

CITY OF PACIFICA CITY COUNCIL AGENDA

MAYOR JIM VREELAND
MAYOR PRO TEM JULIE LANCELLE
COUNCILMEMBER CALVIN HINTON
COUNCILMEMBER SUE DIGRE
COUNCILMEMBER PETER DEJARNATT

CITY COUNCIL CHAMBERS
2212 BEACH BOULEVARD
PACIFICA, CALIFORNIA 94044

July 14, 2008

www.cityofpacifica.org

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6:00 p.m. CLOSED SESSION

- 1. PURSUANT TO GOVERNMENT CODE SECTION 54957.6 Conference with Labor Negotiator. Agency Negotiator: Ann Ritzma. Employee Organization: Battalion Chiefs Teamsters Local 856; Miscellaneous Employees Teamsters Local 856; Management Employees Teamsters Local 350; Wastewater Treatment Plant Employees Teamsters Local 856.**
- 2. PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b): Conference with legal counsel-anticipated litigation. Two potential cases.**

Call to Order
Roll Call
Salute to the Flag led by Mayor pro Tem Lancelle
Commission Liaisons: Planning Commissioner Tom Clifford
Closed Session Report:

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Roll Call

CONSENT

- 1. Approval of Minutes of Joint City Council/RDA Meeting of June 23, 2008 (Proposed action: approve)**

PUBLIC HEARING

- 2. Adoption of a Mitigated Negative Declaration Mitigation Monitoring and Reporting Plan, Approval of Site Development Permit, PSD-771-08, Use Permit, UP-990-08, Coastal Development Permit, CDP-303-08, (Subject to approval of an LCP Amendment by the Coastal Commission), Amendment to the Rockaway Beach Specific Plan to Allow Office Activity, and a Waiver of Specific Plan Development Provisions Regarding Parking and Floor Area Ratio (FAR) for a New Commercial Building at 270 Rockaway Beach Avenue; (APN 022-024-230 & 240) (**Proposed action:** 1) move that the City Council/Redevelopment Agency of the City of Pacifica ADOPT the attached resolution adopting the Mitigated Negative Declaration, Adopting the Mitigation Monitoring and Reporting Plan for a commercial building at 270 Rockaway Beach Avenue; 2) move that the City Council/Redevelopment Agency of the City of Pacifica APPROVE Site Development Permit, PSD-771-08, Use Permit UP 990-08, Coastal Development Permit, CDP 303-08 and a waiver of Specific Plan requirements regarding parking and Floor Area Ratio (F.A.R.) for the construction of a**

commercial building at 270 Rockaway Beach Avenue, and adopt the findings and conditions of approval of one (1) through forty-two (42) contained in the May 19, 2008 Planning Commission Staff Report and incorporate all maps and testimony into the record by reference; 3) move the City Council/Redevelopment Agency of the City of Pacifica ADOPT the attached resolution approving Site Development Permit (PSD-771-08), Use Permit (UP-990-08), and Coastal Development Permit (CDP-303-08), for the construction of a commercial building at 270 Rockaway Beach Avenue; 4) move that the City Council/Redevelopment Agency of the City of Pacifica ADOPT the attached resolution approving an amendment to the Rockaway Beach Specific Plan to alter the description of uses to allow office uses; 5) move that the City Council/Redevelopment Agency of the City of Pacifica ADOPT the attached resolution recommending approval of a LCP amendment for the construction of a commercial building at 270 Rockaway Beach Avenue)

CONSIDERATION

3. Status of Projects in the Redevelopment Agency Area (**Proposed action:** informational only)

RECONVENE TO REGULAR CITY COUNCIL MEETING

CONSENT CALENDAR

Items on the consent calendar will be adopted by one motion unless a Councilmember or person in the audience requests, before the vote on the motion, to have an item discussed under the Consideration portion of the agenda. Time limit on comments is three minutes or less.

1. Approval of disbursements dated 06/04/08 to 06/20/08 in the amount of \$545,056.63. Regular and quick checks numbered 81711 to 81712, 121086 to 121094, and 121096 to 121233 and 06/20/08 to 06/30/08 in the amount of #320,610.96. Regular and quick checks numbered 81714 to 81715, 121234 to 121363 b) dated 06/20/08 to 06/30/08 in the amount of #320,610.96. Regular and quick checks numbered 81714 to 81715, 121234 to 121363 (**Proposed action:** approve)
2. Approval of Minutes of Regular City Council Meeting of June 23, 2008 (**Proposed action:** approve)
3. Notice of Completion for the Retaining Wall at Oceana Boulevard Project (**Proposed action:** adopt the resolution next in order A Resolution of the City Council of the City of Pacifica Accepting Completion and Direct the City Manager to file Notice of Completion for Retaining Wall at Oceana Boulevard Project)
4. Notice of Completion for the Pacifica Community Center Roof and HVAC Repair Project (**Proposed action:** adopt resolution next in order A Resolution of the City Council of the City of Pacifica Accepting Completion and Direct the City Manager to file Notice of Completion for Pacifica Community Center Roof and HVAC Repair Project)
5. Resolution of the City Council of the City of Pacifica Supporting the Marine Life Protection Act Blue Ribbon Task Force Integrated Preferred Alternative MPA Network (**Proposed action:** adopt resolution next in order)
6. Resolution in Support of Sutter Health Mills-Peninsula Nurses and California Nurses Association (**Proposed action:** adopt resolution in support of Sutter Health Mills-Peninsula Nurses and California Nurses Association)
7. Review and Approval of Resolution Approving a Revised Joint Powers Agreement for Participation in the Housing Endowment and Trust of San Mateo County (HEART) and Authorizing the Mayor to Execute the Revised Joint Powers Agreement (**Proposed action:** adopt the resolution approving a revised Joint Powers Agreement for participation in the Housing Endowment and Trust of San Mateo County (HEART) and authorizing the Mayor to execute the revised Joint Powers Agreement)

8. Growth Management Ordinance: Extension of Previously Issued Allocations (**Proposed action:** move that the City Council grant the 7 extensions, per the July 14, 2008 Council Agenda Summary Report)
9. Approval of Amendment No. 3 to the Consultant Services Agreement between the City of Pacifica and Geo Soils, Incorporated for the 2006 FEMA Repairs Project (**Proposed action:** approve amendment no. 3 to the Consultant Services Agreement between the City of Pacifica and Geo Soils, Incorporated for the 2006 FEMA Repairs Project; authorize the City Manager to execute the amendment no. 3 and approve budget authority in the amount of \$8,900 from the General Fund to be reimbursed by FEMA)

SPECIAL PRESENTATION

- ❖ State Budget - Senator Leland Yee
- ❖ Proclamation – Coastside Castle - Sam Mazza
- ❖ Proclamation – In Appreciation to Pacifica Historical Society

COUNCIL COMMUNICATIONS

The purpose of Council Communications is for Councilmembers to inform each other of items of potential interest to other Councilmembers, such as interagency meetings.

ORAL COMMUNICATIONS

This portion of the Agenda is available for the public to address the City Council on any issue that is not on the Agenda. Any person wishing to address the Council shall be recognized by the Mayor during Oral Communications, provided, however, that during the Oral Communications portion of the agenda, only items not on the agenda for that meeting may be addressed. All remarks shall be addressed to the Council as a body and not to any member thereof. Councilmembers shall not enter into debate with speakers under Oral Communications. A maximum time of three minutes will be allowed for any speaker. Pursuant to Pacifica Municipal Code Title 2, Chapter 1, Section 2-1.118 any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Council shall be called to order by the presiding officer and, if such conduct continues, may, at the direction of the presiding officer, be ordered barred from further audience before the Council during the meeting.

PUBLIC HEARING

During public hearings, an applicant or their agent and appellants have ten minutes for their opening presentation and three minutes for rebuttal before the public hearing is closed. Members of the public are limited to three minutes.

None.

CONSIDERATION

10. Police Department's Initial Review of the 4th of July 2008 (**Proposed action:** accept the Police Department's initial review)
11. Comments on the Draft General Management Plan for the Golden Gate National Recreation Area (**Proposed action:** move that the City Council direct staff to prepare a letter for the Mayor's signature transmitting Council comments on the recommendations and alternatives in the GMP/EIS Newsletter 4/Spring 2008 to the National Park Service)
12. Approval of Contract for Dyett & Bhatia to Provide General Plan Update Consultant Services (**Proposed action:** a) move that the City Council authorize the City Manager to execute the attached contract for Dyett & Bhatia to provide General Plan Update consultant services, not to exceed \$790,900.00 and subject to legal changes as may be required by the City Attorney, and authorize necessary budget authority; b) move that the City Council authorize the City Manager to negotiate

with Dyett & Bhatia on the optional tasks and bring the item back to a future meeting for Council authorization)

13. Request to Establish a Capital Improvement Account by Encumbering Revenues from the 2007-2008 Fiscal Year That Were Received Through State Subsidy Contracts (**Proposed action:** approve the request for the creation of a new childcare capital fund by encumbering unexpended revenue funds from fiscal year 2007/2008)
14. Update on Green House Gas Emissions Inventory and Local Government Climate Action Plan (CAP) (**Proposed action:** this item is information only but the Council may wish to ask questions regarding the GHG emissions inventory and local government Climate Action Plan (CAP))
15. Revising the Order of Business on the City Council/Joint Redevelopment Agency Agenda (**Proposed action:** move to revise the order of business on the agenda for City Council and Redevelopment Agency meetings to reflect that Oral Communications and Council Communications be placed on the agenda after the consideration items portion of the agenda)

* * * * *

NOTICE: If you challenge a city's zoning, planning or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Judicial review of any city administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The City of Pacifica will provide assistance for disabled citizens upon at least 24 hours advance notice to the City Manager's Office (650) 738-7301, or send request via email to: o'connellk@ci.pacifica.ca.us If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

The Pacifica Municipal Code is available on line at the City's website (www.cityofpacifica.org); at the website, scroll down to find the Link.

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Council meetings:

A complete agenda packet is available for review at the City Council meeting.

HOW TO REACH YOUR LEGISLATORS

- Governor Arnold Schwarzenegger, State Capitol Building, Sacramento CA 95814 (916) 445-2841
- State Senator Leland Yee, 400 So. El Camino Real, Ste. 630, San Mateo, CA 94402 (650) 340-8840
- Assemblymember Gene Mullin, 1528 So. El Camino Real, Ste 302, San Mateo CA 94402 (650) 341-4319
- Congresswoman Jackie Speier, 400 So. El Camino Real, Ste 410, San Mateo CA 94402 (650) 342-0300
- Senator Barbara Boxer, 1700 Montgomery Street, Ste 240, San Francisco CA 94111 (415) 403-0100
- Senator Dianne Feinstein, #1 Post Street, Ste 2450, San Francisco CA 94104 (415) 393-0710
- President George W. Bush, 1600 Pennsylvania Ave. NW, Washington DC 20500 (202) 456-1111

CITY OF PACIFICA
COUNCIL AGENDA/REDEVELOPMENT AGENCY
AGENDA SUMMARY REPORT
July 14, 2008

Council/RDA Agenda Item 2

SUBJECT:

1. Adoption of a Mitigated Negative Declaration Mitigation Monitoring and Reporting Plan, Approval of Site Development Permit, PSD-771-08, Use Permit, UP-990-08, Coastal Development Permit, CDP-303-08 and a waiver of Specific Plan development provisions regarding parking and floor area ratio (FAR) for a new commercial building at 270 Rockaway Beach Avenue; (APN 022-024-230 & -240) (subject to approval of an LCP Amendment by the Coastal Commission), Adoption of Resolution Approving Amendment to the Rockaway Beach Specific Plan to allow office activity, and Adoption of Resolution recommending approval of a LCP amendment for the construction of a commercial building at 270 Rockaway Beach Avenue.

ORIGINATED BY:

Planning and Economic Development Department

DISCUSSION:

The City Council/Redevelopment Agency was scheduled to hear this item on June 23, 2008. Because of the numerous items on the City Council agenda that evening, the City Council/Redevelopment Agency decided to continue the item to July 14, 2008. The June 23, 2008 Council/Redevelopment Agency agenda Summary report is attached. The plans and elevations were already distributed at the June 23, 2008 meeting.

FISCAL IMPACTS:

If approved, increased tax revenues could result from the proposed project.

ATTACHMENTS:

- a. Council Agenda/Redevelopment Agency Agenda Summary Report, June 23, 2008 (with attachments a-i)
- b. Resolution (Approving Site Development Permit, Use Permit and Coastal Development Permit)

COUNCIL ACTION REQUESTED:

1. Move that the City Council/Redevelopment Agency of the City of Pacifica **ADOPT** the attached resolution adopting the Mitigated Negative Declaration, Adopting the Mitigation

Monitoring and Reporting Plan for a commercial building at 270 Rockaway Beach Avenue.

2. Move that the City Council/Redevelopment Agency of the City of Pacifica **APPROVE** Site Development Permit, PSD-771-08, Use Permit, UP-990-08, Coastal Development Permit, CDP-303-08, and a waiver of Specific Plan requirements regarding parking and Floor Area Ratio (F.A.R.) for the construction of a commercial building at 270 Rockaway Beach Avenue, and adopt the findings and conditions of approval one (1) through forty-two (42) contained in the May 19, 2008 Planning Commission Staff Report and incorporate all maps and testimony into the record by reference.
3. Move that the City Council/Redevelopment Agency of the City of Pacifica **ADOPT** the attached resolution approving Site Development Permit (PSD-771-08), Use Permit (UP-990-08), and Coastal Development Permit (CDP-303-08) for the construction of a commercial building at 270 Rockaway Beach Avenue.
4. Move that the City Council/Redevelopment Agency of the City of Pacifica **ADOPT** the attached resolution approving an amendment to the Rockaway Beach Specific Plan to alter the description of uses to allow office uses.
5. Move that the City Council/Redevelopment Agency of the City of Pacifica **ADOPT** the attached resolution recommending approval of a LCP amendment for the construction of a commercial building at 270 Rockaway Beach Avenue.

**CITY OF PACIFICA
COUNCIL/REDEVELOPMENT AGENCY AGENDA SUMMARY REPORT
July 14, 2008**

COUNCIL/RDA AGENDA ITEM 3

SUBJECT:

Status of Projects within the Rockaway Beach Redevelopment Area

ORIGINATED BY:

Planning and Economic Development Department

DISCUSSION:

The purpose of this report is to provide an update on the status of development project within the Rockaway Beach Redevelopment area. Aside from the current proposal at 270 Rockaway Beach Avenue for a three-story commercial development, to date, no other formal proposals have been filed for development in the Rockaway Beach Redevelopment area.

However, there has been two recent study sessions. A study session was held on September 17, 2007 for a 16 guest room addition to the existing 38 room Holiday Inn Express located at 519 Nick Gust Way. On May 5, 2008 a study session was held for a 14 room addition and conversion of an existing suite into two guest rooms to the existing 42 room Pacifica Motor Inn located at 200 Rockaway Beach Avenue. As mentioned above, no formal applications have been file.

FISCAL IMPACTS:

None

ATTACHMENTS:

None

COUNCIL ACTION REQUESTED:

None

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 3

SUBJECT:

Notice of Completion for the Retaining Wall at Oceana Boulevard Project.

ORIGINATED BY:

Engineering Services Division

BACKGROUND/DISCUSSION:

During the regular City Council meeting last January 14, 2008, Council authorized award of contract to Pleasanton Engineering Contractors, Inc. for the Retaining Wall at Oceana Boulevard Project. This project consisted of the removal of a deteriorated existing wood retaining wall and replacement with new steel soldier pile and wood lagging retaining wall. The project was performed in a satisfactory manner and well within budget.

As the project is now complete, it is appropriate to record the formal Notice of Completion. This recorded document is the legal notice that the city considers the project complete and that we intend to pay the contractor for the full and complete contract price. This puts all subcontractors and suppliers on notice that if they have any claims for payment from the contractor, they have 30 days to file claims for payment against the city. This provision of contract law protects subcontractors from contractors who may not pay them properly. It also protects the city from claims against us for any nonpayment on the part of the contractor. The city withholds 10% on the contract amount to make sure that all subcontractors have been paid.

FISCAL IMPACT:

There is no fiscal impact related to filing the Notice of Completion.

DOCUMENTS ATTACHED:

1. A Resolution of the City Council of the City of Pacifica Accepting Completion and Directing the City Manager to File Notice of Completion for the Retaining Wall at Oceana Boulevard Project.
2. Notice of Completion.

COUNCIL ACTION REQUESTED:

Adopt the resolution next in order A Resolution of the City Council of the City of Pacifica Accepting Completion and Direct the City Manager to file Notice of Completion for Retaining Wall at Oceana Boulevard Project.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA
ACCEPTING COMPLETION AND DIRECTING THE CITY MANAGER TO FILE
NOTICE OF COMPLETION FOR THE
RETAINING WALL AT OCEANA BOULEVARD PROJECT**

RESOLVED by the City Council of the City of Pacifica, California, that

WHEREAS, the City Engineer of the said City has filed with the City Clerk of said City, his Certificate as to the completion of all of the work provided to be done under and pursuant to the contract between said City and Pleasanton Engineering Contractors, Inc., dated January 14, 2008, and

WHEREAS, it appears to the satisfaction of this Council that said work under said contract has been fully completed as provided in said contract and the plans and specifications therein referred to,

NOW, THEREFORE, it is ordered as follows:

1. That acceptance of completion of said work be, and it is hereby, made and ordered.
2. That the City Manager is directed to file for record with the County Recorder of the County of San Mateo, Notice of Completion thereof, pursuant to Section 3093 of the Civil Code of the State of California.

• • • • •
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 14th day of July 2008, by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

CITY OF PACIFICA

By: _____
Mayor James M. Vreeland

ATTEST:

Kathy O'Connell , City Clerk

**NOTICE OF COMPLETION
CITY OF PACIFICA
RETAINING WALL AT OCEANA BOULEVARD PROJECT**

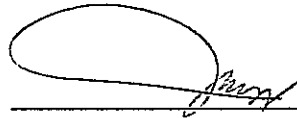
NOTICE IS HEREBY GIVEN, pursuant to Section 3093 of the Civil Code of the State of California, by Van Dominic Ocampo, City Engineer of the City of Pacifica, California, that the contract awarded to Pleasanton Engineering Contractors, Inc., on January 14, 2008, has been completed in accordance with the plans and specifications for said work filed with the City Clerk, and approved by the City Council of said City.

That said work and improvements were actually completed on the 1st day of May 2008 and that acceptance of completion of said work was ordered by the City Council of said City, adopted on the 14th day of July 2008, and that the name of the surety on the contractor's bond for labor and materials on said project is Financial Pacific Insurance Company.

That said work and improvements consisted of the removal of a deteriorated existing wood retaining wall and replacement with new steel soldier pile and wood lagging retaining wall, all as more particularly described in the plans and specifications, and on file in the office of the City Clerk of the City of Pacifica.

Name and address of Owner:

City of Pacifica
170 Santa Maria Avenue
Pacifica, California 94044



Van Dominic Ocampo, P.E.
City Engineer

VERIFICATION

The undersigned states that he is the City Engineer of the City of Pacifica and that he makes this verification on behalf of said entity; that he has read the foregoing, and knows the contents thereof, and that the facts stated therein are true.



Van Dominic Ocampo, P.E.
City Engineer

Executed at Pacifica, California, on July 14, 2008.

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 4

SUBJECT:

Notice of Completion for the Pacifica Community Center Roof and HVAC Repair Project.

ORIGINATED BY:

Engineering Services Division

BACKGROUND/DISCUSSION:

During the regular City Council meeting last September 10, 2007, Council authorized award of contract to Best Contracting Services, Inc. for the Pacifica Community Center Roof and HVAC Repair Project. This project consisted of the removal and replacement of the leaking roof and deteriorated air handler units at the Community Center. The project was performed in a satisfactory manner and well within budget.

As the project is now complete, it is appropriate to record the formal Notice of Completion. This recorded document is the legal notice that the city considers the project complete and that we intend to pay the contractor for the full and complete contract price. This puts all subcontractors and suppliers on notice that if they have any claims for payment from the contractor, they have 30 days to file claims for payment against the city. This provision of contract law protects subcontractors from contractors who may not pay them properly. It also protects the city from claims against us for any nonpayment on the part of the contractor. The city withholds 10% on the contract amount to make sure that all subcontractors have been paid.

FISCAL IMPACT:

There is no fiscal impact related to filing the Notice of Completion.

DOCUMENTS ATTACHED:

1. A Resolution of the City Council of the City of Pacifica Accepting Completion and Directing the City Manager to File Notice of Completion for the Pacifica Community Center Roof and HVAC Repair Project.
2. Notice of Completion.

Council Agenda Summary Report
**Notice of Completion for Pacifica Community Center Roof and HVAC Repair
Project**
July 14, 2008
Page 2

COUNCIL ACTION REQUESTED:

Adopt the resolution next in order A Resolution of the City Council of the City of Pacifica Accepting Completion and Direct the City Manager to file Notice of Completion for Pacifica Community Center Roof and HVAC Repair Project.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA
ACCEPTING COMPLETION AND DIRECTING THE CITY MANAGER TO FILE
NOTICE OF COMPLETION FOR THE
PACIFICA COMMUNITY CENTER ROOF AND HVAC REPAIR PROJECT**

RESOLVED by the City Council of the City of Pacifica, California, that

WHEREAS, the City Engineer of the said City has filed with the City Clerk of said City, his Certificate as to the completion of all of the work provided to be done under and pursuant to the contract between said City and Best Contracting Services, Inc., dated September 10, 2007, and

WHEREAS, it appears to the satisfaction of this Council that said work under said contract has been fully completed as provided in said contract and the plans and specifications therein referred to,

NOW, THEREFORE, it is ordered as follows:

1. That acceptance of completion of said work be, and it is hereby, made and ordered.
2. That the City Manager is directed to file for record with the County Recorder of the County of San Mateo, Notice of Completion thereof, pursuant to Section 3093 of the Civil Code of the State of California.

• • • • •
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 14th day of July 2008, by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

CITY OF PACIFICA

By: _____
Mayor James M. Vreeland

ATTEST:

Kathy O'Connell , City Clerk

**NOTICE OF COMPLETION
CITY OF PACIFICA
PACIFICA COMMUNITY CENTER ROOF AND HVAC REPAIR PROJECT**

NOTICE IS HEREBY GIVEN, pursuant to Section 3093 of the Civil Code of the State of California, by Van Dominic Ocampo, City Engineer of the City of Pacifica, California, that the contract awarded to Best Contracting Services, Inc., on September 10, 2007, has been completed in accordance with the plans and specifications for said work filed with the City Clerk, and approved by the City Council of said City.

That said work and improvements were actually completed on the 15th day of April 2008 and that acceptance of completion of said work was ordered by the City Council of said City, adopted on the 14th day of July 2008, and that the name of the surety on the contractor's bond for labor and materials on said project is International Fidelity Insurance Company.

That said work and improvements consisted of the removal and replacement of leaking roof and deteriorated air handler units, all as more particularly described in the plans and specifications, and on file in the office of the City Clerk of the City of Pacifica.

Name and address of Owner:


City of Pacifica
170 Santa Maria Avenue
Pacifica, California 94044



Van Dominic Ocampo, P.E.
City Engineer

VERIFICATION

The undersigned states that he is the City Engineer of the City of Pacifica and that he makes this verification on behalf of said entity; that he has read the foregoing, and knows the contents thereof, and that the facts stated therein are true.



Van Dominic Ocampo, P.E.
City Engineer

Executed at Pacifica, California, on July 14, 2008.

CITY OF PACIFICA
COUNCIL/RDA AGENDA SUMMARY REPORT
July 14, 2008

Council Agenda Item No. 5

SUBJECT:

Resolution Supporting the Marine Life Protection Act Blue Ribbon Task Force Integrated Preferred Alternative MPA Network

ORIGINATED BY:

City Manager's

DISCUSSION:

This Resolution was placed on the agenda at the request of the Mayor to ask for City support for the Marine Life Protection Act and the Integrated Preferred Alternative MPA Plan recommended by the Marine Life Protection Act Blue Ribbon Task Force.

FISCAL IMPACT:

None

ATTACHMENTS:

Resolution

COUNCIL ACTION REQUESTED:

Adoption of Resolution Supporting the Marine Life Protection Act Blue Ribbon Task Force Integrated Preferred Alternative MPA Network

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA
SUPPORTING THE MARINE LIFE PROTECTION ACT BLUE RIBBON TASK FORCE
INTEGRATED PREFERRED ALTERNATIVE MPA NETWORK

WHEREAS. The Pacifica City Council recognizes the importance of the Pacific Ocean on the City's economy, public health, and environment; and

WHEREAS, the Council also recognizes that continued and enhanced protection of the ocean is a key element in maintaining quality of life for City residents and attracting visitors to our community; and

WHEREAS, California is leading the nation in efforts to implement pro-active ocean protection measures including establishment of a statewide network of marine protected areas under the Marine Life Protection Act; and

WHEREAS, the Marine Life Protection Act Initiative represents a landmark effort to develop a science-based network of ocean protected areas based on extensive stakeholder input and an open public process; and

WHEREAS, after an extensive public process, the Marine Life Protection Act Blue Ribbon Task Force recommended adoption of an Integrated Preferred Alternative Marine Protected Area Plan that has high ecological and conservation value at very low estimated economic cost.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Pacifica formally supports the Marine Life Protection Act and the Integrated Preferred Alternative MPA Plan recommended by the Marine Life Protection Act Blue Ribbon Task Force on April 23, 2008.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Pacifica, California, held on July 14, 2008 by the following vote of the members thereof:

AYES: Councilmembers.

NOES: Councilmembers,

ABSENT: Councilmembers,

ABSTAIN: Councilmembers,

Jim Vreeland, Mayor

APPROVED AS TO FORM:

ATTEST:

Cecilia M. Quick, City Attorney

Kathy O'Connell, City Clerk

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 6

SUBJECT:

Resolution in support of Sutter Health Mills-Peninsula Nurses and California Nurses Association.

ORIGINATED BY:

City Manager

DISCUSSION:

This resolution was placed on the agenda at the request of the Mayor who was contacted by a representative of the California Nurses Association and asked for City support for the nurses at Sutter Health Mills-Peninsula.

FISCAL IMPACT:

None

ATTACHMENTS:

Resolution

COUNCIL ACTION REQUESTED:

Adoption of Resolution in support of Sutter Health Mills-Peninsula Nurses and California Nurses Association.

RESOLUTION NO. _____

**RESOLUTION IN SUPPORT OF SUTTER HEALTH MILLS-PENINSULA NURSES
AND CALIFORNIA NURSES ASSOCIATION**

WHEREAS, Registered Nurses are patient advocates whose work may one day touch every family in Pacifica, California; and

WHEREAS, the people of Pacifica, California, and throughout this country, have repeatedly expressed their appreciation for the Registered Nurses who care for them; and

WHEREAS, Registered Nurses are advocates for patients while they are in the hospital; and

WHEREAS, Sutter Health, Mills-Peninsula corporate parent, has reported a net 2007 profit of \$623 million, the same profit as for 2006; and

WHEREAS, the stated mission of Sutter Health is to "Enhance the well-being of people in the communities we serve through a not-for-profit commitment to compassion and excellence" in health care services; and

WHEREAS, the well-being of people in the community requires safe, effective and therapeutic nursing care; and

WHEREAS, hundreds of Registered Nurses represented by the California Nurses Association have now gone on strike three times against Sutter Health Mills-Peninsula, and thousands more of their colleagues have gone on strike throughout the Sutter system; and

WHEREAS, as a non-profit corporation with tax-exempt status, the profits that Mills-Peninsula earns should rightfully be reinvested in patients and the community, and to supporting those who provide the care, including the Registered Nurses of Mills-Peninsula.

NOW, THEREFORE, BE IT RESOLVED that the City of Pacifica supports the Registered Nurses of Mills-Peninsula and the California Nurses Association in their efforts to reach a contract settlement that honors the work of Registered Nurses at their facilities and protects the health and safety of patients and the community; and

BE IT FURTHER RESOLVED that the City of Pacifica calls on Sutter Health Mills-Peninsula to make all efforts to settle their contract dispute with the Registered Nurses in their employ, who are represented by the California Nurses Association.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 14th of July 2008, by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

CITY OF PACIFICA

James M. Vreeland, Jr., Mayor

ATTEST:

APPROVED AS TO FORM:

Kathy O' Connell, City Clerk

Cecilia M. Quick, City Attorney

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 7

SUBJECT:

Review and approval of Resolution approving a revised Joint Powers Agreement for participation in the Housing Endowment and Trust of San Mateo County (HEART) and authorizing the Mayor to execute the revised Joint Powers Agreement.

ORIGINATED BY:

City Manager's Office

DISCUSSION:

HEART is a public/private partnership dedicated to raising new sources of funds to create more housing that people can afford in San Mateo County. It was created in 2003 as a Joint Powers Authority (JPA) and is governed by a board that includes County Supervisors, City Councilors and members from the private sector. The City of Pacifica joined the JPA in 2007.

The Joint Powers Agreement for HEART has been revised by the Board and Council action is requested to approve the revised agreement. The primary changes to the JPA are to:

1. Clarify HEART's role is to facilitate housing programs and production, and not to regulate or govern housing activities.
2. Clarify that HEART would take on debt only if it is secured by a dedicated funding source or other security, such as real property.
3. The JPA now specifies that HEART has a charitable purpose, which is to develop funds for affordable housing.
4. The official title is now "Housing Endowment and Regional Trust" (HEART) which has been the name used since the beginning of the JPA.

FISCAL IMPACT:

The 08-09 membership fee is \$15,676 and is included in the adopted budget.

ATTACHMENTS:

Resolution
Revised JPA Agreement

COUNCIL ACTION REQUESTED:

Motion to adopt the Resolution approving a revised Joint Powers Agreement for participation in the Housing Endowment and Trust of San Mateo County (HEART) and authorizing the Mayor to execute the revised Joint Powers Agreement.

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA APPROVING
A REVISED JOINT POWERS AGREEMENT FOR PARTICIPATION IN THE HOUSING
ENDOWMENT AND TRUST OF SAN MATEO COUNTY (HEART) AND
AUTHORIZING THE MAYOR TO EXECUTE THE REVISED JOINT POWERS
AGREEMENT**

RESOLVED, by the City Council of the City of Pacifica, that,

WHEREAS the City of Pacifica is currently a member of the Housing Endowment and Trust of San Mateo County (HEART); and

WHEREAS the City of Pacifica desires to continue as a member of HEART; and

WHEREAS HEART has the ability to support and fund affordable housing in the City; and

WHEREAS the Joint Powers Agreement for HEART has been revised; and

WHEREAS the City of Pacifica desires to execute the revised Joint Powers Agreement;

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Pacifica is hereby authorized and directed to execute the revised Joint Powers Agreement for and on behalf of the City of Pacifica, subject to approval as to form by the City Attorney of the City of Pacifica.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on July 14, 2008 by the following vote:

AYES,	Councilmembers:
NOES,	Councilmembers:
ABSENT,	Councilmembers:
ABSTAIN,	Councilmembers:

James M. Vreeland, Jr., Mayor

ATTEST:

APPROVED AS TO FORM:

Kathy O'Connell, City Clerk

Cecilia Quick, City Attorney

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 8

SUBJECT:

Growth Management Ordinance: Extension of Previously Issued Allocations

ORIGINATED BY:

Planning and Economic Development Department

DISCUSSION:

On May 27, 2007, the City Council approved new allocations for the following project for the fiscal year of 2007/2008:

- 7-Units (Condominiums) located at 1335 Adobe Drive (APN: 023-222-080). The development was approved by the Planning Commission on February 5, 2007 and a one (1) year extension was granted on April 21, 2008. Building permits have been filed for the seven (7) Condominium development.

The permit allocations were due to expire on June 30, 2008. The applicant submitted an extension request on June 25, 2008. The applicant is currently undergoing building permit review.

On July 1, 2008 70 more units were automatically added to the "pool" for the current fiscal year of 2008/2009. A balance of 997 available units for the current fiscal year (08/09) is available. No other new allocations have been requested at this time. For future reference, the maximum number of permits that can be allocated to any one project in a fiscal year is 20% of the available annual allocations. The distribution of allocations for fiscal year 2008/2009 can be scheduled as needed.

FISCAL IMPACT:

None

ATTACHMENTS:

None

COUNCIL ACTION REQUESTED:

Move that the City Council grant the 7 extensions to June 30, 2009, per the July 14, 2008 Council Agenda Summary report.

**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
JULY 14, 2008**

Agenda Item No. 9

SUBJECT:

Approval of Amendment No. 3 to the Consultant Services Agreement between the City of Pacifica and Geo Soils, Incorporated for the 2006 FEMA Repairs Projects

ORIGINATED BY:

Engineering Division – Department of Public Works

BACKGROUND/DISCUSSION:

Geo Soils, Incorporated is the City's Project Engineer for the 2006 FEMA Repairs Projects which includes the Beach Boulevard Rock Revetment and Seawall Repair Project, Rockaway Rock Revetment Repair Project, The Clarendon Outfall Project and the Pier Pile Repair Project. Amendment No. 3 to the Consultant Services Agreement is for: additional surveying work and preparation of responses to the State Lands Commission for Clarendon, Rockaway and Beach Projects; preparation of legal description for the area below mean high tide level for Clarendon and Beach Projects; additional drawing and preparation of alternative analysis for the Rockaway Project; and design supervision during construction of these projects. These tasks were not part of the original contract with Geo Soils and an additional \$8,900 is necessary to cover these services. Amendment No. 3 to the Consultant Services Agreement will bring the total contract cost not to exceed \$36,616.68.

Staff recommends Approval of Amendment No. 3 to the Consultant Services Agreement between the City of Pacifica and Geo Soils, Incorporated for the 2006 FEMA Repairs Projects.

FISCAL IMPACT:

Fiscal impact will be in the amount of \$8,900 from the General Fund to be reimbursed by FEMA.

DOCUMENTS ATTACHED:

1. Amendment No. 3 to the Consultant Services Agreement Between the City of Pacifica and Geo Soils, Incorporated for the 2006 FEMA Repairs Project: Beach Boulevard Rock Revetment, Rockaway Beach Rock Revetment, Clarendon Outfall and Pier Piles.

COUNCIL ACTION REQUESTED:

Approve Amendment No. 3 to the Consultant Services Agreement Between the City of Pacifica and Geo Soils, Incorporated for the 2006 FEMA Repairs Project; authorize the City Manager to execute the Amendment No. 3; and approve additional budget authority in the amount of \$8,900 from the General Fund to be reimbursed by FEMA.

CITY OF PAFICICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 10

SUBJECT:

Police department's initial review of the 4th of July 2008.

ORIGINATED BY:

Police Department

DISCUSSION:

July 4th this year was on a Friday and it was not clear whether people would leave the area for the holiday or stay close to home due to the rising gas prices. We had very little activity during the day, which has been the case for the past several years. We staffed with the minimum amount of officers and had no significant activities during the day.

We added extra staffing from the Sheriff's Department this year and fielded a total of 18 officers in roving patrol units, 17 officers and support staff at the Linda Mar Beach, 6 officers assigned to the Rockaway and Sharp Park Beaches, and an additional 18 officers to fixed locations throughout the city. This was the largest contingent of officers working the 4th of July in the history of the city.

The roving teams and the teams on Linda Mar Beach were very successful and contributed to a quieter evening than last year. The stationary teams had a more difficult task. They were assigned neighborhoods and once it was dark, it was very hard for the officers to identify the violators in their area. It turned into a cat and mouse situation and again it was very disturbing to see normal law abiding citizens disregarding the rules.

During the day and evening of July 4th our dispatch center received over 119 fireworks related calls compared to 141 last year. Total calls for the day were over 283, which were up from last year when we received 240 calls. The police department made 24 arrests for fireworks related violations and this compares to 25 arrests last year.

I feel our efforts did pay off this year. The added staff, the implementing of an administrative fine and the heavy fog, especially in the Fairmont area, all contributed to a quieter evening overall.

We are still reviewing our tactics for this year and may make some adjustments for next year based on our review.

North County Fire Authority

Serving the Cities of Brisbane, Daly City, and Pacifica

Inter-Office Memorandum

To: City Managers
City Council Members

From: Ron D. Myers, Fire Chief

Date: July 9, 2008

Subject: 2008 FOURTH OF JULY ACTIVITY REPORT

This report includes actions taken by North County Fire Authority to plan and prepare for the potential anticipated additional emergency incidents associated with fireworks and the Fourth of July holiday celebration. Additionally, included is a summary of fireworks related emergency responses, property losses and injuries.

OPEARTIONS – EMERGENCY INCIDENT RESPONSE

The North County Fire Authority fire resources were dispatched to 4 total emergency incidents related to fireworks all within the City of Pacifica. The following is a breakdown of the fireworks related emergency incidents experienced during this 24-hr period from 8:00 a.m. on July 4 and ending July 5, 2008 at 8:00 a.m.

<u>INCIDENTS</u>	<u>BRISBANE</u>	<u>DALY CITY</u>	<u>PACIFICA</u>
Structures	0	0	1*
Miscellaneous	0	0	3**
Vegetation	0	0	1
Injuries	<u>0</u>	<u>0</u>	<u>0</u>
Total	0	0	4

<u>DOLLAR/ACERAGE</u>	<u>BRISBANE</u>	<u>DALY CITY</u>	<u>PACIFICA</u>
Structures/Contents	\$0	\$0	\$0
Miscellaneous Property	\$0	\$0	\$0
Vegetation	0 Acres	0 Acres	0 Acres

* Under structure fire above, this was a illegal firework discharged through a window of a residence causing minor damage, but with great potential for major damage

** Under miscellaneous above, two were trash can fires and one was dumpster fire next to a commercial business, all handled quickly by fire companies resulting in minor damage.

AUGMENTED STAFFING

The North County Fire Authority staffed the following fire resources and additional overhead on July 4, 2008:

- Implemented and Incident Action Plan (IAP) and developed an Area Command Action Plan should it be required due to multiple fire emergencies.
- Staffed 2 additional fire companies in the West Battalion (Pacifica) for 24 hours and divided up the City of Pacifica in 4 divisions and placing fire resources within each.
- Staffed 3 fire companies in the East Battalion (Daly City & Brisbane) with one additional firefighter.
- Staffed 2 fire prevention safety inspectors/fire investigators in the West Battalion (Pacifica).
- Staffed 2 additional Battalion Chiefs in the West Battalion (Pacifica).
- Executive Staff (Fire Chief & Deputy Fire Chiefs) were working and on-duty from 8:00 a.m. to 02:00 midnight for 16 hours.
- Established an Incident Command Post located in the City of Pacifica Police Department.

NOTE: The augmented staffing for the 2 additional engine companies and overhead personnel are funded through permit fees and a fireworks surcharge.

PUBLIC EDUCATION AND COMMUNITY OUTREACH

Special emphasis was placed on warning the public of the dangers associated with the use of fireworks. The public was encouraged to attend professional fireworks displays and refrain from using illegal fireworks.

The following is a list of public education and community outreach activities:

- Placed safety messages on fire station reader boards.

- Conducted interviews with local news media on the potential dangers of fireworks.
- Participated in a press conference and photo stressing zero tolerance for illegal fireworks.
- Posted safety information regarding Fourth of July on the website.

FIRE PREVENTION

- Reviewed and approved permits for all fireworks stands (City of Pacifica).
- Conducted inspections of each firework stand (City of Pacifica) to ensure compliance with safety and fire code regulations.
- Provided fireworks safety information for distribution to the public.

CONCLUSION

Illegal fireworks activity was at a high level and widespread within the City of Pacifica, with little activity within the cities of Brisbane and Daly City. Although there was very low emergency activity caused by fireworks, there continues a real potential for a significant event within primarily the City of Pacifica, due to the discharge of illegal fireworks by the public.

Fire companies and command staff officers patrolled areas within each of the cities during the Fourth of July celebration in order to provide a presence within the communities and to enable pre-positioned resources to respond quickly to mitigate and or suppress fires or emergency incidents from escalating.

Specifically, this year the weather was favorable with a thick fog presence and high moisture in the air, assisting greatly in reducing the potential for multiple fire emergencies throughout the City of Pacifica. The use of illegal fireworks continues to be a major concern for fire, police and the community. This year's law enforcement presence and actions assisted in reducing some of the activity, but needs to be continued next year and for years to come.

If you need any additional information, please feel free to contact me at 991-8138.

FINANCIAL IMPACT:

Total costs are not known at this point.

ATTACHMENTS:

None

COUNCIL ACTION REQUESTED:

Accept the Police Departments' initial review.

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 11

SUBJECT:

Comments on the Draft General Management Plan for the Golden Gate National Recreation Area

ORIGINATED BY:

Planning and Economic Development Department

DISCUSSION:

As Council is aware, the National Park Service (NPS) is preparing a General Management Plan (GMP) for the Golden Gate National Recreation Area (GGNRA), including GGNRA holdings within Pacifica. The City's Golden Gate National Recreation Area Liaison Committee (GLC) recently met to review recommendations and alternatives contained in the latest GMP Newsletter of Spring 2008. (The newsletter was previously distributed to Council.) The GLC proposes to make several comments, contained in the attached draft letter. GLC comments include the need for more focus on San Mateo County lands, a change in the designation of some Pacifica lands to the "Scenic Corridor" designation, which could allow for more diverse recreational activities, greater connectivity between GGNRA and other public lands and public transportation, clarification of "hiking huts", and consideration of locating a visitor center in Pacifica.

The purpose of this agenda item is to allow Council to make its own comments on the GMP recommendations. Comments are due by August 1, 2008.

FISCAL IMPACT:

None.

ATTACHMENT:

1. Draft Letter from the GGNRA Liaison Committee

COUNCIL ACTION REQUESTED:

Move that the City Council direct staff to prepare a letter for the Mayor's signature transmitting Council comments on the recommendations and alternatives in the GMP/EIS Newsletter 4/Spring 2008 to the National Park Service.

July 2, 2008

Mr. Brian O'Neill
Superintendent
Golden Gate National Recreation Area
Building 201, Fort Mason Center
San Francisco, CA 94103

Subject: Comments on the Draft General Management Plan/EIS Newsletter

Dear Superintendent O'Neill:

I am writing to provide comments on the General Management Plan/EIS Newsletter 4, dated Spring 2008. The members of the GGNRA Liaison Committee of the City of Pacifica (GGNRA LC) discussed this document at our monthly meeting on May 26, 2008. We would like to begin by thanking you and your staff for the production of a professional document that is well done with excellent graphics and summary material which make your recommendations easy to understand.

The GGNRA LC understood the GMP update to be premised on need to have a plan for the San Mateo properties within the GGNRA which became part of the park after the GMP of 1981 was written. Because of that, the committee felt there should be greater emphasis on this fact, with a commensurate orientation of the entire document toward the land in Pacifica and unincorporated San Mateo County which either currently are, or are being considered for inclusion in, the GGNRA.

Members also believe there should be greater opportunity in GGNRA lands within Pacifica to be in the "scenic corridor" designation. For example, we believe there should be more diverse opportunities for recreational activities and access at the Sheldance Nursery Area and Picardo Ranch, should it become part of the park.

The GGNRA LC believes there should be a commitment to maintain equestrian trails at Picardo Ranch, and there should also be a serious evaluation for the siting of a drive-through facility to park a truck and horse trailer somewhere in Pacifica.

On the subject of hiking huts, the committee suggests greater clarification on what is meant by hiking huts. As you know, there has been a concept paper circulated that advances the idea of facilities to provide overnight lodging, food, environmental education and habitat restoration. This is not the same as "rustic overnight accommodations" and we believe the next iteration of the GMP update would be improved by an elaboration on what is meant by these various types of accommodations.

We recommend further exploration into the idea of connecting trails in Pacifica (including GGNRA property, San Pedro Valley County Park, and other parklands) to Rancho Corral de Tierra property and McNee Ranch State Park. These options should include using the proposed Bay Area Ridge Trail which we understand may traverse the Peninsula Watershed property managed by the San Francisco Public Utilities Commission.

In the same way that we feel the GMP should expand on trail connections for hiking, the committee believes there should be an examination of public transportation connections. For example, we like to think there will be great demand in the near future for hikers who might walk from the north or central part of Pacifica to destinations to the south to take a SAMTRANS bus back north at the end of their trek. Integrating these transportation concepts at this early stage will further the likelihood of them happening in the future.

The GGNRA LC feels strongly that the “multi-agency visitor information and orientation facility” needs to be in Pacifica. In this newsletter, it appears as if the GGNRA prefers for this visitors center to be located in Rancho Corral de Tierra. We agree that a smaller satellite center might be appropriate for the southern entrance to the park; however, we unanimously feel that Pacifica must be the location of a larger visitor center as it will have more visitation from trips originating to the north and the Pacifica has the business and commercial infrastructure to support high levels of visitation.

Last, we support the idea of creating more structures and programs for the youth. We know this is important to GGRNA as well, but suggest we explore opportunities for constructing facilities dedicated to youth programs, which will serve as possible stewardship and internship opportunities for students and young adults.

We thank you and your staff for your dedication and hard work. We continue to be grateful for all that you have done and continue to do for the advancement of park lands in and near Pacifica.

Sincerely

Paul Jones
Co-Chair

cc: Mayor Jim Vreeland, City of Pacifica
Council Members Pete DeJarnatt, Sue Digre, Cal Hinton, and Julie Lancelle

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 12

SUBJECT:

Approval of Contract for Dyett & Bhatia to provide General Plan Update Consultant Services

ORIGINATED BY:

City Manager and Planning and Economic Development Director

DISCUSSION:

Background: On March 10, 2008 the City Council directed staff to issue a Request for Proposals (RFP) for consulting services to conduct a General Plan Update and to develop related reports for the Pacifica General Plan. The City received 6 proposals, consisting of a base cost for preparation of a General Plan/Local Coastal Plan update and Environmental Impact Report, and optional tasks (new Green Building Ordinance, amend Density Transfer Ordinance, and amend Rockaway Beach Specific Plan). Following is a list of firms that responded to the RFP along with the proposed cost (excluding the optional tasks).

Dyett & Bhatia	\$790,900.00
Hogle-Ireland, Inc	\$908,478.00
Metropolitan Planning Group	\$510,303.00
Peter J Smith and Company	\$255,000.00
PMC	\$969,590.00
Raimi and Associates	\$729,158.00

Four firms were chosen for interviews based on a combination of the quality of their proposals and cost – Dyett & Bhatia, Hogle-Ireland, Metropolitan Planning Group, and PMC. The interview panel consisted of the Mayor, Planning Commission Chair, City Manager, and Planning Director.

Recommended Firm: The panel unanimously chose the firm of Dyett and Bhatia as the top proposer. The firm's Scope of Work from its proposal is attached hereto, along with a hand out. Among other things, the panel felt Dyett & Bhatia (D&B) had the combination of knowledge and experience to provide the City with a first rate update of its General Plan that would ensure maximum public input and meet all legal requirements.

Schedule: The proposal envisions a process that would take just over two years to complete, including approval of the City's revised Local Coastal Plan by the Coastal Commission. Although this is an ambitious timeframe, it is not unreasonable as a goal for the process.

Scope and Cost: D&B proposes to prepare an updated General Plan/LCP, EIR, and all associated community building exercises for a cost of \$790,900.00. As mentioned above, the proposal also included optional tasks. Proposed costs for completing these tasks are as follows:

Green Building Ordinance	\$ 10,000 - \$ 30,000
Density Transfer Ordinance	\$ 5,000 - \$ 15,000
Rockaway Beach Specific Plan	\$ 150,000 - \$ 300,000

If these optional tasks were pursued, it is likely that the Green Building and Density Transfer Ordinance tasks would be completed near the beginning of the process, while amendments to the Rockaway Beach Specific Plan would be completed closer to the end of the process. Staff is recommending that the City negotiate these tasks with D&B and come back at a future Council meeting for further direction and/or authorization.

It should be noted that the above costs do not include legal costs associated with the General Plan update, which is estimated at \$140,000.00. There may also be some additional planning staff costs involved in the management of the General Plan update process, although staff is not proposing any such costs at the moment. Total estimated cost, without options, is \$930,900.00.

Benefits of Updating the General Plan: As Council is aware, Pacifica's General Plan has not been comprehensively updated since its adoption in 1980. The General Plan is the City's most important planning tool, and a comprehensive update would help ensure that information in the plan is current and that the Plan's goals and action items are consistent with current City policy. In addition, cities are beginning to receive increased pressure from the State to have General Plans that address climate change concerns. Recently, the Attorney General has taken action against local governments that apparently have not adequately addressed the issue of climate change in their General Plans. Pursuing a General Plan update now would help Pacifica stay out in front of this trend and possibly avoid outside compulsion to act in the near future. An updated General Plan could also assist the City with broader issues such as sustainability and economic development.

FISCAL IMPACT:

It is estimated that the base Plan update (without options) and related activities will cost from about \$930,900.00. Most of this cost can be covered by the Special Studies Fund the Council established in November 2007. That fund set aside \$800,000 for studies and work that helped the community move towards financial stability. The update of the General Plan will certainly help the City move towards an improved financial condition if it assists in the revitalization of the community. To date \$86,985 has been committed from the fund leaving \$713,015.

Although the project schedule identifies a two year time frame, the project will actually include three fiscal years. This could allow the City to make up the difference between the proposed cost and the available funds over three fiscal years (e.g. \$100,000 per FY), reducing the burden on any one budget cycle. If this project moves forward there would likely not be any additional funding available in the Special Studies Fund for other projects.

ATTACHMENTS:

- a. Dyett & Bhatia proposal with presentation hand out
- b. Proposed contract

COUNCIL ACTION REQUESTED:

a. Move that the City Council authorize the City Manager to execute the attached contract for Dyett & Bhatia to provide General Plan Update consultant services, not to exceed \$790,900.00 and subject to legal changes as may be required by the City Attorney, and authorize necessary budget authority.

b. Move that the City Council authorize the City Manager to negotiate with Dyett & Bhatia on the optional tasks and bring the item back to a future meeting for Council authorization.

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 13

SUBJECT:

Request to establish a Childcare Capital Improvement account by encumbering revenues from the 2007-08 fiscal year that were received through State subsidy contracts.

ORIGINATED BY:

Parks, Beaches and Recreation
Administrative Services

DISCUSSION:

Over the past several years, Childcare Services has strived to become self-sufficient, and the program, for the past three years, has succeeded in meeting its financial goals. As part of the efforts to secure additional funding, the program was successful in obtaining new subsidy contracts and full-cost fee paying families between January and May of this year, but was unable to expend all the revenue from these new sources by the end of the 2007/08 fiscal year. The program is requesting that the new revenue of \$100,000 - \$150,000 be encumbered so that expenditures, per the State grant funding requirements, can be met for the 2007 – 08 fiscal year.

The State of California Department of Education will expect that the funds be spent on the child development program since part of the funds are associated with State grant funding, and child development programs. Most State funded child development programs are not municipalities and have established ongoing reserve accounts for unexpended funds. Previously, the City of Pacifica received funding early in the fiscal year and expended revenue within the fiscal year.

Parks, Beaches and Recreation staff and the finance staff are recommending that the unexpended funds be encumbered for capital improvements in the Childcare program. These will include purchasing new furnishings, remodeling several bathrooms in city owned facilities, and researching the possible addition of a portable building to add a full subsidy preschool program in the northern part of Pacifica. Additional uses of the funds include the following program improvements 1) additional science centers at all sites focusing on environmental / green education, 2) adding computer centers at all sites, and 3) replacing most of the twenty to thirty year old furnishings that still exist at most sites.

FISCAL IMPACT:

There would be no financial impact to the city since the newly established Childcare Capital Improvement fund will be comprised of currently existing childcare generated revenue. It is estimated, given current grant funding and revenue, the capital fund will be between \$100,000 and \$150,000, which is the total amount of dollars that exceeded expenditures from the childcare programs for fiscal year 2007/08. Expenditure of this fund will require City approval process.

ATTACHMENTS:

None

COUNCIL ACTION REQUESTED:

Approve the Request for the creation of a new Childcare Capital Improvement fund by encumbering unexpended revenue received from childcare grants and subsidies received during Fiscal Year 2007/2008.

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
July 14, 2008

Agenda Item No. 14

SUBJECT:

Update on Greenhouse Gas emissions inventory and local government Climate Action Plan (CAP).

ORIGINATED BY:

City Manager

DISCUSSION:

In January of 2008, the Council approved participation in the effort to develop a Greenhouse Gas (GHG) emissions inventory and development of a Climate Action Plan (CAP). The project is a partnership between the Joint Venture: Silicon Valley Network (JVSVN), the Bay Area Air Quality Management District (BAAQMD) and the International Council for Local Environmental Initiatives (ICLEI). C/CAG is also assisting cities by providing a \$6,500 grant upon completion of the project to off-set some of the costs of the inventory.

The City is working closely with ICLEI to compile the emissions information and develop a comprehensive inventory for City operations starting with the 2005 year. This information is being generated by City staff and where possible from PG&E. The staff is currently completing the first round of information gathering and ICLEI has started the process of calculating the GHG emissions from the material provided. The first material covers energy usage for City facilities including buildings, pump stations, streetlights and irrigation systems.

After completion of this stage of the project, staff will begin to compile information regarding employee commutes and City business related travel. This information will be used to develop additional emissions calculations with the end result being an inventory of the GHG impact for City operations.

At the same time that inventory work is being done for City operations, staff is working with a local group of citizens who have volunteered to develop an inventory for community GHG emissions. PG&E has provided the base information to the group and that will be used to develop calculations for community GHG emissions.

It is expected that all of the inventory work and emissions calculations will be complete by the end of December of this year. Once this work is finished, the City will begin working with ICLEI to develop a suggested Climate Action Plan. When work begins on this Plan in January 2009 the staff will return to the Council with recommendations on ways to involve the community in the development of the Plan.

With the CAP the City will be in a position to connect General Plan policies to help reduce GHG emissions and contribute to the reduction of those emissions. The City may also find itself ahead of what appears to be requirements for CAP's in the near future from the California Air Resources Board and action from the State Attorney General's Office. A completed Plan will also assist in obtaining grant funds to help in achieving the goals of the Plan.

FISCAL IMPACT:

None at this time

ATTACHMENTS:

None

COUNCIL ACTION REQUESTED:

This item is for information only but the Council may wish to ask questions regarding the GHG emissions inventory and local government Climate Action Plan (CAP).

CITY OF PACIFICA
COUNCIL/RDA AGENDA SUMMARY REPORT
July 14, 2008

Council Agenda Item No. 15

SUBJECT:

Revising the Order of Business on the City Council Agenda

ORIGINATED BY:

City Manager's

DISCUSSION:

Pursuant to the City of Pacifica's Municipal Code Section 2-1.108 the order of business on the agenda shall be determined by the City Council. The council may change the order of business on the agenda for City Council and Redevelopment Agency meetings to reflect that Oral Communications and Council Communications, respectively, be placed on the agenda after the Consideration (Discussion items) portion of the agenda.

FISCAL IMPACT:

None

ATTACHMENTS:

Pacifica Municipal Code Section 2-1.108

COUNCIL ACTION REQUESTED:

Move to revise the order of business on the agenda for City Council and Redevelopment Agency meetings to reflect that Oral Communications and Council Communications be placed on the agenda after the Consideration items portion of the agenda.