



CITY OF PACIFICA
CITY COUNCIL MINUTES

Council Chambers
2212 Beach Blvd
Pacifica, CA 94044

Mayor Len Stone
Mayor pro Tem Mary Ann Nihart
Councilmember Sue Digre
Councilmember Karen Ervin
Councilmember Mike O'Neill

November 25, 2013 (MONDAY)
www.cityofpacifica.org

Mayor Len Stone called the meeting to order on November 25, 2013 at 7:00 PM

6:30 P.M. CLOSED SESSION

Mayor Stone called the meeting to order at 6:30 p.m., stating that all councilmembers were present and announced that the Council would meet in Closed Session. City Attorney Kenyon announced the business to be discussed.

1. PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(4) Conference with legal counsel - anticipated litigation. Possible initiation of litigation. One potential case.

Mayor Stone called the meeting to order at 6:30 p.m., stating that all councilmembers were present and announced that the Council would meet in Closed Session. City Attorney Kenyon announced the business to be discussed.

7:00 PM OPEN SESSION

Call to Order

Mayor Stone called the meeting to order at 7:00 p.m.

Attendee Name	Title	Status	Arrived
Len Stone	Mayor	Present	
Mary Ann Nihart	Mayor pro Tem	Present	
Sue Digre	Councilmember	Present	
Karen Ervin	Councilmember	Present	
Mike O'Neill	Councilmember	Present	

Staff Present: Lorie Tinfow, City Manager; Michelle Kenyon, City Attorney; George White, Planning Director; Jim Tasa, Police Chief; Dan Steidle, Police Captain; Joe Spanheimer, Police Captain; Rich Johnson, Deputy Fire Chief; Doug Rider, Building Official; Ray Donguines, Assist. Civil Engineer; Joshua Cosgrove, WWTP Superintendent; Kathy O'Connell, City Clerk.

Salute to the Flag led by Councilmember Digre

Closed Session Report

City Attorney Kenyon stated that there was no reportable action taken.

CONSENT CALENDAR

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Ann Nihart, Mayor pro Tem
SECONDER:	Karen Ervin, Councilmember
AYES:	Stone, Nihart, Digre, Ervin, O'Neill

1. Approval of Disbursements.
PROPOSED ACTION: Approve
2. Approval of Minutes
PROPOSED ACTION: Move to approve the minutes of the regular City Council meeting of November 12, 2013.
3. Cancellation of the December 23, 2013 City Council Meeting
PROPOSED ACTION: Move to cancel the December 23, 2013 Regular City Council meeting.
4. Approval of Construction Support Services Agreement with Biggs Cardosa Associates Inc. Structural Engineers in the Amount of \$26,000 and Inspection Services with Community Service Group in the Amount of \$36,000 for the Pacifica Fishing Pier Repair Project.
PROPOSED ACTION: Approval of the construction support services agreement with Biggs Cardosa Associates Inc. Structural Engineers in the amount of \$26,000 and construction inspection services with Community Service Group in the amount of \$36,000 for the Pacifica Fishing Pier Repair Project; and authorize the City Manager to execute all necessary documents associated with the approval of these agreements.

SPECIAL PRESENTATIONS

2014 Runway Closures at SFO - Doug Yakel

Doug Yakel, spokesman for the San Francisco Airport, along with R. Balion of their Noise Abatement office, appreciated the opportunity to make the presentation. He gave a brief presentation outlining the projected runway construction for summer 2014. He stated that the two primary runways used for arrivals have had the construction completed but they were going to talk about the other two runways used for departing traffic and a description of the federally mandated project. He explained why they would be closing those two runways from May 17 through September 2014, and that they would have to use the remaining two runways for both arrivals and departures, possibly causing delays. He also showed the possible flight pattern changes. He stated that they had added cushioning into their schedule in the case of precipitation.

Mayor pro Tem Nihart stated that her only real concern was the north end of Pacifica. She hoped the newspaper would write about this, but she also wondered if there were ways to get that information out to the Fairmont area to mitigate concerns.

Mr. Yakel stated that he was open to any avenues they think would communicate this information best. He stated that their first step was visiting in this forum and they were open to other forums.

Mayor pro Tem Nihart thought they should mail the information to each of the residents in that area.

Mr. Yakel stated that they would take a look at that.

Councilmember Ervin thanked him for the presentation, adding that her concern was also outreach to ensure those neighborhoods affected would be notified. She asked if, when they used the formation previously, whether they had any increase in complaints and if the City can address it.

Mr. Yakel stated that they would take a look to see if there was a correlation with their straight 2-8 operations and whether there is a relationship between that operation and increased complaints.

Councilmember Ervin asked if he had any information on whether any of the other airports in the area were carrying out similar changes.

Mr. Yakel stated that all of the Bay Area airports, such as Oakland and San Jose, would be required to implement this FAA standards and they would need to apply a runway safety area, however, he didn't know anything about their construction schedule or plan. He stated that they would see if any of their construction might have an impact on the cities up and down the peninsula.

Councilmember Digre stated that she thought they were great ideas, and she acknowledged that the Airport Noise Commission was working on that. She stated that there was a Fairmont Housing Association and she thought this would be rerun several times.

Mayor Stone thanked Mr. Yakel for his presentation. He felt it was very thorough, and he thought his colleagues had great ideas. He suggested a conversation with staff about how best to connect with the various groups and homeowners' association. He stated that they appreciated the outreach.

PUBLIC HEARINGS

- 5. Adoption of the 2013 Edition of California Building Standards Code with Local Amendments, Finding the Action is Exempt from CEQA and Rescinding Administrative Policy No. 38
PROPOSED ACTION:
 - 1. Move to introduce ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF PACIFICA REPEALING CHAPTERS 1 ("BUILDING CODE"), 2 ("MECHANICAL CODE"), 3 ("PLUMBING CODE"), 4 ("ELECTRICAL CODE"), 5 (UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS), 6 (MANUFACTURED HOUSING),

7 (HOUSING CODE), 8 ("RESIDENTIAL CODE") AND 21 (GREEN BUILDING) OF TITLE 8 ("BUILDING REGULATIONS") OF THE PACIFICA MUNICIPAL CODE, AND ADDING THERETO NEW CHAPTERS 1 ("BUILDING CODE"), 2 ("MECHANICAL CODE WITH ALL APPENDICES"), 3 ("PLUMBING CODE WITH ALL APPENDICES"), 4 ("ELECTRICAL CODE"), 5 "2012 INTERNATIONAL PROPERTY MAINTENANCE CODE", 6 ("ENERGY CODE, 8 ("RESIDENTIAL CODE"), 21 (CALIFORNIA GREEN BUILDING STANDARDS CODE"), AND REPEALING ARTICLE 1 ("CALIFORNIA FIRE CODE") OF CHAPTER 3 ("FIRE PROTECTION") OF TITLE 4 ("PUBLIC SAFETY") OF THE PACIFICA MUNICIPAL CODE AND ADDING THERETO A NEW ARTICLE 1 ("FIRE CODE"), AND MAKING AMENDMENTS THERETO, " by title only and waive reading beyond the title.

2. Adopt Resolution Rescinding Administrative Policy No. 38 ("City Fire Flow Tables, Notes, and Sample Forms Referenced in Pacifica Municipal Code").

Planning Director White presented the staff report. He then introduced Rich Johnson and Doug Rider who respectively added comments following which they were available to answer questions.

Councilmember O'Neill asked if there was outreach to homeowners who might be considering remodeling. He also asked confirmation that we were required by law and had no options.

Mr. Rider stated that it was strange about how they adopted the plumbing fixture replacement law which did not go through the Building Standards Commission but it was legislation and was now part of the Civil Code of California, adding that residents might want to know that if their house was built prior to 1994. He stated that they have a series of handouts that they were preparing and they hope to have the website updated. He added that he wasn't an expert on the new code and would be learning as they go. He concluded that they would try to have an outreach effort to discuss the requirements.

Councilmember O'Neill mentioned that people can get a loan but, if there are additional costs, they might need to get a bigger loan. He asked what the duct test cost and how it was done.

Mr. Rider stated that they have to hire a HERS rater, adding that there are only a few in the area and they are charging between \$400-\$800 to perform that test. He mentioned that PG&E was in the energy auditing business to test the house for energy leaks as a service, but he wasn't sure if they will continue to do that. He stated that he tries to attend as many meetings as possible to learn about the codes and programs. He stated that, if they are doing a furnace replacement, they will now have to look at the ducts for leaks in addition to replacing the furnace.

Councilmember Ervin asked confirmation that this was taking place January 1, 2014, and any current projects were under current guidelines.

Mr. Rider responded affirmatively.

Councilmember Ervin asked what was unique to Pacifica in terms of the code changes.

Mr. Rider stated that most of the amendments were about admin information and was originally brought forth by the city attorney to help with the administration of the code such as questions

about illegal construction and enforcement, making sure of specific conditions such as construction only between 7:00 and 8:00 on weekdays.

Councilmember Ervin asked if we had any idea of the additional cost for a typical residential project.

Mr. Rider stated that they didn't, adding that it was one of the reasons they were defaulting to Calgreen in this case because they don't have any studies of what the additional costs will be in relation to this code. He stated that the software that develops the energy compliance for the new code hasn't been issued by California Energy Commission yet. He stated that it will be a learning curve. He explained some of the changes that have been put into effect over the past few years.

Councilmember Digre felt this was a bigger deal than the outreach for airport noise. She asked how they would let people know since she assumed the majority of the houses were made before 1994.

Mr. Rider stated that if someone has remodeled, the fixtures were identified as to their flow. He was working on what was required, and he would do his best to put some outreach together.

Councilmember Digre asked when the legislature came up with this.

Mr. Rider didn't know. He said that, when he first heard the rumor, he thought it would disappear because the real estate lobby would set in. He stated that the real estate lobby got three years but it will be part of point of sale after 2017.

Mayor pro Tem Nihart asked if the City Attorney was good with this.

City Attorney Kenyon responded affirmatively.

Mayor pro Tem Nihart stated that she was stunned living in a house with a wall heater, but many houses were with wall heaters, no furnaces, etc.

Mr. Rider said her wall furnace was fine.

Mayor pro Tem Nihart asked where solar fits in all of this.

Mr. Rider stated that, on new construction solar prep was required in new homes and conduits will be in place, as well as circuit breakers and ED charging and the main electrical panel will have room for ED charging. He added that it was all toward the zero footprint in 2020.

Mayor pro Tem Nihart stated that she may have a wall heater but will soon have solar.

Mayor Stone thanked him for going over the impacts. He felt it was hard to understand the impacts from the staff report and he was glad he presented those. He agreed that outreach was important on this one. He thought it was more so for the people actively doing business. He was concerned about people planning a remodel because this would change their budget. He thought, if someone was in contact about big permits, it might be proactive customer service to reach out to them.

Planning Director White stated that they have been talking about it and preparing for it for some time. They will continue to have that conversation when people come to their counter and have handouts for help with financing.

Mayor Stone opened the public hearing and, seeing no one, closed the public hearing.

Councilmember O'Neill moved to introduce ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF PACIFICA REPEALING CHAPTERS 1 ("BUILDING CODE"), 2 ("MECHANICAL CODE"), 3 ("PLUMBING CODE"), 4 ("ELECTRICAL CODE"), 5 ("UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS), 6 (MANUFACTURED HOUSING), 7 (HOUSING CODE), 8 ("RESIDENTIAL CODE"), AND 21 (GREEN BUILDING) OF TITLE 8 ("BUILDING REGULATIONS") OF THE PACIFICA MUNICIPAL CODE AND ADDING THERETO NEW CHAPTERS 1 ("BUILDING CODE"), 2 ("MECHANICAL CODE WITH ALL APPENDICES"), 3 ("PLUMBING CODE WITH ALL APPENDICES"), 4 ("ELECTRICAL CODE"), 5 ("2012 INTERNATIONAL PROPERTY MAINTENANCE CODE"), 6 ("ENERGY CODE"), 8 ("RESIDENTIAL CODE"), 21 ("CALIFORNIA GREEN BUILDING STANDARDS CODE"), AND REPEALING ARTICLE 1 ("CALIFORNIA FIRE CODE") OF CHAPTER 3 ("FIRE PROTECTION") OF TITLE 4 ("PUBLIC SAFETY") OF THE PACIFICA MUNICIPAL CODE AND ADDING THERETO A NEW ARTICLE 1 ("FIRE CODE"), AND MAKING AMENDMENTS THERETO," by title only and waive reading beyond the title; seconded by Mayor pro Tem Nihart.

Mayor pro Tem Nihart asked that, as they were doing it, they get the summary on the webpage so builders can see it there.

Planning Director White stated that they will start tomorrow.

Councilmember O'Neill moved to adopt Resolution Rescinding Administrative Policy No. 38 ("City Fire Flow Tables, Notes and Sample Forms Referenced in Pacifica Municipal Code"); seconded by Mayor pro Tem Nihart.

5-0

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mike O'Neill, Councilmember
SECONDER:	Mary Ann Nihart, Mayor pro Tem
AYES:	Stone, Nihart, Digre, Ervin, O'Neill

COUNCIL COMMUNICATIONS

Mayor pro Tem Nihart stated that the City and County Association of Governments had an extensive presentation from PG&E and her understanding was that city managers and public work directors got the same presentation. She didn't know if it was as controversial as theirs, but she was pleased with a decent map of the transmission lines. She stated that she was happy to share her copy with anyone who wants it. She stated that it did show the transmission line in the back of Oddstad. She stated that she doesn't let them forget, when they are in front of CCAG, that it was controversial when it happened. She stated that, after they assured the community it was not there, they informed the city that it was there. She stated that many have asked for some assessment of the risk on the lines and they have yet to provide that to anyone. She didn't know if that came up for them. She stated that it wasn't that they want to say whether it leaks or not, but what the risk was for a given line for a neighborhood. She reiterated

that they have not been able to come forward with that information, which she felt was disappointing. She added that they were taking everyone on tours of the new operation center. She stated that she did attend the administrative meeting for the next CCAG meeting and the new call will come out after they vote on it. She also congratulated Councilmembers O'Neill and Ervin for their election to their respective subcommittees, legislative and congestive management. She stated that their next agenda will have the funds. She mentioned losing funding for storm water and CCAG was looking at another funding source. She stated that the most controversial issue was safe routes to school, probably because there has not been a consistent way to assess those. She anticipates that two items coming up on the next agenda will be pulled from the consent agenda and discussed thoroughly again. She stated that she will be attending the Association of Bay Area Governments on the 5th. She mentioned that Animal Control and Licensing gave a decent presentation of the structural and financial component of it. She brought a copy in case people wanted that. She then wished everyone a Happy Thanksgiving.

Councilmember Ervin stated that she attended the Library Foundation, along with Mayor Stone, which was an informative meeting. She also attended the post telethon and mentioned that they were working hard to get funds to help the infrastructure at PCT. She encouraged everyone to watch and support PCT when possible. She attended a ribbon cutting for Linda Fahey's Studio, and it reminded her of how many talented artists and entrepreneurs we have in Pacifica. She encouraged everyone to Christmas shop in Pacifica.

Councilmember Digre stated "ditto" on Thanksgiving, recognizing that for some people holidays can be an extremely difficult time. She mentioned that the Historical Society had another event on the railroad car. She mentioned attending the Traffic Congestion Alliance, stating that the millennials were causing some changes in congestion management. She stated that there were unique ways between shuttles and zip cars that were emerging. She mentioned that on the news, there was a specialist on traffic congestion, mentioning the millennials, etc. She stated that car dealers are saying that within three years they will have internal driving congestion management within their vehicles. She heard that Caltrans was planning to spend millions on revamping the sensors in the streets. She reminded them that the communication study session will be at the Council chambers on December 3. The Coastal Commission's rotating meeting will be meeting in San Francisco on December 11.

Councilmember O'Neill was also at the ribbon cutting of the Yonder Shop in Reina del Mar. He was one of the auctioneers at the PCT Telethon, mentioning that people got some great bargains from local merchants. He added that they can't keep donating unless we patronize them. He attended the Council of Cities dinner where they heard about the Humane Society and their building. He also attended his first meeting of the Congestion Management Environmental Quality which had quite a presentation about the storm water dilemma. He would like to see them talk about the Grand Boulevard initiative on El Camino. He mentioned that we were a PDA priority development area. He thought a lot of the stuff they talked about to model the prime development could be transferred to Palmetto which would definitely be worth a study session between the Planning Commission and the Economic Development Committee. He stated that he was supposed to be getting the powerpoint. He felt it went into areas that he thought would be good for the Commission to look at it as a joint session and work on the rest of Palmetto. He felt that, if we hire an economic development coordinator, we could give that person support. He requested that they put it on the calendar.

Mayor pro Tem Nihart agreed, adding that this was a fortuitous time as they were beginning the cycle for the next PDAs and she would include Sharp Park and Eureka Square, not just keep to Palmetto, to see what we could amass for a PDA in the future.

Councilmember O'Neill stated they might want to consider a lot of Palmetto and Manor too. He thought a lot of the attributes they mentioned could be applied in most of Pacifica.

Mayor Stone was glad everyone was involved in the committees and he thought it was great to bring back important things. He also felt they have a lot of financial ties and availability. He thought that they realized that in the last school study sessions. He stated that December 6 was the tree lighting at the Community Center. He hoped everyone could make it as it was a great event, followed by an Elf Market. He stated that there was a second tree lighting on the 8th at Rockaway by the Chamber of Commerce. He thought they would have a celebrity Santa Claus. He was glad Councilmember Digre mentioned the Council study session on December 3 for the communications plan. He wished everyone a wonderful Thanksgiving.

ORAL COMMUNICATIONS

None.

CONSIDERATION

None.

ADJOURN

Mayor Stone adjourned the meeting at 8:00 p.m.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED:

Len Stone, Mayor