

CITY OF PACIFICA CITY COUNCIL AGENDA

MAYOR SUE DIGRE
MAYOR PRO TEM PETE DEJARNATT
COUNCILMEMBER CALVIN HINTON
COUNCILMEMBER JAMES VREELAND
COUNCILMEMBER JULIE LANCELLE

CITY COUNCIL CHAMBERS
2212 BEACH BOULEVARD
PACIFICA, CALIFORNIA 94044

May 8, 2006

www.ci.pacifica.ca.us

Off-street parking is allowed by permit for attendance at official public meetings. Vehicles parked without permits are subject to citation. You should obtain a permit from the rack in the lobby and place it on the dashboard of your vehicle in such a manner as is visible to law enforcement personnel.

7:00 p.m. REGULAR COUNCIL MEETING

Call to Order
Roll Call
Salute to the Flag led by Councilmember Vreeland
Commission Liaisons: None
Chamber of Commerce Liaison: None
Closed Session Report

CONSENT CALENDAR

In a single motion, the City Council will consider and act upon Items 1 through 10.

1. Approval of disbursements dated 03/01/06, 04/06/2006, 04/07/2006, 04/10/2006, 04/12/2006 and 04/14/2006 in the amount of \$681,255.61, Regular and quick checks numbered 81423-81424, 81445-81454 and 111292-111447 (**Proposed action:** approve disbursements)
2. Approval of Minutes of regular City Council meeting of April 24, 2006 (**Proposed action:** approve Minutes)
3. Continuation of Local Emergency Status and Authorization of Immediate Expenditure of Public Money to Safeguard Life, Health or Property (**Proposed action:** 1) continue the Proclamation for Local Emergency dated January 5, 2006, and the Proclamation Confirming Existence of Local Emergency ratified by Council on January 9, 2006; 2) continue Resolution No. 05-2006; 3) direct the City Manager to return with a status update at the next City Council meeting)
4. Continuation of Local Emergency Status and Authorization of Immediate Expenditure of Public Money to Safeguard Life, Health or Property (**Proposed action:** 1) continue the proclamation confirming existence of local emergency dated April 17, 2006 and the proclamation confirming existence of local emergency ratified by Council on April 24, 2006; 2) Continue Resolution No. 16-2006; 3) direct the City Manager to return with a status update at the next City Council meeting)
5. Approval of Contract with Christopher A. Joseph & Associates for \$100,820.00 to Perform Environmental Review Services for the Proposed Construction of 34 Residential Units Located on 801 Fassler Avenue known as "The Prospects" (**Proposed action:** move to approve the attached contract with Christopher A. Joseph & Associates for the review and amendment if necessary of the draft initial study and preparation of an Environmental Impact Report for the development of 34 residential units at 801 Fassler Avenue (APN: 022-083-020 and -030), subject to legal changes as may be required by the City Attorney, authorize the City Manager to execute the document, and approve the necessary budget authority)

6. Approval of Equipment Replacement of #504 a Wide Area Turf Mover (**Proposed action:** move to approve the purchase of one model #1600T wide area John Deere series 1 4x4 mover from Turf and Industrial Equipment Company in the amount of \$42,569.39 tax included and authorize Finance Director to issue payment in that amount upon successful delivery)
7. Resolution Approving Contract #CPKR-5632 with California State Department of Education for Pre-Kindergarten Resource Funding for Fiscal Year 2005-06 (**Proposed action:** adopt resolution approving fiscal year 2005-06 contract with the California Department of Education for pre-kindergarten resource funding with increased budget authority in the amount of \$1,116.00)
8. Adopt Resolution and Approve Settlement Agreement and Mutual General Release in the Estate of Roy Hewson Davies (**Proposed action:** adopt resolution and approve Settlement Agreement and Mutual General Release and authorize the City Manager to sign any necessary documents)
9. Adoption of "An Ordinance of the City Council of the City of Pacifica Reclassifying (RZ-186-05) the Lower Milagra Ridge Property) APN: 016-451-010 and -020) from C-2, Community Commercial, to P-D, Planned Development, and from R-1/B-4, Single Family Residential with a B Overlay, to OS, Open Space, with a Development Plan (DP-69-05) for the Development of 23 Residential Units and Two Commercial Buildings" second reading (**Proposed action:** move to adopt An Ordinance of the City Council of the City of Pacifica Reclassifying (RZ-186-05) the Lower Milagra Ridge Property (APN: 016-451-010 and -020) from C-2, Community Commercial, to P-D, Planned Development, and from R-1/B-4, Single Family Residential with a B Overlay, to OS, Open Space, with a Development Plan (DP-69-05) for the Development of 23 Residential Units and Two Commercial Buildings")
10. Adopt Resolution Approving an Easement Agreement at Land's End (100 Esplanade) (**Proposed action:** adopt the resolution approving an easement agreement and accepting a public access easement and authorize the City Manager to execute all necessary documents to complete the transaction)

SPECIAL PRESENTATION

Sanchez Community Garden Update -- Kelley Rajala

~~Proclamation - Recognition of the Golden Gate National Parks Conservancy's Site Stewardship Program~~

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. Each councilmember is allotted three minutes.

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. A maximum time of three minutes will be allowed for any speaker.

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

11. Authorize Budget Authority for the Remodel of the Sharp Park Sewer Plant Buildings Located at 2212 Beach Blvd. into the New City Hall Complex for \$2,000,000.00. Authorize the City Manager to Proceed with the Pre-Construction Permitting Process (**Proposed action:** authorize budget authority for the remodeling of the City Hall complex at 2212 Beach Blvd. for \$2,000,000.00. Authorize the City Manager to proceed with the pre-construction permitting process)

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 24 hours advance notice to the City Manager's Office (650) 738-7301. 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.ci.pacifica.ca.us); 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

View on the Internet:

Follow the link to Council agenda, at www.ci.pacifica.ca.us/cityhall/agenda.html

E-mail subscription:

Send a request to Kathy O'Connell, at o'connellk@ci.pacifica.ca.us

City Clerk's Office/City Manager's Office

City Hall, 170 Santa Maria Avenue, 2nd Floor

Council meetings:

Agendas are available at the City Council meeting

HOW TO OBTAIN CITY COUNCIL AGENDA PACKET MATERIALS

City Clerk's Office or the Library:

A copy of the complete agenda packet is available for public review on the Friday prior to the City Council meeting, at the Pacifica Library, 104 Hilton Way or the Sanchez Library, 1111 Terra Nova Blvd., Pacifica

View staff reports on the Internet:

Follow the link to Council agenda, www.ci.pacifica.ca.us/cityhall/agenda.html

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 Jackie Speier, 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
- Congressman Tom Lantos, 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

**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT**

May 8, 2006

AGENDA ITEM NO. 3

SUBJECT:

Continuation of Local Emergency Status and Authorization of Immediate Expenditure of Public Money to Safeguard Life, Health or Property

ORIGINATED BY:

City Manager's Office

DISCUSSION

On January 5, 2006 the City's Director of Emergency Services (City Manager) declared a State of Local Emergency. Council ratified this action on January 9, 2006 and adopted Resolution No. 05-2005 a "Resolution Authorizing Immediate Expenditure of Public Money to Safeguard Life, Health or Property. This allows for repairs to take place without competitive bidding due to the emergency. The Council must review, at least every fourteen days, the need for continuing the local emergency. Due to ongoing risk of debris flows from heavy rains, as well as ongoing difficulties with the leaking sewer forcemain repair, and the flooded Brighton Pump Station, as well as continuing damage to seawalls, and damage to storm drain outfalls from continued high ocean waves, staff recommends that the Council continue the local emergency. Ocean swells have been over fifteen feet high for a month and recently exceeded twenty-two feet. This sustained big surf is continuing to cause damage to City ocean front facilities. Staff recommends that the Council continue the local emergency. This agenda item seeks Council continuation of the emergency status pending completion of disaster recovery work and expenditures.

As a result of the severe winter weather conditions, the City has experienced floods, land failure, falling trees, failing seawalls and damage to public and private property. Heavy rainfall in Mid December 2005 caused failure of the hillside behind some homes on Big Bend Drive, Pacifica to vacate their homes immediately to ensure the safety to the residents. The ground is saturated throughout the City and the City is in the midst of continuing series of winter storms.

On February 27, 2006 severe storm conditions and a city-wide power outage resulted in the City Council cancelling the scheduled City Council meeting.

On March 27, 2006 the County opened its Emergency Operations Center due to the extreme storm conditions.

Total rainfall recorded for the City of Pacifica for the month of March 2006 has been 10.6 inches. Total rainfall recorded for the month of April (1-13) is 6.52 inches.

To date the City has incurred the following costs of clean-up and repair:

Forcemain and Pump Station approximately \$200,000.00 to date. Pipe repairs have been completed. Site repair including paving, sealing, fence repair and landscaping repairs have been completed. The City has entered into a contract with Power Engineering for the excavation and repair to the sewer line, pipe connections and temporary pumping. The City has also entered into a contract with Go-Native Nursery in connection with work cleaning and replanting for the Sharp Park Forcemain.

Clean-up of Various Sites is approximately \$60,000.00 to date. (No cost change since previous report)

Approximately \$195,000.00 for road repairs since the storms in Mid December 2005.

Big Bend Clean-up of Land Slide approximately \$115,000.00. The City has entered into a contract with Cotton, Shires and Associates for geotechnical work and with Go-Native for clearing and brush removal. The geotechnical investigation is continuing with additional soil investigation. (No cost change since previous report)

An additional \$20,000.00 for Landslide investigations at various sites throughout the city. (No cost changes since previous report)

ATTACHMENTS:

FEMA Declaration of Disaster – 1628 DR

COUNCIL ACTION REQUESTED:

- 1) Continue the Proclamation for Local Emergency dated January 5, 2006 and the Proclamation Confirming Existence of Local Emergency ratified by Council on January 9, 2006.
- 2) Continue Resolution No. 05-2006.
- 3) Direct the City Manager to return with a status update at the next City Council meeting.

**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT**

May 8, 2006

AGENDA ITEM NO. 4

SUBJECT:

Continuation of Local Emergency Status and Authorization of Immediate Expenditure of Public Money to Safeguard Life, Health or Property

ORGINATED BY:

City Manager's Office

DISCUSSION

On April 17, 2006 the City's Director of Emergency Services (City Manager) declared a State of Local Emergency. This declaration is due to ongoing conditions of extreme peril to the safety of persons and property which have arisen in the City caused by severe storm conditions in March and April, 2006 and ongoing, including: 33 inches of rainfall which is 160% of the average rainfall for this time of year; unrelenting rains for a six week period and continuing; twelve mudslides totaling a cost of \$2,285,000 to remove debris and repair the sites; and the closure of Route 1. Route 1, which is the only direct traffic artery within the coastal region, from Linda Mar area in Pacifica to the south in Half Moon Bay is closed, due to rockslides, erosion and slippage, that has resulted in damage to the roadway and estimated losses of more than \$20 million to coastal hotels, restaurants and other businesses.

The Route 1/Devil's slide closure to vehicular and pedestrian traffic due to the above-mentioned unsafe conditions has had a drastic economic impact in Pacifica.

Staff requests that the Council adopt the Resolution waiving bidding and authorizing staff to commence repairs to disaster areas as this emergency situation has created risks to public and private property and the public health, safety and welfare and requires immediate repair and efforts to prevent or mitigate a further emergency.

The Small Business Administration has been in contact with the City of Pacifica and is making itself available to local businesses/merchants two days a week two weeks consecutively in the Parks, Beaches & Recreation Conference Room.

An additional \$10,000.00 for Debris Removal for two new land slides.

An additional \$20,000.00 for Geotechnical Field Work /Reports

ATTACHMENTS:

- 1) Proclamation Confirming Existence of a Local Emergency (Dated April 17, 2006)
- 2) Proclamation Confirming Existence of a Local Emergency ratified by Council on April 24, 2006
- 3) Resolution No. 16-2006
- 4) Newspaper articles

COUNCIL ACTION REQUESTED:

- 1) Continue the Proclamation Confirming Existence of a Local Emergency dated April 17, 006 and the Proclamation Confirming Existence of Local Emergency ratified by Council on April 24, 2006.
- 2) Continue Resolution No. 16-2006
- 3) Direct the City Manager to Return with a status update at the next City Council Meeting

**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
May 8, 2006**

AGENDA ITEM NO. 5

SUBJECT:

Approval of contract with Christopher A. Joseph & Associates for \$100,820.00 to perform environmental review services for the proposed construction of 34 residential units located on 801 Fassler Avenue and known as "The Prospects".

PROPOSED ACTION:

Approve Contract

ORIGINATED BY:

Planning and Economic Development Department

DISCUSSION:

The applicant (Pacifica Quarry Homes, LLC) submitted a development permit application on May 10, 2005 to develop the 11 acre vacant lot located on the north side of Fassler Avenue with 34 condominium residential units, half of which are attached and located on top of a 26,000 square foot multi-level parking structure.

After determining the application complete on December 15, 2005 and completing a draft Initial Study on January 13, 2006, staff determined that an Environmental Impact Report (EIR) would be necessary. Staff obtained a scope of work to complete the EIR from Christopher A. Joseph Associates (CAJA) and forwarded it to the applicant on February 8, 2006. The applicant requested a second scope of work from another EIR consultant to complete the EIR. Staff contacted two EIR consultants and one firm, Impact Sciences completed another scope of work. After reviewing and comparing the scopes of work, staff concluded that CAJA would be able to best complete an EIR for the project. CAJA has previous experience in Pacifica, covered all pertinent issues in the scope of work, and offered the lower cost to prepare the document.

RECOMMENDATION:

Staff recommends that the Council approve the contract with CAJA, for the review and amendment, if necessary of the draft Initial Study completed by staff and preparation of an Environmental Impact Report for the development of 34 residential units at 801 Fassler Avenue.

FISCAL IMPACTS:

None, all consultant service costs will be borne by the applicant.

ATTACHMENTS:

1. Proposed Contract (with attached scope of work from Christopher A. Joseph Associates)

COUNCIL ACTION REQUESTED:

Move to **APPROVE** the attached contract with Christopher A. Joseph Associates for the review and amendment if necessary of the draft Initial Study and preparation of an Environmental Impact Report for the development of 34 residential units at 801 Fassler Avenue (APN 022-083-020 & 030), subject to legal changes as may be required by the City Attorney, authorize the City Manager to execute the document, and approve the necessary budget adjustment.

**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
May 8 2006**

AGENDA ITEM NO. 6

SUBJECT:

Equipment Replacement

ORIGINATED BY:

Public Works Department

DISCUSSION:

Public works is requesting the replacement of #504 a wide area turf mower. This piece of equipment is in very poor condition, very severe rust and mechanically worn out. We will be purchasing this Equipment utilizing CMAS State Contract # 4-96-37-0001.

Fiscal Impact:

Funds are budgeted in 2005, 2006 budget, no additional funding is required.

DOCUMENTS ATTACHED

Copy of Quote from Turf and Industrial Equipment

COUNCIL ACTION REQUESTED:

Move to approve the purchase of one Model # 1600T wide area John Deere series 2 4X4 Mower from Turf and Industrial Equipment Company, 2715 Lafayette Street Santa Clara, Ca. 95050 for the amount of \$42,569.39 tax included and authorize the Finance Director to issue payment in that amount upon successful delivery.

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT

May 8, 2006

AGENDA ITEM NO. 7

SUBJECT:

Resolution Approving Contract #CPKR-5632 with California State Department of Education for pre-kindergarten resource funding for fiscal year 2005-06

ORIGINATED BY:

Parks, Beaches and Recreation Department

DISCUSSION:

California Department of Education has appropriated additional funds under a separate contract for pre-kindergarten resource materials. Council action is required authorizing a staff member to have ongoing responsibility and authority to manage the California Department of Education, Child Development Division contract. Currently, the Child Care Services Supervisor has this authority and will continue to facilitate the process. This includes: processing the contract, submission of annual request for reimbursement, and ongoing communication with the state representative.

The California Department of Education, Child Development Division requests Council minutes and a resolution authorizing the acceptance of the contract.

FISCAL IMPACT:

This contract from the California State Department of Education is 100% reimbursable up to the grant amount of \$1,116. No additional General Fund money will be needed for matching funds.

ATTACHMENTS:

Fiscal Year 2005 – 06 California Department of Education Resolution and Contract Number: CPKR-5632.

COUNCIL ACTION REQUESTED:

Adopt Resolution Approval of Fiscal Year 2005-2006 contract with the California Department of Education for pre-kindergarten resource funding with increased budget authority in the amount of \$1,116.

**City of Pacifica
Council Agenda Summary Report
May 8, 2006**

AGENDA ITEM NO. 8

SUBJECT:

Adopt Resolution and Approve Settlement Agreement and Mutual General Release in the Estate of Roy Hewson Davies

ORIGINATED BY:

City Attorney *CMD*

DISCUSSION:

Roy Hewson Davies was a resident of Pacifica who passed away on August 19, 2005. Prior to his death, he executed the Davies Trust (the "Trust") and the Davies Will (the "Will"). The Trust names Pacifica's Parks, Beaches and Recreation Department as the sole beneficiary of Mr. Davies' estate, which was valued at approximately \$10 million. The Will is a pour-over will, which left everything in Mr. Davies' estate according to the terms of the Trust (which, in turn, leaves everything to the City's Parks, Beaches and Recreation Department).

The trustees of the Trust, who were also co-executors of the Will, filed a Petition to Confirm the Trust in San Mateo County Superior Court Case No. 114348 (the "Trust Action") and a Petition to Probate the Will in San Mateo Superior Court Case No. 114347 (the "Will Action")

Robert Davies, Mr. Davies' disinherited biological son, filed petitions in Court challenging the validity of the Trust and the Will. In addition, 16 of Mr. Davies' cousins challenged the validity of the Trust and the Will. The Son and Cousins are referred to collectively as the Contestants.

The City and Contestants participated in multiple settlement conferences and two mediations. They also appeared at hearings before the San Mateo County Superior Court and opposed the Contestants' petitions.

The parties have now settled with the City receiving \$3.9 million, plus attorneys' fees incurred up to \$95,000.00, which is approximately 45% of the gross estate. The other parties will split the remaining amount after taxes and administrative costs, the latter two items of which will total an estimated \$1 million.

The money will be disbursed to the City with conditions attached. The money must be deposited in a segregated account, and the City is to receive the annual income, which is estimated to be approximately \$105,000 a year, to be used for Parks, Beaches and Recreational purposes. It will take a 4/5 majority vote of the City Council to invade the principal, but even then it can only be for Parks, Beaches and Recreation purposes. Upon disbursement, the City must use an initial \$450,000.00 to replace the roof at the Community Center and upgrade Fairmont Park. The City must also honor Mr. Davies with a plaque in the Senior Center and honor him appropriately at Fairmont Park.

ATTACHMENTS:

Resolution

ACOUNCIL ACTION REQUESTED:

Adopt Resolution and Approve Settlement Agreement and Mutual General Release and authorize the City Manager to sign any necessary documents.

CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
May 8, 2006

AGENDA ITEM NO. 9

SUBJECT:

Adoption of “An Ordinance of the City Council of the City of Pacifica Reclassifying (RZ-186-05) The Lower Milagra Ridge Property (APN: 016-451-010 AND -020) From C-2, Community Commercial, To P-D, Planned Development, and From R-1/B-4, Single Family Residential With a B Overlay, To OS, Open Space, With a Development Plan (DP-69-05) For The Development of 23 Residential Units and Two Commercial Buildings” second reading

ORIGINATED BY:

City Manager’s Office

DISCUSSION

This Ordinance was introduced at the April 24, 2006 City Council meeting and is in order for adoption.

ATTACHMENTS

Proposed Ordinance

COUNCIL ACTION REQUESTED

Move to Adopt “An Ordinance of the City Council of the City of Pacifica Reclassifying (RZ-186-05) the Lower Milagra Ridge Property (APN: 016-451-010 and -020) From C-2, Community Commercial, to P-D, Planned Development, and From R-1/B-4, Single Family Residential with a B Overlay, to OS, Open Space, with a Development Plan (DP-69-05) for the Development of 23 Residential Units and Two Commercial Buildings”

City of Pacifica
Council Agenda Summary Report
May 8, 2006

AGENDA ITEM NO. 10

SUBJECT:

Adopt resolution approving an easement agreement at Land's End (100 Esplanade)

ORIGINATED BY:

City Attorney's Office *CMA*

DISCUSSION:

Background

In 1972, the City granted the prior Owners of 100 Esplanade a use permit authorizing development of apartment buildings and a recreation building on the property (now commonly referred to as "Land's End") subject to certain conditions. The City required, among other things, the construction of a staircase to provide public coastal access. The staircase was constructed and prior Owners or Owner have performed maintenance activities on it since then.

In 1981, the City approved an application for a condominium conversion for the Property. The City approved a Tentative and Final Map requiring as one of the conditions of approval public coastal access and maintenance of the vertical access to the shoreline if the Coastal Commission required such access.

The Coastal Commission granted a coastal development permit for the condominium conversion and required recordation of an Irrevocable Offer to Dedicate for open space/public access to the shoreline and required that the applicant guarantee the stability and permanent maintenance in a safe condition of the stairwell. The Coastal Commission also required recordation of an Irrevocable Offer to Dedicate Public Access Easement for public access along the shoreline, and an Irrevocable Offer to Dedicate Public Access Easement for public access along the bluff top (collectively, the three Offers to Dedicate are referred to as "OTDs").

In 1988, the City approved one of Prior Owners' applications for a reversion to acreage along with numerous conditions, including requirements to record the OTDs required by the Coastal Commission for the condominium conversion, and to repair and maintain the staircase in order to protect the public health, safety and welfare.

As a result of erosion and deterioration caused by the ocean, a portion of the staircase became unusable. In February 2004, the City approved a Coastal Development Permit to repair the stairway and relocate the public access. The approval was conditioned on ongoing maintenance of the access.

The proposed Public Access Agreement consolidates all three areas covered by the OTDs into one easement, provides for acceptance of the easement by the City, and requires the property Owner to maintain and remain liable for the public access areas. The Public Access Easement complies with the requirements of the OTDs and implements the property Owner's obligations under its permits. With the Public Access Easement, the OTDs are no longer necessary and will be extinguished by the Coastal Commission with recordation of the Public Access Easement.

Approval of this Agreement is consistent with the City's Strategic Plan, including Goal #1, which is to preserve and enhance Pacifica's natural resources and open space to ensure an ecologically vibrant community, and Objective 1(G), which is to utilize all opportunities to create public access to open space.

ATTACHMENT

Resolution

RECOMMENDATION:

Adopt the Resolution approving an easement agreement and accepting a public access easement and authorize the City Manager to execute all necessary documents to complete the transaction

**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT
May 8, 2006**

AGENDA ITEM NO. 11

SUBJECT:

Authorize Budget Authority for the remodel of the Sharp Park Sewer Plant Buildings located at 2212 Beach Blvd. into the New City Hall Complex for \$2,000,000. Authorize City Manager to proceed with the Pre-Construction Permitting Process.

ORIGINATED BY:

Public Works Department

DISCUSSION:

This Council Report requests that budget authority be given in the amount of \$2,000,000 and the project be approved; and requests approval for commencement of the pre-construction administrative/permitting process.

Authorization of Budget Authority to Construct City Hall

As authorized by Council, staff is completing the design for the remodel of the City buildings at 2212 Beach Blvd. in Sharp Park into the New City Hall Complex. Attached is the latest Architect's cost estimate. The floor plan for the proposed offices has been completed and the total square footage has been increased by approximately 3200 square feet by expanding into the pump station building and adding a mezzanine in the offices associated with the proposed Council Chambers and PB&R offices. The approximate size of the proposed City Hall is 18,000 square feet including the new Council Chambers.

The current cost estimate is \$1,883,464. This is higher than the previous estimate due to the increase in square footage. The cost includes approximately \$170,000 in roof repairs, \$700,000 in building upgrades and approximately \$1,000,000 in tenant upgrades. Also, included is approximately \$80,000 for engineering services during construction and inspection. Building upgrades include new windows, doors and a heating and air conditioning system. The building will be completely stripped to bare concrete walls during the renovation process, and all paint and other materials will be removed in the demolition process. All upgrades will be "Green Construction". For \$700,000, the City will have a warm shell and a completely "green" 18,000 square foot commercial building. It is not conceivable now or in the near future that the City will be in a financial position to build or purchase a building of this value for less than \$4 to \$6 million. And, it is necessary for the health and safety of the City staff to move forward with a relocation plan without delay.

The City staff is currently pursuing a FEMA mitigation grant for the roof repairs. The \$1,000,000 tenant improvements include local electrical improvements, IT wiring, office walls and finishes. It should be made clear that the million dollar cost associated with tenant improvements would exist even if the City was intending to rent space. However, as recognized in previous discussions, renting space rather than improving the existing building does not make economical sense.

As discussed during previous Council Meetings, remodeling the two building provides a safe working environment for City Hall employees, it provides new Council facilities, additional community space, and it will leave the majority of the existing site for development. The proposed City Hall Buildings, including the Council Chambers, utilizes only 8% of the entire site. The City Hall building is set back approximately 150 feet from the sea wall allowing for a well-planned development to utilize approximately 100 feet of area to the west of the buildings. Currently, the City has no other viable site for the Council Chambers and without the proposed remodel for City Hall; the site will continue to be utilized indefinitely for the Council Chambers. Relocating City Hall into a currently owned and utilized City Building will free up the old City Hall site (approximately 1 acre) for the development of additional City facilities or for sale generating approximately \$2 million for the City coffers. The bottom line is that the value of the existing City Hall site is approximately equal to the cost of the remodeling of the Sharp Park Wastewater site for City Hall.

A very important point to consider is that City Hall is the first stop of any potential developers who may want to invest in Pacifica. We have only one chance to make a first good impression. The impression that we take pride in our community and take care of our buildings and infrastructure goes a long way when developers are considering where to spend their money.

Construction will occur in three phases. The first phase will include the roof repair and the installation of the Solar Photovoltaic Panels. This phase will cost approximately \$750,000. We anticipate approximately \$200,000 to be funded through the PG&E rebate, \$100,000 through a C/CAG grant, \$100,000 through Fund 34 (Sewer funds, the primary beneficiary of the power) and \$200,000 from a FEMA mitigation grant. This project will not require General Fund expenditures and will be brought forward to Council for separate action.

The second phase of the project will be the building upgrades for the City Council Chambers. This phase may occur simultaneously with the roof repairs; however the construction will be managed and performed by a different contractor. The upgrades to the Council Chambers in the old thickening building will begin this summer. The upgrades will provide a "Community Use" room. The proposed Council Chambers will be designed to be used for meetings and banquets and other public functions. Adjacent to the Council Chambers will be the offices of the Parks, Beaches and Recreation Department. This Department will manage the offices for their best public use.

Pre-Construction Permitting Process

In order to proceed with the construction process, The City of Pacifica must comply with the California Coastal Development Act which details the necessity of obtaining a Coastal Development Permit which issues right to construct. The City of Pacifica can issue a Local Coastal Development Permit, processed by the Planning Department and approved by the Planning Commission. At this time we request approval to move forward with the permitting process so to comply with the Coastal Development Act.

FISCAL IMPACTS:

The current cost estimate for the remodeling of City Hall is \$1.88 million including a 5% contingency bringing the project cost to an estimated \$2 million. The project will be funded through the general capital improvement Fund 22. At time of construction, the fund will have adequate reserves for this project. Budget Authority for fiscal year 2006-2007 is required.

ATTACHMENTS:

Architects Cost Estimate

COUNCIL ACTION REQUESTED:

Authorize budget authority for the Remodeling of the City Hall Complex at 2212 Beach Blvd. for \$2 million. Authorize City Manager to proceed with the pre-construction permitting process.