



**CITY OF PACIFICA
CITY COUNCIL MINUTES**

**Council Chambers
2212 Beach Blvd
Pacifica, CA 94044**

Mayor Pete DeJarnatt
Mayor pro Tem Len Stone
Councilmember Sue Digre
Councilmember Mary Ann Nihart
Councilmember Ginny Jaquith

September 10, 2012 (MONDAY)

www.cityofpacifica.org

Mayor Pete DeJarnatt called the meeting to order on September 10, 2012 at 7:03 PM

5:30PM CLOSED SESSION

PURSUANT TO GOVERNMENT CODE SECTION 54957.6 Conference with labor negotiator. Agency negotiator: Ann Ritzma. Employee organizations: Pacifica Police Officers Association; Pacifica Police Supervisors Association; Police Management Local 350; Pacifica Fire Fighters Local 2400; Teamsters Local 856 Battalion Chiefs. Department Directors Local 350; Miscellaneous Teamsters Local 856

OPEN SESSION

Call to Order

Attendee Name	Title	Status	Arrived
Pete DeJarnatt	Mayor	Present	
Len Stone	Mayor pro Tem	Excused	
Sue Digre	Councilmember	Present	
Mary Ann Nihart	Councilmember	Present	
Ginny Jaquith	Councilmember	Present	

Staff Present: Steve Rhodes, City Manager; Michelle Kenyon, Interim City Attorney; Ann Ritzma, Admin. Ser. Director; George White, Planning Director; Jim Tasa, Police Captain; Fernando Realyvasquez, Police Captain; Rich Johnson, Deputy Fire Chief; Kathryn Farbstein, Assist. Planner; Josh Cosgrove, WWTP Supervisor; Kathy O’Connell, City Clerk.

Salute to the Flag led by Councilmember Jaquith

Commission Liaisons

Planning Commissioners Evans and Campbell.

Closed Session Report

City Attorney Kenyon stated that there was no reportable action from closed session.

CONSENT CALENDAR

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Ann Nihart, Councilmember
SECONDER:	Ginny Jaquith, Councilmember
AYES:	DeJarnatt, Digre, Nihart, Jaquith
EXCUSED:	Stone

1. Approval of Disbursements.
PROPOSED ACTION: Approve
2. Approval of City Council Meeting Minutes
PROPOSED ACTION: Approve Minutes from the August 13, 2012 City Council meeting
3. Proclamation Confirming Existence of Local Emergency
PROPOSED ACTION: Move to continue the proclamation confirming the existence of a local emergency dated April 12, 2010
4. Approval of Contracts with San Mateo County Office of Education in the Amount of \$277,469 for the Purpose of Providing State Preschool Classes for Fiscal Year 2012–2013.
PROPOSED ACTION: Approval of the fiscal year 2012-2013 contract with the San Mateo County Office of Education for providing subsidized child care services by Child Care Services Division and designation of administration responsibility to Child Care Services Supervisor Scott Leslie.
5. Notice of Completion for the Collection System Capacity Improvement Projects: Palmetto Mainline Capacity Upgrade
PROPOSED ACTION: Adopt the resolution next in order accepting completion and directing the City Manager to file Notice of Completion for the Collection System Capacity Improvement Projects: Palmetto Mainline Capacity Upgrade, and authorize the City Manager to release the retention money withheld from Stoloski & Gonzalez, Inc.
6. Approve Purchase of a Vac-Con Truck from Municipal Maintenance Equipment Company. No Additional Budget Authority is Required. Funds Previously Budgeted in the Vehicle Replacement Fund Account # 72.920760.55110.0000.000 as Part Fiscal Year 2012-2013 Budget.
PROPOSED ACTION: Approve purchase of a Vac-Con Truck from Municipal Maintenance Equipment Company in the amount of \$351,068.82; and authorize the City Manager to sign the purchase contract.
7. Approve Purchase of Four (4) Ford Crown Victoria Police Interceptor Sedans in the Amount of \$103,643.24. No Additional Budget Authority Required. Funds Have Been Budgeted in Account No. 72.920760.55110.0000.000 as Part of the City's Adopted FY 2012-2013 Budget.
PROPOSED ACTION: Approve the purchase of four (4) Ford Crown Victoria Police Interceptor Sedans in the amount of \$103,643.24. No additional budget authority required as funds have been budgeted in Account No. 72.920760.55110.0000.000 as

part of the City's adopted FY 2012-2013 budget; and authorize the City Manager to sign the purchase contract.

8. Request for a Resolution from the City Council in Order for the Pacifica Police Department to Accept an Alcohol Beverage Control (ABC) Grant to Reduce Accessibility to Alcohol for Under 21 Year Olds in the Following Nine North San Mateo County Cities: South San Francisco, Colma, Daly City, Broadmoor, Pacifica, San Bruno, Burlingame, Brisbane, and the San Mateo County Sheriff's Office
PROPOSED ACTION: Move to adopt the resolution accepting the <21 Coast ABC grant program authorizing participation in the program.

SPECIAL PRESENTATIONS

Proclamation - Prostate Cancer Awareness Month

Mayor DeJarnatt read the proclamation in honor of Prostate Cancer Awareness Month.

Dr. Barry Chaucer thanked the Council for increasing the awareness of prostate cancer, adding that it was preventable and mentioned what can be done to accomplish that.

Fog Fest Presentation

Peter Loeb, President of the Fog Fest, introduced several of the members. He then mentioned that each year they present the Council with a framed poster and give an annual report on what was planned. He then briefly reported on the groups involved and their accomplishments, as well as various events planned. He mentioned that they welcomed volunteers as some members were retiring. He then presented the poster.

Mayor DeJarnatt stated that the Fog Fest was always a wonderful time.

Councilmember Digre thanked the Fog Fest Committee for helping Pacifica in that manner, adding that their request for volunteers should be taken seriously and spread the word because they always need more help.

PUBLIC HEARINGS

9. Public Hearing to Consider a Recommendation from the Planning Commission to Approve a General Plan Amendment (GPA-88-12) for a Single-Family Residence with a Second Unit at 900 Rosita Road.
PROPOSED ACTION: Move that the City Council **APPROVE** the Resolution adopting a General Plan Amendment (GPA-86-09) for the dwelling with second unit proposed at 900 Rosita Road, based on the findings listed in the attached Resolution.

Assist. Planner Farbstein presented the staff report. She added that Commissioner Campbell was present to answer any questions.

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

Councilmember Jaquith stated that they had recently reviewed this aspect of the project and this was merely an administrative step in the process.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ginny Jaquith, Councilmember
SECONDER:	Mary Ann Nihart, Councilmember
AYES:	DeJarnatt, Digre, Nihart, Jaquith
EXCUSED:	Stone

COUNCIL COMMUNICATIONS

Councilmember Digre mentioned that they welcomed the opening of a new store on Palmetto, a candy store. She mentioned that the Pacifica Historical Association had a rummage sale, adding that our history was fundamental to our progress and she thanked the Historical Association for all their hard work, adding that they were coming closer to having the museum at the Little Brown Church. She stated that the Mayor would attend the Colma Creek meeting, and the Economic Development meeting was scheduled on Tuesday at the Police Department.

Councilmember Jaquith stated that, if anyone was sad at not finding candy from their childhood, they needed to visit the candy shop on Palmetto because they have them all. She agreed that it was historical. She stated that Pacificans Care were having their third annual community garage sale on October 13. She mentioned checking the website, pacificans-care.org, and signing up to participate, adding that the deadline for signing up was September 22. She also recommended that people mark their calendars for October 12 for a celebration at the Pacifica Center for the Arts, adding that the Rotary Club of Pacifica would be celebrating its 50th anniversary as an organization in Pacifica with a free community event at which time they will be dedicating Rotary Plaza to the City with the Mayor accepting. She stated that the Beautification Task Force continued to meet and were finalizing their report to hopefully be ready for Council's consideration at the second meeting in October.

Councilmember Nihart referred to the Redevelopment Oversight Board and the cleanup legislation. She mentioned that originally the City was not able to be repaid the \$6 million the City loaned to the redevelopment agency for infrastructure, but now they may be able to get a small portion back. She then apologized for being off kilter because of all the time she has spent with someone in hospice. She stated that the Council has had requests for closing in regard to several individuals, and she wanted to give her condolences to the family of Laverne who had been in the Planning Department for a long time.

Mayor DeJarnatt thought the candy shop was on 1705 Palmetto, and he agreed that it had everything, including things he has never seen before. He attended the Library JPA Board meeting, and was a representative for Pacifica. He stated that they passed their budget and Pacifica would get the additional funding needed to maintain their hours.

ORAL COMMUNICATIONS

Roger Medler, Pacifica, stated that he was an adjacent property owner to Seaview Tire and Brake and explained that he had been talking to the Council for over 26 years and they have done nothing. He stated that he has shown them tapes, the devaluation of his property and the noise, and he wanted something done about the shop. He stated that he put in a request for public records and got only half the documents because Seaview Tire and Brake didn't have any permits. He stated that he was retired and would like to enjoy his property. He had a right to enjoy it and asked that they leave him alone.

Joshua Jaramillo, Pacifica, stated that, during the snowy plovers' breeding season approximately 3-4 months of the year, they needed to put up signs on Linda Mar Beach informing people that they were there because they were hard to see and were endangered. He felt that putting up a few signs could make a difference.

Evan Kilmartin, Pacifica, was representing Troop 74 and stated that they had an idea for a conservation project regarding the snowy plovers. He stated that the troop would like to put up signs making people aware of the birds.

Spencer Titley, Pacifica, was also from Troop 74. He stated that they have been considering posts with ropes and signs to create awareness of the snowy plovers. He stated that it wasn't only the people, but the unleashed dogs. While he was aware that we were a dog supporting community, the birds have been taking a hard hit from the unleashed dogs and he felt they should provide barriers to preserve the plovers and our environment.

Dustin Hatlen, Pacifica, stated that the plovers are small birds that live on the coast, nest and breed on our beaches, and they would like to put up signs to educate people as well as protect the birds from harm. He would also like to put up signs so that people will know what to look for, as well as to describe their status.

Ernesto Palacios, Pacifica, stated that, in addition to the informational signs, they would like to put up signs asking people to keep their dogs on a leash. He felt that, to keep Pacifica scenic, we have to protect the birds.

Mayor DeJarnatt asked the City Manager if he would talk to the group.

City Manager Rhodes stated that they have been in communication with them and staff was surprised that they showed up because they were working with them on arrangements for this to occur.

Tod Schlesinger, Linda Mar, stated that he couldn't help but enjoy Clint Eastwood at the Republican Convention, adding that Clint stole his thunder because he did that two years ago when he played himself and Jim Vreeland when Vreeland wasn't there. He asked if anyone read the Tribune letter by Barbara Arietta on the state of the City. He stated that he was now going to do his version of "the Good, the Bad and the Ugly." He started with the good, stating that it was great that Pete DeJarnatt was done after 16 years. The bad was what has happened to the City in the last 30 years, adding that Pete DeJarnatt has to take some credit for that. The ugly was that, if they continue in this vein, they will have to file bankruptcy in two more years. He stated that he had recommended that several years ago because he thought it was the best option at the time.

Anita Rees, Pacifica, reported that they had their first coastal 5K run in August with 450 runners, many from outside of Pacifica who were looking forward to coming back. She stated that the weather wasn't great for the festival but it was for the runners. She stated that they were also planning the 2nd annual Rockaway Beach Stroll. She then mentioned plans for the San Mateo County job readiness program and Samtrans riders' forum in Pacifica.

CONSIDERATION

10. A Resolution of the City Council of the City of Pacifica Endorsing the California Right to Know Genetically Engineered (GE) Food
PROPOSED ACTION: If the council wishes to take a position on genetically engineered food (Proposition 37) move to adopt the resolution next in order A Resolution of the City Council of the City of Pacifica Endorsing the California Right to Know Genetically Engineered (GE) Food

City Clerk O'Connell presented the staff report.

Mayor DeJarnatt opened public comments.

Gary Monofrans, Pacifica, welcomed the people who brought forward issues on the 37th. He stated that they could come back to his store at 35 West Manor. He was primarily present to speak for Ms. Ortiz, stating that she was a strong supporter of Prop 37. He suggested that they come back to the store and picket.

Mayor DeJarnatt asked if the camera could be turned on the audience to show the individuals with signs saying yes on 37.

Mayor DeJarnatt closed public comments.

Councilmember Nihart stated that she wasn't sure how much good this necessarily does but she felt it was a reasonable thing to ask manufacturers to label their food. She acknowledged there were some issues about it, but she was willing to make a motion in favor.

Councilmember Digre was in favor of this. She felt it was extremely important, adding that she hoped the next thing they take on is lead.

Mayor DeJarnatt stated that he was not going to support it. While he didn't have a problem with it, he felt it was outside his purview. He felt people did not elect him to weigh in on national and state issues so he was not going to vote for this.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Mary Ann Nihart, Councilmember
SECONDER:	Sue Digre, Councilmember
AYES:	Digre, Nihart, Jaquith
NAYS:	DeJarnatt
EXCUSED:	Stone

- 11. Information Regarding the Inspection Process and Fees to Address the Letter of August 16, 2012 from the Sanchez Art Center
PROPOSED ACTION: It is requested that City Council receive this staff report and no action required

Deputy Fire Chief Johnson presented the staff report.

Councilmember Nihart asked confirmation that each individual artist has a separate lease.

Deputy Fire Chief Johnson stated that it was his understanding that it was a separate lease for each separate space at Sanchez.

Councilmember Nihart understood that there was a lottery there with one group managing. She was confused that it wasn't one entity.

Deputy Fire Chief Johnson stated that it would be no different from a property manager in a building where they have a business license and pay rent but they were a separate business.

Mayor DeJarnatt stated that he understood that they have to charge the same fee for all businesses with no exceptions.

Deputy Fire Chief Johnson responded affirmatively.

Mayor DeJarnatt asked what it was.

Deputy Fire Chief Johnson stated that it was \$150 for the complete processing of the inspection and all the paperwork.

Mayor DeJarnatt asked if that was according to the Fire Department or the City codes.

Deputy Fire Chief Johnson stated that it was according to the fee schedule in the budget.

Mayor DeJarnatt opened public comments.

Kathleen Salvia, Pacifica, stated that she was the executive director of the Sanchez Art Center. She thanked them for the opportunity to discuss the new fire inspection fees required of all business license holders in the City. She referred to the letter they wrote requesting that they address this matter, acknowledging that they have the Fire Department staff report as well. She hoped their comments will be of further assistance as the Council considers their request. They thanked the Fire Department for their report, and she was clarifying that they were not arguing against fire inspections. They welcome them and agree to their necessity; however, they were questioning the fee. She was speaking at the request of the Art Center Board of Directors. They were asking the Council to think about what was happening at Sanchez as a result of the new fee. She stated that they were visited by the inspectors, letting them into as many studios as time permitted, followed by a bill for \$150 which they paid. She stated that, following that, the artists were all starting to get bills for \$150. She felt it was difficult to believe that the intent of adding fire inspection fees to the City revenue stream was intended to be applied in this way and they hoped the Council would make an adjustment to the policy. She pointed out that SAC did not fit any of the descriptions cited in the Fire Department staff report, such as not being a shopping center, strip mall or an office building, adding that they were not even the building owner which was the City of Pacifica. She was unaware that the City owned any shopping centers and questioned whether inspection fees on other City-owned buildings were customary. She pointed out that the Fire Department cited a beauty

shop analogy which provided some precedence to a license holder at a site occupied by multiple license holders. She felt that meant that a certain amount of discretion was allowed in the billing process. They protested the charging of any fee at all other than what SAC pays as operator of the City-owned facility. She stated that they were a non-profit art center in a building owned by the City of Pacifica and served the people of Pacifica. While they had no complaint to paying one fee, they felt that requiring every studio to pay \$150 a year to the City was, in effect, a rent increase. She felt making the studios more difficult to rent would not help them to continue to serve the citizens with year round free events. She also pointed out that, since they let them into the studios, it was a tremendous savings in staff time in terms of setting up appointments and the number of visits the inspectors make.

Peter Loeb, Pacifica, stated that he was aware of the issue as a Sanchez Art Center Board member but he was speaking as an individual. He felt this was a matter of fairness, adding that the Art Center was a different kind of facility than the other things mentioned. He saw it as one entity with spaces within used by artists. He stated that it was similar to the hair salon, with all the artists required to have a business license, but he felt that no one was making a lot of money from those studios. He stated that the mission of the Art Center was to provide low cost studios. He stated that all of them are shared with a couple of business licenses for each space, with only one fee charged for each space. He thought it was like charging a fee for fingers and toes when the whole body was the Sanchez Art Center. He thought there must be a way to find exceptional circumstances or that the entity was different from a shopping mall. He referred to the fee structure coming from the budget adopted by Council, and he thought they could go back and make changes in the fee structure. He was asking Council to do that.

Linda Salter, Pacifica, stated that she was an artist at Sanchez Art Center as well as the artists' liaison to the board. She wanted to be sure it was understood that they were required to have business licenses by the City of Pacifica and were grateful that they were given a special lower rate than a regular business. She felt that was because it was recognized that they were not regular commercial establishments, since some were teachers, retired, part time employees, unemployed, with some who didn't sell anything at all and with no intention of selling. She didn't think anyone was supporting themselves through the sales of their artwork. She commented that she didn't think her experience was exceptional, mentioning that she has sold two paintings this year totalling about \$500 gross and felt that \$150 was a significant amount to the artists at the Center and a real burden. She reiterated that they were at the Center to make art, not money. She asked that they treat the Center as an entity, charging the one fee to the center but not to the individual artists.

Tod Schlesinger, Linda Mar, stated that they had artists who were being subsidized. He referred to a lawsuit in the past when he felt the Sanchez Art Center commandeered the place. He stated that they were subsidized and were at below market rent. He felt that, if they can't afford \$150 a year for a fire inspection, they should get a job. He stated that what was dragging this country down was endless entitlement as Ron Paul stated. He also questioned why they should get a break that others don't. If there was a fire, he questioned what the first thing the tenants would do. He stated that he was a top notch guy and his recommendation was to take the \$150 or waive the \$150 and raise their rents. He stated that they can't keep giving away the farm and wonder why the chickens were all dead. He commented that the Council could not plan lunch.

Andrew Leone, Pacifica, stated that it was September 1996 when they first began working with the City to create the Art Center. He was amazed that, 16 years later, it was still going strong and providing free services to the public. He stated that they have had to explain how they were different than a business which was hard to understand. He respected the Fire Department and the City for what they have done, adding that not many cities have been able to pull this off with so little funding and have a gem of an art center. He commended staff. He hoped they can work out this wrinkle, adding that it was a shock to the artists going from no fee to a huge fee. He acknowledged that they did a lot of extra volunteering and he hoped they could work this out.

Mayor DeJarnatt closed public comments.

Councilmember Digre was happy that they wrote the letter. She felt it was a Pacifica treasure. She thought the non-profit contribution and mission statement speaks for itself. She stated that the Council had discretionary powers, and thought none of them would slight any fire inspection which was important. She thought they could and should do some discretionary action to work it out or agendize it.

City Attorney Kenyon stated that was not on the agenda and, if Council wanted to discuss amending the fee schedule or provide another waiver, staff would re-agendize it for a future meeting.

Councilmember Digre requested that they agendize it.

Councilmember Jaquith was clarifying that the City owned the building and have leased that portion to the Sanchez Art Center but not to all of the artists.

City Manager Rhodes responded affirmatively.

Councilmember Jaquith reiterated that they have leased it to one organization and the individual artists have subleases or contracts with the Sanchez Art Center. She thought they were talking about a single entity or business, adding that she didn't consider it a business. She thought, if there was a glitch in the fee schedule, they needed to do something to change that because it didn't make sense to her to handle it in this manner. She concurred with Councilmember Digre that they should bring some language back to change that. She stated that it was also clear to her that it wasn't a question of fire inspections but a question of individual fees and she felt they needed to change whatever was necessary to make it work.

Councilmember Nihart again asked for an understanding of how the fees get applied in the first place. She asked whether, in a studio with three occupants, they all paid a fee.

Deputy Fire Chief Johnson stated that it was just one fee.

Councilmember Nihart understood the analogy and the issues put forward, but she counted four entities in the complex at most that had leases with the City, the Pacifica Performances, the Sanchez Art Center, Steven Johnson Studio and the Credit Union.

Deputy Fire chief Johnson stated that she was correct.

Councilmember Nihart again stated that those four were the ones that had the leases, and she asked if she was missing something.

City Manager Rhodes acknowledged that she was not, but he stated that you have to make that same application to a shopping center. They charged the shopping center managers for the inspection of the general areas.

Councilmember Nihart understood that, but then compared it to a one room antique barn, and asked if they would charge individually for the stalls.

Deputy Fire Chief Johnson replied that they wouldn't because it was one structure and one open area.

Councilmember Nihart stated that she gets the confusion on both sides, but she was having trouble figuring out at what point they splice this. While she gets their analogy, she felt the difference was that each individual shop can open its own doors separate from another on different days but she stated that in this situation they use it but they don't open their doors except as a group.

City Manager Rhodes stated that it was like an office building where it was open but, as you walk down the halls, not all of the doors were open. They were making the analogy that there were individual spaces that were not necessarily open when the main door was open.

Councilmember Nihart stated that she was asking the questions to figure it out because she saw it as four separate entities.

Councilmember Jaquith asked if she could ask Kathleen Salvia a question. She asked her if she was able to give the fire marshalls access to all of the studios when they come out to do the inspection.

Ms. Salvia responded that she can.

Councilmember Jaquith reiterated that the fire marshalls can do all the studios at one time because she had access to them as part of the Sanchez Art Center.

Ms. Salvia stated that, with the fee in place, they have backed off and let the inspectors make their own arrangements with the artists themselves.

Councilmember Jaquith again asked confirmation that, if they were able to provide access, they could come out at one time.

Ms. Salvia stated that, historically, that was what they have done.

Mayor DeJarnatt stated that he didn't have a problem bringing it back, but he did have a problem with the issue. He stated that he didn't know how much the City can keep giving and subsidizing. He was bothered by this because the rents from the 16 units totalled \$1,607 a month which didn't even pay the utilities. He had a problem with waiving the \$150 fee because he didn't think that was fair. He thought even considering going some was a stretch. He felt it was a question of fairness, adding that he felt they have treated the Art Center more than fairly and also felt they deserved it. He questioned whether the City could keep subsidizing things. He felt they didn't have the money left over to do that. He didn't feel that \$150 a year was a tremendous amount of money. He stated that he has gone out of his way for the Art Center but, when he checked the rents and the utilities that bothered him. He felt he didn't want to do anymore than that.

Councilmember Jaquith stated that, if the Fire Department has to go out individually to make arrangements with each of the studios, that was 17 different inspections as opposed to going out one time to get it done.

Mayor DeJarnatt stated that it was said that it could be done. He agreed that he could see a reduction in fee for that.

City Manager Rhodes stated that he was attempting to make sure they weren't painting themselves into a corner because an office building landlord has access to all offices in the building, and questioned, if they made that same offer, whether they would do the same thing. If they make a distinction, he felt they have to find a better distinction.

Mayor DeJarnatt assumed that he was saying that doing that would mean they weren't treating everyone fairly.

City Manager Rhodes reiterated that they have to find another basis to make a distinction.

Councilmember Nihart stated that, while her heart could support various things, she was trying to make sense out of a law that was fair to everyone. She stated that was why she was asking how they parse it, as they get into other situations and divide it up in the same way. She was trying to understand that it was because they were separate businesses, etc. She also got the situations where there were multiple entities in one place and they didn't do that. She wants clarification on it because it was about what was fair and could be applicable across multiple situations.

Deputy Fire Chief Johnson stated that there should be one charge for the four entities in that one office, adding that every once in a while they miss it and it comes to his desk for him to straighten it out.

Councilmember Nihart stated that, using his analogy, the City was the landlord in the sense that they rent to the four entities. She asked if we were the building owner.

City Manager Rhodes stated that the City was the building owner and the group that manages the building leased from the City, adding that it was no different than the Linda Mar Shopping Center. He stated that Kimco was not the owners of the shopping center. He stated that he wanted to be sure that, if they do something, they don't open up a hole that they regret.

Mayor DeJarnatt suggested that they table it and bring it back to give staff time to think about this.

Councilmember Jaquith stated that this was different than a shopping center, because this was a non-profit organization that provides a great deal of cultural and recreational opportunities for the community. She stated that they were talking about incomes of \$500 in a year, adding that it was about passion for the community, etc., and she felt that was a distinction and they should look at it from that perspective.

Councilmember Digre agreed with that. She wondered if it would be helpful to bring it back. She considered it a great asset and felt it was important to protect the arts, but she thought they could look at the amount of utilities needed to see if it was reasonable, and she would like to see that as part of the research. She referred to situations in a home where you waste water, and asked if that would make the costs go up.

Mayor DeJarnatt thought the Art Center has been very careful about using utilities and he didn't know if that was an issue.

Councilmember Nihart stated that she was still about treating everyone fairly and she referred to a set of offices and deciding to sublet one of them. She has had a business license and sublet space and they took care of everything. She wanted to be sure they included those kinds of situations, since she could see that happening in several places in town. She asked if that person would pay separately.

Deputy Fire Chief Johnson stated that, if it was an open suite, it would be one inspection fee. If you sublet a separate office, it was a separate fee.

Councilmember Nihart stated that it was all coming off of a common area.

Deputy Fire Chief Johnson stated that, within the confines of an office with separate desks, it was one fee. If you have an office and another office, it was two fees.

Councilmember Nihart stated that she was thinking of those that come off a common area that weren't necessarily separate to each other, being a suite with one front door, adding that she had sublet a room within that.

Mayor DeJarnatt asked if they wanted to bring it back.

Councilmember Jaquith stated that she would like it to come back.

Mayor DeJarnatt asked if they were looking for staff to explore ways to deal with this. He didn't have a problem asking them to explore different possibilities of what to do.

Councilmember Jaquith stated that it sounded that they have several options.

Mayor DeJarnatt agreed, and stated that it was fine with him to leave it at that. He concluded that it was a complicated issue and they would bring it back at a later date.

ADJOURN

Mayor DeJarnatt adjourned the meeting at 8:25 p.m., in the memory of Fred Speier, father of Jackie Speier, and in the memory of Laverne Matashenko who worked for the City for many years.

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 the final decision

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CITY COUNCIL

- Mayor Peter DeJarnatt, 759 Edgemar, Pacifica, CA 94044 (650-355-5777)
- Mayor pro Tem Len Stone, 1005 Terra Nova Blvd. #1 Pacifica, CA 94044 (650-355-5700)
- Councilmember Sue Digre, 780 Edgemar, Pacifica, CA 94044 (650-355-4606)
- Councilmember Mary Ann Nihart, 146 Hilton, Pacifica, CA 94044 (650-359-7624)
- Councilmember Ginny Jaquith, 127 Essex, Pacifica, CA 94044 (650-355-0805)