

MINUTES

City Council Regular Meeting
2212 Beach Boulevard
Pacifica, CA 94044

December 10, 2007

Acting Mayor Hinton 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 54956.9(b): Conference with Legal Counsel, Anticipated Litigation. One Potential Case.
- 2. PURSUANT TO GOVERNMENT CODE SECTION 54957.6: Conference with Labor Negotiator. Agency Negotiator: Ann Ritzma. Employee Organizations: Teamsters 350 – Police Management; Department Directors – Teamsters 350.

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

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

Staff Present: Steve Rhodes, City Manager; Cecilia Quick, City Attorney; Ann Ritzma, Administrative Services Director; Mari Brumm-Merrill, PB&R Director; Jim Tasa, Police Captain; Steve Brandvold, Deputy Fire Chief; Van Ocampo, Deputy Director of Public Works; Ray Donguines, Assistant Civil Engineer; Mike Angel, Chief Building Official; Kathy O’Connell, City Clerk.

Acting Mayor Hinton led the Salute to the Flag.

Commission Liaison: None.
 Chamber Liaison: None.

CLOSED SESSION:

None.

CONSENT CALENDAR:

Councilmember Lancelle moved approval of the Consent Calendar, as amended, as follows: Approval of disbursements dated 11/06/07 to 11/26/07 in the amount of \$498,207.93, regular and quick checks numbered 81667 to 81672 and 118563 to 118703, as set forth in Item #1; Approval of Minutes of regular City Council meeting of November 26, 2007 and Minutes of Special City Council Meeting of November 28, 2007, as set forth in Item #2; Cancellation of the December 24, 2007 City Council Meeting, as set forth in Item #3; Review of Development Fee Accounting Information, as set forth in Item #4; 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; City Offices Closed for Holiday, as set forth in Item #6; Approval of Agreement to Subordinate Existing City Housing Enabled by Local

Partnership (HELP) Loan and Affordable Housing Covenant to Additional Loan of \$300,000.00 from California Housing Financing Authority (CALHFA) (Oceanview Apartments), as set forth in Item #7; seconded by Councilmember Digre.

ROLL CALL VOTE:

Ayes: Councilmembers: Digre, Lancelle, and Hinton.

Noes: Councilmembers: None.

Motion carried: 3-0.

SPECIAL PRESENTATION:

None.

COUNCIL COMMUNICATIONS:

Councilmember Lancelle congratulated Chair Planning Commissioner Chris Ranken for successfully being appointed to the San Mateo County Planning Commission. She mentioned that the last time Pacifica had a representative was Grace McCarthy. She visited the Palmetto Merchants' Sanchez Art Center show, as well as the Livability Project's Coastside Alternative Give Fair at Ocean Shore School. She attended the San Mateo County Labor Council Holiday luncheon, meeting interesting individuals. She stated that they had the Pacific School District, Jefferson Union High School District and Pacifica City Council Articulation meeting the previous Thursday. She stated that they also had a meeting the previous Tuesday regarding the Marketing Trails Map on which Stephanie Vines, member of GGNRA Advisory Committees, was working. She attended meetings of the Chamber of Commerce and the Golf Course Task Force. She also attended the Elf Market and the GGNRA Advisory Committee meeting.

Councilmember Digre attended some of the same meetings as Councilmember Lancelle. She also viewed the design proposal for the Walgreen's store. She also attended the City's tree lighting at the Community Center, the Alternative Gift Market at Oceana by the Livability Project. She attended the Palmetto Open House on the 8th, and mentioned that they would also have an open house event on the 15th including carolers and readings by Emmanuel Williams. She also attended the Historical Society Fundraiser at Shell Dance Nursery. She reported that Samtrans had increased ridership in the County, including in Pacifica, and she thanked the youth for helping to get extended service in our town. She added that there would be more funding for public transit, including shuttles, in 2008. She sent her good wishes to every family that had family members serving in the armed forces, especially in Iraq and Afghanistan.

Acting Mayor Hinton stated that he attended the tree lighting ceremony on the 30th, and was pleased and encouraged about the future of Pacifica to see so many young people in attendance.

ORAL COMMUNICATIONS

Acting Mayor Hinton opened Oral Communications.

Lois Ward, HIP Housing staff member, stated that she was presenting the City Council with their 2008 Hip Housing calendar. She explained that this was a nonprofit organization providing affordable housing services for Pacifica and all of San Mateo County, and the calendar helped them inform the public about HIP housing. She explained the selection process for the pictures, namely that children submitted drawings and a committee picked out the 12 winners to be in the

calendar. She then quoted from the January picture. She added that she liked to get the word out that they were a resource for families who need help in finding housing.

Acting Mayor Hinton thanked her, adding that a place to live was crucial.

Kathy Meeh, 1276 Alicante Drive, congratulated Acting Mayor Hinton on his birthday and stated that she had an announcement and observation. Her announcement was that Pacificans for Progress would be holding a discussion regarding the long term desire to have an off leash dog park. They asked for City Council cooperation in finding locations within the City. She then commented on the Chamber election, stating that it was an unfair election and should be null and void and they should clear up the mess. She asked Councilmember Lancelle to look into it.

Bernie Sifry, Pacifica, also congratulated Acting Mayor Hinton on his birthday and wished him another 25 years of good health. He stated that his main issue was transparency, clarifying that he had been asking the Council to state their visions and he thanked the women on the Council who had taken time, effort and expressed their wishes as Councilmembers. He was disappointed in the male members of the Council. He explained that the public wanted to know what their visions were, and if they didn't express themselves, he would conclude they were filling the seat for money, power, influence, and free benefits. He asked that they prove him wrong by responding to his request.

Tod Schlesinger, Pacifica, apologized to Councilmember Lancelle, explaining that he confirmed that she hadn't initiated the recall with Ellen Castelli. He then stated that he reread the agreement between the City, California State Beach and Park & Rec regarding the Linda Mar Beach parking lot. He concluded that he didn't see anything in the agreement that prevented the City from moving forward, but he couldn't do it for the Council. He stated that submitting a permit to the Coastal Commission was a simple matter and the ball was in their court. If they don't, he has to continue to question why not.

Councilmember Lancelle stated that she would follow up on what he said and get the information he has requested. She stated that there was disagreement within the community about having differentiated fee amounts between resident and out-of-towners.

Mr. Schlesinger stated that he wasn't questioning that. He was merely questioning why nothing was done.

Acting Mayor Hinton asked the City Manager to look into the beach parking, find the status and return to the Council with the information which would not be until January.

Jeff Simons, Pacifica, stated that he was at a Christmas party at Tod Schlesinger's home and stated that his heart was not ten sizes too small. He mentioned that Maureen Lennon's hearing was scheduled the next day. He felt this was handled very poorly, stating that she should be allowed to follow the grievance procedure per her contract. He agreed with Kathy Meeh regarding the Chamber of Commerce board elections. He read an article from the paper regarding a high profile developer who bought a quarry site in Pleasanton, adding that we keep that in mind as we move forward with our own economic development.

Acting Mayor Hinton closed Oral Communications.

PUBLIC HEARINGS:

8. Public Hearing to Adopt an Ordinance entitled “An Ordinance of the City Council of the City of Pacifica Amending Title 8, ‘Building Regulations,’ Chapter 1 to 4, and Title 4, Chapter 3, ‘Fire Safety,’ of the Pacifica Municipal Code, and Adopting by Reference the 2007 Editions of the California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, and California Fire Code; and Providing for Certain Additions and Modifications to Those Codes that are Necessary Due to Local Conditions;” second reading.

Chief Building Official Mike Angel presented the staff report.

Fire Marshall Steve Brandvold completed the staff report.

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

Councilmember Lancelle asked if the references to property owners applied to private builders.

Fire Marshall Brandvold stated that there were different stages, explaining that the state was exempt from the City’s ordinance, as well as public schools.

Councilmember Digre asked if the schools had a sprinkling ordinance from the state.

Fire Marshall Brandvold stated that the public schools were exempt from fire sprinkler systems, clarifying that there were no state statute that mandates fire sprinkler systems in schools.

Councilmember Digre asked if he meant in new schools.

Fire Marshall Brandvold stated that it applied to any school.

Acting Mayor Hinton clarified that schools were exempt from all local ordinances except the fire department which had some jurisdiction in enforcing the codes, adding that if we didn’t do it, they would do it for them and charge the fire department.

Fire Marshall Brandvold stated that, they acted at the hand of the state fire marshall in doing inspections, but only the state fire marshall had the authority to enforce in public schools.

Acting Mayor Hinton agreed that they fire department did act for the state fire marshall on a local level, due to economics.

Councilmember Lancelle moved to receive public testimony and move to adopt the ordinance entitled “An Ordinance of the City Council of the City of Pacifica Amending Title 8, ‘Building Regulations,’ Chapters 1 to 4, and Title 4, Chapter 3, ‘Fire Safety,’ of the Pacifica Municipal Code; and Adopting by Reference the 2007 Editions of the California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, and California Fire Code; and Providing for Certain Additions and Modifications to Those Codes That are Necessary Due to Local Conditions;” seconded by Councilmember Digre.

ROLL CALL VOTE:

Ayes: Councilmembers: Digre, Lancelle, and Hinton.

Noes: Councilmembers: None.

Motion passed: 3-0.

CONSIDERATION

9. Resolution Urging the City and County of San Francisco to Retain Sharp Park Golf Course.

City Manager Rhodes presented the staff report.

Acting Mayor Hinton opened public comments and, seeing no one, closed public comments.

Councilmember Lancelle emphasized how very important the golf course was to the residents of Pacifica and San Mateo County, as well as groups who have fundraisers at the golf course. She stated that it was an integral part of the City and they were concerned about the possibility of losing that resource, and were doing everything possible to support this important issue for Pacifica. She thanked the Council, staff and individuals who supported this. She was tempted to read the resolution because it did a great job describing how important the golf course was to Pacifica, as well as neighbors and visitors.

Councilmember Digre stated that she had attended numerous meetings in San Francisco, studying the golf course's history, and was impressed and concerned, and happy that the Council and County were getting on board. She mentioned that seniors and low income residents were able to afford using this property and she was looking forward to ensure that this asset remains viable.

Acting Mayor Hinton concurred with all the comments. He agreed that it was important to maintain the golf course. He added that it was historically significant and was a great benefit for the City, San Mateo County and San Francisco to maintain this course. He added that a good portion of the property was in open space, and he thought it would be a shame to transfer this into something other than a golf course. He mentioned that the golf course acted as home to a number of special that were compatible and co-habitate with the golfers. He concurred with Councilmember Lancelle that it was also an asset to the City which used the facility.

Councilmember Lancelle moved that the City Council adopt the resolution next in order "A Resolution Urging the City and County of San Francisco to retain Sharp Park Golf Course;" seconded by Councilmember Digre.

ROLL CALL VOTE:

Ayes: Councilmembers: Digre, Lancelle, and Hinton.
Noes: Councilmembers: None.

Motion passed: 3-0.

Acting Mayor Hinton adjourned the meeting at 7:50 p.m.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk