

ORDINANCE NO. 17-004

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PACIFIC GROVE APPROVING THE LEASE AND OPERATION
AGREEMENT BETWEEN THE CITY OF PACIFIC GROVE AND
KEYSTONE AMERICA, INC., LOCALLY KNOWN AS THE
PAUL MORTUARY**

WHEREAS, The City issued a Request for Proposals for the lease and operation of the Little Chapel by the Sea and Crematorium; and

WHEREAS, Keystone America, Inc. (locally known as The Paul Mortuary) submitted a proposal to the City of the highest and best use; and

WHEREAS, The City Charter, Article 15 (g) requires all leases of City property be approved by ordinance; and

WHEREAS, This activity qualifies for a CEQA Class 1 Categorical exemption as provided by Section 15301 of the CEQA guidelines, set forth in Title 14 of the California Code of Regulations as it consists of permitting and leasing of existing facilities that involves negligible or no expansion of use.

NOW THEREFORE, the City Council of the City of Pacific Grove does ordain as follows:

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

SECTION 2. The Lease Agreement between the City of Pacific Grove and Keystone America, Inc. is hereby approved.

SECTION 3. The City Manager is authorized to execute all documents and to perform all other necessary acts to implement the ordinance.

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

SECTION 5. In accord with Article 15 of the City Charter, this ordinance shall become effective on May 5, 2017.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 5th day of April, 2017, by the following vote:

AYES: Mayor Kampe, Councilmembers Cuneo, Fischer, Garfield, Huitt, Peake and Smith.

NOES: None.

ABSENT: None.

APPROVED:



BILL KAMPE, Mayor

ATTEST:



SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:



DAVID LAREDO, City Attorney