

ORDINANCE NO. 14-012

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PACIFIC GROVE APPROVING THE AMENDMENT TO THE
LEASE AND OPERATION AGREEMENT BETWEEN THE CITY
OF PACIFIC GROVE AND KEYSTONE AMERICA, INC. dba
THE LITTLE CHAPEL BY-THE-SEA and THE PAUL
MORTUARY**

WHEREAS, On July 1, 2004 the City approved a lease with The Paul Mortuary dba The Little Chapel By-The-Sea (now Keystone America, Inc.) which is set to expire on June 30, 2014; and

WHEREAS, The City and Keystone America, Inc. dba The Little Chapel By-The-Sea and The Paul Mortuary desire to continue that lease on a month-to-month basis pending the issuance of a Request For Proposals for a new lease; 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 amendment to the current Lease and Operation Agreement between the City of Pacific Grove and Keystone America, Inc. dba The Paul Mortuary and The Little Chapel By-The-Sea is hereby approved. Except as expressly amended by this extension of the period of the Lease and Operation Agreement, the Agreement shall remain in full force and effect according to each and every term, covenant and condition thereof.

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. This ordinance shall become effective on July 16, 2014.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 16th day of July, by the following vote:

AYES: Mayor Kampe, Councilmembers Cohen, Cuneo, Fischer, Huitt, Lucius, Miller

NOES: None

ABSENT: None

APPROVED:

BILL KAMPE, Mayor

ATTEST:

ANN CAMEL, Interim City Clerk

APPROVED AS TO FORM:

DAVID LAREDO, City Attorney