

MINUTES

City Council Regular Meeting
2212 Beach Boulevard
Pacifica, CA 94044

August 13, 2007

Mayor DeJarnatt called the meeting to order at 6:00 p.m., stating that all councilmembers were present, except for Mayor pro Tem Vreeland 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(a): Conference with legal counsel-existing litigation. City of Pacifica v. Association of Bay Area Governments, Alameda County Superior Court Case No. RG05199072.
2. PURSUANT TO GOVERNMENT CODE SECTION 54956.8: Conference with real property negotiator. Discussion concerns price and terms of payment. Agency negotiator: Steve Rhodes. Property: 700 Coast Highway, Pacifica. Negotiating parties: The City of Pacifica and Martin Wahl.
3. PURSUANT TO GOVERNMENT CODE SECTION 54957.6: Conference with labor negotiator. Agency negotiator: Ann Ritzma. Employee organizations: Police Management Teamsters Local 350; Pacifica Police Supervisors Association, Unrepresented; Pacifica Police Officers Association, Unrepresented.

Mayor DeJarnatt called the meeting to order at 7:12 p.m.

Present: Councilmembers: Digre, Lancelle, Hinton, and DeJarnatt.
Excused: Councilmembers: None.

Staff Present: Stephen Rhodes, City Manager; Cecilia Quick, City Attorney; Ann Ritzma, Admin. Services Director; Michael Crabtree, Planning Director; Van Ocampo, City Engineer; Jim Saunders, Police Chief; Rich Johnson, Deputy Fire Chief; Sandra McClellan, Asst. Finance Director; Ed Vandehey, MIS Manager; Kathy O'Connell, City Clerk.

Councilmember Lancelle led the Salute to the Flag.

Commission Liaison: PB&R Commissioner Greg Cochran.
Chamber Liaison: None.

CLOSED SESSION:

None.

CONSENT CALENDAR:

Councilmember Hinton moved approval of the Consent Calendar, as amended, as follows: Approval of disbursements dated a) 06/28/07 to 07/24/07 in the amount of \$412,672.01, regular and quick checks numbered 81623, 81629, 81633, 116943 to 117031 and 117045 to 117116; b) 07/06/07 to 07/24/07 in the amount of \$338,165.53, regular and quick checks numbered 81624 to 81625, 117032 to 117044 and 117117 to 117144, as set forth in Item #1; Approval of Minutes of

regular City Council meeting of July 23, 2007, as set forth in Item #2; Approval of Amendment #3 to Agreement for Contract Services with Christopher A. Joseph Associates, for Environmental Review Services in Connection with the Proposed Project of 34 Residential Condominium Units at 801 Fassler Avenue Known as "The Prospects," as set forth in Item #3; Approval of the Final Map for Connemara Subdivision (23 Residential and 2 Commercial Lots) on the Property Known as Lower Milagra Ridge and Acceptance of all Public Easements Dedicated in Said Final Map, as set forth in Item #4, pulled due to lack of a quorum; Approval of Amendment to Agreement for Contract Services with Thomas Reid Associates (TRA), Consultant for Environmental Review Services in Connection with the Subdivision of Two Vacant Parcels into Thirteen (13) Lots and Development of a 2-Acre Lot with a Single-Family Residence with a Second Residential Unit at the Northeast Corner of Fassler Avenue and Roberts Road, as set forth in Item #5; Approval of Contract Services Agreement between the City of Pacifica and Wilsey Ham for Hydraulics Study and Additional Traffic and Bridge Structure Analysis in Connection with the Route 1, San Pedro Creek Bridge Replacement Project, as set forth in Item #6; Fairmont Recreation Center Roof Replacement, as set forth in Item #7; Adoption of Amendments to Peninsula Humane Society and City Contracts, as set forth in Item #8; Adoption of Resolution Extending the Golden Gate National Recreation Area Liaison Committee, as set forth in Item #9; Adoption of Resolution and Approval of Grant of Easement on the City-Owned Sweeney Ridge Parcel to the National Park Service, as set forth in Item #10; Adoption of Notice of Completion for the 1628-DR-CA 2006 FEMA Repairs Project: Beach Blvd. Seawall, Rockaway Beach Seawall, Clarendon Outfall and Pier Piles, as set forth in Item #11; Approval to Issue Request for Proposals to Consultants to Develop a Streetscape Plan for Palmetto Avenue and the Three Streets Parallel to and Between Paloma and Clarendon, as set forth in Item #12, moved to Consideration as Item #16; seconded by Councilmember Lancelle.

Councilmember Hinton stated that he would be abstaining from voting on the minutes because he was not in attendance at that meeting.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion carried: 4-0.

SPECIAL PRESENTATION:

William C. Norton stated that he was pleased to be back and missed all of them. While he was only here for six months, he felt as though staff was like a family. He had enjoyed the interesting challenges during his tenure.

Mayor DeJarnatt stated that the entire Council, as well as staff, enjoyed working with him. He stated that he was very good and highly regarded and, if he ever needed a reference, anyone on the Council would be glad to give one. While they liked their new City Manager, they were sad to see him go. He read the commendation and then invited the entire Council to take a picture with Mr. Norton. Mayor DeJarnatt again thanked him for everything he did for the City of Pacifica.

Councilmember Hinton stated that Mr. Norton had the presence of a true gentleman and he was effective and attentive as well. He stated that it had been a real pleasure working with him.

Councilmember Lancelle stated that it was a pleasure working with him and she appreciated all his hard work. She thanked Mrs. Norton for sharing him with the City.

Councilmember Digre thanked Mr. Norton, adding that no matter what side you were on, after speaking with him, you felt good. She also thanked Mrs. Norton for sharing him with the City.

Mayor DeJarnatt stated that the Council would not be commenting in Item #14 because it was not a subject that they would be making decisions on without the entire Council being present. He added that they would take public comments tonight and again at the next meeting when Mayor pro Tem Vreeland was present.

COUNCIL COMMUNICATIONS:

Councilmember Digre mentioned that they had heard from the City's water department, as well as the state's water department, regarding educating ourselves on water issues. She stated that she had talks with the new City Manager and felt they had made a good choice and she was optimistic. She stated that she had spent an entire day studying the Coastal Act and Coastal Commission, so as to understand it as much as possible because we were stewards of the Coastal Act.

Councilmember Lancelle notified the Council that she had attended the last Chamber Board meeting and stated that Don Eagleston was working with the Chamber in San Mateo County regarding a meeting for businesses regarding being prepared for a disaster. She attended the GGNRA Advisory Committee meeting, and also attended the shuttle meeting several weeks ago, referring to the expanded bus service. She thanked SamTrans and Councilmember Digre for their hard work.

Councilmember Digre added that there was a flyer with free tickets coming in the next week's *Tribune* to make use of the extended shuttle service. She encouraged everyone to use the bus service when going to various businesses, giving some of the schedule details. She then thanked the youth of Pacifica for their great work on this.

Mayor DeJarnatt referred to the item on the consent calendar regarding the Humane Society, stating that he generally has not been happy with their service over the years. He then mentioned having a bird fly into his picture window recently which couldn't be saved. When he called the Humane Society about taking it to them for disposal, they sent someone within 30 minutes, so he was giving them their due. He stated that State Senator Leland Yee would be hosting a town hall meeting at the Community Center and he encouraged everyone to attend and voice any comments.

Councilmember Lancelle added that the Pacifica Democrats would also be hosting Senator Yee earlier that same day in the morning at the Sharp Park Golf Course. She felt he had done a great job of reaching out to our community.

ORAL COMMUNICATIONS

Mayor DeJarnatt opened Oral Communications.

Shirlee Gibbs, 404 Brighton Road, stated that she had appeared before the Planning Commission to appeal the administrative approval of the 2007 Fog Fest because of the placement of the stage in front of the residents' homes on the western side of Santa Maria and Palmetto for the past four years. She explained that it was denied even though she had provided pictures of blocked garages and driveways, traffic jams, etc. She explained their process with the appeal, last

year, as well as this year. She stated that, while they could appeal the denial to the City Council, the next Council meeting would be in September, just 18 days prior to the Fog Fest and was not naïve enough to believe the appeal would be upheld.

Mayor DeJarnatt asked the City Manager to speak to Ms. Gibbs about this, adding that this was the first time he had heard about it.

Gil Anda, 810 Dell Road, stated that he was going to comment on Item #16 and he would like to return and speak at that time.

Kathy Meeh, 1276 Alicante Drive, stated that the potential instability of the Beach Blvd. seawall was the City's #1 infrastructure problem. She felt the sonar evaluation should be an immediate action item, and if it has already been made, the residents should know the outcome to be assured that the Beach Blvd. structure would hold through severe winter storms. She felt the stability of Beach Blvd. was essential to the safety of citizens who live in the area. She was concerned that it would be a disaster similar to Katrina, and felt this was a top priority.

Jeff Simons, 231 Beaumont Blvd., stated that he had also come to talk about Beach Blvd. He had spoken with Mike Bell, and he had new information. He stated that they were informed by Public Works that there hadn't been any investigation by the City to be sure Beach Blvd. was structurally capable of remaining intact over the winter. He mentioned that, if a series of wave surges damaged the area, it would be a huge ecological disaster, mention some specific potential problems such as to the sewer system. He also agreed with Ms. Meeh that, if they wait for FEMA, they would end up just like New Orleans. He then mentioned the City's plans for renovating the Chamber building for a new City Hall, and volunteered to provide outside estimates on what it would take to fix it. He then requested that the City place their priorities, adding that they were playing a form of Russian Roulette.

Greg Cochran, 183 San Jose Avenue, stated he was representing the Chamber of Commerce of North San Mateo County, and gave information on the leadership forum which would be held at Skyline College's Student Community Services Building including the fact that it was an accredited college course. He mentioned various government officials who would be involved in the classes. He stated that he had left informational packets with the City Clerk.

Mayor DeJarnatt thanked him for the information, and stated that he would try to attend at least once.

Thomas Clifford, 1122 Sheila Lane, stated that he was following up on his previous presentation regarding the Manor overpass. He mentioned that there were new projects coming to that area and they would be using that overpass, and something needed to be done. He stated that Van Ocampo had gotten all the reports, but he needed the Council's help in prioritizing the money to get it resurfaced. He stated that, by resurfacing it now, it would hold up until they could get it replaced, otherwise they would probably have to shut it down to do major repairs. He hoped the Council would move forward on this.

Tod Schlesinger, Pacifica, stated that he was giving a lesson on economics. He mentioned Sam's Deli, rhetorically asking why Bill Khoury lost his lease. He explained about anchor stores and satellite stores, about the center owner wanting to get new blood in the center and negotiating a more lucrative lease arrangement, and the fact that Mr. Khoury didn't have a lease which prevented him from selling his business instead of going out of business.

Mayor DeJarnatt closed Oral Communications.

Councilmember Hinton asked the City Engineer if the Manor overpass was Caltrans' responsibility.

City Engineer Ocampo stated that the street surface was the responsibility of the City, but the structure itself was Caltrans' responsibility. He stated that a study had been done by a structural engineer and his recommendation needed to be put into plans and specs, and then the project needed to be sent out for bid. He stated that, as soon as they get the FEMA project through, they will work on this. He assured the Council that it was a high priority.

Councilmember Hinton stated that he thought he had heard it was the City's responsibility. He stated that he was told that a group had met with Gene Mullin recently, and Assemblymember Mullin suggested that it might be a state, county and regional problem to help the City handle the Beach Blvd. situation.

Councilmember Lancelle thanked the City Engineer for clarifying things and she thought it sounded as though it was a priority project and would be taken care of after the other projects were completed.

City Engineer Ocampo reiterated that it was a priority.

Councilmember Hinton asked if that was part of the \$10 million street repair deficit.

City Engineer Ocampo stated that it was not, but it was part of the network of streets.

Councilmember Hinton asked if the deficit was \$10 million.

City Engineer Ocampo stated that he was correct, and you could say that it was \$10 million plus \$50,000 because that was the estimate for that project.

Mayor DeJarnatt speculated that the Manor overpass fund was about \$250,000 at this point. Mayor DeJarnatt then withdrew his comment.

Councilmember Lancelle asked that they be updated in the near future on Beach Blvd. and the City's current plans for proposed work in the area to insure that it withstands the ocean.

PUBLIC HEARINGS:

13. Continued Public Hearing for Fiscal Year 2007-2008 General Fund Operating Budget Consideration of Additional Funding.

Admin. Services Director Ritzma presented the staff report.

Mayor DeJarnatt opened the Public Hearing and, seeing no one, closed the Public Hearing.

Councilmember Hinton moved, as part of the adopted Operations and Capital Budget for Fiscal Year 2007-2008, to approve funding for School Resource Officer = \$75,000 (Supplemental Law Enforcement Services – Fund 07) with support from the Jefferson Union High School District for \$9,000; seconded by Councilmember Digre.

Councilmember Lancelle thanked the Jefferson Union High School District. She knew they had a tight budget, but they all recognize the value of the school resource officer. She felt that it was to the City's credit that they were generous and supportive in a time of great financial strain and difficult budget decisions.

Councilmember Digre stated that this position had a track record of doing good things with youth, and she felt providing this support would be very profitable in more ways than one.

Councilmember Hinton stated that he had the pleasure of speaking with a couple of the officers on occasion, adding that this had a far reaching effect on the attitude, education and development of the younger people in town. He felt its value exceeded the \$75,000 that they were spending.

Mayor DeJarnatt added that a lot of it was grant funded, with the City's share being \$75,000. He appreciated Jefferson High School District for contributing the \$9,000. He stated that he was disappointed in Pacifica School District, because they had offered \$2,000 and had withdrawn that. He understood that money was tight for them, but he was disappointed. He also agreed that this was important for the City to fund.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion passed: 4-0.

CONSIDERATION

14. Police Department's Review of the Fourth of July 2007.

Mayor DeJarnatt reiterated that, with Mayor pro Tem Vreeland absent, the Council would not be discussing this, but would allow public comment.

Police Chief Saunders presented the staff report.

Councilmember Hinton agreed with Chief Saunders, but asserted that we can win the war. He stated that, years ago, Halloween used to be a horrendous night, then the City made up their mind that they wouldn't tolerate that, and the following year you couldn't see anyone when you looked down Linda Mar Blvd. He then asked Chief Saunders if he thought they could devise a program to stop the illegal fireworks.

Chief Saunders stated that he had some ideas, but it would cost a ton of money because of requiring a ton of manpower. They were also considering other options, however, he didn't see that anything was going to solve the issue because they all required enforcement. He explained that he couldn't send two officers into a group of 75 people drinking heavily, and even with six or seven officers, it would not be safe. He stated that he had spoken to the sheriff about potential manpower, and was discussing it with other agencies that have fireworks. He stated that the last idea worked until their tactics were discovered.

Councilmember Hinton apologized for going beyond questions, but he felt this was very serious.

Mayor DeJarnatt opened public comments.

Linda Fuller, 1260 Rainier, stated that she was the treasurer of Terra Nova Boosters' Club. She agreed that they got a large portion of their budget through the sale of fireworks, adding that she didn't feel that the safe and sane fireworks were the problem. She stated that a lot of money was spent on the fireworks, and she didn't feel it was right to penalize all the citizens for a few breaking the law. She acknowledged that she didn't know how to address the problem, possibly larger fines or penalties, but she didn't believe eliminating the fireworks would stop the drinking.

Mayor DeJarnatt pointed out that the item being discussed was not a proposal to eliminate the sale of fireworks, but a status report on where they were as of the past Fourth of July with its repercussions.

Deborah Joves, 835 Montezuma Drive, explained the problem she experienced on the Fourth, and stated that the police never came out but, if they had come, they could have seen the offenders who were shooting the illegal fireworks. She agreed that they were overwhelmed and the situation was out of control. She spoke to many other residents, and they all seemed distraught and resigned that nothing would be done. She stated that we shouldn't allow others to hold us hostage with unlawful behavior. She felt that it would be worse next year because the Fourth will fall on a Friday. She put together a list of ideas, such as increasing fees on the sale of the safe and sane fireworks and others. She stated that, if they couldn't control the situation, they should abolish the safe and sane and put on a sanctioned aerial show. She requested that the City Council study the matter.

Gene Joves, 961 Oddstad, stated that he was a fire protection engineer. He stated that he was afraid of seeing an Oakland Hills fire. He questioned the value of the sale of fireworks compared to what could happen. He thought they should ban the fireworks as is done in other counties. He appreciated what the police were going through, and he felt we would have a disaster if this continued every year.

Allan Hale, 3 Acacia Court, stated that he represented the American Legion. He stated that we had a great community and the greatest thing we had in the community was our children. He stated that every one of the organizations supports children, mentioning all the activities which were supported by the sale of fireworks. He added that the fireworks brought other people from out of town who brought resources to the City. He recognized that the police department did a fantastic job but were understaffed and needed support.

Colm Quinn, 847 Lisa Court, stated he was representing parents of Coastside Adventurers and they supported the continued sale of legal fireworks as did all the other nonprofits. He stated he would reserve comment for a future meeting.

William Tellerman, Adobe Drive, stated he was speaking on behalf of the Boosters of Troop 29 instead of Nancy Murphy. He seconded the comments regarding the economic benefit to nonprofit organizations with respect to the sale of safe and sane fireworks. He stated that the report concluded with a recommendation to ban fireworks which he didn't believe was supported by any factual finding in the report itself. He asked that, before the report was accepted by the Council, they direct the Police Department to generate the facts that support the conclusion. He didn't believe they would be able to do it because safe and sane fireworks had no bearing on the unlawful activities mentioned. He stated that he reserved the option to speak at the next meeting.

Nancy Marzillo, 5026 Palmetto Avenue, stated that she came in support of the nonprofits selling fireworks. She also felt that safe and sane fireworks were not the problem, and she didn't

believe that curtailing those activities would stop the illegal fireworks. She stated that maybe they would have more to add to that at the next hearing.

Lora Baciocco, 450 Andover Drive, stated that she wanted to reserve the option to discuss more ideas at the September 10 meeting, because she felt the safe and sane fireworks were good. She agreed that they had to address the problem of those who were bringing in illegal fireworks and she was going to think about it and speak at the next meeting.

Rick Plato, 1050 Crespi Drive, stated that he was the president of the Pacifica Spindrift Players and was a resident of San Francisco. He felt that safe and sane fireworks worked. He stated that the illegal fireworks didn't work, adding that San Francisco didn't have safe and sane fireworks and the fourth was still horrendous in San Francisco. He thought it was because it was the middle of the week and people didn't go away. He stated that their organization was supported by the safe and sane fireworks.

Tony Aveola, 839 Burns Court, stated that the City added 8% taxes to the sale of the fireworks which their groups paid to take care of some of these expenses.

Mayor DeJarnatt closed public comments.

Councilmember Hinton asked the speakers if they would come forward at the next meeting with suggestions on how to resolve this issue. He stated that the Council and the Chief were willing to listen. He added that he was appalled at the amount of illegal fireworks.

Councilmember Lancelle asked clarification that they could not respond to the report and have a discussion about it.

Mayor DeJarnatt stated that they could if they wanted to do it.

City Attorney Quick clarified that they could, but added that the Mayor's request was that they not have the discussion now but have it at the next meeting when Mayor pro Tem Vreeland returned. She added that there was nothing improper about having it tonight.

Mayor DeJarnatt stated that he just didn't want to have the discussion twice.

Councilmember Lancelle stated that she understood, and asked whether the item would be a discussion item but not a discussion about banning the safe and sane fireworks.

Mayor DeJarnatt stated that he envisioned having it brought back the same exact way. He thought that, if they came up with ideas that they wished to do, it would have to come back to them. He thought it made sense to have as many meetings as needed on something like this. He stated that there was a lot to talk about next time, and he thought it would be clearer then. He added that it would give everyone on vacation a chance to get back, and he liked having everyone involved being able to speak. He felt they needed Mayor pro Tem Vreeland so that all five of them were discussing it.

Councilmember Lancelle appreciated the explanation because it wasn't clear whether it was the way the item was presented that prevented discussion. She hoped that everyone in the community with suggestions and ideas would send them to the Police Department to allow them to prepare responses to them in terms of their effectiveness. She knew it was a huge problem, and she heard the comments about whether banning safe and sane fireworks would actually stop the

use of illegal fireworks and whether they might still have the problem of unruly citizens. Her experience was the sense of complacency about the use of illegal fireworks among people who were ordinarily very responsible and she found that very disturbing, especially in a community such as ours. She felt they needed to mobilize the citizens to be more responsible in addition to mobilizing the police.

Mayor DeJarnatt understood her desire to express her thoughts, but he was trying to do it in the fairest and most unwieldily efficient way.

Chief Saunders stated that he agreed with one of the speakers who said it was definitely the minority. He thought it was about 10% or 400 people that they were dealing with, but they were extremely raucous and rambunctious and they forgot any common sense.

Mayor DeJarnatt stated that he didn't realize it was that small a group but he understood that it was a difficult issue. He suggested that it would be a good idea to not have a lot on the agenda with that agenda item.

City Manager Rhodes stated that they would try.

Mayor DeJarnatt called a five-minute break then reconvened the meeting.

15. Adoption of Resolution Delivering Quality Library Services.

City Manager Rhodes presented the staff report.

Mayor DeJarnatt opened public comments.

John Maloney, President of the Library Foundation, stated that they were going to speak about the resolution of delivering a quality library in Pacifica, with the study based on having one library. He stated that they were looking at the needs of Pacifica for now and years to come, and he asked that the Council review the study and take these facts into consideration.

Trish Hudson, 1071 Yosemite, shared her personal perspective on the library, on where they were and what they wanted to do. She then explained that the Foundation looked at a report showing what was needed and spent an extra two years talking to community leaders and groups about their perspective and looked at modern libraries today. They concluded that the community wanted to be provided with library services, rather than just a library building. They were looking at providing these library services by working with all the various groups to find out what they wanted to see happen. She explained some of the Foundation's goals, concluding that they needed the support of County and City officials to accomplish their goals.

Jim Crow, 80 Outlook Circle, stated that he was with the Pacifica Library Foundation. He was underscoring that the present resolution was one they had seen in previous draft forms, and they had listened to the Council's concerns. They hoped the resolution reflected what the Council and the Foundation believed, as they continued to be partners in this effort.

Mayor DeJarnatt closed public comments.

Councilmember Lancelle appreciated the hard work and vision of the Pacifica Library Foundation. She was grateful for the service they were giving to the community and she wanted to support it in every possible way. She stated that she was comfortable with the resolution.

Councilmember Digre also thanked the Foundation. She had attended numerous meetings and she was excited about it, specifically the terminology about it being a medium rather than a place. She was excited about seeing them move forward on this.

Councilmember Hinton stated that he had been meeting with the Foundation for a number of years. He listened to what they had to say and he thought they had made some excellent points which they had outlined very well. He acknowledged that they had a problem staffing the library. He stated that this was not the best time to come forward with anticipation of spending money on any particular facility. He assumed they had talked to many people and groups and then he stated that his primary concern was the possible uproar when people were told that they were going to have only one library. He thought they probably only needed one library but they needed the ability to provide services to the remote areas of the community and needed to convince the public of that. He added that any money spent on a library, either through a bond issue or a vote, should be approved by the citizens. He felt that they needed to apply for funding from the state when available and he also thought they needed more input from the citizens as to whether one library would be sufficient and how they delivered services to the remainder of the community. He didn't think all of these issues were resolved to his satisfaction, but he could vote for it as long as it wasn't considered binding.

Councilmember Lancelle felt that the resolution was a great statement of intention and she appreciated it. She felt it was thought out with a lot of community input.

Councilmember Lancelle moved to Adopt the Resolution entitled "Resolution of the City Council of the City of Pacifica Delivering Quality Library Services;" seconded by Councilmember Digre.

Mayor DeJarnatt also appreciated all the work that the Library Foundation was doing and has done, however, he stated that he wouldn't be supporting it because there were a few things that weren't quite right for him, but he would want to think about it first. He suggested that they vote on this to give them a start. He also suggested that, at a future meeting, they could bring it back and vote for some changes.

Councilmember Lancelle stated that, for something this important, she would prefer that they had the unanimous support of the Council, and she was prepared to withdraw her motion and continue it to the next meeting.

Mayor DeJarnatt stated that Mayor pro Tem Vreeland was not present and, if they wanted unanimous support, they should have all five present.

Councilmember Lancelle acknowledged that it would probably pass 3-1, then asked the Library Foundation if they would prefer to wait until the next meeting when they might have unanimous support.

Mayor DeJarnatt stated that he had no doubt that the wording could be changed to make him happy, but this wasn't quite what he wanted to see.

Mr. Maloney asked that they vote now.

Councilmember Digre stated that she had some reservations about some things but, when she read it carefully, such as the one library, the clause indicated that there could be some form of

services such as the same building at Sanchez. She stated that there were various ways of achieving it.

Mayor DeJarnatt stated that, if they scratched the wording "... in one location," he would be happy because it gave the impression that they were looking at consolidating but left it broader. He stated that they should vote, since the Foundation indicated they would like the vote.

Councilmember Digre asked if they could ask them if they were okay with that change.

Councilmember Lancelle stated that she didn't agree with taking that out.

Mayor DeJarnatt stated that they should then go ahead and vote.

Councilmember Hinton stated that he also had reservations about a lot of the language, that being one of them, and he thought it would have to be determined in the future. However, he felt the resolution was not to be interpreted as a solid commitment to any of the things except to provide quality library services, but not a commitment to spend any money which was why he could support it.

ROLL CALL VOTE:

Ayes: Councilmembers: Digre, Lancelle, and Hinton.

Noes: Councilmembers: DeJarnatt.

Motion passed: 3-1.

16. Approval to Issue Request for Proposals to Consultants to Develop a Streetscape Plan for Palmetto Avenue and the Three Streets Parallel to and Between Paloma and Clarendon.

Planning Director Crabtree presented the staff report.

Councilmember Lancelle mentioned that members of the public had indicated a desire to be involved, and she asked whether, even though members of the public were part of the committee, anyone was able to attend the committee meetings to share their thoughts and observe the process.

Planning Director Crabtree stated that the meetings were open to the public and they were welcome to attend and provide input.

Councilmember Digre asked if it was normal with this type of RFP that they question all existing businesses for their input on anything or did they have to add that condition if the Council wanted that.

Planning Director Crabtree stated that he didn't believe it was automatic, adding that if there was something specific that the Council wanted to see in the RFP they could include that.

Councilmember Digre stated that, in talking to businesses, it was difficult for small businesses because they were busy and had long days, and she would like to add a clause that they make a thorough effort to invite every existing merchant to call, write or attend the meetings to get their views. She understood that the Committee had done a good job of representing the citizens in the area.

Planning Director Crabtree asked Councilmember Digre if she was saying that she wanted the businesses to be consulted on the plan portion or on the RFP portion.

Councilmember Digre responded that she meant the plan.

Planning Director Crabtree concluded that she thought the RFP should include making the consultant aware that they would be expected to make every effort to contact every business to get their input on the plan.

Councilmember Digre added that at least they should be asked to provide input.

Councilmember Lancelle asked staff to clarify if there was a newsletter going to the immediate community apprising them of their work. She stated that she didn't consider it a replacement for Councilmember Digre's suggestion to have all businesses contacted.

Mayor DeJarnatt opened public comments.

Gil Anda, 810 Dell Road, stated that the rationale for spending money on this beautification project when the rest of the City's infrastructure was falling apart was questioned by some people, and he thought the only justification was that in doing it, it would enable that area to pay back the cost and also significantly contribute to the City's revenues. He suggested that the City confirm that by having the conclusion independently verified by a qualified expert, not by the Council, the Committee or City staff. He stated that, if this was not done, the area would eventually get run down like the rest of the infrastructure.

Stephanie Vinces, Park Pacifica, thanked the Council for pulling this from consent and allowing the public to talk about it. She stated that she would like to see someone from the Westpac committee give them a status report on the process to understand what the committee has gone through and details on the specifics of what was included.

Mayor DeJarnatt closed public comments.

Councilmember Hinton felt this item was premature. He mentioned that some community members had concerns about the process. He questioned whether they would have money to implement the consultant's recommendations or if they were merely funding the consultant. He felt that there were large issues being considered which should be decided upon by the Council. He also questioned whether it would correlate with other plans being considered in that redevelopment area. He mentioned that trees to be planted were donated by Louis Martinez and sponsored by the property owners, and he hoped they would then be more inclined to take care of the trees. He reiterated that the hiring of a consultant was premature and had no correlation to anything else that was going to happen in the area.

Councilmember Lancelle stated that the committee had been meeting for a year and a half and receiving presentations from consultants. She clarified that no one was planning on spending the \$2 million set aside for City Hall on this plan. She stated that they needed a proper plan to crystalize the vision for Palmetto and she thought they needed to take this first step.

Councilmember Digre stated that her bias was toward economic viability. She stated that they mentioned beautification and she asked about the terminology of streetscape plan and whether it meant infrastructure, plantings, facades, etc., or economic viability first and façade second.

Planning Director Crabtree stated that it was unfortunate that members of the committee were not present. Even though he was presenting the report, he was not involved in their meetings. He did explain that “streetscape” was traditionally concerned with esthetics and could be concerned with the relationship between buildings and public spaces, but it didn’t normally deal with economics. He stated that, because they were on a limited budget, they were looking for someone who would fit into that if they moved forward with this process.

Councilmember Digre asked what the budget was.

Planning Director Crabtree stated that it was in the neighborhood of \$25,000.

Councilmember Digre asked when they were going to have redevelopment on their schedule for discussion.

City Manager Rhodes stated that they were now in the process of having the feasibility study done to determine if redevelopment was feasible. If it was, he thought about the end of the year they would have a discussion about moving forward with redevelopment, which was about a two-year process.

Councilmember Digre stated that she was concerned about piecemeal and, if this was just for planters and facades, etc., and not economic viability, she would not be in favor of this. She was concerned about working on economic viability as quickly as possible, with the help of a consultant. She asked if this was that type of project.

Planning Director Crabtree stated that he didn’t believe this was that type of process and the intended consultants would not be economic consultants. He echoed Councilmember Lancelle’s comments that this was a step toward that process. He clarified that economic vitality had a lot to do with the esthetics of what visitors see and expect to see, and economic viability was a larger issue and called for people with expertise in that area. He stated that, if she was talking about types of businesses and activities carried on, he wouldn’t expect that to be addressed in this study.

Councilmember Digre asked what it would cost to go in that direction.

Planning Director Crabtree stated that he couldn’t answer that question at this time, but could come back with more information.

Councilmember Digre stated that she would prefer to go toward economic viability.

City Manager Rhodes thought that was what the examination of the redevelopment agency was about and that was where they would delve into that issue. He stated that this streetscape plan was just one piece of a bigger picture.

Councilmember Digre asked if going toward a streetscape like this would mess up redevelopment on a broader vision.

City Manager Rhodes didn’t think so, because streetscape was one element of an overall plan.

Councilmember Digre acknowledged his experience on this and appreciated his input.

Mayor DeJarnatt stated that he liked the idea of supporting this group, realizing that they had been working on this for several years, and he didn't have a problem with issuing an RFP. He mentioned that they had come before the Council in July and this was a follow up to that, but he thought that they really needed a representative present now because of the questions. He thought it might be best to bring this back when they had a representative because of the questions being asked.

Councilmember Lancelle agreed with his suggestion.

Councilmember Hinton stated that this streetscape was an entity onto itself, and they were also coming in with the feasibility evaluations for redevelopment. He thought this streetscape was "12th hour" in the face of that redevelopment. He thought they should take it as a complete unit and, if the redevelopment was feasible, they should include the streetscape in the redevelopment. He thought of this RFP decision as part of a slippery slope feature. He felt it was premature and incomplete, and wouldn't have much of an impact. He mentioned that he had voiced his concern about the area several years ago and was laughed at when he suggested they call the area "Old Town." He appreciated the change of thinking by others but he felt they needed to be careful about how they proceeded. He thought they needed a complete package, and he would not support this.

Councilmember Lancelle stated that she had never laughed at him when he mentioned Old Town. She then mentioned that 15 years ago John Lucia was remodeling buildings on Palmetto to make it look like an "old town." She thought the formation of the West Sharp Park Advisory Committee was an attempt to have people involved in trying to develop a plan for Palmetto. She acknowledged the concerns of the Council, and agreed that it was advisable to continue the item so that members from the Committee could share their thinking with the Council and the public.

Councilmember Lancelle moved to continue this item to the first or second meeting in September; seconded by Councilmember Hinton.

Councilmember Digre stated that she wanted to make it clear that she was not indicating that she was for or against redevelopment.

Councilmember Hinton stated that he remembered John Lucia's efforts to improve Palmetto. He wasn't suggesting that he was involved in that development, but merely saying that he coined the phrase "old town," not having heard it before in this context.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion passed: 4-0.

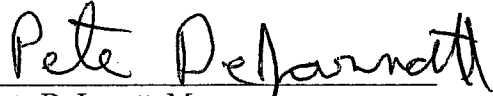
Mayor DeJarnatt adjourned the meeting at 9:40 p.m.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 5-0; 9/10/07 Councilmember Vreeland abstained


Pete DeJarnatt, Mayor