

## MINUTES

City Council Regular Meeting  
2212 Beach Boulevard  
Pacifica, CA 94044

July 23, 2007

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

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

Staff Present: Stephen Rhodes, City Manager; Cecilia Quick, City Attorney; Ann Ritzma, Administrative Services Director; Michael Crabtree, Planning Director; Van Ocampo, Deputy Director of Public Works; Mari Brumm-Merrill, PB&R Director; Jim Saunders, Police Chief; Sandra McClellan, Assistant Finance Director; Ed Vanedhey, MIS Manager; Scott Leslie, Child Care Supervisor; Kathy O'Connell, City Clerk.

Mayor DeJarnatt led the Salute to the Flag.

Commission Liaison: None.  
Chamber Liaison: None.

### **CONSENT CALENDAR:**

Mayor pro Tem Vreeland moved approval of the Consent Calendar, as amended, as follows: Approval of disbursements dated 6/29/07 to 6/29/07 in the amount of \$538,292.48, regular and quick checks numbered 116716 to 116942, as set forth in Item #1; Approval of Minutes of regular City Council meeting of July 9, 2007, as set forth in Item #2; Cancellation of the August 27, 2007 city Council Meeting, as set forth in Item #3; Approval of Resolution of the City Council of the City of Pacifica Authorizing the Renewal of the City's Eligibility to Participate in the State and Federal Surplus Property Program, as set forth in Item #4; Approval of Agreement for Services Between the City of Pacifica and Pacifica Community Television, Inc. (PCT, Channel 26), as set forth in Item #5; Approval of San Mateo County Office of Education Expansion of the City's State Preschool Program. Increase the State Preschool Contract from \$213,018 to \$264,931, an Annual Increase of \$51,913. The increase in funds will be used to open a State Preschool Program at Fairmont Park Recreation Center, as set forth in Item #6; Authorize Application for a \$90,000.00 San Mateo Child Care Coordinating Council Smart Kids Start-Up Grant for the Proposed Fairmont State Preschool Program, and a \$90,000.00 San Mateo Child Care Coordinating Council Smart Kids Start-Up Grant Expansion of the Sunset Ridge Childcare Program, as set forth in Item #7; Approval of Resolution Establishing a Compensation Range for the Positions of Child Care Teacher I, Child Care Teacher II, and Management Analyst I, II, III, as set forth in Item #8; Report to City Council Regarding Request to Enter into Williamson Act Contract, as set forth in Item #9; Authorize Staff to Advertise for Sealed Bids for the Retaining Wall at Oceana Boulevard, as set forth in Item #10; Approval of Contract with Seifel Consulting for \$32,000.00 to Prepare a Redevelopment Feasibility Study, as set forth in Item #11; Authorize the City Manager to Sign a Letter of Intent with Whole Energy Fuels Corporation for a Ground Lease for the Construction of a Biodiesel Production and Cogeneration Facility to be Located at the Calera Creek Water Recycling Plant and Authorize Additional Budget Authority of \$75,000.00 from the CARB Grant, as set forth in Item #12; seconded by Councilmember Lancelle.

City Attorney Quick stated that she was making a clarification on Item #12, explaining that it was a non-binding letter of intent, subject to a final ground lease being returned to the Council for final approval at a later date.

**ROLL CALL VOTE:**

Ayes: Councilmembers: Digre, Lancelle, Vreeland, and DeJarnatt.

Noes: Councilmembers: None.

**Motion carried: 4-0.**

**SPECIAL PRESENTATION:**

Lois Ward, of HIP Housing, began by mentioning a Pacifica family's success story featured in their newsletter. She then made a presentation describing several of the programs that were available for low income families to provide them with homes, education and job opportunities.

Councilmember Lancelle thanked Ms. Ward and HIP Housing for creating a program that helped people in such a personal way.

Ms. Ward stated that Councilmember Lancelle was involved in the creation of their HIP calendar, and also mentioned that many high school students have done community service with them.

Mayor DeJarnatt expressed the Council's appreciation for HIP Housing, adding that it was a worthwhile entity which did good work.

**COUNCIL COMMUNICATIONS:**

Councilmember Digre mentioned that Pacifica was hosting a dinner for the Council of Cities on the 27<sup>th</sup>. She reminded everyone about the water crisis and suggested that we all cut water use by 15% to avoid fines and mandated restrictions. She stated that the Relay for Life was a very comforting and encouraging evening.

Councilmember Lancelle stated that she attended the monthly Chamber of Commerce meeting and the retirement party for a teacher from the Co-op Nursery School. She also met with representative from the Library Foundation. She stated that she had missed the Emergency Preparedness Meeting, due to interviews for the GGNRA. She attended the West Sharp Park Advisory Committee meeting and the Pacifica Democrats meeting where they discussed the golf course. She stated that she and Councilmember Digre would be attending the shuttle meeting the following day. She mentioned that the GGNRA Committee would be meeting Wednesday night. She mentioned that, for families needing health care, Kaiser Permanente in Daly City would be having an event on Saturday for children to come for checkups and immunizations. She stated that there would be a retirement party for Scott Holmes on August 5.

Mayor pro Tem Vreeland stated that on Tuesday there would be a meeting with the Department of Toxic Substance Control to take public comments on San Francisco's proposed remedial action work plan. He thought it was exciting because the agency had not planned on public input until Pacifica got their attention and got them to work with Pacifica's elected officials. He thanked the County for stepping up and putting together a letter regarding the need for the City of San Francisco to work at getting as much as possible off the site. He encouraged everyone to attend the meeting. He stated that he would be out of town for the next Council meeting due to

business. He mentioned that he had a question about problems citizens had about trees partially on their property and whether the City could answer their questions.

City Attorney Quick stated that she could not answer any questions for citizens because she was not their attorney. She stated that these issues sometimes end up in litigation, and she could not give them advice. She added that Aaron Clark was the appropriate person to which they should go, but the lawyer would not be answering the question.

Mayor pro Tem Vreeland stated that he needed to understand it better and, if he had a question about where the jurisdictional line was, they should talk about it. He also stated that he was contacted by a person who was working with others on a road paving assessment district on Pedro Point. He encouraged anyone with concerns to contact the City Manager.

Mayor DeJarnatt stated that Scott Holmes' retirement party was on August 5, 2-5 p.m. at the Sanchez Art Center auditorium. He also thanked the County and, particularly, Supervisor Rich Gordon who penned the letter from the County regarding the rifle range.

### **ORAL COMMUNICATIONS**

Mayor DeJarnatt opened Oral Communications.

**Tim Patton, 551 Esplanade Avenue**, thanked the Council for the work on Esplanade Avenue and also thanked several staff members who worked so hard, Scott Holmes, Van Ocampo, Ray Donguines, and Mike Angel. He felt they epitomized responsiveness and candor. He specifically mentioned their responsiveness to the residents' request for the nice lights as used in Rockaway rather than the industrial lights they could have used. He hoped that they would not lose sight of the bigger picture of the 400 and 600 blocks in all this progress. He looked forward to working on that. He also mentioned Elizabeth Claycomb, project manager, whom he felt was also responsive.

**Trish Hudson, 1071 Yosemite Drive**, stated that she was the managing director for the Pacifica Library Foundation. She stated that she was reporting on their new program, called Pacifica Connected, which would join with organizations within the community and peninsula to work closely together to define effective ways of providing information, education and research opportunities for residents and visitors and mentioned some of their goals.

Mayor DeJarnatt thanked her for her efforts, and he hoped they would see her with an agenda item in the near future.

**Frank Winston, Pacifica**, reported on the 50<sup>th</sup> anniversary events, specifically the Fog Fest, which will have the 50<sup>th</sup> anniversary as its theme. The Historical Society was planning a float which would include citizens who were in the town at the time of the founding of Pacifica, riding and waving at the people. He was encouraging everyone to let them know of anyone who should be on their float.

**Bill Khoury, 1261 Linda Mar Shopping Center**, stated that he was the owner of Sam's Deli. He explained that he had been on a month-to-month lease for the last 12 years, and he recently received a notice of eviction from the landlord. He had hired a lawyer to help him find a way to stay in his store, and he was also asking the Council for their help in talking to Kimco. He added that he had received signatures on a petition by citizens who wanted the deli to stay.

Mayor DeJarnatt stated that, while he didn't know what they could do, they would look into it.

**Kathy Meeh, 1276 Alicante Drive**, referred to two projects, Walgreens and Beach Boulevard, which the Council had approved with improvements, but she was present to speak about the confusion going on at the Planning Commission. She stated that the last vote on the Rick Lee project made no sense. She mentioned several Commissioners who had voted against the project, with one suggesting that it be changed to a layout that was deemed less desirable by previous Commissioners several years ago and another objecting because his realtor told him that no one would build on that land above his present home. She thought they should adhere to ethical guidelines for their trust, and they should be fair to the developer. She questioned whether they should recuse themselves when their judgment was clouded by attitude rather than merit of the project. She asked whether the Council was responsible for the oversight of this Commission and asked that the responsible party look into this matter.

**Therese Dyer, 1408 Crespi Drive**, welcomed the new City Manager to Pacifica. She mentioned the fine to the sewer plant for a malfunction. She understood that it was due to a cap that wasn't tightened properly. She mentioned that the agency allowed the City to do something constructive with the \$170,000 fine and she asked if the 30 oldest homes would receive \$2,000 for a unilateral sewer line with matching funds. She also asked who the contractor would be and whether \$4,000 would do it, mentioning the problems she had when she put in her sewer line. She volunteered her experience in this matter.

**Lionel Emde, 130 Gordon Way**, mentioned that the City of Pacifica filed a lawsuit against Coastside Scavenger for breach of contract, because of a failure of Coastside Scavenger to post a surety or nonperformance bond and denying the City's auditors access to their books. He asked why Coastside Scavengers was filing a countersuit, concluding that they must have something to hide. He felt that the City owed Pacifica residents an answer to why the City's residents were paying the highest rates of any city in the County.

**Tod Schlesinger, Linda Mar**, stated that he could explain to Sam's Deli and anyone who was interested why they were being evicted. He mentioned an article where Pacifica leaders stated that Pacifica benefited from being part of City/County association. He asked Mayor pro Tem Vreeland if the other Councilmembers had actually okayed that comment or if he was speaking for everyone. He then questioned why the Police Chief wasn't issuing parking tickets at the Beach parking lot. He also asked Mayor pro Tem Vreeland why he was saying yes and no on L during the elections, depending on the group to which he was speaking.

**Mike Bell, Beach Blvd.**, welcomed the new City Manager. He then referred to the Council's decision to delay the repair of the Beach Boulevard seawall until the next year. He mentioned the history of the process, then asked the Council to share with the public the assurance that the Beach Boulevard seawall would survive the coming winter season without collapsing. He requested that, if they did not comment at this meeting, the subject be on the next agenda. He also asked that the status of the City Hall move to Beach Boulevard be on the next agenda.

Mayor DeJarnatt closed Oral Communications.

#### **PUBLIC HEARINGS:**

### **13. Public Hearing to Consider Proposed Resolution of the City Council of the City of Pacifica Accepting the Report of Sewer Service Charges for Fiscal**

**Year 2007-2008 and Directing the Filing of Charges for Collection by the County Controller.**

Administration Services Director Ritzma presented the staff report.

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

Councilmember Lancelle moved to adopt the proposed "Resolution of the City Council of the City of Pacifica" accepting the report of Sewer Service Charges for Fiscal Year 2006-2007, and directing the filing of charges for collection by the County Controller;" seconded by Mayor pro Tem Vreeland.

**ROLL CALL VOTE:**

Ayes: Councilmembers: Digre, Lancelle, Vreeland, and DeJarnatt.

Noes: Councilmembers: None.

**Motion passed: 4-0.**

**CONSIDERATION**

**14. Appointment of Citizens to Fill Vacancies on the Golden Gate National Recreation Area Committee.**

City Clerk O'Connell mentioned that Mr. Crouch had withdrawn his application. She also stated that this Committee sunsets on June 30, 2007, and she stated that they could direct staff to come back to the next Council meeting with a new resolution and new sunset date.

Mayor DeJarnatt agreed and asked that they do that.

There were no public comments.

Mayor pro Tem Vreeland moved to unanimously appoint Samuel Casillas and Stephanie Vines to the Golden Gate National Recreation Area Committee; seconded by Councilmember Digre.

Councilmember Lancelle stated that both candidates had great ideas. She stated that Stephanie Vines had terrific ideas for marketing the parklands and she thought both would be great additions.

**ROLL CALL VOTE:**

Ayes: Councilmembers: Digre, Lancelle, Vreeland, and DeJarnatt.

Noes: Councilmembers: None.

**Motion passed: 4-0.**

**15. Approval of Contract with L. R. Hines Consulting, Inc., for Electronic Document Imaging System.**

City Clerk O'Connell presented the staff report.

There were no public comments.

Mayor pro Tem Vreeland asked if staff from a variety of city departments were involved.

City Clerk O'Connell stated that departments were included at the demonstration by SIRE, as well as the demonstrations by other vendors.

Mayor Pro Tem Vreeland asked if it was for all City documents, and if the Police and Fire Departments' input and thoughts were considered.

City Clerk O'Connell stated that the Police Department had their own program, but PB&R, Planning, City Administration, and Finance were involved, and she stated that they were going to start out with five user licenses.

Mayor pro Tem Vreeland asked MIS Manager, Ed Vandehey if he felt it was the right one to go with since he would be doing it.

Mr. Vandehey responded affirmatively.

Mayor pro Tem Vreeland acknowledged that it was a long time coming, but he was hesitating because Councilmember Hinton was not present and this historical preservation was near and dear to his heart. He thanked him for being an advocate.

Mayor pro Tem Vreeland moved to approve the agreements with LR Hines Consulting, Inc., and authorize the City Manager to execute any necessary documents; seconded by Councilmember Lancelle.

**ROLL CALL VOTE:**

Ayes: Councilmembers: Digre, Lancelle, Vreeland, and DeJarnatt.

Noes: Councilmembers: None.

**Motion passed: 4-0.**

Mayor DeJarnatt also acknowledged that Councilmember Hinton was interested and instrumental in bringing it forward.

**16. Financial Management/Human Resources Software Applications.**

MIS Manager Ed Vandehey presented the staff report. He then introduced Mary Meyers and Bob Zelasco from GEMS and stated that they were available to answer any questions.

There were no public comments.

Councilmember Lancelle stated that she read the staff report and was impressed with the thoroughness of the staff in evaluating this software and the experience of this vendor.

Mayor pro Tem Vreeland acknowledged that this had been a long time coming, and he thanked staff for their efforts. He also appreciated the presence of the vendor representatives. He told staff to let the Council know if they needed any further help.

Mayor pro Tem Vreeland moved to authorize the City Manager to enter into agreement with Government e-Management Solutions (GEMS), a division of Harris Computers, for the purchase, installation and implementation of Financial Management/Human Resources software applications; and approve the use of funds, previously budgeted in the Capital Improvement Fund under account number 22-9811-2800, to execute the agreement; and moved to authorize the

transfer of unused portions of the budgeted \$500,000 from the Capital Improvement Fund (Fund 22) to the General Fund (Fund 01) for payment toward the first year of application software, system software and hardware maintenance; and authorize payment of maintenance from the Management Information Systems (MIS) Department Expense, account number 01-0345-2325; seconded by Councilmember Lancelle.

**ROLL CALL VOTE:**

Ayes: Councilmembers: Digre, Lancelle, Vreeland, and DeJarnatt.

Noes: Councilmembers: None.

**Motion passed: 4-0.**

Mayor DeJarnatt echoed previous comments. He was confident this would work very well. He thanked staff for all their hard work putting this together.

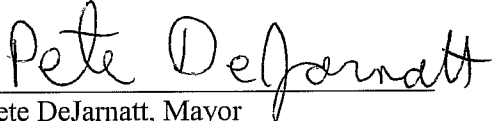
Mayor DeJarnatt adjourned the meeting at 8:15 p.m.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 3-0; 8/14/07 Councilmember Hinton abstained, Mayor pro Tem Vreeland absent

  
Pete DeJarnatt, Mayor