MINUTES

City Council Regular Meeting 2212 Beach Boulevard Pacifica, CA 94044 January 10, 2011

Mayor Nihart 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: Steve Rhodes. Property: 1809 Palmetto, Pacifica, California. Negotiating parties: City of Pacifica and Shirlee Gibbs.
- PURSUANT TO GOVERNMENT CODE SECTION 54957.6: Conference with Labor Negotiator. Agency Negotiator: Ann Ritzma. Employee organization: Department Directors Teamsters Local 350.

Mayor Nihart convened to Closed Session.

Mayor Nihart reconvened the meeting at 7:05 p.m.

Present: Councilmembers: Stone, Digre, DeJarnatt and Nihart.

Excused: Councilmembers: Vreeland.

Staff Present: Steve Rhodes, City Manager; Cecilia Quick, City Attorney; Ann Ritzma,

Administrative Services Director; Jim Saunders, Police Chief; Dave Bertini, Police Captain; Mike Perez, PB&R Dir.; Ray Donguines, Asst. Engineer; Kathy

O'Connell, City Clerk.

Councilmember Digre led the Salute to the Flag.

Commission Liaison: Planning Commissioner Evans.

Chamber Liaison: None.

CLOSED SESSION:

City Attorney Quick stated that no reportable action was taken during Closed Session.

CONSENT CALENDAR:

Mayor pro Tem DeJarnatt moved approval of the Consent Calendar, as amended, as follows: Approval of disbursements dated 12/01/10 to 12/17/10 in the amount of \$768,576.28, regular and quick checks numbered 81920, 81922 and 11641 to 11776; and disbursements dated 12/17/10 to 12/30/10 in the amount of \$512,427.90, regular and quick checks numbered 81923, and 11777 to 11942, as set forth in Item #1; Approval of Minutes of regular City Council meeting of December 13, 2010 and Special Meeting of December 15, 2010, as set forth in Item #2; Continuation of proclamation confirming existence of local emergency dated April 12, 2010, as set forth in Item #3; Approval of First Amendment to Use Agreement Regarding the Fairmont Recreation Facility, as set forth in Item #4; Adoption of Extension of the Climate Action Plan Task Force to

December 31, 2011, as set forth in Item #5; Approval of Consultant Services Contract with Kermani Consulting Group for State Disaster CDAA-2010-04; for Disaster Project Cost Recovery Services [Budget Authority in the amount of \$50,000.00 from Disaster Fund 38], as set forth in Item #6; Review of Development Fee Accounting Information, as set forth in Item #7; seconded by Councilmember Digre.

Mayor pro Tem DeJarnatt stated that he would abstain from voting on the minutes.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion carried: 4-0.

Mayor Nihart stated that she would speak of it later, but they would adjourn the meeting in honor of those involved in the Tucson shootings.

SPECIAL PRESENTATION:

Captain Bertini, as the immediate past president of the Rotary Club, came to give them great news. He reported that they have two police canines in Pacifica, Tigger with Sgt. Walktaborn and Vico with Officer Avila and explained that police canines last about ten years and both the dogs were at retirement age. They were going to allow Officer Avila to purchase Vico and Sgt. Walktaborn would be taking Tigger on a semi-retirement basis for the present. He suggested that the Rotary Club buy a new dog for the police. They agreed to the idea and have raised \$11,500 for a new police canine. They presented the check to the City. He then thanked the community and major businesses in the City for their contributions. He explained that Officer Chris Serrano was the new officer chosen to receive the new dog and they would be in training together until about March or April.

Councilmember Stone thanked the Rotary Club for contributing such a valuable asset to the community and encouraged them to continue the good work.

Mayor pro Tem DeJarnatt stated that the Rotary Club was involved in projects that benefit everyone and he appreciated their efforts.

Councilmember Digre thanked the retiring police dogs.

Mayor Nihart stated that Capt. Bertini did a lot for the community and she appreciated that. She then thanked several of the Rotary Club members present. She also thanked the officers for partnering with the dogs.

Pacifica Youth Advisory Board members were present to promote the planned events for teens who live in Pacifica and attend any high school. They hope they will have fun getting together and getting to know each other. The teens present took part in making the presentation of their goals and plans, such as a Movie Night at Frontierland Park, partnering with either the police or PB&R as chaperones for the events.

Councilmember Stone asked how this committee started.

They explained that three adults spoke to the school leadership classes with their suggestion and helped get it functioning.

Councilmember Digre stated that she had been working with the teens, explaining that the Peninsula Interfaith Action Group was involved in getting teens organized in various cities, specifically mentioning how it started in Pacifica. She thanked the teens for what they have done and the adults for allowing the students to take the lead.

Mayor pro Tem DeJarnatt was pleased with this and hoped and thought it would all go well.

Mayor Nihart seconded what everyone else said, mentioning that adults could make suggestions for activities but she thought the teens would pick things they would prefer. She appreciated Councilmember Digre for continuing to pursue this and she had great faith that the parents will support this and wished them success.

Councilmember Digre stated that PB&R was very supportive, and Nicole has been placed in charge of working with the teens. She also appreciated the adults enabling and not taking control.

Paul Slavin gave the Council copies of a petition by citizens supporting an Army Corp of Engineers study of the seawall. He was honored to address the newly constituted Council on their first regular meeting then proceeded to read a letter to the Mayor and Council accompanying the signed petition, itemizing some of their suggestions and adding that they would gladly help the City in any way.

PUBLIC HEARINGS:

None.

COUNCIL COMMUNICATIONS:

Mayor pro Tem DeJarnatt welcomed the new Planning Director, George White. He stated that his bio sounded as though the City had gotten a good planning director. He also received a letter from Joan Weideman of the Pacifica School Volunteers Board, stating that they were sponsoring read-aloud days on February 4 at Ortega and April 8 at Sunset Ridge, adding that it was a lot of fun. He stated that Councilmember Vreeland asked him to say a few words on his behalf, adding that he had talked to him four or five days ago. He stated that people have noticed that he has been absent at a few meetings lately and Councilmember Vreeland asked him to let people know that he is dealing with a medical issue that is serious. It is not life threatening, but it is serious. He is aggressively receiving treatment for that and expects to be back in top form in a couple of weeks. He wasn't sure if he would miss another meeting. He may, but if he does, it should be the last one he misses. Mayor pro Tem DeJarnatt added that they would all like to see him back as soon as possible.

Councilmember Stone explained that he hasn't had much interaction as a Councilmember yet, but the previous week he had attended lunch at the Senior Center. He felt they did a wonderful job of providing new menus every day of the month. He thanked Mr. Lang for welcoming him the couple times he attended, adding that it was an enjoyable thing for members of the community to visit with seniors.

Councilmember Digre stated that, over the Christmas holidays, most of the meetings she attended were pleasure in addition to business. She reminded everyone that the Economic Development Committee would be meeting the following evening at the Police Station. They would be discussing branding and would also be hearing from Ann LeClaire of the San Mateo County

Visitor's Bureau. She stated that they were also interviewing those who were applying for the Planning Commission's open seat. She was pleased about the youth, stating that it reminds her of the tragedy in Tucson and the 9-year-old who had just been elected to her school council and was encouraged to meet her congress person. She mentioned that she taught that age level, adding that it was painful to think about the tragedy that happened. She thought the Congresswoman would be the last to say that we should be afraid but rather care for our country and be willing to stand up and support one another. She commented that she has been very impressed with the caliber of people serving in the county and Pacifica. She thanked everyone for hanging in there and caring for one another and risking whatever comes in order to have a great democracy.

Mayor Nihart stated that, while she wasn't prepared to talk about it now, she didn't want to forget that a federal judge lost his life in the Tucson tragedy. She stated that recently she was at Vallemar School with the City Manager, retiring Chief Saunders and Capt. Bertini, to have a neighborhood watch meeting. She stated that it was very heartening to hear interest in binding together as a community as well as hearing statistics regarding only two residential robberies in the past year. She also informed the Council that, at the Council of Cities meeting, they didn't vote on the positions for the coming year, but they would be voting on the 28th in Millbrae. She thanked Councilmember Digre for going to Redwood City to vote for Pacifica for two County positions on January 5. She stated that, while she would love to attend the reception for the peninsula division of the League of California Cities, it was also the same night as the Chamber awards dinner. Since she has to attend the Chamber awards dinner, she hoped another Councilmember would be able to attend the League of California Cities dinner. She stated that Jerry Hill was putting together a meeting at his office for mayors and city managers on Friday to get input. She commented that, if you have seen the state's budget, they knew they would be about \$20 billion in the hole yearly for the next five years, mentioning some specific areas of concern. Assemblyman Hill was asking people to come and give input but, if it is scheduled during the day, it was highly unlikely that she would be able to attend. She asked Mayor pro Tem DeJarnatt about attending and she asked if Councilmember Digre was going to be available. She added that the City Manager would be there. She stated that she would be doing the state of the City address at the Pacifica Democrats' meeting on the 15th. She stated that there would be an annual report on public education in Pacifica at Vallemar School on February 7. She stated that they have set the date for the first Mayor's walk on January 24 in Rockaway, starting at Nick's at noon and going until about 2:00 p.m. She stated that they would getting comments on what business and the community need and everyone was invited. She commented on the talent in town which she observed over the holidays, mentioning specifically the performance of Babes in Toyland. She congratulated them for the work. She also noted a new jazz group in town that put out an album. She also mentioned a book called "Passenger", written by a Safeway checker.

ORAL COMMUNICATIONS

Mayor Nihart opened Oral Communications.

Bill Glasgo, President of the Pacifica Police Officers Assn., welcomed the new Council and congratulated new Councilmember Stone and reelected Councilmembers Vreeland and Digre and appointment of Mayor Nihart. He referred to the upcoming decisions relating to police services in Pacifica and their association was requesting that they be a part of those decisions in the coming months. He explained that they had signed a two-year contract mirroring recommendations made by the City's Financial Task Force. They wanted to be part of the solution and looked forward to working with everyone in finding those solutions.

Lazar Keitelman, Pacifica, referred to the presentation that implied the City was gambling with public safety in residential neighborhoods. He felt that it was misinformation and fear mongering. He referred to Congresswoman Speier and San Francisco who were seeking funding from the US Corp of Engineers to improve the seawall at Sharp Park, but he explained that the aquatic ecosystem restoration program funds should not be spent on a federal bailout for a money losing golf course. He felt the most cost effective solution to Sharp Park's chronic flooding was wetlands restoration. He stated that coastal ecologists state that raising the seawall would destroy the beach and put Pacifica homeowners at greater risk of catastrophic flooding as sea levels rise with more storms of increased intensity. He commented on the specifics of a wetlands project that would be the lowest cost, comparing it to the various previous plans to save the golf course, etc., mentioning various conservation and environmental groups that are opposed to the golf course plan.

Earl Annecston, Pacifica, stated that he was wishing the new Council well, adding jokingly that he was going into the business of bulletproof vests.

Anita Rees, Pacifica Resource Center, gave the Council an update on the success of their Holiday programs, adding that it could not have been done without the generous support of the community. She stated that they have also been busy with the homeless to help them find long term shelter options. She asked everyone to have any homeless individuals contact the Resource Center. She stated that they were planning to participate in the one day Count for Homeless on January 27 and invited everyone to join them. They also had an open house on January 29. She also mentioned the free tax services available to those in need. She stated that they also had a "money and me" class to learn more about credit reports, February 7.

Margaret Goodale, Pacifica, emphasized that one of the most important things that Mr. Slavin said was regarding the Arup Report, which commented that the most problematic flood problem for the golf course area would come from north of the golf course, not across the seawall which she felt was something to consider. She also mentioned that the Pacifica Shore Bird Alliance is learning about what other states are also doing to support the continued existence of the 2,000 snowy plovers. She then acknowledged that the seawall issue was a tough one, commenting that there were probably plovers on Sharp Park Beach.

Mayor Nihart closed Oral Communications.

CONSIDERATION

8. Discussion Items for Re-Establishment of Fire Suppression Assessment.

Admin. Ser. Dir. Ritzma presented the staff report.

Councilmember Digre asked what the recommendation was from the consultant for the previous assessment.

Admin. Ser. Dir. Ritzma stated that the City could have charged more than the \$75.

Councilmember Digre again asked what the specific recommendation was, adding that she thought it might have been \$100 but she was not sure.

City Manager Rhodes thought it was \$105 or \$107.

Councilmember Digre thought it was \$100 and the Council chose to go lower because it was the first time they had done this.

There were no public comments.

Mayor Nihart reminded everyone that they wanted feedback about the inflation adjustment formula, duration of assessment, establishment of a reserve for equipment in future years, property owner workshop, ballot process and oversight committee.

City Manager responded in agreement.

Mayor pro Tem DeJarnatt stated that he had ambivalent feelings about pursuing another fire assessment but, after thinking about it long and hard, he decided to support placing it on the ballot. He added that the main reason was because the cuts they had to make without it would be draconian and he felt the public needed to make the decision. He then stated that he would use the CPI as the inflation indicator.

Admin. Ser. Dir. Ritzma stated that the consultant recommended that they pick a flat percentage amount as opposed to a CPI so that the public knows exactly what the cost will be moving forward in case there was inflation or a variety of unknown economic factors.

Mayor pro Tem DeJarnatt thought it made sense, although he didn't know what the percentage should be. He thought ten years made sense, which was probably what they should have done the first time. He liked the idea of establishing a reserve for equipment, as well as a workshop for property owners. He again stated that he didn't know about the percentage for inflation adjustment and would have to think about it.

City Manager Rhodes stated that the recommendation was for a station rather than for equipment.

Mayor pro Tem DeJarnatt stated that he didn't have a problem with that. He thought, if they managed to raise \$2 million, we could probably get a grant to fund the rest of it.

Mayor Nihart asked if he had said ten years.

Mayor pro Tem DeJarnatt stated that he was flexible, but he thought ten years made sense. He didn't know where to go regarding the percentage for inflation and asked staff if there were any ideas.

City Manager Rhodes stated that he would recommend 1.5% because inflation has not been that much.

Mayor pro Tem DeJarnatt agreed that it was minimal.

City Manager Rhodes thought you could take a chance that it could grow.

Mayor pro Tem DeJarnatt thought it would not grow, at least not for the next couple of years, and he would be happy with 1.5%.

City Manager Rhodes thought that factor should also depend upon the duration.

Mayor pro Tem DeJarnatt agreed.

Councilmember Digre stated that she was always in favor of approaching the public for fire and police, because it was up to them as to what they want to pay for and she was in favor of outreach and education so that they were fully aware of the ramifications of choices. She mentioned that she was in favor of the first one for the same reason. She was not in favor of long durations because people change. She preferred the five but would be willing to go with seven. She was fine with the allotment for the fire station, but she asked if the money would still cover equipment.

City Manager Rhodes stated that they were not proposing that.

Councilmember Digre asked what it was for the suppression.

City Manager Rhodes stated that it was personnel and operating costs.

Councilmember Digre was concerned about it, and she asked about the need to purchase equipment within the next ten years, comparing it to deferred maintenance.

City Manager Rhodes stated that the funds can and will be used for ongoing operating costs, which include equipment. He stated that the issue was whether they should reserve funds for specific equipment like they did previously. They were recommending reserving funds for a fire station instead.

Councilmember Digre asked if she was hearing that the equipment situation would still be sound and they would not regret changing it.

Admin. Ser. Dir. Ritzma explained that they currently had a depreciation schedule set for the fire department to do repairs and replacement of equipment, as well as the assessment being used for personnel costs.

Councilmember Digre was puzzled because the consultant previously said they should go for 100% and they went with 75%, and this time the consultant was saying 85%.

City Manager Rhodes stated that staff was recommending that amount, using it to work up the information they were giving them. He explained that it was depending upon what the report says and the exact amount would be before them later. For now, that amount was for the purpose of giving them information of what that amount can do.

Councilmember Digre stated that she felt strongly that the community needed to be the one determining what they want and how much they want to pay for that.

Councilmember Stone agreed with many things mentioned by Councilmember Digre regarding asking the public about the services they want. He felt that they needed a detailed approach, clearly telling the public how much specific services will cost. He was in favor of something that sunsets relatively early, giving the City something to operate on but that they can reassess when the time comes. He was thinking about a five-year range. He agreed on the oversight committee to get citizens involved immediately so as not to worry about a miscommunication. He also thought it should be consistent with inflation, such as a longer assessment needing to have more fluctuation.

Mayor Nihart thought ten years was too long to put in front of the public, but she thought five years would barely get the City past the real crisis. She stated that, looking at California, they were looking at the problem lasting at least five more years, including \$20 billion budget deficits. and the City having to pull it in locally. She mentioned, if talking draconian, taking a look at the list coming from the Governor. She stated that it frightened her, even after passing Prop. 22. She stated that the first thing they did was try to figure out how to get around Prop. 22 and go after any new improvements we do in our redevelopment area. She added that we had two on the books now. She felt it was frustrating. She was thinking something like six or seven years to get us past that and have some breathing room. She was not into an inflation adjustment and felt that the public needed to know what they were going to spend year to year. She stated that they have done all their projections based on \$85. She thought it would come in that the fire assessment should be higher than that. She thought \$85 was plenty in terms of what they were asking for and she wasn't sure it was fair to look at an inflation adjustment, but she would go along with the Council's wishes. Referring to the reserve, she thought the fire house was the important part. She mentioned that they had put in grant applications for both, stating that they were both seismically impaired. She stated that they weren't looking at something new, but trying to efficiently replace what we have which made sense to her. She felt that the oversight committee was a given. She agreed with Councilmembers Digre and Stone about public process. She was interested in getting the public involved as early as possible with education about the choices and what they mean. She recalled that they had a lot of trouble on the previous assessment, with flyers which included miscommunication and misinformation. She asked if we had funds to make a clear explanation in the ballot insert within the parameters, as well as meetings, and asked for the Council's opinion on that.

Councilmember Digre agreed with being open, clear and defined, adding that they might need to look at the process and the legal wording. She was also asking how they define replacement of aging fire stations' was it total or just whatever was needed to make the station safe.

City Manager Rhodes stated that it was actually replacement.

Councilmember Digre asked if he was saying total replacement.

City Manager Rhodes responded affirmatively.

Councilmember Stone thought it was a good time to talk about the economic development side of the City's plan. He mentioned that it was discussed during the last fire assessment when it was put on the ballot. He felt, if they were going to move forward this way, he thought the City needed to show the public that they were looking and doing everything possible to increase our tax base. He felt that was an important step if they were going to ask people for more taxes in these economic times. He referred to the comment that the state and federal were going to raise taxes. He thought they should show the community that they were serious about economic development before or during the process of asking for more revenue.

Mayor pro Tem DeJarnatt stated that he had no problem with the duration, with 5-7 years being what the majority thinks. He thought they might want to pick six, adding that he didn't have a problem with that. He also had no disagreement with an oversight committee. He stated that, for six years, 1.5% inflation adjustment was probably fine. He had no problem showing the public they were committed to economic development but he was not clear on how they would want it to look. He thought they had been making it clear for a long time that they were looking for economic development but now the problem was that there were not a lot of investment dollars or venture capital dollars out there. He would be happy to entertain ideas to demonstrate that.

Mayor Nihart suggested they go down the list. She asked if they want an inflation adjustment or a fixed amount.

Mayor pro Tem DeJarnatt stated that he didn't care.

Councilmember Digre thought an inflation adjustment made sense. She was not sure how to tie this situation with economic development, although she thought economic development was something they have to do. She also really feels the public needs to let them know what they want and whether they were willing to pay for what they want, and if not, where do they cut. She felt the public would like a strong enhanced vibrant fire services program, but questioned whether they really know how much that costs and also wondered how much they were willing to pay for it. She reiterated that she was for seven years with inflation or six years.

Mayor pro Tem DeJarnatt asked Councilmember Digre what she has in mind regarding finding out what the public specifically wants.

Councilmember Digre suggested that they start early and, in their education, get the topic out there offering several kinds of scenarios similar to what the finance committee did.

City Manager Rhodes stated that this was based on the financial plan and now they were diverging from that if they go in this direction. He reiterated that the financial plan went through those issues, came to the conclusion that the best they could do for everything was maintain where they were. He stated that, if they go into a conversation in that direction, it should open the entire discussion and not just fire issues. He was concerned that they were taking a deviation from where they were heading with the financial plan.

Councilmember Digre asked if he thought the financial plan was based on the direness of what is rather than what we were willing to pick and choose about.

City Manager Rhodes believed that the task force's conclusions were based on wanting to maintain the current level of service and believing that was the most they could accomplish. He stated that, if they looked at what it would take to do that, it was significant, \$6.4 million in new revenues and \$8 million in personnel or expenditure cuts. He thought, while they could do it, changing the conversation was a whole new set of discussions.

Mayor pro Tem DeJarnatt stated that he asked for ideas because he thought it was easy to respond to the five things but, when it becomes abstract, he didn't know where to go with it.

Mayor Nihart agreed, and she was going to bring it back to the five things. She had the financial plan in front of her. She stated that they were operating off of Option A, which was asking \$8 million over five years from employees and \$6 million over five years from the public. If they didn't do that, they end up going to Option B which were pieces of automatic cuts that were devastating, such as \$1.2 million out of the police department and she wasn't sure where they get that. She stated that fire was 27.7% of the City's budget now. If they go to that, they are asking for considerable givebacks in five of the union contracts, mentioning that they were approving more. She stated that they have to focus on how they communicate their dire situation to the public, and that was the kind of education she was focusing on. She stated that, given that they have financial problems in all areas, they want to be sure they don't get into what they got into on the last fire assessment with different opinions about the actual use of the money. She had suggested the consultant prepare the information for the ballot and, they were within the law,

because they cannot argue a side within that ballot. She would like the public to understand where the City was to make an informed decision. With that information, she would like to go back to the five items to give the staff clear direction. Her personal preference regarding inflation adjustment was to use a flat fee which was easier to understand, argue and predict where you were going. She didn't think they would get enough out of an inflation adjustment to make a difference. She felt, the cleaner they are made, the easier it was for the public to understand.

Councilmember Stone felt she made a good point on the inflation guard, and he was fine with leaving it out.

Mayor pro Tem DeJarnatt agreed that wouldn't add up to much money, so he was fine leaving it out.

Mayor Nihart reiterated that it was easier to understand.

Mayor pro Tem DeJarnatt thought they agreed on #s 3, 4 and 5.

Mayor Nihart agreed, stating she thought it was just the years they had to settle on.

Mayor pro Tem DeJarnatt stated that he would go six, but he was willing to go with the majority, 5-6, but he would pick six because it was in the middle.

Mayor Nihart clarified that seven was in the middle of 5-10.

Mayor pro Tem DeJarnatt clarified that he heard that no one was interested in ten and a couple were interested in seven, so he picked the middle of the numbers mentioned. He could go six or seven, but felt five was too low.

Councilmember Digre stated that she would go for seven.

Councilmember Stone liked the idea of five, but understood the Council's reason for looking at a higher amount. He chose six.

Mayor Nihart stated that, after hearing all the forecasting, she would like to get them past the current crisis and she was thinking seven.

Mayor pro Tem DeJarnatt stated that he would go seven in the spirit of going along.

Councilmember Digre stated that it was past the five years.

Mayor Nihart asked Councilmember Stone if he was okay with that.

Councilmember Stone stated that she heard his opinion, but that was fine.

Mayor Nihart asked if the rest of the Council would be opposed to spending a few thousand to get some kind of clear description in the ballot insert.

Mayor pro Tem DeJarnatt didn't think they would have to spend anything to do that. He thought staff could put something clear and precise. He stated that it was pretty draconian, but the straight facts were easy to come by. He felt that was all they needed to do, and he thought they

would have to spend a few thousand to put it together anyway. He didn't see it as being that different from the process that they have to follow to begin with.

City Manager Rhodes clarified that the person preparing the engineering report cannot provide that kind of information because it was seen as a conflict with the engineering report being based on the facts and information.

Mayor pro Tem DeJarnatt asked who put the facts together the first time. He thought the City Attorney did that.

City Attorney Quick responded that her recollection was that Joe Tanner and she put it together.

Mayor pro Tem DeJarnatt thought he remembered her name.

City Manager Rhodes stated that he saw the problem then, and it was never clearly defined among all the parties and people left the table with different ideas of what was in there. He stated that he had started work to make sure that, when they get to the point of having it together, it will clearly say what it was for without having different interpretations. He was working with the fire department to make sure they are all on the same page since he thought they ended up on different pages the last time. That was an internal piece, and there was another piece about having a letter that goes out which they can pay someone to craft whose skills are putting that kind of information together. He thought that was what the mayor was talking about as an option, however, it couldn't be the engineer but someone separate and they were probably talking about \$10,000 to generate that.

Mayor Nihart added that it would include producing it and mailing it.

Mayor pro Tem DeJarnatt stated that he would prefer to put out something very cold and factual that says it the way it is. Otherwise, it will sound as though they were advertising for their side of the issue. He didn't think that was something they can legally do, but he felt it would feel wrong. He understood what the City Manager was saying, that they would want to be on one page without different interpretations. However, he had ambivalent feelings about hiring someone to craft a letter. He would prefer to leave it where it is.

Councilmember Digre agreed, adding that she didn't think the letter was as important as the follow through and that was the part that got murky.

Mayor Nihart stated that her only reason for bringing it up was the issues that came up with the fire assessment last time and the problems with clarity and the various leaflets and flyers that said different things.

Councilmember Stone thought it made sense to have rapport with the community and get out what was intended to get out and it makes sense if it was doable, legally and financially.

Mayor Nihart thought they could ask for what the numbers would be.

Mayor pro Tem DeJarnatt suggested they talk when all five are present or think about that one aspect. He thought they had what they needed for tonight.

City Manager Rhodes suggested that they could get more information and come back with that piece.

Mayor pro Tem DeJarnatt stated that he would like to think about it.

Mayor Nihart thought the suggestion was great.

9. Budget Calendar FY 2011/2012.

Admin. Ser. Dir. Ritzma presented the staff report.

Councilmember Digre stated that February 3 was a Thursday and she asked if they were having a meeting, or was that when the report was available.

Admin. Ser. Dir. Ritzma stated that February 3 was the Financing City Services taskforce meeting.

Councilmember Digre asked if they would be meeting in Council chambers.

Admin. Ser. Dir. Ritzma stated that it was just the taskforce meeting. She stated that it wasn't bolded but it was a public meeting.

Mayor Nihart assumed the bolded items were for Council and the rest were related to individual pieces.

There were no public comments.

Mayor Nihart commented that there was no motion necessary because it was information only.

Mayor pro Tem DeJarnatt thought it would be a good idea to get the whole thing published on the website as quickly as possible so the public can see it as quickly as possible.

Admin. Ser. Dir. Ritzma stated that they would put it on now after finding the typos.

10. Memorandum of Understanding between the City of Pacifica and Police Management; Teamsters Local 350.

Admin Ser. Dir. Ritzma presented the staff report.

There were no public comments.

Mayor pro Tem DeJarnatt thanked the Police Management Association for their willingness to sign this contract, knowing that it is not one they liked or that he really wanted to offer but that was the reality of where they were.

Mayor pro Tem DeJarnatt moved to approve and authorize the City Manager to sign the Memorandum of Understanding between the City of Pacifica and the Teamsters Local 350 Police Management Unit and authorize letter approving merit increase; seconded by Councilmember Digre.

Councilmember Stone also thanked the police management for their willingness to sign this contract.

Councilmember Digre commented that it was a very difficult time for the community and the employees were extremely important. She appreciated everything that all employees do.

Mayor Nihart echoed the same things, acknowledging that this was incredibly difficult to ask from anyone, and she thanked the police and fire departments for stepping up. These had to be done to keep the City's fiscal ship in order. She stated that, if they go under, they don't get rid of the cost. She mentioned Vallejo's legal fees which were \$9.5 million in bankruptcy and she did not want to see the City go there. She knew their employees were with them. She thanked management and thanked POA.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion passed: 4-0.

11. Memorandum of Understanding between the City of Pacifica and Police Officers Association.

Admin. Ser. Dir. Ritzma presented the staff report.

Mayor Nihart opened public comments.

Bill Glasgo, President of Police Officers Association, referred to the list of concessions and acknowledged that it was a tough negotiation period. He thanked Mr. Rhodes who brought them back to the table. He also thanked Mayor Nihart for her ongoing support and discussions that resulted in a contract.

Mayor Nihart closed public comments.

Councilmember Stone thanked the POA for the concessions and coming up with an agreement that both parties can live with to set the City on the right track going forward.

Councilmember Digre expressed her gratitude for the employees of the POA. Those employees, and their quality, were what made us a strong City and she appreciated being able to move forward.

Mayor Nihart agreed and thanked Bill Glasgo for his efforts and work in bringing this home, acknowledging that takeaways are never an easy thing.

Mayor pro Tem DeJarnatt also thanked the POA. He felt it was a contract that was difficult for all sides. He thanked them for signing the contract, adding that he wished things were different, but this was the cold reality of the situation.

Mayor pro Tem DeJarnatt moved to approve and authorize the City Manager to sign the Memorandum of Understanding between the City of Pacifica and the Pacifica Police Officers Association (PPOA) Unit; seconded by Councilmember Digre.

Mayor Nihart stated that this was only one step, \$8 million from the employees, \$6 million from the public, before we right this ship. She again thanked them for their contribution.

ROLL CALL VOTE:

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

Noes: Councilmembers: None.

Motion passed: 4-0.

City Attorney Quick asked that the City Clerk ensure that the minutes show that Councilmember Digre voted.

12. Selection of City Council Liaison and Committee Assignments for 2011.

Mayor Nihart explained that they typically went down the list and each Councilmember indicates whether that person will continue in that position. She stated that typically they are all on the Council of Cities even though the Mayor is the voting representative, and they are also all on the North County Council of Cities. She stated that she needed to give up the ABAG General Assembly delegate due to a conflict with her new job.

Councilmember Stone stated that he was interested in taking on that position.

Mayor pro Tem DeJarnatt stated that he would be the alternate.

Councilmember Digre was concerned about doing this when they were all present. She asked Mayor pro Tem DeJarnatt about the uncertainty as to whether Councilmember Vreeland would make the next meeting.

Mayor pro Tem DeJarnatt stated that he may miss one more meeting, but he was pretty sure that he will be back after that. He suggested that they revisit it later, stating that there was nothing that they can't cover as it comes up.

City Manager Rhodes was going to make the same suggestion, stating that they were covered on everything without making the changes now, and they can adjust it when all five councilmembers are present.

Mayor pro Tem DeJarnatt stated that he has a meeting coming up but he wanted to keep that so he thinks they are covered.

Mayor Nihart stated that they don't have anyone on Financing City Services because that was Julie Lancelle. She stated that the next meeting comes up February 3.

Mayor pro Tem DeJarnatt asked if it was every month.

City Manager Rhodes stated that they meet annually.

Mayor pro Tem DeJarnatt stated that he would be happy to do that. He thought that, aside from that one, they could come back to this. He added that the Library Joint Powers Authority will meet, but he liked that one.

City Manager Rhodes stated that, because they have alternates in place, the only place they have no coverage was the Bikeways Committee but they haven't been meeting.

Councilmember Stone asked if Julie was on the Golf Course Task Force because he was interested in that.

City Manager Rhodes stated that the task force had sunsetted.

Councilmember Digre stated that she had been "waiting in the wings" to be on the chamber, and wondered if Councilmember Stone would "fight it out" with her.

Mayor Nihart stated that it was by invitation.

Councilmember Stone stated that you would have to ask if they would like a liaison.

Mayor Nihart referred to the Financing City Services, stating that she was on it and she wondered if Councilmember Stone would like to get his feet wet on the budget.

Councilmember Stone stated that the two committees he was interested in being on were the Financing City Services Task Force and the Economic Development Committee.

Mayor pro Tem DeJarnatt stated that, if he would like to be on the Financing City Services Task Force, he was welcome to take that one. He already had a few that he liked.

Mayor Nihart thought that there was no better place to get a handle on the budget.

City Manager Rhodes confirmed that they would bring this back when they had all five members.

Mayor Nihart adjourned the meeting at 8:50 p.m., in honor of those who lost their lives and those who were injured in a devastating tragedy. She commented that they often hear things in the media that were not true, so she challenged everyone not to jump to any conclusions about mental health issues or causes as we move forward. Her prayers went out to all of those affected.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: as amended; 5-0; 1/24/11

City Council meeting 15 January 10, 2011