental categories as permitted under the Pacific Grove Municipal Code, Chapter 11.68, and other applicable City regulations.

5) The parties involved in negotiation for any proposed transfer of commercial water credits to the City's allocation shall be the owner of the water credits and her/his legal representative and a representative of the City and the City Attorney.

6) Beyond its recoupment of costs, the City should avoid contributing to the increased cost of water. The City shall use the Water Management District's combined connection costs and fees as the basis for determining a per-acre-foot price of water.

MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT
187 ELDORADO STREET • POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (408) 649-2500
FAX (408) 649-3678

MPWMD FACT SHEET

Commercial Transfers of Water Credits (District Rule 28)

Water use credits for existing water use which has been allowed by the District on or after January 1, 1985, may be transferred from one property to another for commercial and industrial uses pursuant to Rule 28 of the District Rules and Regulations. Rule 28 is summarized below. *Open space and residential water use cannot be transferred.*

* All proposed transfers must occur within the same jurisdiction. Transfers have no impact on a jurisdiction's water allocation.

* All proposed transfers must have the same water company serving the properties.

* Prior to authorizing a water credit transfer, the transfer must be approved (in writing) by the city, county or airport district.

* Credits must originate from an existing commercial use and can only be transferred to another existing commercial use for purposes of intensification. Transfers cannot be applied to new water connections.

* Prior to transfer, there must be a current and valid application for a water permit on file with the District for an intensification of use. *Credits cannot be "banked" for future use.*

* All transfers of credit are subject to the limitations of District Rule 25.5, Water Use Credits. More specifically, all approved applications will be subject to a 15% minimum required reduction is use at the pre-transfer site. Specifically, the pre-transfer site will be required to meet the District's conservation codes prior to the transfer of credits. The only conservation requirement not currently affecting all existing businesses in the District is the requirement for ultra-low flush toilets (1.6 gallons-per-flush models).

* The owner of the parcel from which the transfer originates must agree to the transfer. This is done by a written document that is recorded on the title of the property. The agreement confirms that the transfer is irrevocable, quantifies the remaining water use capacity on the pre-transfer site, and acknowledges that any intensification of water use on the originating site thereafter will result in additional permit fees and will be conditioned on the availability of water from the jurisdiction.

* Transfers may only occur with the approval of the District. The District has the sole authority to determine the amount of water which may be transferred from a site. If all prior water use is transferred from a site (due to demolition of all structures), the transfer will be completed only after the removal of the water meter (connection) and the recording of the deed restriction.

* Transfers will not be approved by the District if the effect of the transfer causes the originating site to have insufficient water credits to meet the capacity requirements of the existing structures on the site. Sufficient water to meet the needs of the existing buildings on the originating site must remain on the property.

* Before any water use credit transfer is processed, the appropriate processing fee must be paid. For transfers of less than one-half an acre-foot, the processing fee is $250. For one-half to one acre-foot, the fee is $500, and for transfers of more than one acre-foot, the fee is $750.

* Water needs for both sites are calculated by using Table II of Rule 24 (attached).

* A copy of the deed restriction is available for review by contacting the District's permit office.

<u>To begin the process:</u>

Submit a permit application and cover letter that includes as much of the required information as possible. Include attachments (such as city approvals) as needed. Also enclose the appropriate processing fee and one <u>complete</u> set of the final construction documents. The approved plans will be returned.

A determination can be made earlier in the planning process, if necessary. Provide all requested information and fees except for the final plans and permit application. Although the transfer may be approved, no actual water credit transfer will occur until <u>all</u> documents have been received and reviewed.

. . . . . *If you have questions, please call Stephanie Locke at 649-2500*

ORDINANCE NO. 79

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT ALLOWING TRANSFERS OF COMMERCIAL WATER CREDITS INTO A JURISDICTION'S ALLOCATION

FINDINGS

1. This ordinance amends existing standards and procedures for the issuance of water connection permits and shall amend the Rules and Regulations of the District.

2. This ordinance modifies the transfer of water credits provision of the District's Rules and Regulations and allows a jurisdiction to transfer commercial water credits into a general water allocation.

3. The provision allowed by this ordinance is necessary due to limited new water supplies in the District. It will enable a jurisdiction to manage its local water resources more efficiently.

3. The following District Rule is amended by this ordinance: Rule 28 B (Property-to-Property Transfers of Water Use Credits for Commercial or Industrial Uses).

NOW THEREFORE be it ordained as follows:

ORDINANCE

Section One: Statement of Purpose

The Monterey Peninsula Water Management District enacts this Ordinance as legal authority to modify existing standards pertaining to the transfer of commercial water credits. This ordinance shall modify the existing Rules and Regulations of the District.

Section Two: Water Distribution Systems Affected

This ordinance shall apply to each water connection (expansion / extension) permit issued by the District which is subject to an allocation system as outlined in District Ordinance No. 70. Transfers may only occur when the property from which the credit originates is within the same water distribution system as the jurisdiction's allocation.

Section Three: Modification of Rule 28 B "Property-to-Property Transfers of Water Use Credits for Commercial or Industrial Uses"

The following provisions in bold and underscore shall be added to Rule 24 B of the District's Rules and Regulations:

Property-to-Property and Property-to-Jurisdiction Transfers of Water Use Credits for Commercial and Industrial Uses. Water use credits for existing water use which has been allowed by the District on or after January 1, 1985, may be transferred from one property to another for commercial and industrial connections pursuant to this Rule. Commercial and industrial water credits may also be transferred directly into a jurisdiction's allocation. Open space and residential water use shall not be transferred. The following conditions shall apply:

(1) Water use credit transfers shall only occur within a single jurisdiction. No inter-jurisdictional transfer shall be allowed. Property-to-property transferred water credits shall not have any impact on a jurisdiction's allocation. Property-to-jurisdiction transfers shall increase a jurisdiction's available allocation.

(2) Water use credit transfers shall only occur within a single water distribution system. No inter-system transfer shall be allowed.

(3) Water use credit transfers shall only occur with the prior approval of the city, county or airport district.

(4) Water use credit transfers shall only be allowed from an existing commercial or industrial use, and must be applied to the intensification of another existing commercial or industrial use or added to a jurisdiction's allocation. Other than transfers which add to a jurisdiction's allocation transfer credits shall not originate from, or be transferred to any residential use. Transfer credits shall not derive from any prior open space water use.

(5) Property-to-property water use credit transfers shall only be used for intensification purposes. New water connections shall not be issued based upon a property-to-property transferred water use credit.

(6) Property-to-property commercial water use credit transfers shall only enable intensification of an existing commercial or industrial water use capacity, as proposed by a current application for a water permit. Transfers shall not provide water use capacity for new commercial or industrial water meter connections. Transferred water credits shall not be "banked" for future use at any new or different site.

(7) The use of credits resulting from a property-to-jurisdiction transfers shall be at the discretion of the jurisdiction.

(8) All water use credit transfers shall originate only from prior documented commercial water use capacity and shall be subject to each and every limitation on the calculation of water use credits set forth in Rule 25.5.

(9) All transfers of water use credits shall occur only by the written (and recorded) agreement of the owner of record for each parcel from which the transfer originates. This agreement shall confirm that the transfer of water credit is irrevocable, shall quantify remaining water use capacity required by the originating parcel(s), and acknowledge that any intensification of water use capacity on the originating site thereafter shall result in additional connection charge fees. If all prior water use capacity is transferred from a site (due to demolition of all structures on that site), the recorded agreement and notice shall consent to permanent removal of the meter connection from the originating site, and acknowledge that the placement of a new meter shall be limited due to unavailability of water.

(10) Transfer of water use credits shall only occur upon approval by the District. The District shall have sole and exclusive authority to determine the water use capacity which cannot be transferred by reason of capacity requirements for the originating site. The District shall have sole and exclusive authority to determine the water use capacity requirements for the receiving site.

(11) Transfer of water use credits shall not be approved by District staff if the effect of the transfer shall cause the originating site to have insufficient water credit to meet the water use capacity requirements of all existing structures on the transferring property site. If all prior water use is transferred from a site (due to demolition of all structures), the transfer shall be approved only upon the removal of the meter connection from the originating site, and the recordation of the notice specified above.

(12) The effect of any approved water credit transfer shall be the irrevocable extinction of any right or entitlement to the actual water use, water use capacity, or water credit which has been transferred from the originating (transferring) site.

(13) Before any water use credit transfer shall occur, the transfer fee required by Rule 60 for each originating site shall be paid by the applicant.

Section Four: Publication and Application

The provisions of this ordinance shall cause the republication and amendment of the permanent Rules and Regulations of the Monterey Peninsula Water Management District. This ordinance shall be read in conjunction with and complement those provisions of the District's Rules and Regulations; provided, however, that the provisions enacted by this measure shall take precedence and supersede any contradictory provision of those rules. Section titles and captions are provided for convenience and shall not be construed to limit the application of the text.

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Water Allocation Policy	600-4	July 17, 1996	14 of 14

Section Five: Effective Date

This ordinance shall be given effect at 12:01 a.m. on October 18, 1995.

Section Six: Severability

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director Karas, and second by Director Burkleo, the foregoing ordinance is adopted upon this 18th day of September, 1995, by the following vote:

AYES: Directors Farina, Burkleo, Heuer, Hughes, Haddad, Karas and Pendergrass

NAYS: None

ABSENT: None

I, Ray Millard, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the 18th day of September, 1995.

Witness my hand and seal of the Board of Directors this 30th day of October, 1995.

Ray Millard, Secretary to the Board

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Motel Regulations	600-5	November 5, 2014	1 of 3

Purpose

Chapter 23.52 of the Pacific Grove Municipal Code, originally adopted in 1986 by vote of the people, regulates motel and similar use in the city. It was amended on November 8, 2011 by a vote of the people, in order to enable and encourage hoteliers to upgrade and modernize their businesses to stay competitive. Due to considerable and long standing interpretive difficulties associated with Chapter 23.52, the Council finds it necessary and prudent to put in place regulatory guidelines to direct staff, Planning Commission, and Council in the processing and decision-making processes regarding Chapter 23.52 land use applications.

Therefore, the following shall be applicable to all such applications and shall be directive of and shall govern staff, Planning Commission, and Council analyses, actions, and decisions.

Policy

1. Intent of Interpretation

This Interpretation is intended to help achieve a smoother conformity with the City of Pacific Grove Initiative Measure C, as adopted by the voters of the City in 1986, and Measure U, as adopted by the voters in 2011 ("the Ordinance"). It is in no way intended to change the Ordinance or its meaning or objectives.

2. Section 23.52.030(c) - Determining Height Allowance

For purposes of determining whether a property is limited to one story above grade and not more than eighteen feet in height, under section 23.52.030(c), the 200-foot distance criterion between the R-3-M property and any R-l, R-H, or R-2 property is determined by measuring between the two closest points of the perimeter of each property line. This interpretation is consistent with prior City Council implementation of this section.

3. Section 23.52.030(g) - "Expansion or alteration"

Except as provided in 4 below, "Expansion or alteration" refers to adding to the number of guest units, or increasing the structural square footage utilized for any purpose, beyond the square footage existing as of December 24, 1985, the date of publication of the notice of intention to circulate the petition for Measure C. It refers as well to modifying or rebuilding nonconforming structures as they existed on December 24, 1985, so as to do any one or more of the following: (a) increase the footprint; (b) create encroachment in setbacks; (c) add any additional story; (d) add to building height; (e) enlarge any existing second or third story; or (f) add any new non-conformity. The intent of Measure C and this Interpretation is to bring R-3-M properties into compliance with the standards of the Ordinance. As Measure C states, "expansion or alteration" requires complete conformance with all provisions of the Ordinance for the entire use. This includes removing all non- conformities.

4. Section 23.52.030(g) - What is not an expansion or alteration

Remodeling or renovation of any existing structure(s) is outside the definition of "expansion or alteration" for purposes of Section 23.52.030(g) if:

a. The renovation complies with Section 23.52.035. Motels and hotels built prior to 1986 are categorized into groups and are allowed additional guest units over the number of permitted guest units and/or new ancillary facilities, as of the effective date of Section 23.52.035, pursuant to the specific provisions of this section.

   Section 23.52.035 does the following:
   (i) Specifies the number of new guest units and/or ancillary facilities allowed, maximum floor area of new guest units and/or ancillary facilities, setback and building height requirements, the location of outdoor living areas, and landscaping requirements within setback areas;
   (ii) Requires a use permit approval, which may involve the Planning Commission's imposition of specific standards pertaining to building design;
   (iii) Allows new guest units and/or ancillary facilities to be built in phases, rather than all at one time; and
   (iv) Provides that all other R-3-M standards apply, such as parking and building coverage, but shall not require bringing existing legal nonconforming aspects of the property into conformance with Section 23.52.030 provided the new construction or conversion does not: (A) extend or expand an existing nonconformity; or (B) add any new nonconformity. New guest units and ancillary facilities must have available water.

   Additionally, Section 23.52.035(g) provides for the rebuilding of nonconforming buildings that are damaged or demolished, and Section 23.52.035(h) provides for exterior remodeling within the existing footprint of nonconforming buildings.

   "Ancillary facility" includes a meeting space, dining room, fitness facility, lobby, laundry facility, storage facility, or other use subordinate to and compatible with the motel or hotel use. Section 23.64.180, pertaining to accessory buildings and structures, does not apply to motels and hotels in the R-3-M District.

b. Except for renovation consistent with 4.a above, all of the following aspects of the structure, as it existed on December 24, 1985, are maintained or reduced:
   (i) Total structural square footage;
   (ii) Number of units;
   (iii) Existing second-story or third-story configuration; and
   (iv) The building footprint, except that the building footprint may be changed so long as the new footprint does not exceed the total size of the previous footprint. A remodel or renovation falls outside the definition of "expansion or alteration" if it reduces in size any of the listed structural aspects, so long as the reduction(s) conform completely to the Ordinance. The conversion of sliding doors to swinging doors, or similar changes, is not an expansion.

c. The quality in structure design, colors, landscaping, construction, and materials used are completely in keeping with, and blend with the quality and character of the surrounding residential properties.

d. No other changes are made that (i) add any new non-conformity, or (ii) could adversely affect the privacy of adjacent residential properties.

This Interpretation is intended to encourage owners of R-3-M property to bring their properties into full compliance with the Ordinance.

"Expansion or alteration" excludes normal maintenance and repair of existing structures.

5. Section 23.52.030(d) - Appropriate Landscaping
The Ordinance requires "appropriate landscaping" throughout the site, i.e., in all areas of any R-3-M property and not simply the street view. Within setback areas, especially adjacent to residential properties, plantings should include numerous trees, in addition to bushes and plants that will reduce the visual and noise impact of the R- 3-M use on the adjacent properties. "Appropriate landscaping" also includes ongoing maintenance of the landscaping in good condition.

6. Section 23.52.030(h) - Variances
Issuance of variances will be governed by the provisions of PGMC Chapter 23.70. No variance can be granted which would violate the spirit or intent of the Ordinance or this Interpretation. As explicit in Measure C, the lack of opposition to a proposed variance cannot be the basis of granting a variance or exception.

7. Sections 23.52.030(b) & (i) - Abutting street(s) and setback requirements
Pursuant to sections 23.52.030(b) and 23.52.030(i), a structure on R-3-M property is subject to the requirement of a 20-foot setback if (a) the R-3-M property directly abuts R-l, R-H, or R-2 property, or (b) both of the following apply:

- A street which abuts R-l, R-H, or R-2 property lies within 20 feet of the R-3-M property; and
- One or more R-I, R-H, or R-2 properties on such abutting street are within 200 feet of the R-3-M property.

The width of the street is to be included in the 200 feet if the closest residential property is across the street.

8. Section 23.52.030(b) - Minimum setback
Setbacks under the Ordinance are measured from the outermost point of the structure to the property line. Thus, any type of building extension(s) protruding into the setback should be considered an encroachment, except eave projections may extend up to three feet into any required yard, but in no case may be closer than three feet to any property line.

Adopted: November 4, 1998; Resolution No. 8-059
Amended: November 6, 2014; Resolution No. 14-067

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Code Enforcement of Substandard Dwelling Units	600-6	July 16, 2008	1 of 2

I. PURPOSE

The City Council is concerned about the existence of dwelling units within the City that are not in compliance with the City's building, zoning and health and safety codes and/or the City's permitting requirements as these units could compromise the public peace, health and safety and quality of life for Pacific Grove residents. The Council is further concerned about the existence of dwelling units within the City which have unpermitted water fixtures.

California Health and Safety Code Section 17920.3 defines substandard housing to include the existence of conditions to an extent that endanger the life, limb, health, property, safety, or welfare of the public or the occupants. Section 17920.3 specifies such conditions to include and arise from inadequate sanitation, structural hazards, nuisance, wiring, plumbing, mechanical equipment, faulty weather protection, construction materials, and buildings or portions thereof occupied for living, sleeping, cooking or dining purposes that were not designed or intended to be used for those occupancies.

The City Council has directed staff to draft a comprehensive policy to enforce its building and zoning code, and to bring substandard dwelling units into compliance. Such a policy will address the problem of overuse of dwelling units within restricted zones, and protect the quality of life and minimize adverse impacts between adjacent properties, and alleviate parking congestion.

An active Code Enforcement Program will provide a cost effective tool in helping to maintain and enhance property values and instill a sense of fairness in the community.

II. KEY PROVISIONS FOR ABATEMENT OF SUBSTANDARD AND/OR ILLEGAL DWELLING UNITS

1. Substandard dwelling units do not comply with the City's building, zoning and/or permitting requirements and can compromise the public peace, health and safety and quality of life of City residents.

2. Owners of substandard dwelling units must abide by City regulations by bringing such unit(s) into conformity or by abating them.

3. City staff shall actively pursue code violation complaints, including anonymous complaints, regarding substandard dwelling units, in accordance with the City's Administrative Enforcement Ordinance, and where necessary, the City may pursue civil remedies.

4. The City's code enforcement officer, building inspector and other field staff shall be trained to identify potential substandard dwelling units when in the field on City business. Any such units identified should be reported to the code enforcement officer for investigation and resolution in accordance with the City's Administrative Enforcement Ordinance, or pursuant to state law.

5. The City shall consider an ordinance to amend its municipal code to require an exterior building inspection as part of the Residential Zoning Records Report which is required at the time of a property sale or transfer.

6. The City shall provide a public information brochure on the problems created by substandard dwelling units, including placing residents in danger, increasing the strain on community resources, and impacting the livability of neighborhoods. The City shall provide information on how to legalize substandard dwelling units and, for those owners unable to legalize their unit(s), provide information on the steps required to abate.

7. For those owners that are able to legalize their unit(s), the City shall offer technical assistance to obtain the proper planning approvals and shall offer financial assistance to make any needed health and safety repairs through the Housing Rehabilitation Loan Program.

8. The City shall expand its affordable housing resource list to include local agencies that provide assistance to tenants and landlords, such as financial assistance programs, legal assistance, property managers, emergency shelters, and affordable housing units in the area. The City shall post this information on the City's website and provide copies at the library and city hall.

Adopted: July 16, 2008
Resolution No.: 08-046

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

Policy Governing	Policy No.	Effective Date	Page No.
Curb Ramp Installation and Path of Travel Priorities	700-2	July 1, 2005	1 of 2

I. GENERAL

The City of Pacific Grove installs curb ramps and path of travel improvements to provide accessibility on public rights-of-way to people with disabilities in compliance with the Codes and Regulations of California Government Code 4450, California Code of Regulations Title 24, and the Americans with Disabilities Act of 1990 Accessibility Guidelines (ADAAG) Title II and Title III.

II. POLICY OF THE CITY

It is the policy of the City to comply with the above noted laws. However, it is acknowledged that funding constraints may prevent full implementation of this policy. In light of this, the City has adopted guidelines for prioritizing curb ramp installations and path of travel improvements. These guidelines establish a priority system for construction or reconstruction of curb ramps and path of travel improvements in Pacific Grove. When a complaint or a request for construction or reconstruction of a curb ramp or ramps or path of travel improvements is received, the decision on whether a curb ramp or path of travel improvement is to be constructed or reconstructed will be based on the following priority system.

III. PRIORITY SYSTEM

- Number 1 Priority. The highest priority is to reconstruct curb ramps or improve path of travel at locations where existing curb ramps or paths of travel have an unsafe condition that may cause a trip and fall. Examples are vertical displacements of the curb ramp, steep sidewings, or deteriorated conditions.

- Number 2 Priority. A new curb ramp or path of travel improvement will be installed at locations where there is no curb ramp or path of travel to provide accessibility.

- Number 3 Priority. When a return has one existing curb ramp and conditions allow for the construction of an additional curb ramp at the same return and provided that traffic controls allow for a safe path of travel, an additional curb ramp will be installed.

- Number 4 Priority. A curb ramp or path of travel improvement is constructed or reconstructed at a location with difficult physical conditions such as major utility

conflicts, physical barriers, or to her constraints which would create a “hardship” situation on the entity.

- Number 5 Priority. An existing curb ramp or path of travel will be reconstructed when it does not met current City standards but is otherwise in a safe conditions with only minor features not in compliance with current Federal and State Disability Building Codes (i.e. color contrast, scoring lines, etc.)

IV. FINAL DECISION

The decision of the Director of Public Works on which priority is assigned to a particular curb ramp request is final.

Adopted: July 6, 2005
Resolution No.: 5-019

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: Celia Perez Martinez, Business Manager

MEETING DATE: December 19, 2007

SUBJECT: Consider a Resolution to Establish a City Council Policy – Program to Prevent Harbor Seals from Establishing Habitat at Lovers Point Beach and Harbor Seal Mother and Pup Protection at Lovers Point Beach.

RECOMMENDATION:

Receive report and approve a resolution to establish a policy to deter seal harbors from establishing habitat on Lovers Point and to establish protection procedures in the event of seal births at Lovers Point Beach.

DISCUSSION:

History:

Seals crowd the west beach of Hopkins Marine Station. In 2006, a few mother seals used the next beach west at the base of 5th Street to bear their pups. The small beach was closed and temporary protective fencing and signage was erected to protect the seals. In 2007, more harbor seals used the beach for pupping. Given the small size of the beach and increased use, docents and marine staffs from local agencies have considered the possibility of the seals moving onward in a westerly direction to Lovers Point Beach. The docents asked the City through the Beautification and Natural Resources Commission (BNRC) to draft a policy and ask the City Council to establish this policy should seals try to habitat and give birth at Lovers Point.

In general, the experts believe that the "humanness" of Lovers Point Beach will deter the seals from establishing themselves there for a pupping season. Marine biologists believe that the human odors and activity at Lovers Point Beach will deter the seals from establishing habitat.

Current:

The BNRC invited experts from National Oceanic and Atmospheric Administration, (NOAA), the National Marine Fisheries Service (NMFS), and the Marine Mammal Rescue Center to its September meeting. In addition, a local marine biologist who has studied the local population for 20 years attended. The concern was presented and discussed. Consensus by these experts was that the City should not allow the seals to establish at Lovers Point Beach, and that should pupping occur, the mammals should be protected until the time the pups are able to swim away with their mothers, and, that they be discouraged from returning.

NOAA law enforcement and the regional director for the National Marine Fisheries Service strongly recommended that the City establish a plan to prevent the establishment of seals on Lovers Point Beach.

It was pointed out to the committee that San Diego failed to take action when they had a similar phenomenon occurred at a popular beach called Children's Pool. The City did not have a policy in place

nor intent for management of the situation on that particular beach. As a result, the conflict plays out in court.

Based on the discussion at the September meeting, a sub-committee was formed. It was comprised of Bill Kampe, Thom Akeman, who is a docent, and Roger Phillips, of the Monterey Bay Aquarium. NOAA law enforcement provided federal law citations discussing that the seal are protected by federal law. In addition, they provided the provisions that allow state and local officials to take action to protect the seals or public health and welfare. The methods allowed by law to discourage what is known as "hauls outs", when seals literally haul themselves out of the water to the land. The methods are varied and range from non-aggressive to aggressive. All the methods are approved by NOAA. The committee has made recommendations for the policy that includes an action plan and the methods of deterrent.

FISCAL IMPACT:

None

ATTACHMENTS:

Policy Guidelines, BNRC report, Resolution

RESPECTFULLY SUBMITTED:

Celia Perez Martinez
BUSINESS MANAGER

REVIEWED BY:

James J. Colangelo
Digitally signed: I have reviewed this document

James J. Colangelo
CITY MANAGER

CITY OF PACIFIC GROVE
Public Works Department

Policy for Mitigation Measures to for Prevention of
Seal Haul Outs at Lovers Point Beach
December 19, 2007

Policy:

The City of Pacific Grove intends to discourage seal haul outs at Lovers Point Beach. The City will use selective proactive measures to achieve this goal. No action will be taken for sporadic seal presence at other beaches outside of the pupping season.

If seal pups are delivered on any beach in the city, the city will temporarily close the beach to public uses and provide fencing and signage to protect the seals and their pups for the season, February through May. In this area the season traditionally runs March to June.

Action Plan:

For Haul Outs at Lovers Point.

1. Notify interested agencies and organizations of the plan and actions that will be taken
   a. Prepare process
2. Designate “first responders”, who may be city employees. They will be trained as to methods that can be used to deter the seals from coming onto the shore.
3. In the event of haul outs, first response will be to take direct action to deter the seals off the beach
   Techniques will be those acceptable by National Oceanic and Atmospheric Administration.(NOAA) (there are several techniques acceptable by NOAA that the BNRC does not recommend)
   Activities Recommended
   a. Human presence
   b. Acoustic devices such as pots and pans, noisemakers
   c. Noise makers that dispense noise periodically (Digital Audio Repellers).
   d. Sonic Repellers

e. Scarecrows

Activities Recommended Against

a. Barriers, likely unworkable and ineffective for our beaches
b. Excessive or continuous noises
c. Direct physical contact with the seals, such as poking with dowels or tossing lightweight items at them.

4. The City will also have the option to solicit and train volunteers maintain visual diligence. Volunteers may come from beach goers, surfers, and local rental operators.
5. Contact local NOAA offices to ensure collaboration in executing the plan.
6. Initiate reporting activities and reporting to National Marine Fisheries Service (NMFS).
   a. Prepare reporting forms and document process.

Pups delivered on a city beach including Lovers Point:

1. In the event there is a birth(s) at a city beach the determent activities shall change to protection for the pupping season.

2. Protection of seals with pups will include:
   a. Fencing off the beach are and posting No Trespassing signs as provided by NOAA
   b. Enlist in NOAA's help in posting at low tide where necessary.
   c. Use docents to explain the pupping viewing sites and the nature of the mothers and their pups. This is currently done at the other sites.
3. Should Lovers Point Beach be a pupping site the next activity should be to encourage the seals from the beach so that the mother seals and their new offspring do not become habituated to the beach.
   a. Methods used will be the same as the haul out prevention methods.
   b. NOAA and the NMFS will provide the guidelines for when it is appropriate to begin this activity.

REPORT FROM BEAUTIFICATION AND NATURAL RESOURCES COMMITTEE – PREPARED BY SUBCOMMITTEE THOM AKEMAN, BILL KAMPE, AND ROGER PHILLIPS

Pacific Grove
Beautification and Natural Resources Committee
Harbor Seal Policy – Findings and Recommendations
Tuesday, October 23, 2007

Summary Recommendation:

Establish a Pacific Grove policy to: 1) deter harbor seals from Lovers Point beach, and; 2) protect harbor seal mothers and pups if birthing occurs on <u>any</u> Pacific Grove beach.

This recommendation is consistent with the suggestions of several experts and federal law enforcement officials who shared their knowledge of the applicable laws and their experiences with us.

Issue:
Seals now crowd the west beach of Hopkins Marine Station. In 2006 a few mother seals used the next beach west at 5th Street to bear their pups. The result is that the beach was closed and temporary fences were erected to protect the seals from the public. More harbor seals used the 5th Street beach for pupping in 2007. The concern that prompted our discussion is that seals may continue to migrate westward if crowding continues. The next beach west is Lovers Point, a popular human destination for thousands who sunbathe, swim, surf, scuba dive, and kayak.

Factors:
At the September 25 BNRC meeting, invited experts from National Oceanic and Atmospheric Administration (NOAA), the National Marine Fisheries Service (NMFS), and the Marine Mammal Rescue Center were invited to describe their perspectives on this possibility. Additional background was provided by a marine biologist who has studied the local harbor seal population for 20 years. We heard the following:

1. Pacific harbor seals are protected by federal law, as are all marine mammals.
2. The shoreline of Pacific Grove is a protected marine sanctuary.
3. In general, the protections of seals prohibit any actions that harass the animals with the effect of causing the seals to change their behavior or causing injury to the seals.
4. Nevertheless, there is an exception to this restriction. State and local officials may take action to protect either the seals or public health and welfare. The local officials include city employees and may include designated volunteers who receive proper training.
5. If a city employee should take action that influences the behavior of a seal, the action must be performed in a humane manner and it must return the seal to its native environment. Further, an annual report must be filed with NOAA/National Marine Fisheries Service describing each action and result.
6. **The strong recommendation by NOAA law enforcement and the representative of the National Marine Fisheries Service was that the City of Pacific Grove establish a plan to try to prevent the establishment of seals on Lovers Point.**
7. San Diego now encounters great controversy as a result of seals on a beach called Children's Pool. Part of the difficulty is that San Diego did not have a clear plan and intent for management of the situation on that beach. The conflicts now play out in court.

Elements of a Response Plan
Based on BNRC discussion, a subcommittee was appointed to develop a response plan to recommend a policy and actions by the City of Pacific Grove in the event of seal "haul outs" beyond the Hopkins Marine Station. The recommendation includes a Seal Policy and an Action Plan:

Seal Policy

1. The City of Pacific Grove intends to discourage seals at Lovers Point and will use selective proactive measures to achieve this goal. No action will be taken for sporadic seal presence at other beaches outside of the pupping season.

2. However, if seals pups are delivered on any beach in the city, including Lovers Point, the city will temporarily close that beach to public uses and provide fencing to protect the seals and their pups during the pupping season.

Action Plan

1. In preparation for the possibility of seals on Lovers Point, the city will
    a. Designate the "first responders", who may be city employees, and provide training in advance of need, so that the city can execute the plan quickly if required.
    b. Prepare the reporting forms and process, so that there would be no delay if action is necessary
    c. Notify interested agencies and organizations of the plan, explaining the reasons and rationale, so any activation will not be a surprise.
2. If seals are discovered on Lovers Point, the first response is to take direct action to encourage them to go elsewhere.
    a. Apply selected permissible techniques as suggested by NOAA:
        i. Use human presence and activity, acoustic devices acceptable to NOAA, and manual noise makers such as clanging of pots and pans.
        ii. The BNRC recommends against
            1. Barriers and exclusion, which are likely to be unworkable and ineffective for our beaches
            2. Other listed visual repellants
            3. Excessive and continuous noise, which would be disruptive to residents and visitors
            4. Direct physical contact with seals
    b. Solicit and train additional volunteers to maintain continual diligence. Potential volunteers may come from regular users of the beach, such as surfers, dive shops, and kayaking operators.
    c. Initiate record keeping activities and reporting to NMFS
    d. Contact local NOAA officials to ensure effective collaboration in executing the plan
3. However, if pups are delivered on any city beach, the situation now changes to a phase of protection during the pupping season. The pupping season typically runs from early April into June. At this point, any action to drive away adult seals could and would most likely result in abandonment of pups. The pups would starve without the mothers' care.
4. Protection of seals with pups will include:
    a. Fencing off the beach and prohibiting trespassing onto the beach.
    b. Enlisting the aid of NOAA enforcement to post signs in low tides areas that might allow access to the beach areas occupied by the seals.
    c. Possibly using docents to explain the pupping that can be witnessed on the beach.
5. Following the pupping season, if it occurs at Lovers Point, the action shifts again to encourage seals to move from the beach, so that mother seals and their new offspring do not become habituated to the beach. This phase could require some period of sustained effort to cause seals to move to another location.

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF PACIFIC GROVE ESTABLISHING COUNCIL POLICY NO. _____ PROGRAM TO PREVENT HARBOR SEALS FROM ESTABLISHING HABITAT AT LOVERS POINT BEACH AND HARBOR SEAL MOTHER AND PUP PROTECTION AT LOVERS POINT BEACH

WHEREAS, Pacific Harbor Seals are a marine mammal protected by federal law yet there are provisions that allow state and local officials to take action to protect the seals or public health and welfare; and

WHEREAS, the local seal population uses the Hopkins Marine Beach and the 5th Street Beach and could possible outgrow these sites and expand to other sites west; and

WHEREAS, marine docents, law enforcement from the National Oceanic and Atmospheric Administration, the regional director from the National Marine Fisheries Service, as well as local biologists who specialize in the local harbor seal population believe that the City of Pacific Grove should not allow the seals to establish themselves at Lovers Point Beach

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

Adopt Council Policy No. _____ Program to Prevent Harbor Seals From Establishing Habitat at Loves Point Beach and Harbor Seal Mother and Pup Protection at Lovers Point Beach

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE this 19th day of December, 2007, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

_____
DANIEL E. CORT, Mayor

ATTEST:

_____
CHARLENE WISEMAN, City Clerk

APPROVED AS TO FROM:

_____

DAVID C. LAREDO, City Attorney

CITY OF PACIFIC GROVE
COUNCIL POLICY

Policy Governing	Policy Number	Effective Date	Page No.
Policy for Mitigation Measures for Prevention of Seal Haul Outs at Lovers Point Beach	700-3	December 19, 2007	1 of 7

Council Policy approved from Council Meeting December 19, 2007.

CITY OF PACIFIC GROVE
CITY COUNCIL POLICY

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE NO.
Special Events	900-1	February 16, 2011	1 of 3

PURPOSE

The intent of this policy is to provide guidance for the conduct of special events in the City and ensure an appropriate balance between the number and scope of special events with the ability of City neighborhoods and facilities to adequately handle such events.

POLICY

I. General

The City shall have the discretion to limit the number of special events in any calendar year.

All special events will be limited to those activities that benefit Pacific Grove residents or businesses.

Most special events are either one-time or annual. Certain special events, such as the Farmers' Market, are periodic and ongoing.

The Council reserves the right to take actions creating exceptions to this policy in the event of special circumstances.

II. Types of Special Events

The City will create an annual calendar of special events. Events included in the annual calendar shall have first priority for the scheduled locations and times, and for City support. These events will be highlighted in the City's seasonal *Activity Guide*. Requests for inclusion in the annual calendar shall be submitted to the City by September 31 for any event to be held during the following fiscal year.

The City will also consider the approval of events on an as-proposed basis. Such events will not be approved if they conflict with already approved events. Events requiring City Council approval are those that:

- Require City sponsorship or other City support;
- Preclude others from using an entire outdoor public facility (e.g., Caledonia Park);
- Are likely to have a significant impact on substantial numbers of residents or businesses (e.g., closure of multiple or high-traffic streets for a significant amount of time, as determined by the City Manager; or
- Have other characteristics that warrant public consideration by the Council.

More limited events may be approved by staff. A neighborhood event, requiring closure only of a neighborhood street, for example, would not require Council approval. In these cases, those persons incurring the costs of the street closure are the same persons benefiting from the event.

III. Information Required

Each application for special events shall contain the following information:

A. A description of the proposed event.
B. A statement of the purpose of the event and its benefits to the City.
C. The name of the sponsoring organization.
D. The date, location, and time (to include preparation and clean up) of the event. In the case of a race or parade, a map of the proposed route shall be submitted.
E. An estimate of the number of participants and/or spectators.
F. A description of City facilities, support, and personnel required.
G. A list of personnel to be provided by the sponsor.
H. A description of parking arrangements for the event.
I. If electronic sound amplification equipment will be used, an application for the necessary permit shall be made as required by Chapter 11.94 of the Pacific Grove Municipal Code.
J. A description of the proposed recycling program for plastics, glass, paper, and aluminum during the event.
K. A listing of accommodations provided by the sponsor pursuant to the Americans with Disabilities Act.
L. A listing of fees proposed to be charged, commercial sales, commercial filming, and the service or sale of food and/or alcohol.

III. Conditions of Permit

Once the Council approves an application, the sponsoring organization shall comply with the following conditions:

A. At least 30 days prior to the event, furnish the City with a certificate of insurance in an amount not less than $2 million naming the City of Pacific Grove as an additional insured. Such insurance shall be primary to any City insurance, and the City must have at least ten days notice of cancellation.

B. The sponsoring organization shall reimburse the City for all direct and incidental expenses for the use of the City personnel and facilities. The sponsor has the option of using volunteers or other non-City personnel for some functions (e.g., placing barricades, emptying public trash cans, etc.) Other functions (e.g., Police security) require City personnel. The City has the absolute discretion to determine the number of personnel who will be provided for a particular event. The Council may waive or reduce the requirement for reimbursement if Pacific Grove Chamber of Commerce, the Pacific Grove Unified School District, or the City sponsors the event.

C. The sponsor is responsible for all sign removal, litter control, clean-up activities, and for providing necessary containers and personnel for recycling activities, as determined by the City.

D. The sponsor shall provide portable restroom facilities if deemed necessary by the City.

E. The sponsor shall be advised that the sponsor is responsible for determining what, if any, accommodations are required of sponsor pursuant to the American with Disabilities Act.

F. An approved Special Event Application is required for all groups and shall be in the possession of the sponsor or representative at the event.

G. The City will review applications and additional approvals may be deemed necessary.

The City of Pacific Grove reserves the right to revoke permissions for an event at any time.

IV. Permitted Events

The Council established the following classification of events to be used in determining the events scheduled for each calendar year:

Class I. These are special events that require exclusive use of City property and streets and require major support of City police, fire, or public works personnel. Activities scheduled by the Chamber of Commerce, School District, and Feast of Lanterns shall be considered as traditional events and shall receive first priority on any scheduling.

Class II. These are events that require some limited use of City property and streets, but require minimum support by City personnel.

The number of Class I events that the City can support each year is limited. The current target is to have at least one Class I event each month. We have much greater flexibility in the number of Class II events being offered. The Council will make a determination of the number of Class I and Class II events to be held each year based on the impact to the community.

V. Scheduling of Events

All activities approved are authorized for the subsequent year only and, with the exception of the traditional activities, continued Council approval should not be assumed. Activities may be discontinued if they become too large or if they create problems that would substantially disrupt the peace and quiet of a neighborhood.

Should the City receive requests for more activities than may be accommodated, the City will establish an appropriate random drawing type of system or other suitable method for determining those activities to be approved.

Adopted: April 16, 1986—Resolution No. 5705
Amended: January 7, 1987—Resolution No. 5787
Amended: February 5, 1992—Resolution No. 6238
Amended: March 3, 1993—Resolution No. 6331
Amended: November 15, 1995—Resolution No. 6489
Amended: November 5, 1997—Resolution No. 7-057
Amended: June 2, 2010—Resolution No. 10-044
Amended: February 16, 2011—Resolution No. 11-012

CITY OF PACIFIC GROVE, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NO.	EFF. DATE	PAGE
Acceptance of Art Donations	900-3	JANUARY 3, 2001	1 of 1

Purpose:

To establish a uniform procedure for evaluating works of art proposed to be donated to the City of Pacific Grove, and for deciding whether to accept them.

Policy:

1. Anyone wishing to donate art to the City of Pacific Grove must first provide comprehensive information about each piece of art by completing and submitting the Art Acceptance Form (attachment).

2. Art Acceptance Forms may be submitted to the Pacific Grove Arts Commission, the Pacific Grove Public Library, or the Pacific Grove Museum of Natural History. Forms submitted to the Library or Museum will be forwarded to the Arts Commission.

3. The Arts Commission will use the Art Acceptance Form as a basis for evaluating the art proposed for donation. In evaluating the art works, the Arts Commission will work with the Museum, the Library, and/or other City staff, as appropriate. City staff will consult the advisory board (e.g. Museum Board, Library Board) of the involved City department.

4. Evaluation of art works will consider each pieces' intended use and disposition, artistic merit, historical significance, local interest, commercial value, and impact on City government.

5. The Arts Commission, City staff, and the relevant advisory board will make a recommendation to the City Council whether or not to accept the proposed donation.

6. The City Council will decide whether the City will accept or decline the proposed donation.

ADOPTED BY MINUTE MOTION ON JANUARY 3, 2001

ART ACCEPTANCE FORM
CITY OF PACIFIC GROVE

This form must be completed and submitted to initiate any proposed donation of an art object to the City of Pacific Grove.

HISTORY OF THE PIECE PROPOSED FOR DONATION

Donor_____ Phone_____

Address_____ Fax_____

_____ E-mail_____

Legal Owner_____ Phone_____

Address_____ Fax_____

_____ E-mail_____

Previous Owner(s) / History of Ownership_____

_____

_____

_____

Applicant_____ Phone_____

Address_____ Fax_____

_____ E-mail_____

Date of Application to Donate_____

Signature of Applicant_____

(Attach additional pages if necessary for any section.)

DESCRIPTION OF WORK (PHOTO MUST BE ATTACHED)

Name of Work_____

Artist_____

Medium_____

Date of Work_____

Dimensions of Work_____

Content / Description_____

_____

_____

_____

Condition_____

_____

_____

Appraised Value_____

Artist Biography (Summary)_____

_____

_____

_____

Special Requirements / Conservation Measures_____

_____

_____

_____

INTENDED USE

Selective Display / Exhibit_____ Research_____

Circulation / Loan_____ Sale_____

REASONS FOR ACCEPTANCE

Artistic Merit_____

Historical Significance_____

Local Interest_____

Commercial Value_____

CONDITIONS OF ACCEPTANCE

Specified Recipient_____

Storage Requirements_____

Proposed Location_____

Special Requirements / Conservation_____

(Attach additional pages if necessary for any section.)

Leave blank; this page for City use only:

INTENDED USE

Selective Display / Exhibit_____ Research_____

Circulation / Loan_____ Sale_____

REASONS FOR ACCEPTANCE

Artistic Merit_____

Historical Significance_____

Local Interest_____

Commercial Value_____

CONDITIONS OF ACCEPTANCE

Storage Requirements_____

Cost Impact_____

Proposed Location_____

Proposed Department Responsibility_____

Special Requirements / Conservation_____

RECOMMENDATIONS FOR ACCEPTANCE (ACCEPT / DECLINE, SIGNATURE, DATE)

Arts Commission_____

Museum of Natural History_____

Public Library_____

Other Recipient Department (if applicable)_____

Beautification Committee (if applicable)_____

APPROVED BY CITY COUNCIL (DATE)_____

MAYOR'S SIGNATURE_____ DATE_____