

MINUTES

City Council Regular Meeting
2212 Beach Boulevard
Pacifica, CA 94044

February 25, 2008

Mayor Vreeland called the meeting to order at 6:00 p.m., stating that all councilmembers were present with the exception of Councilmember Hinton and announced that the Council would meet in Closed Session. City Attorney Quick announced the business to be discussed:

1. PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b): Conference with legal counsel-anticipated litigation. One potential case.
2. PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): Conference with legal counsel-initiation of litigation. One potential case.
3. PURSUANT TO GOVERNMENT CODE SECTION 54956.8: Conference with real property negotiator. Discussion: Concerns price and terms of payment. Agency negotiator attending session: Stephen Rhodes; Property: APN: 023-072-010 (San Pedro Avenue). Negotiating parties: City of Pacifica and Richard L. Lee, Rick D. Lee and Joyce P. Lee.

Mayor Vreeland called the meeting to order at 7:10 p.m.

Present: Councilmembers: DeJarnatt, Digre, Lancelle, and Vreeland.
Excused: Councilmembers: Hinton.

Staff Present: Steve Rhodes, City Manager; Cecilia Quick, City Attorney; Mari Brumm-Merrill, PB&R Director; Jim Saunders, Police Chief; Van Ocampo, Deputy Director of Public Works; Lee Diaz, Associate Planner; Raymond Donguines, Associate Civil Engineer; Kathy O'Connell, City Clerk.

Councilmember DeJarnatt led the Salute to the Flag.

Commission Liaison: None.
Chamber Liaison: None.

CLOSED SESSION:

None.

CONSENT CALENDAR:

Councilmember DeJarnatt moved approval of the Consent Calendar, as amended, as follows: Approval of disbursements dated 02/07/08 in the amount of \$399,946.72, regular and quick checks numbered 81698, 119401 to 119409 and 119420 to 119592, as set forth in Item #1; Approval of Minutes of regular City Council meeting of February 11, 2008, as set forth in Item #2; Amendment of the 2007-2008 Childcare Contracts with California State Department of Education, as set forth in Item #3; Adoption of Resolution Approving Contract with California State Department of Education for Purpose of Resource Funding for Fiscal Year 2007-2008, as set forth in Item #4; Approval of Designation of Administrative Responsibility to Child Care

Services Supervisor with California Department of Education, U.S.D.A. Food Program, as set forth in Item #5; Adoption of a Resolution Joining the International Council for Local Environmental Initiatives, as set forth in Item #6; Approval of Plan for Use of Proposition 1B (Prop 1B) Local Streets and Roads Improvement, Congestion Relief, and Traffic Safety Account Funds to Rehabilitate Various Pacifica City Streets, as set forth in Item #7; Approval of Contract Agreement for Pacifica Police Management (Teamsters Local 350), as set forth in Item #8; Approval of Report on the Process for the Development and Adoption of the MRP (Municipal Regional Permit; Stormwater National Pollution Discharge Elimination System Permit) Which is Replacing the NPDES County Wide Permit, Approval of Submission of a Comment Letter to the Regional Water Quality Control Board, and Authorization of Mayor's Participation in the Upcoming Water Board Hearing, as set forth in Item #9; seconded by Mayor pro Tem Lancelle.

Mayor pro Tem Lancelle commended Public Works and the City Engineer for Item #7 regarding using Prop. 1B for local street improvements. She thanked Van Ocampo for doing such an excellent job in making it possible for the City to get over \$1.1 million in street improvements at a cost to the City of only \$28,000, as well as the way he preserved Measure A funds and got the money when available to work as matching funds with Prop. 1B.

Councilmember Digre stated that Item #9 report was excellent. She acknowledged that our staff was thorough and alert thereby saving the City a lot of misery and money. She stated that they owe staff a lot. She found it hard to believe that we were understaffed when they did such great work.

Councilmember DeJarnatt also acknowledged Item #9, commenting on the state ~~making~~ creating an unfounded mandate for us to get our stormwater clean. He referred to some of the specifics of the mandate and appreciated staff's willingness to put this in a form that gave the City the ability to have some impact in preventing some difficult mandates from happening.

Mayor Vreeland asked the City Attorney about the procedure when someone wants to comment on consent calendar items.

City Attorney Quick stated that they could comment on the item.

Mayor Vreeland asked if they should comment during Oral Communications or before they vote.

City Attorney Quick stated that it should be before they vote.

Mayor Vreeland then asked if they get three minutes on it.

City Attorney Quick responded affirmatively.

Bernie Sifry, Pacifica, stated that he had a correction on the minutes. He clarified that when he stated "... it tore at the people who didn't support him" he was speaking about Mayor Vreeland. He further clarified that he stated that "it tore the community apart ..."

ROLL CALL VOTE:

Ayes: Councilmembers: DeJarnatt, Digre, Lancelle, and Vreeland.

Noes: Councilmembers: None.

Motion carried: 4-0.

SPECIAL PRESENTATION:

Anna Boothe, Pacifica, stated that, as Director of POPS (Preserve our Pier Supporters), she was present with Kathleen Manning, Secretary/Treasurer, to present their 2008 award for service to Pacifica and the Pier to Joan Cook, detailing all she has done for Pacifica since relocating here from Chicago following a visit to her son who lived here.

Kathleen Manning made the presentation of the 2008 POPS award to Joan Cook.

Joan Cook accepted her award, stating that she was overwhelmed, extremely happy, thrilled and grateful. She thanked Anna Boothe for her very kind words. She stated that, from the moment she saw the pier and the ocean, she was in love and it gets better every day. She mentioned her appreciation for the various activities in which she was involved and pledged to give Pacifica the very best of herself.

Mayor Vreeland stated, on behalf of the City Council, that it was wonderful for someone to come into town and bring such positive energy to some of the City's projects. He thanked her for her involvement.

Anna Boothe then mentioned that they were keeping an eye on the pier, adding that Van Ocampo thought it should hold strong for the next repairs scheduled next summer.

Mayor pro Tem Lancelle mentioned that she spoke with Van Ocampo regarding a question Joan Cook had about the outfall, and she suggested that they have a conversation before the end of the evening.

COUNCIL COMMUNICATIONS:

Councilmember Digre stated that she appreciated POPS for their very hard work and their consistent vigilance. She reported that the pier survived the strong waves during the recent heavy storms. She also mentioned that the fare at the café by the pier was great. She attended a Transit Camp, commenting on people she met who have never owned a car and gave some specifics on the involved groups and their projects for transit services. Councilmember Digre clarified that she was at Transit Camp specifically to speak about the need for more connectivity between local cities in San Mateo County for economic reasons. She also attended Mary Florey's funeral, mentioning that she spoke for those citizens who were not present. She stated that Mary's grandson planned to continue with the bookstore. She attended the Fireworks Workshop with Chief Saunders, which went well. She mentioned that the Open Space Committee had subcommittees and encouraged people to join them. She stated that they missed Councilmember Hinton and hoped he was doing well. She referred to people experiencing cliff erosion, mentioning that it was frightening and challenging and their hearts went out to them. She stated that they had consultants here to listen to everyone who was concerned about fire.

Mayor pro Tem Lancelle stated that it was a productive two weeks for the West Sharp Park Advisory Committee and she thanked everyone on the committee, which included Joan Cook and Kathleen Manning, stating that they were moving forward with completing a landscape and streetscape design master plan for Palmetto. She mentioned that she had almost completed the CERT training along with other Pacificans. She encouraged everyone to take part in the repeat training. She stated that they were going to have a map with all the CERT volunteers listed who would meet on an ongoing basis. She stated that they continued the work to ensure that Sharp Park Golf Course remained as an affordable course. She stated that they met with San Francisco Supervisors and with San Mateo Supervisors as well. She thanked the golf committee and local

task force. She thanked Jackie Speier and the Pacifica Democrats for bringing wonderful speakers to the community. She stated that she represented Pacifica on the County Bicycle/Pedestrian Advisory Committee and this coming weekend would be their annual tour of all the projects being considered for grant funding. She stated that, while Pacifica didn't have a project pending this year, we had previous projects funded. She received inquiries regarding green building standards for Pacifica, and she mentioned that Pacifica was considering some related things on the next agenda. She stated that she was interested in having citizens to act as an advisory committee to a Planning Commission subcommittee.

Councilmember DeJarnatt asked Mayor pro Tem Lancelle how interested people might pursue participating in the CERT training.

Mayor pro Tem Lancelle stated that the training was advertised in the *Pacifica Tribune* through the North County Fire District but she apologized that she didn't have the contact phone number.

Councilmember DeJarnatt assumed that people could phone the North County Fire District if they were interested. He reiterated a comment from the Fire Chief that there was a link through the Police Department's portion of Pacifica's website. He mentioned that Earth Day was coming up in the future and he stated that the Beach Coalition could use volunteers and he encouraged that they call Lynn Adams on 355-1668.

Councilmember Digre reiterated that the Pacifica website had the link for CERT.

Mayor Vreeland suggested that they adjourn the meeting in Mary Florey's honor. He mentioned that the City would be holding a forum on March 12 at the Sanchez Art Center regarding operation, economic issues and how fire services should be provided in the City. He mentioned what was done in the past to ensure fire services and now they were creating a public discussion to understand how people want to move forward with the fire service, either standalone or combined. He briefly mentioned who would be interviewed at the forum. He asked the City Manager if the consultants would be here the entire week.

City Manager Rhodes stated that they would be here Monday through Thursday.

Mayor Vreeland asked whether the report would be in late April or early May.

City Manager Rhodes thought they would have the report by late April.

Mayor Vreeland stated that citizen assistance would help them make a better report. He mentioned that they had installed tsunami sirens at the Hilton Way Library and Rockaway with one coming to Linda Mar Beach in the next two months. He stated that there would be testing of the sirens on February 28 or 29, with regular testing the first Wednesday of every month in the future. He mentioned that, if there was an actual tsunami, the sirens would be 3-5 minutes with announcements following that. He mentioned that they had a productive meeting with PB&R and the owner of Gearhead Bike Shop regarding a proposed bike trail on San Pedro Terrace Road. He asked the City Manager to work with PB&R and Engineering to answer some of the technical questions before the next step. He asked the City Manager if they were going to have a General Plan discussion at the next meeting.

City Manager Rhodes responded affirmatively, adding that it was their intention to bring the RFP forward to the Council for consideration.

Mayor Vreeland stated that they would want to discuss moving forward by hiring a consultant to look at updating the General Plan. They hoped that the process would expand the forum so the public can be heard. He mentioned a possible community congress which had more public involvement. He encouraged everyone to participate, if they moved forward on this, and take part in a dialogue.

ORAL COMMUNICATIONS

Mayor Vreeland opened Oral Communications.

Bernie Sifry, Pacifica, thanked the Councilmembers on Council communications, stating that this was the first time he had heard a thorough report of what went on and discussed, etc., and he can feel progress happening. He stated that Mayor Vreeland, Mayor pro Tem Lancelle, and Councilmember Digre deserved accolades. He stated that he was not happy with Councilmember DeJarnatt. He mentioned that Councilmember DeJarnatt had gone through his community and he hoped that he would make it a practice to visit other communities in Pacifica to see what was happening. He mentioned that he would give accolades when deserved, but he would also give a slap if they deserved that. He felt that Mayor Vreeland deserved an accolade in terms of how he was managing and leading the Council. He was still waiting for Councilmember DeJarnatt's vision, and he would haunt him for it if he ran for Council again. He believed Councilmember DeJarnatt had a vision, and he felt the public was entitled to know what Councilmember DeJarnatt stands for. He appreciated that Mayor Vreeland, Mayor pro Tem Lancelle and Councilmember Digre did that.

Jeff Simons, [REDACTED], stated that, if Mayor pro Tem Lancelle was looking for a green building subcommittee member, Cynthia Montanez, who knows more about green building than anyone she would ever meet, was a good choice. He supported Mike Angel and Maureen Lennon, adding that this situation was a colossal waste of City resources and he felt we needed to treat our employees right. He read the previous meeting's minutes, stating that Mike Brown had slammed three people, Mark Stechbart, Frank Vella, and Bill Moore, and he was assuring everyone that they did their homework. He mentioned Pete Pereira's comment, and he also asked why Councilmember Hinton was never mayor. He felt it was a shame that he never had the opportunity to serve in that capacity. He stated that Mayor Vreeland did owe Bernie Sifry an apology for referring to him as "you people," adding that he deserved respect. He mentioned that he agreed/disagreed with Dinah Verby's comment, stating that whether the Council acted admirably was a judgment call but, as public servants, they were never above reproach. He mentioned that, while he would gladly deal with the City's problems, the last three appointments to the Planning Commission had gone to open space attorneys.

Kathy Meeh, [REDACTED], mentioned that, if Cal Hinton was home, they thought about him and wished him well. She mentioned that, as a member of Pacificans for Progress, they supported the Pacifica Pooch organization's efforts to obtain an off-leash dog park for our community. She mentioned that they would be having a joint meeting with them the following evening and invited any interested parties to attend. She felt an off-leash dog park was good for the community, mentioning the dog owners who disobeyed our old on-leash ordinance and put our community members at risk. She stated that they hoped the Council, City Manager and staff would assist in providing a safe, accessible location, mentioning that it was for the good of all citizens and all dogs.

Tod Schlesinger, [REDACTED], gave kudos to Mayor pro Tem Lancelle, stating that he heard from Dave Gromm who assured him that the water being pumped was surface water. He mentioned a

feature on Channel 7 by a geologist and he suggested that the Council get a copy of his report, acknowledging that Councilmember Digre saw the program and was nodding in agreement. He thanked both Mayor pro Tem Lancelle and Councilmember Digre for talking to him. He commented on the City spending \$37,000 more regarding where we're going to put City Hall. He felt there was no excuse, stating that certain members jumped to conclusions and didn't do their homework. He stated that one could only hope the mention of rewriting the General Plan was not a smokescreen, adding that he wasn't going to be okay with a General Plan being pushed through quickly because powers that be were sensing a shift. He stated that he was going to watch for any moves on the General Plan and take credit for that.

Mayor Vreeland stated that they were encouraging everyone to participate on the General Plan which was why they were going to hold the meeting on the 10th.

Mayor pro Tem Lancelle added that she understood that it was at least a 2-3 year process.

Councilmember DeJarnatt added that it could easily go five, but would definitely be 2-3 years.

Mayor Vreeland again encouraged people to participate in the process.

Rick Lee, [REDACTED] stated that he could comment on a lot of stuff but he came regarding one thing and would stick to that. He thanked and commended Council and staff on their vision on the use of reclaimed water. He stated that he was informed by the Water District that they could provide reclaimed water from the City sewer plant, and it was exciting news which fits with what they wanted to do on his project on Fassler. He stated that they would be using the reclaimed water to flush toilets and irrigate the landscaping which created a closed loop system and was preserving our drinking water. He applauded the vision involved and he looked forward to making this become a reality.

Frank Winston, Pacifica, announced that spring training was beginning for the Giants, and Pacifica was continuing its celebration of its incorporation and in April the Giants were celebrating their 50th anniversary of coming to the Bay Area. He reported that the Pacifica Historical Society was returning to see the Giants on Monday, June 30, against the Chicago Cubs. He stated that the Giants were expecting 1000 people from Pacifica, and they were selling tickets through different venues not used last year, mentioning the various locations. He mentioned that Monday, June 30, was the fifth Monday and he encouraged the Council to ensure that no meeting was set for that evening. He mentioned some of the souvenirs that would be included with the price of the ticket.

Tony Jones stated that he used to live in South San Francisco and now lived in Novato, California. He stated that he was saying hello to the *Tribune* and asked anyone doing a TV show to call him and write to him.

Sheila Hansen, [REDACTED], stated that she was speaking as a member of the Pacifica Library Foundation. She explained that they had been meeting on the subject of a need for a community library. They hoped to have City Council support and were inviting them to talk with them in an informal setting to exchange ideas. She mentioned the City's unusual geographical orientation and the need for the library to serve everyone in the community. They felt it was essential to have the City Council with them in the process.

Julia Boyle, Pacifica, thanked the Council for their open information. She mentioned that she was involved in local politics but was amazed at the amount of people who had no idea about

what was going on locally and didn't read the local paper. She mentioned the biodiesel issue, stating that the School District was going to be meeting with parents with concerns and the District was also concerned about the need for the parcel tax. She stated that the District wanted the Council to work with them and support the tax. She mentioned that a new EIR was needed to go forward with the biodiesel, stating that there were a lot of concerns about the sewer plant and they didn't have a lot of faith in a company with no track record.

Mayor pro Tem Lancelle stated that it was always good to communicate and get as much information out as possible. She mentioned that the two items were separate issues, but she thought the District was aware of the Council's support of their efforts with the parcel tax. She also hoped that they would get enough information to be assured about the safety of the biodiesel facility. She acknowledged that it had been stinky the past week or two, and explained that a part broke and the whole thing had to be opened up to work on it. She thought the smell should be going away as they were wrapping up the project.

Councilmember Digre stated the U.S. geologist, Dave Reid, on Channel 7 mentioned that they had put together a booklet studying the erosion on the coastal areas. She stated that usgs.gov on the internet had a lot of information on erosion issues which was specifically for the coast.

Mayor Vreeland closed Oral Communications.

Mayor Vreeland encouraged everyone to participate in the meeting on the 10th when they would be talking about the General Plan and other issues. He then adjourned the meeting at 8:10 p.m. in the memory of Mary Florey.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: *As Amended; 4-0; March 10, 2008*



Jim Vreeland, Mayor