CITY OF PACIFICA CITY COUNCIL AGENDA

MAYOR JULIE LANCELLE
MAYOR PRO TEM SUE DIGRE
COUNCILMEMBER PETE DEJARNATT
COUNCILMEMBER MARY ANN NIHART
COUNCILMEMBER JIM VREELAND

CITY COUNCIL CHAMBERS 2212 BEACH BOULEVARD PACIFICA, CALIFORNIA 94044

January 12, 2009

www.cityofpacifica.org

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6:00 p.m. CLOSED SESSION

- 1. PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b): Conference with legal counsel: anticipated litigation. One potential case.
- 2. PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c): Conference with legal counsel: initiation of litigation. One potential case.
- 3. PURSUANT TO GOVERNMENT CODE SECTION 54956.8: Conference with real property negotiator. Discussion concerns price and terms of payment. Agency negotiator attending session: Stephen Rhodes. Property: 009-531-290; 009-042-370, Pacifica, California. Negotiating parties: City of Pacifica and State of California.

7:00 p.m.

Call to Order Roll Call

Salute to the Flag led by Councilmember DeJarnatt

Commission Liaisons: Member of the Open Space Committee

Closed Session Report:

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 10/30/08 to 12/19/08 in the amount of \$932,434.75. Regular and quick checks numbered 81780, 81783, 81787 to 81789, 81791 to 81794 and 2222 to 2430 (**Proposed action**: approve)
- 2. Approval of Minutes of Regular City Council Meeting of December 17, 2008 (**Proposed action**: approve)
- 3. Approve Tolling Agreement for Property Tax Administration Fee Dispute with County (**Proposed action:** approve the agreement between the County of San Mateo and the City of Pacifica to toll statues of limitations for claims regarding property tax administration fees and authorize the City Manager to execute the document; authorize staff to file additional claims during the tolling period)

- 4. Authorize to Advertise for Sealed Bids for the Community Center Kitchen Floor, East Side Paving Project and the Fairmont Recreation Roof (**Proposed action**: authorize the City Manager to advertise for sealed bids for the Community Center kitchen floor and east side paving and the Fairmont Recreation roof)
- 5. Award of Contract to Rockaway Construction, Inc. and Approve Construction Management Contract with Mendoza & Associates Consulting Engineers for the Community Center Restroom Addition Project (**Proposed action**: award contract to Rockaway Construction, Inc for the Community Center Addition project; should that contractor not complete contract award requirements, the project may be awarded to the apparent second low bidder; approve construction management contract with Mendoza & Associates Consulting Engineers; authorize the City Manager to execute all necessary documents associated with this project; and approve budget authority in the amount of \$44,000.00 from the Roy Davies Trust Fund and \$45,000 from the General Capital Improvement fund 22)
- 6. Review of Development Fee Accounting Information (**Proposed action**: review the City of Pacifica Annual Report of Development Fees and Expenditures for the year ended June 30, 2008 (Attachment 1) and direct the City Clerk to retain this report in the official records of the City)

PUBLIC HEARING

7. Adoption of an Ordinance Requiring Planning Commission Review of Single-Family Residences Over a Certain Size (**Proposed action**: 1) move that the City Council ADOPT the attached resolution entitled "A Resolution of the City Council of the City of Pacifica Adopting the Negative Declaration for the Proposed Ordinance Requiring a Site Development Permit for Single-Family Dwellings Over a Certain Size"; 2) move that the attached ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending Chapter 4 of Title 9 of the Pacifica Municipal Code to Require a Site Development Permit for Single-Family Dwellings Over a Certain Size"; be read by title only and that further reading be waived; 3) move introduction of the ordinance)

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.

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.

CONSIDERATION

- 8. Creation of General Plan Outreach Committee (**Proposed action**: move that the City Council adopt the attached resolution creating the General Plan Outreach Committee)
- 9. 2006 FEMA Repairs Pacifica Pier Pile Repair Project Status (**Proposed action**: no action requested informational only)

10. Selection of City Council Liaison and Committee Assignments for 2009 (**Proposed action**: modify listings for liaison committees and assignments for 2009)

ADJOURNMENT

* * * * * *

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 72 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, seventy-two hour notice is necessary. All meeting rooms are accessible to the disabled.

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

HOW TO OBTAIN CITY COUNCIL AGENDAS

Posted agendas:

Agendas are posted the Friday prior to the City Council meeting date, at the entrance to City Hall, 170 Santa Maria Avenue

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View staff reports on the Internet:

Follow the link to Council agenda, www.cityofpacifica.org

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 SUMMARY REPORT January 12, 2009

Agenda Item No. 3

SUBJECT:

Approve tolling agreement for property tax administration fee dispute with County

ORIGINATED BY:

City Attorney's Office

DISCUSSION:

Legal staff has negotiated with the County Counsel of the County of San Mateo a tolling agreement for the City's claims against the County for the excess property tax administration fees that the County began deducting from the City's property tax allocations in the 2006-07 fiscal year. The amount of this deduction in that fiscal year was \$15,886.

Similar deductions are being made by most counties in the State. There are currently lawsuits proceeding against the County of Los Angeles and the County of Fresno challenging this practice. Lawsuits against other counties are likely to be filed.

The essence of this dispute is a question of statutory interpretation. This tolling agreement would give the City and the County time to wait and see how the other lawsuits around the state are resolved – in particular, to see whether there is a decision by a court of appeal. In this way, the City and the County could avoid costly litigation.

This agreement will freeze the City's claims as they exist at the time of the execution of the agreement. It also freezes any claim the County may have against the City. The agreement will last until July 1, 2012 or until one party terminates it with 45 days' notice. By July 1, 2012, cities should have direction from the courts on this matter.

This tolling agreement is also being offered to the cities of Brisbane, Burlingame, Colma, East Palo Alto, Foster City, Menlo Park, Millbrae, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, and Woodside.

The County assesses and collects all of the property taxes in the County. It then allocates these taxes to the various government entities in the County – cities, school districts, special districts, ERAF (the Educational Revenue Augmentation Fund), and the County itself. The County is allowed to charge each entity that receives property taxes that entity's share of the costs the County incurs in assessing, collecting, and allocating these taxes. This is called the Property Tax Administration Fee, or "PTAF." The amount of PTAF an entity is charged is directly proportional to the amount of property taxes the County collects for it. The PTAF is deducted from each entity's property tax allocation

and is added to the County's property tax allocation. Schools and ERAF are not charged PTAF. Instead, the cost of collecting property taxes for schools and ERAF are borne by the County.

In the 2003-04 and the 2004-05 fiscal years, the Legislature implemented the "Triple Flip" and the "VLF Swap." Under the Triple Flip, ¼ point (0.25%) of the sales tax that had been received by cities went to the State. The State then made the cities whole by diverting property taxes from ERAF into the Sales and Use Tax Compensation Fund, from which cities are then compensated for the lost sales tax. The "VLF Swap" arose out of the reduction in the Vehicle License Fee, or VLF. When the state reduced the VLF, at first it made up the lost revenues to the cities with the VLF backfill – a direct payment from the State's general fund to cover the lost revenues. The VLF Swap then replaced this backfill by again diverting property taxes from ERAF, this time into the Vehicle License Fee Property Tax Compensation Fund, from which cities are compensated for the lost VLF. The Legislature provided that beginning in the 2006-07 fiscal year, the counties could charge the cities for the administrative cost of implementing the Triple Flip and the VLF Swap.

In the 2006-07 fiscal year, the counties increased the PTAF they charge to cities. The increase, however, was more than just the cost of implementing the Triple Flip and the VLF Swap. It also included the cost of assessing, collecting, and allocating the property taxes that are collected for ERAF and then diverted to the Sales and Use Tax Compensation Fund and the Vehicle License Fee Property Tax Compensation Fund and used to reimburse the cities for the sales tax and VLF lost to the State. For the City of Pacifica, the amount of the increase in the 2006-07 fiscal year was \$15,886. This increase will likely grow a little each year.

Cities throughout the state have taken the position that a city's PTAF should not include the property taxes that are allocated to ERAF, but then used to compensate the city for the sales tax and VLF taken by the state. Cities, including Pacifica, are arguing that they do not believe that the counties' interpretation is supported by the relevant code provisions, and the counties' interpretation is inconsistent with the purposes of the Triple Flip and VLF Swap legislation, which was to make cities and counties whole after the State took their sales tax and VLF. The Legislature was cognizant that the counties would incur additional costs associated with the Triple Flip and VLF Swap calculations, and it specifically authorized counties to charge cities for the incremental costs of shifting these funds, but the counties are trying to recover more.

Pacifica is a participating in a coordinated group response to the County in this matter. All of the cities in the coordinated group are receiving copies of this agreement, and their city councils will be considering this agreement in December or January. It is hoped that they will all approve the agreement. All of the signed agreements will be forwarded to the County Counsel, who will first have the Board of Supervisors formally deny the claims and will then sign the agreements.

In June of 2009, the cities will need to file claims with the County for the increased PTAF charged for the 2008-09 fiscal year, and then amend the tolling agreement to bring that claim into this agreement. The cities will want to continue doing this until either the agreement is terminated or the dispute is resolved.

FISCAL IMPACT:

Possible future revenue of approximately \$16,000 per annum

ATTACHMENTS:

Tolling Agreement

COUNCIL ACTION REQUESTED:

Approve the "Agreement Between the County of San Mateo and the City of Pacifica to Toll Statutes of Limitations For Claims Regarding Property Tax Administration Fees" and authorize the City Manager to execute the document; authorize staff to file additional claims during the tolling period.

AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND THE CITY OF PACIFICA TO TOLL STATUTES OF LIMITATIONS FOR CLAIMS REGARDING PROPERTY TAX ADMINISTRATION FEES

WHEREAS, the City of Pacifica (the "City") and the County of San Mateo (the "County") (collectively, the "Parties") may become involved in litigation regarding the County's calculation of the property tax administration fees (the "PTAF") as related to the Triple Flip (Rev. & Tax Code § 97.68) and the Vehicle License Fee swap (Rev. & Tax Code § 97.70) that the County charges the City, pursuant to the Revenue and Taxation Code, beginning in the fiscal year 2004-2005;

WHEREAS, conflicting legal opinions as to the calculation of the PTAF have been rendered by various state and local agencies and their counsel;

WHEREAS, the City filed a claim against the County on or about June 27, 2008, seeking a refund of the amount of PTAF that the City claims the County overcharged the City in the 2006-2007 and 2007-2008 fiscal years and the County has not yet formally denied the claim;

WHEREAS, the County contends that it may have undercharged the City for the PTAF in the 2004-2005 and 2005-2006 fiscal years;

WHEREAS, the City and County are aware that other cities and counties in other areas of the State are involved, or may become involved, in litigation concerning the calculation of the PTAF;

WHEREAS, the Parties desire to avoid litigation in order to allow for additional time to evaluate the law as it develops on this state-wide issue;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

- 1. The Parties agree to toll the applicable statutes of limitations for either party to file a claim, complaint, or petition against the other with respect to the calculation of the PTAF, including, but not limited to, the applicable statutes of limitations for the City to file a complaint or petition seeking a refund or reallocation to the City of the PTAF that the City contends the County overcharged the City for the 2006-2007 and 2007-2008 fiscal years, which the City contends resulted in an under-allocation of property taxes to the City; and including, but not limited to, the applicable statutes of limitations for the County to file a complaint, petition, or administrative claim seeking an increase or reallocation to the County of the PTAF the County contends the County may have undercharged the City in the 2004-2005 and 2005-2006 fiscal years.
- 2. This tolling agreement does not revive any statute of limitations period or deadline that expired before the effective date of this tolling agreement. This tolling agreement applies solely to those claims that could be alleged as of the effective date of this tolling agreement in either (i) an administrative claim to the County or the City pursuant to the applicable provisions of the Government Claims Act and/or a County or City ordinance or (ii) a lawsuit. The tolling agreement does not apply to any claims that could not be alleged as of the

effective date of this tolling agreement in an administrative claim to the County or the City pursuant to the applicable provisions of the Government Claims Act and/or any County or City ordinance or in a lawsuit.

- The purposes of this tolling agreement are to avoid litigation and to permit the 3. Parties additional time to evaluate the law as it develops on this state-wide issue.
- The City and the County agree not to file any claims and not to initiate or participate in litigation against each other related to the PTAF for the 2004-2005, 2005-2006, 2006-2007, and 2007-2008 fiscal years while this agreement is in effect.
- The tolling period for the City and the County extends from the effective date of this tolling agreement until the earlier of the following:
 - The expiration of forty-five (45) days from the date one Party ("the a. terminating party") delivers to the other Party via certified mail and facsimile at the addresses and facsimile machine numbers set forth in Section 8 below, written notice that the terminating party desires to terminate this tolling agreement, and is in fact terminating this tolling agreement; or
 - b. July 1, 2012.
- This agreement constitutes the entire understanding of the Parties with respect to 6. the tolling of the City's and the County's claims as set forth in Section 1 above, and correctly states the rights, duties, and obligations of each Party as of the effective date of this agreement. Any prior understandings, promises, negotiations, or representations between the parties not expressly stated in this document are not binding.
- Subsequent modifications of this agreement, including but not limited to the 7. extension or amendment of the agreement, shall not be valid or effective unless set forth in writing and signed by the Parties. The Parties anticipate that they are likely to amend this Agreement to include claims brought by the City regarding the calculation of PTAF for the 2008-2009 fiscal year and further fiscal years.
- Notices under this agreement, including specifically notice under Section 5.a above, shall be given as follows:
 - To the City, notice shall be given to both the City Attorney and to the a. attorney specially representing the City in this matter, Benjamin P. Fay, at the following addresses:

City Attorney City of Pacifica 170 Santa Maria Avenue Pacifica, California 94044

Fax: (650) 359-6038

Benjamin P. Fay Jarvis, Fay, Doporto & Gibson, LLP 475 14th Street, Suite 260 Oakland, CA 94612 Fax: (510) 238-1404

b. To the County, notice shall be given to the County Counsel at the following address:

Michael P. Murphy County Counsel of the County of San Mateo 400 County Center, 6th Floor Redwood City, CA 94063 Fax: (650) 363-4034

- 9. The Parties agree that this agreement shall be effective upon its execution by both Parties. The Parties further agree that the County will deny the City's claim on the date immediately preceding its execution of the Agreement.
- 10. Each of the undersigned hereby represents and warrants that he or she is authorized to execute this agreement on behalf of the respective parties to this agreement.
- 11. This tolling agreement may be executed in counterparts, and each fully executed counterpart will be considered an original document.

FOR THE COUNTY OF SAN MATEO

Dated:	By:
	Michael P. Murphy
	County Counsel of the County of San Mateo
FOR THE CITY OF PACIFICA:	
Dated:	
	Stephen A. Rhodes City Manager of the City of Pacifica
Approved as to form for the City of Pa	acifica:
Dated:	
	Cecilia Quick
	City Attorney of the City of Pacifica

CITY OF PACIFICA COUNCIL AGENDA SUMMARY REPORT January 12, 2009

Agenda Item No. 4

SUBJECT:

Authorize to Advertise for Sealed Bids for the Community Center Kitchen Floor, East Side Paving project, and the Fairmont Recreation roof.

ORIGINATED BY:

Parks, Beaches, and Recreation Department

BACKGROUND/DISCUSSION:

CSG engineering consultants have been hired to prepare Plans and Specs and to provide oversight of three projects. These projects are included in the Roy Davies Parks Improvement plan and are budgeted under Capital Improvements for fiscal 2008/09. There is no general fund support and two of the projects, kitchen floor and east side paving, have a CDBG (previously authorized by City Council) matching grant of \$41,000. This project is being funded through grant money from both the Roy Davis Fund and CDBG. The Fairmont Roof is budgeted out of the Roy Davies fund with no matching grant.

The plans and specifications were finalized by Staff incorporating roof plans and specifications prepared by CSG Engineering Consultant firm.

Staff requests authorization to advertise for sealed bids the Community Center Kitchen Floor, East side paving, and the Fairmont Recreation roof at Park Circle.

FISCAL IMPACT:

None

DOCUMENTS ATTACHED:

A copy of the project plans and specifications is available at the Parks, Beaches, and Recreation Department and will be available at the Council meeting.

COUNCIL ACTION REQUESTED:

Authorize the City Manager to advertise for sealed bids the Community Center Kitchen Floor and East side paving, and the Fairmont Recreation roof.

CITY OF PACIFICA COUNCIL AGENDA SUMMARY REPORT January 12, 2008

Agenda Item No. 5

SUBJECT:

Award of Contract to Rockaway Construction, Inc. and Approve Construction Management Contract with Mendoza & Associates Consulting Engineers for the Community Center Restroom Addition Project.

ORIGINATED BY:

Engineering Division
Public Works Department

BACKGROUND/DISCUSSION:

At present, there is no restroom at the Skate Park and skaters use the restrooms in the Community Center Building.

The Community Center Restroom Addition Project includes the construction of a restroom and a walkway access from the Skate Park. This project will provide for the needs of the skaters and will then allow for the sole use of the indoor restrooms by Community Center patrons.

The plans and specifications were prepared by CSG Consultants, Inc.. The project was advertised for bids on October 29, 2008 using the formal bid process. A total of twelve companies purchased copies of the project plans and specifications with eight companies submitting bids. The Bid opening was held on November 20, 2008 and the result is as follows:

Rockaway Construction, Inc.	\$ 55,000.00	
Cahalan Construction	\$ 57,592.00	
Argo Construction	\$ 67,500.00	
Southwest Construction	\$ 79,923.00	
Omni Construction	\$ 89,990.00	
Rodan Builders	\$ 98,197.00	
John Plane Construction	\$116,386.00	
Coastside Associates	\$124,932.00	

The apparent low bidder is Rockaway Construction, Inc. This is the first time that Rockaway Construction, Inc. is performing work on a City project therefore Staff checked references. Staff received positive feedback and satisfactory assessment on the performance of Rockaway Construction, Inc.. All required documentations were submitted with their bid; therefore, staff recommends award of contract to Rockaway Construction, Inc.. If the low bidder does not provide the proper bonds and proof of insurance prior to the signing of the contract, the project may be awarded to the apparent second low bidder.

Council Agenda Summary Report

Award of Contract to Rockaway Construction, Inc. and Approve Construction Management Contract with Mendoza &

Associates Consulting Engineers for the Community Center Restroom Addition Project

January 12, 2008

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FISCAL IMPACT:

The fiscal impact is as follows:

Project Costs

Total Project Cost	<u>\$89,000.00</u>
Contingencies	\$23,394.00
Construction Management	\$10,606.00
Construction Contract	\$55,000.00

Money in the amount of \$44,000 has been previously budgeted from the Roy Davies Trust Fund Account No. 27.9000723.52800.0092.00; an additional budget authority in the amount of \$45,000.00 is necessary from the General Capital Improvement Fund 22 to fully fund this project.

DOCUMENTS ATTACHED:

1. Consultant Services Agreement Between the City of Pacifica and Mendoza & Associates Consulting Engineers for construction management services in connection with the Community Center Restroom Addition Project.

A copy of the project plans and specifications is available at Office of the City Engineer and will be available at the Council meeting.

COUNCIL ACTION REQUESTED:

Award contract to Rockaway Construction, Inc. for the Community Center Restroom Addition Project; should that contractor not complete contract award requirements, the project may be awarded to the apparent second low bidder.; approve construction management contract with Mendoza & Associates Consulting Engineers; authorize the City Manager to execute all necessary documents associated with this project; and approve budget authority in the amount of \$44,000.00 from the Roy Davis Trust Fund and \$45,000.00 from the General Capital Improvement Fund 22.

CITY OF PACIFICA COUNCIL AGENDA SUMMARY REPORT JANUARY 12, 2009

Agenda Item No. 6

SUBJECT:

Review of development fee accounting information

ORIGINATED BY:

Engineering Division, Department of Public Works Finance Department

BACKGROUND/DISCUSSION:

The City of Pacifica, like many other local agencies, levies fees ("development fees") on new development within the City in order to fund public capital improvements necessitated by such development. The California Mitigation Fee Act, commonly known as AB1600 (Government Code Sections 66000 and following), imposes certain accounting and reporting requirements on local agencies that collect development fees. The proposed actions before the City Council are designed to ensure that the City complies with the accounting and reporting requirements of the Mitigation Fee Act.

The City of Pacifica's Municipal Code authorizes collection of the following development fees covered by the Mitigation Fee Act:

- Traffic Impact Mitigation Improvement Fees for Highway One Improvements (Chapter 15, Title 8)
- Traffic Impact Mitigation Fees for the Improvement of the Manor Drive/Palmetto Avenue/Oceana Boulevard Intersection (Chapter 18, Title 8)
- Planned Drainage Facilities Fees (Article 1, Chapter 4, Title 7)
- Capital Projects Fees (Article 2, Chapter 4, Title 7)
- Fees for Park and Recreational Purposes (Chapter 19, Title 8)
- Sewer Facilities Fee (Article 1, Chapter 11, Title 6)
- Rockaway Beach In-Lieu Parking Facilities Fee (Resolution No. 17-86)

The Mitigation Fee Act mandates that for accounting purposes, development fees must be segregated from the general funds of the City and from other funds containing fees collected for other improvements. Interest on each development fee fund must be credited to that fund and used only for the purposes for which the fees were collected.

Council Agenda Summary Report January 12, 2009 Review of development fee accounting information Page 2

The Mitigation Fee Act also requires that, within 180 days after the close of the fiscal year, the City must make available to the public the following information regarding each of its development fee funds:

- A brief description of the type of development fee in the fund.
- The amount of the development fee.
- The beginning and ending fund balance for the fiscal year.
- The amount of development fees collected and interest earned.
- An identification of each public improvement on which development fees were expended together with the amount of such expenditures.
- Information regarding the schedule for commencement of certain public improvements to be funded with development fees.
- A description of any inter-fund transfers or loans made from the fund.
- The amount of any refunds made.

To comply with these requirements, Staff has prepared the attached Mitigation Fee Act Annual Report for the fiscal year ending June 30, 2008 (Attachment 1). Pursuant to the requirements of the Mitigation Fee Act, this report is being presented to the City Council for review at a regularly scheduled public meeting not less than 15 days after the information was made available to the public. In addition, notice of the time and place of this meeting must be mailed at least 15 days prior to the meeting to all interested parties who filed a written request for such a notice. The City has received no such requests for notice.

At the request of Council, staff is reassessing the current and future parking needs at the Rockaway Beach Redevelopment Area. A study is currently underway to update the report which established the In-Lieu Parking Fee and will provide the mechanism to make any adjustment to this fee.

Staff recommends that the City Council review the Annual Report.

FISCAL IMPACT:

None.

DOCUMENTS ATTACHED:

- 1. City of Pacifica Annual Report of Development Fees and Expenditures for the year ended June 30, 2008 (Attachment 1)
- 2. Notice of Availability of the Mitigation Fee Act Annual Report for Fiscal Year Ending June 30, 2008, of the City of Pacifica.

COUNCIL ACTION REQUESTED:

Review the City of Pacifica Annual Report of Development Fees and Expenditures for the year ended June 30, 2008 (Attachment 1) and direct the City Clerk to retain this report in the official records of the City.



Scenic Pacifica

CITY HALL

170 Santa Maria Avenue • Pacifica, California 94044-2506

www.ci.pacifica.ca.us

CITY MANAGER'S OFFICE TEL (650) 738-7301 FAX (650) 359-6038

CITY ATTORNEY TEL (650) 738-7409 FAX (660) 359-8947

CITY CLERK TEL (650) 738-7307 FAX (650) 359-6038

CITY COUNCIL TEL (650) 738-7301 FAX (650) 359-6038

ENGINEERING TEL (650) 738-3767 PAX (650) 738-3003

FINANCE TEL (650) 738-7392 FAX (650) 738-7411

FIRE ADMINISTRATION TEL (650) 991-8138 FAX (650) 991-8090

HUMAN RESOURCES TEL (650) 738-7303 FAX (650) 359-6038

PARKS, BEACHES & RECREATION TEL (850) 738-7381 FAX (650) 738-2165

PLANNING & ECONOMIC DEVELOPMENT TEL (650) 738-7341

FAX (650) 359-5807

• Building (650) 738-7344

• Code

Enforcement (650) 738-7343

POLICE DEPARTMENT TEL (650) 738-7314 FAX (650) 355-1172

PUBLIC WORKS TEL (650) 738-3760 FAX (650) 738-9747

NOTICE OF AVAILABILITY OF THE MITIGATION FEE ACT ANNUAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2008 OF THE CITY OF PACIFICA

A copy of the Mitigation Fee Act Annual Report for fiscal year ending June 30, 2008 of the City of Pacifica is available for public review in person at the Office of the City Clerk, 170 Santa Maria Avenue.

The City Council of the City of Pacifica will review the Mitigation Fee Act Annual Report for fiscal year ending June 30, 2008 at its regularly scheduled meeting in the Council Chambers, 2212 Beach Boulevard, at 7:00 p.m.. January 12, 2009.

The City of Pacifica will provide special assistance for disabled citizens upon at least 24-hour advance notice to the City Manager's office (738-7306). If you need sign language assistance of written material printed in a larger font or taped, advance notice is necessary. All public meeting rooms are accessible to the disabled.

Kathy O'Connell Kathy O'Connell, City Clerk

Date Posted

CITY OF PACIFICA ANNUAL REPORT OF DEVELOPMENT FEES AND EXPENDITURES FOR THE YEAR ENDED JUNE 30, 2008

TRAFFIC IMPACT MITIGATION IMPROVEMENT FUND FOR HIGHWAY 1 IMPROVEMENTS, FUND 12

The fee provides for the construction of improvements to Highway One in the City from Westport Drive south to the southern City limits. The amounts of the fees as of June 30, 2008 were:

(a) Primary Impacting Area (as defined in Municipal Code Section 8-15.03)	
(1) Per new residential unit	\$3,584
(2) Per new second residential unit	\$1,767
(3) Per new commercial unit (per square foot of	\$1.44
(b) Secondary Impacting Area (as defined in Municipal Code Section 8-15.03)	
(1) Per new residential unit	\$1,197
(2) Per new second residential unit	\$609
(3) Per new commercial unit (per square foot of	\$0.46

ND 12 REVENUE	FY 2007-08
Improvement fees	\$44,878
Investment earnings	\$25,643 *
Other Revenues	\$46,750 ***
 TOTAL	\$117,271

^{*} Investment earnings on improvement fees are \$12,821 and \$12,822 for other Fund 12 projects.

^{**} Other revenues are non-improvement fee related

FUND 12 EXPENDITURES	FY 2007-08	% FROM FEES
Calera Parkway	\$56	0%
San Pedro Creek Bridge	\$87,622	20%
San Pedro Headlands Bike Lane	\$7,314	0%
San Pedro Terrace Bike Trail	\$9,730	0%
TOTAL	\$104,722	
FY 2007-08 Beginning Fund Balance	\$551,827	
FY 2007-08 Net Fund Increase	\$12,549	
FY 2007-08 Ending Fund Balance	\$564,376	

TRAFFIC IMPACT MITIGATION FEES FOR THE IMPROVEMENT OF THE MANOR DRIVE/PALMETTO AVENUE/OCEANA BOULEVARD INTERSECTIONS, FUND 14

The fee provides for the construction of improvements to alleviate traffic congestion at the Manor Drive/Palmetto Avenue/Oceana Boulevard intersection. The amount of the fee as of June 30, 2008 was \$249 per daily trip generated.

FUND 14 REVENUE	FY 2007-08
Development fees	\$151,888
Investment earnings	\$39,460
TOTAL	\$191,348

FUND 14 EXPENDITURES	FY 2007-08	% FROM FEES
Milagra - Highway 1 On-Ramp CEQA Review	\$0	100%
TOTAL	\$0	
FY 2007-08 Beginning Fund Balance	\$890,736	
FY 2007-08 Net Fund Increase	\$191,348	
FY 2007-08 Ending Fund Balance	FY 2007-08 Ending Fund Balance \$1,082,084	

PAYMENT OF PLANNED DRAINAGE FACILITIES FEES AND RESERVE FOR DRAINAGE FACILITY CONSTRUCTION FUNDS, FUND 19

The fee provides for the construction of drainage facilities to remove surface and storm drainage waters. The amount of the fee as of June 30, 2008 was:

Area Number (as defined in Municipal Code Section 7-4.101)	Watershed Title	Fee рег асте
1	Globe	\$0
2	Edgemar	\$3,985
3	Pacific Manor	\$3,483
4	Salada Beach	\$3,483
5	Brighton	\$4,157
6	Fairway Park	\$7,769
7	Vallemar	\$5,504
8	Rockaway Beach	\$10,253
9	Lower Linda Mar	\$0
10	Linda Mar	\$3,676
11	San Pedro Terrace	\$13,009

FUND 19 REVENUE	FY 2007-08
Development fees	\$154,541
Investment earnings	\$15,007
Other Revenues	\$20,000 **
TOTAL	\$189,548

^{**} Other revenues are non-development fee related

FUND 19 EXPENDITURES	FY 2007-08	% FROM FEES
Drainage Master Plan	\$297	100%
San Pedro Drainage	\$8,158	100%
TOTAL	\$8,455	
FY 2007-08 Beginning Fund Balance	\$244,334	
FY 2007-08 Net Fund Increase	\$181,093	
FY 2007-08 Ending Fund Balance	\$425,427	

CAPITAL PROJECTS FUNDS, FUND 22

The fee provides for the construction of facilities that provide essential municipal services. The amounts of the fees as of June 30, 2007 were \$204 per bedroom in a dwelling unit, \$93 per hotel or motel unit; and for each other new structure (except accessory buildings and buildings or structures primarily used for Boys' or Girls' Clubs, Boy or Girl Scouts, or other nonprofit activities for which the Council may waive the fee), an amount equal to 1.19% of the valuation = \$1.33/sq.ft. based upon a Construction Cost Index of \$112.00 per square foot.

FUND 22 REVENUE	FY 2007-08
Development fees	\$100,088
Investment earnings	\$132,181 *
Other Revenues	\$154,421 **
TOTAL	\$386,690

^{*} Investment earnings on development fees are \$25,000 and \$107,181 for other Fund 22 projects.

^{**} Other revenues are non-development fee related

FUND 22 EXPENDITURES	FY 2007-08	% FROM FEES
Engineering Services	\$52,470	10%
San Pedro Creek Flood Control	\$3,915	2.50%
San Pedro Creek - Urban Stream	\$10,030	0%
D.R.I	\$16,594	0%
SWRCB-Prop. 40 Capistrano Bridge	\$2,033	3%
Municipal Building Rehabilitation	\$20,814	10%
Police Station Construction	\$315	10%
Esplanade/RV Park Trail & Beach Stairs	\$833	15%
Pier Rehabilitation	\$32	0%
Sharp Park WWTP Redesign	\$15,871	0%

Beautification	\$249	0%
Tree Survey & City Landscaping	\$5,200	0%
Financial Software	\$411,329	0%
RDA Feasibility Study	\$35,181	0%
Sharp Park Strategic Planning	\$18,340	0%
Document Imaging	\$44,708	0%
TOTAL	\$637,914	
FY 2007-08 Beginning Fund Balance	\$1,468,558	
FY 2007-08 Net Fund Increase	(\$251,224)	
FY 2007-08 Ending Fund Balance	\$1,217,334	

DEDICATIONS AND FEES FOR PARK AND RECREATIONAL PURPOSES, FUND 26

The fee provides for the development and rehabilitation of parks and recreational facilities. The amounts of the inlieu fees as of June 30, 2008 were:

- (a) Per new residential unit: 0.02 Acres per unit or the equivalent average estimated fair market land value
- (b) Per new second residential unit: 0.01 Acres per unit or the equivalent average estimated fair market land value
- (c) Per subdivision unit: 0.02 Acres per unit or the equivalent average estimated fair market land value

FUND 26 REVENUE	FY 2007-08
Development fees	\$198,541
Investment earnings	\$11.028
Other Revenue	\$8,400 **
TOTAL	\$217,969

^{**} Other revenues are non-development fee related

FUND 26 EXPENDITURES	FY 2007-08	% FROM FEES
Memorial Bench Program	\$7,533	0%
Esplanade Trail	\$179,142	20%
Beach Boulevard Revetment	\$2,682	0%
TOTAL	\$189,357	
FY 2007-08 Beginning Fund Balance	\$197,847	
FY 2007-08 Net Fund Increase	\$28,612	
FY 2007-08 Ending Fund Balance	\$226,459	

SEWER CONNECTION CHARGES, FUND 34

The fee provides for the construction and expansion of the City's wastewater facilities, inclusive of the treatment plant, disposal system, main trunk interceptor, outfall sewers, inflow elimination facilities, and collection system trunk lines. The fee is composed of three parts in the following amounts, which were current as of June 30, 2008:

CONN	ECTION FEES (SEC. 6-11.102)	
a) Residential U	Inits: Single, Townhouse, or Condominium dwelling unit	\$998
b) Multi-Family	Dwellings:	\$765
c) Commercial	c) Commercial Units (= # fixture units/12)	
	K LINE FEES (SEC. 6-11.103)	
a) Residential		
1)	Per unit: Single, Townhouse,	\$749
2)	Per acre	\$1,496
b) Commercial	Units (= # fixture units/12)	
1)	Per commercial unit (= #	\$749
2)	Per acre	\$1,496
INFLO'	W/INFILTRATION FEES (SEC. 6-11.104)	
a) Residential		
3)	Per unit: Single, Townhouse,	
4)	Per acre	\$546
		\$1,165
b) Commercial I	Units (= # fixture units/12)	
3)	Per commercial unit (= #	\$546
4)	Per acre	\$1,165
FUND 34 REVI	ENUE	FY 2007-08
Develop	ment fees	\$52,557
Investm	ent earnings	\$0.00
Other revenues		\$1,545,189 **
TOTAL		\$1,597,746

^{**} Other revenues are non-development fee related

FUND 34 EXPENDITURES	FY 2007-08	% FROM FEES
Digesters	\$639,009	8%
Odor Control System	\$3,297	0%
Brighton Pump Station	\$998	0%
Linda Mar Pump Station	\$23,260	0%
Collection System	\$9,000	5%
Rockaway Pump Station	\$1,874	0%

Sharp Park Pump Station	\$40,365	0%
Plant Landscaping	\$1,610	0%
Transformer Relocation	\$15,170	0%
Regional Board Fines	\$20,000	0%
2212 Beach Blvd. Solar	\$193,206	0%
Monterey Road/Cypress Improvements	\$20,548	5%
Bio-Diesel	\$94,249	0%
Calera Creek Wetlands	\$7,329	0%
VFD Sharp Park Pump Station	\$24,592	0%
Linda Mar Cooling System	\$4,396	0%
Sharp Park Pump Station	\$5,000	0%
TOTAL	\$1,103,903	

FY 2007-08 Beginning Fund Balance	(\$52,074.084)
FY 2007-08 Net Fund Increase	\$493,843
FY 2007-08 Ending Fund Balance	(\$51,580,241)

ROCKAWAY BEACH IN-LIEU PARKING FACILITIES FEE, PART OF FUND 90

The fee provides for the construction and renovation of public parking facilities in the Rockaway Beach Redevelopment Project Area. The amount of the in-lieu fee is \$3,000 per in-lieu parking space.

REVENUE	FY 2007-08
Development fees	\$0.00
Investment earnings	\$1,500
TOTAL	\$1,500

EXPENDITURES	FY 2007-08	% FROM FEES
N/A	\$0.00	0%
TOTAL	\$0.00	
FY 2007-08 Beginning Fund Balance	\$308,088	
FY 2007-08 Net Fund Increase	\$1,500	
FY 2007-08 Ending Fund Balance	\$309,588	

CITY OF PACIFICA COUNCIL AGENDA SUMMARY REPORT January 12, 2009

AGENDA ITEM NO. 7

SUBJECT:

Adoption of an Ordinance Requiring Planning Commission Review of Single-Family Residences over a Certain Size

ORIGINATED BY:

Planning and Economic Development Department

DISCUSSION:

On November 17, 2008, the Planning Commission adopted the attached resolution recommending that the City Council adopt an ordinance that would require Planning Commission review of new single-family residences over a certain size or additions to existing single-family residences that cause them to exceed a certain size. Also attached are the minutes from the November 17, 2008 Planning Commission meeting.

The proposed ordinance is explained in detail in the attached Planning Commission memo dated December 17, 2007. In summary, the proposed ordinance starts with a cap of 3,000 s.f. (square feet) of floor area for a 5,000 s.f. lot, or an FAR (floor area ratio) of 60%. A new single-family residence that exceeds that amount, or an addition to an existing single-family residence that causes it to exceed that amount, would trigger a requirement for Planning Commission review and approval of a Site Development Permit at a public hearing. (Substandard lots, or lots smaller than 5,000 s.f., are already governed by an FAR formula in the Nonconforming Lot section of the Zoning Code.) The Commission agreed with staff that the findings required for a Site Development Permit would give the Commission the ability to adequately address any concerns associated with larger single-family residence. The attached Planning Commission memo of December 17, 2007 contains a list of the findings.

For lots that are larger than 5,000 s.f., a formula has been developed to give "credit" or a "bonus" amount of floor area that would be allowed before the Commission review requirement becomes effective. All garage area in excess of 800 s.f. will be counted as floor area; garage area up to 800 s.f. would not be included in the floor area formula. The table on page 2 in the attached Commission memo of December 17, 2007 shows examples of how the formula would apply to lots of various sizes. The ordinance also contains a provision requiring the erection of story poles at least fifteen (15) days prior to the Planning Commission hearing date, as previously directed by the Council (the Council minutes of January 14, 2008 are attached).

The 3,000 s.f. threshold for the formula was chosen because the Planning Commission felt that average-size or near-average-size dwellings should not be subject to the proposed ordinance. The Planning Commission subcommittee established to explore the issue found, through review of permit records, that the average size of a new single-family residence on a standard size lot was approximately 2500 s.f., and the consensus was that the "trigger" level should begin modestly higher than the 2500 s.f. average. After considering various thresholds, the subcommittee felt that a threshold of 3000 s.f., or approximately 20% larger than the average new single-family dwelling, would be more effective in allowing reasonably sized residences while ensuring that larger residences with the potential to have adverse impacts on neighborhood character are subject to Planning Commission review. This applies to residences on standard-sized lots (5000 s.f.). The Planning Commission chose 800 s.f. as the garage threshold because a typical 3,000 s.f. home

City Council Agenda Summary Report Adoption of Ordinance Requiring Review of Single-Family Dwellings over a Certain Size January 12, 2009 Page 2

would often have a three-car garage, which would total 660 s.f. when allowing for door swings and extra space around the vehicles. 800 s.f. is only marginally larger than a standard three-car garage and would allow adequate space for storage. The number 12 in the formula is a factor representing the multiplier arrived at by the Planning Commission subcommittee after considering various options.

As can be seen by the attached minutes of November 17, 2008, the Planning Commission has recommended that the story pole requirement be removed from the proposed ordinance. Among other things, the Commission majority felt the story pole requirement was unnecessary and could be counter productive because story poles can give a false impression of the massing of a structure, leading to divisiveness. There was also some discussion of reducing the allowable square footage for garages, but the Commission ultimately agreed to the criteria as discussed above. If the Council agrees that the story pole requirement should be removed, subsection (d)(4) of the proposed ordinance should be eliminated.

A Draft Negative Declaration has been prepared stating that the proposed ordinance will not have a significant effect on the environment. A copy of the Negative Declaration along with the Initial Study is attached. The Negative Declaration/Initial Study was circulated for public review beginning June 18, 2008. The comment period ended on July 18, 2008. No comments were received.

FISCAL IMPACTS:

Potential fiscal impacts are unknown. If permits for larger homes or large home additions were denied, or if home owners were discouraged from pursuing remodels due to the new regulation, there could be a negative fiscal impact to the City due to stagnate property values. Such an impact is speculative and difficult to quantify.

ATTACHMENTS:

- a. Proposed Ordinance
- b. Council Resolution adopting Negative Declaration w/ attached Negative Declaration/Initial Study
- c. Planning Commission Resolution No. 848
- d. Planning Commission Minutes of November 17, 2008
- e. Planning Commission agenda memo of December 17, 2007
- f. City Council Minutes of January 14, 2008

COUNCIL ACTION REQUESTED:

- 1. Move that the City Council ADOPT the attached resolution entitled, "A Resolution of the City Council of the City of Pacifica Adopting the Negative Declaration for the Proposed Ordinance Requiring a Site Development Permit for Single-Family Dwellings over a Certain Size."
- 2. Move that the attached ordinance entitled, "An Ordinance of the City Council of the City of Pacifica Amending Chapter 4 of Title 9 of the Pacifica Municipal Code to Require a Site Development Permit for Single-Family Dwellings over a Certain Size", be read by title only and that further reading be waived.
- 3. Move introduction of the ordinance.

CITY OF PACIFICA COUNCIL AGENDA SUMMARY REPORT January 12, 2009

Agenda Item No. 8

SUBJECT:

Creation of General Plan Outreach Committee

ORIGINATED BY:

Planning and Economic Development Director

DISCUSSION:

On October 13, 2008, the City Council adopted a resolution creating the "General Plan Update Steering Committee". Although the resolution correctly specified the Steering Committee's role in the General Plan Update process ("to assist with the community forums, help facilitate small group discussions, and assist in reaching out to the community"), staff realizes that the name "Steering Committee" could result in some misunderstanding and cause confusion regarding the Committee's true function. Therefore, staff proposes a new resolution creating a "General Plan Outreach Committee" (GPOC), and rescinding the earlier Council resolution creating the Steering Committee.

Staff also believes it will be beneficial to provide more details regarding the expected role of GPOC in the General Plan Update process. Staff envisions four areas of responsibility:

1. Bring members of the community to the Community Forum meetings

- a. Each GPOC member will be asked to solicit members of the public (by way of written or oral notification of forums) and bring at least FIVE community members with them to community forum meetings
- b. Members will disseminate materials for the following community forum in advance of the forum to help inform-the public about the process, energize public interest, and keep the public involved throughout the process.

2. Help to plan the first two community forums

- a. The initial GPOC meeting will allow for a thorough review with GPOC members of how they are to help in the planning of the forums to be led by staff and consultants.
- b. There will be a second staff/consultant led GPOC meeting to cover any new issues that come to light based on the attendance and participation at the first community forum

3. Attend all five community forums

- a. Members will be expected to attend any GPOC meetings prior to a community forum, obtain written materials for dissemination to the public, and actively engage with the public to provide information about how the public can participate in the General Plan Update process.
- 4. Make members of the community aware of the community forums and where additional information can be found on the General Plan Update process.

City Council Agenda Summary Report Create General Plan Outreach Committee January 12, 2009 Page 2

a. GPOC members will be expected to commit to an effort to keep the public informed, interested, and participating in the General Plan Update process and in participating throughout the entire length of the public input phase.

The size of the Committee would be determined by Council at the time of appointment of the Committee.

FISCAL IMPACT:

Fiscal impacts will be limited to that necessary for staff support.

ATTACHMENTS:

Resolution Creating General Plan Outreach Committee

COUNCIL ACTION REQUESTED:

Move that the City Council adopt the attached resolution creating the General Plan Outreach Committee

CITY OF PACIFICA COUNCIL AGENDA SUMMARY REPORT JANUARY 13, 2008

Agenda Item No. 9

SUBJECT:

2006 FEMA Repairs - Pacifica Pier Pile Repair Project Status

ORIGINATED BY:

Engineering Division
Department of Public Works

BACKGROUND/DISCUSSION:

The severe winter storm conditions of 2005-06 damaged the two most landward piles of the Pacifica Municipal Pier. The proposed repair includes the installation of polyethylene pile collars that are to be filled with grout using pressurized pipes that are temporarily attached to the collar. The polyethylene pile collars are essentially two half collars and have a rather large surface that acts as a sail. This work can only be successfully done under low tide, low swell and low wind conditions for a period of four to five days straight. If there are any moderate to strong winds or waves, the resulting forces on the collar make it extremely dangerous to install the collar and place grout. Likewise, the lower the tide, the less force the water asserts on the collars.

Working on these types of projects has always been very restrictive due to the environment and weather. Staff has to always consider not only the risk to the safety of the workers, but the environment as well. Staff had asked the contractor to take the extra step to ensure that no grout gets into the ocean for this can easily turn our repair project into a disaster. North Coast Divers (NCD) is the contractor for this project. NCD had manufactured the polyethylene pile collars and an initial attempt to install the collars was made during the low tides in September. However, during the process of sliding the collars in place, unexpected obstructions were discovered below the sand. The attempt to repair the piles had to be aborted until the nature and extent of the obstruction could be determined. This obstruction was unknown to our coastal/structural engineer at the time of designing the repair for it was underneath the sand. When this repair was proposed it was based on what could be visibly observed at the time of initial assessment. It should be noted that these piles are under the surf zones 99% of the time with the lower portion of the piles covered with sand.

Since then the contractor had probed (jet probe) below the sand at each pile and determined that masses of concrete, likely from the previous pile repairs, are the ones preventing the collars from sliding down the piles as intended. Through the probing, it was also determined that these obstructions extend up to 4 feet away from the piles.

Additionally, another attempt to confirm the characteristics of the obstruction was made at low tide in early December. However, as has happened previously, the wind and surf conditions were not conducive to accurately confirming the depth and surface condition of the obstruction. Another attempt will be made when conditions allow.

With the concrete mass in the way, the top of the collar becomes too close to the bottom of the pier deck to be able to remove the grout pipes that is temporarily attached to the collar. The collars now need to be cut in order for it to fit beneath the pier. It also needs to be cut in a pattern that will snug the existing concrete mass and help prevent the grout from oozing out of the bottom of the collar. In addition a special order, rapid drying grout is being considered along with some type of skirt or manual seal for the bottom of the collar. These types of design modifications are to be expected in high energy coastal environments and while they are necessary, it is really the weather conditions that are delaying the project at this time.

With high surf and winds, even low tides do not permit safe working conditions. Unfortunately, these weather conditions are not likely to change much before the spring or summer. At best they can only be predicted a few days in advance and are unlikely during the winter months. The design modifications are being completed as quickly as possible so that if an opportunity presents itself, the solution is ready to be installed.

Our Structural/Coastal Engineer had his associate in the area during the Thanksgiving break and he shot some video of the piles. In an email sent to us our Structural/Coastal Engineer writes, "It is clear that while this repair is crucial to prevent further erosion from the sand scouring in the surf zone, the piles themselves are not in extremely bad condition. There are no observable cracks or spalling associated with re-bar expansion in the subject pile. They need to be protected to ensure that further erosion of the concrete pile does not happen, but they are not in imminent danger of collapse. We must proceed with urgent caution and provide the correct repair."

It is our intent to complete this project as soon as possible but, we have to proceed with caution. City Staff, as well our Projects managers, will continue to monitor the pier during and after storms.

FISCAL IMPACT:

None.

DOCUMENTS ATTACHED:

None.

COUNCIL ACTION REQUESTED:

No action is being requested as this item is for Council information only.

CITY OF PACIFICA COUNCIL AGENDA SUMMARY REPORT

January 12, 2009

Agenda Item No. 10

SUBJECT:

Selection of City Council Liaison and Committee Assignments for 2009

ORIGINATED BY:

City Manager's Office

DISCUSSION:

There are several regional agencies and Joint Powers Agencies that meet on a regular basis to discuss matter of interest to cities. Typically, a councilmember attends as the City's representative and follows up with a verbal report to Council. The councilmember assigned acts on behalf of the Council and represents the majority viewpoint on matters that directly impact Pacifica. Due to Council reorganization, it is appropriate to modify the liaison and committee assignments.

ATTACHMENTS:

Listing - City Council Liaison and Committee Assignments

COUNCIL ACTIONS REQUESTED:

Modify listings for liaison committees and assignments for 2009