

MINUTES

City Council Regular Meeting
2212 Beach Boulevard
Pacifica, CA 94044

August 10, 2009

Mayor Lancelle called the meeting to order at 6:00 p.m., stating that all councilmembers were present 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 54956.8: Conference with real property negotiator. Discussion concerns price and terms of payment. Agency negotiator attending session: Stephen Rhodes. Property: APN 016-430-020; 016-441-020; 016-442-020.
2. PURSUANT TO GOVERNMENT CODE SECTION 54957.6: Conference with labor negotiator. Agency negotiator: Ann Ritzma. Employee organizations: Teamster Union Local 856; Wastewater Treatment Plant Employees; Pacifica Police Officers Association; Pacifica Police Supervisors Association; Police Management Teamsters Local 350; Teamsters Local 350 Management Unit; Confidential Employees; Fire Fighters Local 2400; Teamsters Local 856 Battalion Chiefs; Department Directors.

Mayor Lancelle called the meeting to order at 7:05 p.m.

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

Staff Present: Steve Rhodes, City Manager; Cecilia Quick, City Attorney; Ann Ritzma, Administrative Services Director; Lee Diaz, Planning Director; Van Ocampo, Deputy Director Public Works/City Engineer; Mike Perez, PB&R Director; Rich Johnson, Deputy Fire Chief; Kathy O'Connell, City Clerk.

Councilmember Nihart led the Salute to the Flag.

Commission Liaison: None.
Chamber Liaison: None.

CLOSED SESSION:

City Attorney Quick reported that the Council had directed the City's Labor Negotiator to commence negotiations with the bargaining units regarding work furloughs.

CONSENT CALENDAR:

Mayor pro Tem Digre stated that she would abstain from voting on the minutes of July 13, 2009 because she had not attended that meeting. She also stated that she had spoken to the City Clerk regarding a correction to the minutes of July 27, 2009 and promised that she would reword her comments. On page 13, in the sentence "She was concerned that a house should not drive ... commercial zoning," she was attempting to express that she was concerned that, in the Planning Commission minutes, a concern had been raised about a private home having so much influence, and she was actually suggesting that a private home in that area which had been there prior to the

zoning for commercial definitely deserved the utmost respect and should be given due consideration, which was what they were doing.

Councilmember Nihart moved approval of the Consent Calendar, as amended, as follows: Approval of disbursements dated 07/31/09 to 08/04/09 in the amount of \$550,525.85, regular and quick checks numbered 5285 to 5340, 5342 to 5348, 5396 to 5413 and 5471 to 5485; disbursements dated 07/24/09 to 08/03/09 in the amount of \$472,505.03, regular and quick checks numbered 5269 to 5284, 5341, 5349 to 5395 and 5414 to 5470, as set forth in Item #1; Approval of Minutes of regular City Council meeting of July 13, 2009 and July 27, 2009, as set forth in Item #2; Adoption of Notice of Completion for the Community Center Restroom Addition Project, as set forth in Item #3; Approval of Amendment No. 5 to the Consultant Services Agreement between the City of Pacifica and Geosoils, Inc., for the 2006 FEMA Repairs Projects [Fiscal impact not to exceed \$7,000.00 and will be expended from Disaster Fund 38; specific project account numbers are as follows: Rockaway Beach Rock Revetment Project; 38.860000.52800.0159; Pier Piles Project; 38.860000.52800.0156], as set forth in Item #4; Adoption of Notice of Completion for the Community Center and Senior Center Paving/Parking Lot Project, as set forth in Item #5; Adoption of Notice of Completion for the Community and senior Center Kitchen Floor Rehabilitation Project, as set forth in Item #6; Approval of First Addendum to Tolling Agreement for Property Tax Administration Fee Dispute, as set forth in Item #7; seconded by Councilmember DeJarnatt.

Mayor pro Tem Lancelle had a correction on page 7 of the July 13, 2009 minutes to show that the vote was 3-0-1 rather than 3-1, because the single vote was actually an abstention.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion carried: 4-0.

SPECIAL PRESENTATION:

Senator Leland Yee congratulated Councilmember Nihart on her election. He then mentioned that since he last appeared before the Council, the economy in California has not been a good one. He explained that their original cuts had not been enough to correct the budget problem, and it was necessary to make deeper cuts. He stated that part of the problem came from the special election budget which added to the total of \$26 billion deficit. They made cuts of approximately \$1.2 billion to health and social services, \$6 billion to K-12, and \$2.8 billion to higher education. They continued to wrestle with the inability to raise revenues, which led to the decision to borrow money from 1A and redevelopment, but because the gas tax did not go through they were short about \$1 billion, which caused them to make further cuts in social services and health care services. He explained that, because the revenues were not forthcoming, it compounded the problem and the deficit continued to grow. He referred to potential landmines, such as whether they should be able to take the 1A money. Even though there was a provision for the state to borrow twice which they did, there was the possibility of a lawsuit by local government against the state. He explained that, if the lawsuits were successful, they were looking at a possible \$4 - \$6 billion shortage. He stated that there was also the potential of the governor being sued regarding whether the cuts in social services and health care services were legitimate and, if that prevailed, there would be additional problems. He added that, if the economy doesn't respond, they could be looking at a further \$6-\$8 billion problem before January. He acknowledged how hard it was for local government to structure their budget to be sensitive to the needs of their community, which was why he voted against taking the 1A and

redevelopment money, but he could not convince his colleagues. He felt they needed to look for ways to generate new revenues rather than the present cuts. He felt that there was some sentiment in Sacramento that enough was enough and they could no longer sustain these kinds of cuts. He wished he could bring better news for them then stated that he would try to answer questions.

Mayor Lancelle thanking him for serving all of us in Sacramento in these difficult and challenging times.

Senator Yee stated that, when he votes, he knows he will have to come before them, and he would like to be able to leave "with his shirt on." He tried to prevent the cuts from happening to local government.

Councilmember Nihart agreed with Mayor Lancelle' comments, but added that, while she was disheartened about the 1A money, she was more disheartened about the education cuts. She thought he felt the same because he was very supportive of education. She felt that they were balancing the budget on the backs of the people less able to afford it, mentioning that taking \$200 out of SSI monthly was a huge amount. She was sad on a city and county level, adding that she didn't think anyone knew the total ripple effects of this yet.

Councilmember DeJarnatt appreciated Senator Yee being here and the efforts he makes on their behalf. He felt it was somewhat heartening that we had our representatives working on our behalf, although he dreaded reading the memos coming from the state. He also agreed with Councilmember Nihart that they won't see the full extent of the trickle down for many years. He appreciated his efforts and thanked him for coming. He added that we needed to come up with a Constitutional Convention to change the way the budget was formatted.

Senator Yee agreed that it was disheartening to read bad memos from the state, but he urged them to continue communicating with the San Mateo delegation about their concerns.

Councilmember DeJarnatt stated that they did, adding that he read the memos anyway, even if he didn't want to read them.

Senator Yee stated that in the Senate, when the gas tax money bill came up, the votes were not there. He believed that was because of local government contacting their representatives in Sacramento. He realized that there was a provision for borrowing with 1A, as well as redevelopment with a repayment stream, but in the gas tax money, there was no payback. He felt they could not do that. He stated that there were enough individuals in the assembly and senate that have finally said enough was enough and they cannot continue making cuts in education, social services and health care, but rather find another revenue stream and that decision has to be made now.

Mayor pro Tem Digre echoed all the comments. She also agreed about suing the governor regarding the social issues because advocates of the developmentally disabled felt this state was quickly becoming Nazi America. She also mentioned that they don't hear about the developmentally disabled in the media, adding that Senator Yee's record was wonderful and he has worked with the developmentally disabled in schools. She referred to his comment on new revenue, mentioning that he had sent a delegation to the Far East, and she would keep after him regarding any glimmer of employment to come toward Pacifica and explore that.

Senator Yee stated that they were looking at the biotech industry and green industry in the Bay Area, and it continued to be a top priority for him. They were committed to generating additional resources into the State of California.

Councilmember Nihart stated that it was nice to have a number to know what we would be getting between now and January, but it has been a moving target. She felt that made local government very difficult. She felt the relationship with him has been good, and she appreciated what he and his staff have been doing. She concluded that, just as at the city level, someone in Sacramento has to get creative and think about government differently. She hoped that type of talk was happening in Sacramento.

Senator Yee stated that the younger members in government, such as those on the dais, were the future leaders of the state, and the present leaders will be sitting back in their rocking chairs observing how they run the state.

Mayor Lancelle asked that they make the way better for them in Sacramento. She knew it was difficult but she felt changes were needed since the present structure was not working.

Senator Yee referred to Councilmember DeJarnatt's comment and agreed that they did have to find a different way of crafting the budget, because they were constantly held hostage by a minority number which didn't allow them to raise any revenue and caused them to make cuts as their only alternative. Not having the ability to raise any revenue made it disheartening for local government, as well as everyone in need of help. He then stated that there was one individual to whom they would like to make a presentation and he hoped it was okay.

Mayor Lancelle stated that it was okay.

Senator Yee stated that all you have to do is squint a little and it was Hawaii in Pacifica, with so many similarities between the two. He felt one reason was the people in the city. He stated that Pacifica had a tremendous football team, Pacifica Islanders, and he wanted to recognize them and Matt Fuller. He then presented a certificate to the Pacifica Islanders.

Mayor Lancelle stated that she was going to read the City's proclamation to the Pacifica Islanders and asked if he would be willing to present that to them as well.

Senator Yee agreed.

Mayor Lancelle read the proclamation honoring the Pacifica Islanders, and Senator Yee presented it to the team representative.

Senator Yee thanked the community, the coach, and the local businesses who supported them. He stated that they didn't let them down because they won the Sunset Bowl.

Brian Martinez thanked the City for their support, stating that they had wanted to keep everything here. They have had that opportunity and they want to keep it going and shining.

Mayor Lancelle asked where they would be keeping their trophy.

Mr. Martinez stated that it would be in his office.

Mayor pro Tem Digre asked Senator Yee if he would wait for the next proclamation.

Mayor Lancelle read a proclamation honoring Battalion Chief Steve Engler and Senator Yee presented it to him.

Battalion Chief Engler stated that it has been a pleasure and honor to serve Pacifica and its citizens for the past 30 years and to work with a great group of coworkers. He felt it was time to pass the torch to the young kids. He appreciated the City for giving him this honor.

PUBLIC HEARINGS:

None.

COUNCIL COMMUNICATIONS:

Councilmember Nihart thanked Van Ocampo for organizing the study session for FEMA's presentation. She stated that they were digitalizing the maps. She stated that September 30, 2010 was the expected deadline, and she wanted to let everyone know that they had a mechanism in place and it will be 90 days before the maps become effective. She explained that FEMA made it clear about what qualifies a house as being part of FEMA's flood insurance and, for lenders, it could be part of the lot. She also stated that FEMA talked about a community rating system which would help with discounts for FEMA flood insurance and she would like to move forward on that. She also attended SamTrans' meeting in Half Moon Bay. Since there were people who could not attend the meeting, she let SamTrans know that she was speaking for them. She spoke as an individual and underscored several issues, such as topography and the congestion on Highway 1. She also mentioned that one route in question served most of our senior housing, and she commented that it was unfortunate that we were balancing the budget on the backs of those who can least afford it. She noted publicly the compliment that the City Attorney received for her efforts on behalf of the Police Department, stating that it wasn't often that you get a letter of apology from a defense attorney. She reported that the Pacifica Miss Pacifica Pageant would be at the Community Center on August 22 and the Chili contest was at the Pedro Point Fire House on August 16. She stated that she would not be at the September 14 meeting because she was invited to provide a briefing to the U.S. House of Representatives in Washington D.C. regarding nurse practitioners and their role in healthcare. She stated that while in Washington, she had arranged meetings with Jackie Speier and her office staff and would visit Senator Feinstein and/or whoever would see her. She stated that, if there were any issues anyone would like taken to Washington, she would represent Pacifica.

Mayor pro Tem Digre referred to the bus service in Pacifica, and stated that it was recommended that they send comments to the Board at SamTrans.com and she encouraged everyone to do so. She felt that the notion that Pacifica should be judged in the same manner as the cities along El Camino or #101 needed to be looked at because we didn't have the same population and our needs shouldn't be disregarded. She then encouraged everyone to shop Pacifica, mentioning that San Carlos had prepared a brochure to encourage their citizens to shop in San Carlos. She also mentioned that a representative from the telephone company was going to be in South San Francisco to discuss various telephone apparatus available for the developmentally disabled.

Councilmember DeJarnatt stated that he had attended the Art Center presentation. He congratulated them and was pleased to see how well the exhibit did.

Mayor Lancelle mentioned that Assemblyman Jerry Hill would be at the Farmers Market at Rockaway on Wednesday, August 12, to speak to the public. She stated that Congresswoman

Speier would be in Pacifica on August 23 at Mori Point to speak and meet with people. She mentioned that two residents, Dale Knight and Angie Emery, who recently passed away, would be remembered when they adjourn the meeting.

ORAL COMMUNICATIONS

Mayor Lancelle opened Oral Communications.

Gloria Stofan, Pacifica, stated that she belonged to PIA, and was trying to reconnect with the Council regarding teen issues. She stated that they had a public meeting in May and were now hoping to get updates. She mentioned that they were following up on youth groups in the churches. She also mentioned that Sr. Diane from St. Peter Church was looking into doing a clergy summit in terms of how they can help with information and resources. She stated that she was aware of budget concerns, but she felt it was not about the money but about our community and youth. They were interested in getting updated information about the Youth Council.

Mayor Lancelle stated that Mike Perez was in the audience and maybe they can bring her up to date, but they were moving forward.

Mayor pro Tem Digre stated that she was waiting for a response from the different groups and also had an appointment to meet with Mary Bier. She felt they would move as quickly as possible but were relying on the youth contacting them.

Mayor Lancelle stated that she was coordinator for the Pacifica Collaborative and they met in the spring. She felt it was important to let the youth know about the activities that do exist and were available. She mentioned that there were dances put on at the Community Center and a leadership in training program run by the City so that the teens can help with the summer camps. She also mentioned that the school boards and the City were both working on this. She would like to find out if there was a date on the Youth Advisory Committee.

City Attorney Quick pointed out that Oral Communications allowed each speaker 3 minutes and Ms. Stofan has had her three minutes. She added that the Brown Act allowed for a brief report, or the Council can refer the matter to staff and ask them to come back with a full report, but they cannot engage in a dialogue or a discussion because it was not on the agenda.

Mayor Lancelle asked that they get a report back on the status of the Youth Advisory Committee.

Ron Maykel, Rockaway, stated that he gave some information on an agreement to a stipulation for a development on an appeal that he filed while on the Planning Commission against the Planning Commission. He mentioned that it was regarding a condominium at 1335 Adobe Drive, and he read the conditions in the appeal and explained he had filed the appeal because of several problems, such as the fact that a 30-day common window wasn't notified until three weeks late and the archeological report wasn't provided to the commissioners before the hearing. He then gave the Council a copy of the appeal.

Kathy Meeh, Pacifica, commented that the conversation with Senator Yee was interesting, and she agreed that they needed more business in Pacifica. She felt they needed an infrastructure which included economic development. She then stated that she was actually present to discuss pesticides being sprayed over West Sharp Park every three weeks, asking if it had increased because of the GGNRA habitat added to Mori Point. She referred to the concept of holistic farming and land management to make the necessity and danger of pesticides outmoded, as well

as the concept of the insect/frog/garter snake life cycle in place by the GGNRA at the same time as the San Mateo County Pest Control which flies over the West Sharp Park area every three weeks and kills the insects which defeats the GGNRA life cycle. She also wondered what pesticides were sprayed on the residents, pets, and children with what harmful effect. She asked why this was being allowed to continue.

Therese Dyer, Pacifica, asked if the Mayor had a report on the road on Highway 1 and Fassler because it hasn't been repaired. She mentioned that the Mayor was going to followup on it and she asked if she had or if she should.

Mayor Lancelle stated that it should have gone through Van Ocampo and she asked if he had followed up.

City Manager Rhodes stated that they had requested that Caltrans do the work every time it has come up for discussion.

Ms. Dyer stated that she would contact them.

City Manager Rhodes thought that it would help them.

Ms. Dyer stated that they had been giving a lot of speeding tickets on Fassler which she thought might be bringing in revenue for the City. She then mentioned that there were three different speed limits, 25, 30 and 35, and she felt the speed limits needed to be changed because no one was abiding by them. She stated that she tried to follow them but got dirty looks. She stated that a police car was clocked at 78 mph, and when she caught up to him, he wasn't giving anyone a ticket and she wondered why he raced. She then mentioned that she had a handicapped card and could park in the handicapped spot in the parking lot, which she felt superseded the paper permits. She mentioned trying to appeal one, and then she tried to get the police to handle it. She hadn't been able to get anyone in Pacifica to handle it, so she would try to go to Redwood City, but she thought she would bring it to the Council's attention. She mentioned that parking can sometimes be difficult, adding that she didn't see any of the fishermen getting tickets. She then suggested that Councilmember Nihart have a town meeting before she went to Washington to allow citizens to express their views, adding that she had some concerns about the VA program.

Tod Schlesinger, Pacifica, gave a "shout out" to Ms. Dyer and the lady from PIA, commenting that he raised two teenagers in this town, and it wasn't easy. He then stated that Leland Yee didn't give a hoot about Pacifica and came out against Measure L in 2006. When he questioned the Senator, at a town hall meeting hosted by the Senator, as to whether he attended any forums on Measure L before coming out against it, Senator Yee said no. He then told the Senator that he should have taken no position because he hurt Pacifica and helped run the second world class developer out of town. He stated that Senator Yee was not liked in Half Moon Bay because they were facing an \$18 million lawsuit for which he shares culpability. He felt that Senator Yee was not welcome in Pacifica because he has done nothing for the city. He referred to the amount of money the California Redevelopment Association was going to lose, which was mentioned by Senator Yee during his talk, adding that Pacifica was not losing a lot of money as was the case with South San Francisco and other cities, because those cities redeveloped and Pacifica did not. He told Councilmember DeJarnatt that not looking at the paperwork reeked of lack of representation for his constituents and he should resign.

Sam Casillas, Pacifica, reported that it was Pacifica's Chili Cookoff this coming weekend on August 16. He invited all the City councilmembers and encouraged everyone else to sign up. He stated that everyone was welcome, including Leland Yee, whom he had invited.

Mayor Lancelle closed Oral Communications.

CONSIDERATION

Councilmember Nihart explained that she sat on this committee as a citizen and now, as a councilmember, she needed to recuse herself.

8. Status Report on the Palmetto Avenue Streetscape Plan and Storefront Design Guidelines.

Associate Planner Diaz presented the staff report.

Mayor Lancelle opened the public comments.

Gil Anda, Pacifica, referred to Councilmember DeJarnatt's comment at the time of approving the Houman's project regarding cutting back on the size of the buildings if the residential exceeds the commercial, and asked that they reconsider that thinking based on three things; (1) the future look of the buildings along the street, with the possibility of gaps when adjacent residential building possibly became commercial in later years; (2) cutting back also cuts back on the commercial as well, pointing out that there needs to be consideration taken for the function and needs of commercial buildings; and (3) they have to consider the role of residential in main street life, for which he urged the Council to read "Building Residential Retail" by the Urban Land Institute.

Mayor Lancelle closed the public comments.

Councilmember DeJarnatt was happy to get the update. He was looking forward to seeing what they come up with. He also appreciated the comments from Mr. Anda which were obviously well thought out. He explained that he was thinking of mixed use projects that were 75% residential and 25% commercial, and felt using commercial setbacks in that situation was inappropriate. He would like to consider 50% residential/50% commercial, and if residential exceeds that, he didn't think it was fair to use commercial setbacks. He didn't like to limit square footage, especially commercial, however, he felt a mixed use project with 1700 sq. feet commercial and 6000 sq. feet residential wasn't appropriate. He felt they could talk about this when it comes back to them.

Mayor Lancelle asked staff if the design guidelines would be addressing the percentage of residential allowed in a mixed use project.

Associate Planner Diaz responded that they would not.

Mayor Lancelle asked again if there were any standards for what percentage could be residential in a mixed use.

Associate Planner Diaz reiterated that the design guidelines would not be addressing the ratio of commercial versus residential. He stated that they were looking at it, but basically the design guidelines were for the façade and building improvements along Palmetto Avenue.

Mayor Lancelle asked if the zero lot line was addressed in the design guidelines.

Associate Planner Diaz stated that he would have to look at the design guidelines because he was not certain.

Mayor Lancelle stated that her recollection from the meetings was the zero lot line was the standard for a commercial district, rather than having the spaces in between, although she didn't know if it was the best solution for Palmetto. She mentioned that the signage ordinance was a concern of hers, referring to not permitting perpendicular signage. She asked if that would be part of the design guidelines.

Associate Planner Diaz stated that part of the design guidelines also addressed signage.

Mayor Lancelle was glad to hear that because she would like to see that move ahead, since she felt it was a hindrance for commercial businesses.

City Manager Rhodes stated that, while the focus was the design guidelines, the other issues could be addressed at that time in terms of looking at them and possible alternatives. He acknowledged that they required changes to the zoning regulations, but he felt they should be addressing them as they put the design guidelines together because they will impact the design guidelines. He stated that he would have a conversation with the Planning Director on how they can bring that forward and look at those issues. He mentioned that other communities have faced that issue and there are standards.

Mayor Lancelle asked if they would address the perpendicular signs.

City Manger Rhodes stated that it was part of the design guidelines.

Councilmember DeJarnatt acknowledged that the design guidelines and changes to some standards could be outside the purview of this presentation. He stated that he would talk to the Planning Director and the City Manager, and if that dovetails nicely, they might include it, or they can have a different discussion. He was looking forward to seeing this come back and see where it is at that point. He appreciated all staff's work.

Mayor Lancelle agreed, adding that November was a needed date based on the recent decision, as well as the economic well being of our community.

Councilmember Nihart returned to the dais.

9. Consideration of Response to 2008-2009 Grand Jury Report – Reversing the Upward Trajectory of Employee Costs in the Cities of San Mateo County.

Admin. Services Director Ritzma presented the staff report.

Mayor Lancelle opened public comments.

Kathy Meeh, Pacifica, asked who was on the committee. She wondered, if the Grand Jury suggested that they do it by lottery, how the Committee was selected.

Mayor Lancelle asked the City Manager to respond.

City Manager Rhodes stated that they disagreed with that method of selection, adding that they already have a task force that will fulfill the role suggested for that group.

Mayor Lancelle asked confirmation that it included a cross section of the community.

City Manager Rhodes responded affirmatively.

Mayor Lancelle closed public comments.

Councilmember Nihart commented that this was a struggle for everyone in all aspects in how to keep costs under control while providing services and adequate staff. She felt they were addressing it two ways, through the financing of City services as well as economic development. She felt it was enlightening to look at what services cities have when they look at numbers of employees. On looking at Table 8, she appreciated the comments in the letter. She referred to comparing the cities in an apples and oranges way, which made the information difficult to digest.

Mayor pro Tem Digre mentioned that cities were pressured in many ways across the board, and those in the League of Cities were concerned about it and appreciated that there was a Grand Jury to do that sort of thing. She liked evaluations and reevaluations with the opportunity to do research and brainstorm new ways of doing things. She felt the report indicated that they wanted public transparency, which was what the League of Cities and Pacifica also wanted.

Councilmember DeJarnatt appreciated the Grand Jury report and suggested that anyone interested in City financing read it because it was an eye opener. He also appreciated staff's response, and he was happy that they had been taking steps for years to keep costs down. He felt they were a bit ahead of the curve compared to other cities in the County, but we still had a huge issue. He read the conclusions of the Grand Jury regarding measures that needed to be taken, and stated that they were not conclusions that any one wanted to hear but we would have to deal with them. He felt the needed action would not be pleasant but it must happen fairly quickly.

Councilmember Nihart asked if the Financing City Services Committee was not just designed for wages, benefits and pensions.

City Manager Rhodes responded that she was correct, adding that it was a much broader look.

Councilmember Nihart was asking to be clear about the fact that they were looking at services across all the departments in as many different ways as possible. She referred to the lottery comment, and asked if they took everyone who applied.

City Manager Rhodes stated that they didn't solicit applications for that committee.

Councilmember Nihart concluded that they solicited people from many different sectors.

City Manager Rhodes responded that they attempted to make it broad-based.

Mayor Lancelle referred to another section from the report for the benefit of the public, which talked about the current economic conditions. She felt people thought that what was happening in Pacifica was because of the result of action taken in Pacifica, and she was aware they could debate the fine points but there was an overall trend going on, which they highlighted in the report. She then read a brief excerpt of the fundamental problems identified in the system,

referring specifically to CalPers asking more contributions from the cities to cover any shortfalls, and she concluded that it was a difficult and challenging situation.

Councilmember DeJarnatt pointed out that CalPers had different plans for employees to invest their money, and when the earnings drop, they come to the cities for greater contributions, and he didn't believe they ever see the basic contribution amounts drop.

Councilmember Nihart liked that the staff report mentioned losing 15 police officers over the past five years, but she asked if they stayed long enough to recover the cost of training.

Admin. Services Director Ritzma responded that they usually stay through the training period, explaining that they are pre-trained and it was a lateral transfer to another department.

Councilmember Nihart wanted to be clear on that, adding that she would like to look at ways of recruiting and retaining officers once they are trained. She also felt it was important to keep it in context that, while this is a big chunk on which we spend our money, it was not the only chunk. She felt they needed to contain costs and be more creative in combining services. She invited everyone to attend as they look at the budget to help decide what was essential and how we were funding it.

Mayor Lancelle added that they also needed to look at the retirement system and retirement age.

Councilmember DeJarnatt moved that the City Council accept the report of staff and authorize the Mayor to sign and send the letter to the presiding judge of the Superior Court; seconded by Councilmember Nihart.

Councilmember DeJarnatt asked if it was good enough.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion passed: 4-0.

10. Update on Projects Proposed by Staff for Funding From the American Recovery and Reinvestment Act of 2009.

City Manager Rhodes presented the staff report.

Mayor pro Tem Digre asked what the possibility was for appealing the decision about cops.

City Manager Rhodes stated that he would look, but he didn't think there was the possibility of appealing.

Mayor Lancelle hoped that there was some economic development funding to help us fund improving our streetscape on Palmetto.

City Manager Rhodes stated that it wasn't in this round of funding. He stated that it was all targeted for distressed communities and we didn't fit that definition, which was for a community with a large company laying off a significant number of people. They were watching it carefully for changes on which we might qualify. He felt they had been fairly restrictive in a lot of the

funding. The City had initially hoped they would qualify for the economic development money, and they were turning to energy money to try to do economic development.

There were no public comments.

Mayor Lancelle looked forward to updates.

11. Appointment of Members to the Economic Development Committee.

City Clerk O'Connell presented the staff report.

Mayor Lancelle thanked Councilmember Nihart and Mayor pro Tem Digre for spearheading this effort and moving it forward. She felt the committee would do some good work.

Mayor Lancelle opened the public comments.

Janet Kennedy, Pacifica, stated that she was hiking on Mori Point on a foggy Sunday evening when a stranger asked her for a nice place to have dinner without driving because he would be heading to the airport after dinner. He was surprised that there was no nice restaurant near the Council chambers. She ultimately sent him to the golf course, adding that now it was an endangered species.

Mayor Lancelle closed the public comments.

Councilmember Nihart thanked everyone who applied, explaining that they had originally done the resolution to have seven members and they had 12 applicants. She acknowledged that they would all bring exceptional skills, so it wasn't a simple decision. They wanted a cross section and they had specific criteria for that in the resolution. She looked forward to a very good committee, should the Council approve it.

Mayor pro Tem Digre also thanked everyone who participated. She knew it was not easy to come to the decision because the talent was impressive. She encouraged those who did not get on the Economic Development Committee to volunteer for subcommittees which will need committed and talented people. She stated that Economic Development was a serious mission and can begin with a burst of energy.

Councilmember DeJarnatt moved to appoint the seven candidates recommended by the Interview Committee to the Economic Development Committee; seconded by Councilmember Nihart.

Councilmember DeJarnatt was happy with the choices.

Councilmember Nihart pointed out that there were three of the members in the audience at this meeting, and she was thrilled to be seconding it.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion passed: 4-0.

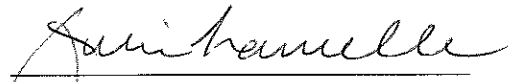
Mayor Lancelle adjourned the meeting at 9:05 p.m. in memory of Dale Knight and Angie Emery. She stated that the Council's condolences go out to their family.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 5-0; 9/28/09



Julie Lancelle, Mayor