

RESOLUTION NO. 25-021

RESOLUTION AMENDING RESOLUTION NO. 25-020 OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE ACCEPTING THE CERTIFICATION OF SUFFICIENCY OF THE REFERENDUM AGAINST ORDINANCE 25-007 INCREASING THE COMPENSATION OF THE MAYOR AND CITY COUNCILMEMBERS

1. On May 7, 2025, the Council considered and discussed a potential ordinance increasing the compensation of the Mayor and City Councilmembers and providing medical benefits as available to City Management Employees. The issue of medical benefits was tabled and the Council introduced and held first reading of an Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers.
2. On May 21, 2025, the Council held second reading and adopted an Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers.
3. Absent the Referendum, Ordinance No. 25-007 would have become effective 30 days after adoption (Friday, June 20, 2025).
4. Article 16 of the City Charter states, "The right of initiative and referendum is hereby preserved to the citizens of the City to be exercised in accordance with the procedures prescribed by the Constitution and General Laws of this State."
5. For a Referendum to appear on a ballot, a petition must be submitted within 30 days of Proponent's receipt of the City Attorney's approved Summary of Referendum and be signed by Pacific Grove voters equaling 10% or more of the voter registration last officially reported to the Secretary of State. On February 10, 2025, the County report of City voter registration to the State was 10,601. Ten percent of 10,601 is 1060.
6. On May 23, 2025, the Referendum proponent presented the City Clerk's Office with a Request for Approved Summary of Referendum Against Ordinance 25-007.
7. On June 5, 2025, City Attorney transmitted an approved Summary of Referendum to the Proponent; commencing the period to circulate petitions on June 6, 2025 and concluding on July 7, 2025.
8. On July 1, 2025, Mr. Coletti submitted the petition. A prima facie count was conducted by the City Clerk's office and it was established that there were 1773 signatures received. At the point the Referendum was accepted, Ordinance 25-007 was suspended pursuant to Elections Code 9237.
9. On July 2, 2025, the Referendum petition was delivered to the Monterey County Elections Department and Registrar of Voters for review of the petition signatures. The City's instructions to the County requested examination of signatures and certification be accomplished by full check pursuant to Elections Code Section 9114.

10. On August 6, 2025, the Monterey County Registrar of Voters provided the City with its Certificate of Signature Verification resolving that the number of valid signatures on said petition exceeds 10% of the registered voters in the City of Pacific Grove.

11. This action does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines Section 15378.

12. This Amended Resolution corrects the dates to circulate petitions as commencing on June 6, 2025 and concluding on July 7, 2025.

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

SECTION 1. The City Council determines that each Finding set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.

SECTION 2. The City Council hereby accepts the City Clerk's Certification of Sufficiency for the Referendum Against Ordinance No. 25-007, attached hereto as Exhibit A, and the City Clerk is hereby authorized and directed to enter upon the records of this Council such Certificate of Sufficiency

SECTION 3. This resolution shall take effect immediately following passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 3rd day of September 2025, by the following vote:

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

APPROVED:

Signed by:

Joe Amelio

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JOE AMELIO, Mayor Pro Tempore

ATTEST:
DATED: 9/26/2025

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Sandra Kandell

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SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DocuSigned by:

Brian D. Pierik

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BRIAN PIERIK, City Attorney

**CERTIFICATION OF SUFFICIENCY OF
REFERENDUM PETITION AGAINST
ORDINANCE NO. 25-007
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY PACIFIC GROVE,
CALIFORNIA INCREASING THE COMPENSATION OF THE MAYOR AND CITY
COUNCILMEMBERS**

I, Sandra Kandell, City Clerk of the City of Pacific Grove, California, do hereby certify:

That on July 1, 2025 proponents submitted to my office a petition for a referendum against Ordinance No. 25-007 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY PACIFIC GROVE, CALIFORNIA INCREASING THE COMPENSATION OF THE MAYOR AND CITY COUNCILMEMBERS".

That pursuant to Election Code Section 9237, it has been determined that Monterey County Registrar's last official report of registration to the Secretary of State for the City of Pacific Grove was 10, 601 registered voters and that 10% of said registration would require 1060 valid signatures to qualify the referendum petition.

That in accordance with Election Code Section 9210(b), it was determined that said petition contained sufficient signatures to be accepted (prima facie count.) Pursuant to Elections Code Section 9211, petition signatures were examined by the Monterey County Registrar as per Election Code Section 9114, and that Office has determined that 1178 signatures were deemed valid. The signature verification letter from the County dated August 6, 2025 is attached hereto.

Therefore, the referendum petition against Ordinance No. 25-007 submitted by the proponents is deemed to be sufficient.

In accordance with Elections Code Section 9114 I am providing the results of the petition to the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Pacific Grove this 20th day of August, 2025.

DocuSigned by:

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Sandra Kandell
City Clerk, City of Pacific Grove

MONTEREY COUNTY ELECTIONS



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CountyofMonterey.gov/Elections

PO Box 4400
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Elections@countyofmonterey.gov

Gina Martinez
Registrar of Voters

Jessica Cedillo
Assistant Registrar of Voters

Certificate of Signature Verification

WHEREAS, Referendum Against An Ordinance Passed by the City Council – Ordinance No.25-007 – Ordinance of the City Council of the City of Pacific Grove Increasing the Compensation of the Mayor and City Councilmembers was transferred by the City Clerk of the City of Pacific Grove to the County of Monterey Elections Department for signature verification on July 2, 2025.

WHEREAS, the petition consists of 77 sections and 1,839 signatures;

WHEREAS, each section contains signatures purporting to be the signatures of qualified Electors of this county; that attached to each petition at the time it was filed was an affidavit purporting to be the affidavit of the persons who solicited the signatures, and containing the dates between which the purported qualified electors signed the petition; that the affiant stated his or her own qualifications, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signature to that section was the genuine signature of the person whose name it purports to be;

WHEREAS, pursuant to Elections Code §§ 9240 & 9115, the City Elections Official may request a random sampling review of 3% or 500 petition signatures, whichever number is greater, or a full check review, in which each petition signature is verified until the petition is determined to have passed or failed, at which point petition verification will conclude.

WHEREAS, of the 1,839 signatures submitted, Elections conducted a review of the petition following the full check methodology by examining the records of registration of this County, current and in effect at the respected purported dates of such signing, to determine what number of qualified electors signed the petition;

WHEREAS, Elections Code § 9237 provides that the minimum number of signatures required for an initiative petition submitted to the City is not less than 10% of the voters in the City, according to the last report of registration by the County Elections Official to the Secretary of State pursuant to Section 2187, and there are 10,601 registered voters in the City of Pacific Grove as of the report of registration at the time of filing.

WHEREAS, of the 1,839 signatures submitted in the raw count, 1,299 were verified, 1,178 were deemed valid, and 121 signatures were found not sufficient.

NOW, THEREFORE, BE IT RESOLVED, the number of valid signatures on said petition exceeds 10% of the registered voters in the City of Pacific Grove.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 6th Day of August, 2025.

Gina Martinez, Registrar of Voters
County of Monterey

