



**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

**October 22, 2012 (MONDAY)
www.cityofpacifica.org**

Mayor Pete DeJarnatt called the meeting to order on October 22, 2012 at 7:05 PM

6:30 PM CLOSED SESSION

1. PURSUANT TO GOVERNMENT CODE SECTION 54957.6 Conference with labor negotiator. Agency 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.

7:00 PM OPEN SESSION

Call to Order

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

Staff Present: Steve Rhodes, City Manager; Michael Guinea, Asst. City Attorney; Ann Ritzma, Admin. Ser. Director; Jim Tasa, Police Chief; Van Ocampo, Dir. Public Works; Rich Johnson, Deputy Fire Chief; Josh Cosgrove, WWTP Supervisor; Kathy O'Connell, City Clerk.

Salute to the Flag led by Councilmember Digre

Closed Session Report

Asst. City Attorney Guinea stated that there was no reportable action taken.

CONSENT CALENDAR

Mayor DeJarnatt mentioned that the next meeting will be on November 13 because Monday was a holiday.

Minutes Acceptance: Minutes of Oct 22, 2012 10:00 PM (Consent Calendar)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Len Stone, Mayor pro Tem
SECONDER:	Ginny Jaquith, Councilmember
AYES:	DeJarnatt, Stone, Digre, Nihart, Jaquith

1. Approval of Disbursements.
PROPOSED ACTION: Approve
2. City Council - Regular Meeting - Oct 8, 2012 7:00 PM
3. Approval of Agreement with San Mateo County for Provision of Election Services
PROPOSED ACTION: Authorize the City Manager to Execute the Agreement with San Mateo County for Election Services
4. Approval of Contract Amendment No. 9 to the Consultant Services Agreement Between the City of Pacifica and Wilsey Ham for the Route 1 San Pedro Creek Bridge Replacement Project. Additional Budget Authority is Required in the Amount of \$214,894.00 from Highway 1 Fund 12 to Account No.12.900000.52800.0024.000, to be Reimbursed by the San Mateo County Transportation Authority.
PROPOSED ACTION: Approve Contract Amendment No. 9 to the Consultant Services Agreement between the City of Pacifica and Wilsey Ham; approve additional budget authority in the amount of \$214,894.00 from Highway 1 Fund 12 to Account No.12.900000.52800.0024.000 to be reimbursed by the San Mateo County Transportation Authority; and authorize the City Manager to sign Amendment No. 9.
5. Approval of Amendment No. 4 to the Agreement Between the City of Pacifica and Cotton Shires and Associates in Connection with the 2010 CalEMA 500 Esplanade Storm Drain Outfall Project and Approve Additional Budget Authority in the Amount of \$10,900.00 from the Disaster Accounting Fund, 38.900000.52800.0213.000, 85% of Which to be Reimbursed by CalEMA.
PROPOSED ACTION: Approve Amendment No.4 to the Agreement between the City of Pacifica and Cotton Shires and Associates; authorize the City Manager to execute Amendment No. 4; and approve additional budget authority in the amount of \$10,900.00 from the Disaster Accounting Fund, 38.900000.52800.0213.000 (85% to be reimbursed by CalEMA)

SPECIAL PRESENTATIONS

Library Report - Thom Ball

Thom Ball, Library representative, stated that San Mateo County Library's annual report was in the Council's packet. He briefly highlighted some of the county's accomplishments, as well as activities at the Pacifica libraries, such as the Discover and Go program at the County level. In Pacifica, they introduced the new self-checkout system, teen open mike night, tutors, etc. He stressed their appreciation of the volunteers, stated that they were so important to the excellence of library programs. He thanked the mayor for his service as the City's representative on the Library's governing board which was greatly appreciated. He also thanked the City Manager and library director for their leadership, as well as the City staff who

were always responsive. He felt they were lucky to have such good relations with all staff. He also thanked the Council for their support and the new library project.

Mayor DeJarnatt thanked him for all his efforts, which he thought were phenomenal. He felt the libraries were heavily used and he was happy to see that. He enjoyed being on the county board, stating that they did a very professional job.

PUBLIC HEARINGS

6. Resolution Adopting Certain Findings and Approving Energy Services Contract with Aircon Energy, Inc. for Energy Related Improvements and Resolution Approving the Forms of and Authorizing the Execution and Delivery of Site Lease, Lease/Purchase Agreement and an Escrow Agreement and Authorizing Additional Actions.
PROPOSED ACTION: Adopt the attached resolution adopting certain findings and approving energy services contract for energy related improvements and adopt the attached resolution approving the forms of and authorizing the execution and delivery of a site lease, lease/purchase agreement and an escrow agreement and authorizing additional actions. Provide budget authority for the expenditure of \$200,000 from the Capital Improvement Fund #22.

City Manager Rhodes, first explained the rationale for cancelling the second hearing, Item #7, and then presented the staff report.

Mayor pro Tem Stone referred to the mention that the Capital Improvement Fund would be paid back over time with the savings, and asked if that was correct.

City Manager Rhodes stated that it would be paid back right away.

Mayor pro Tem Stone asked if it would be paid with the rebate.

City Manager Rhodes stated that it would be paid back right away. After they meet the criteria, they will get the rebate the next fiscal year and they will put that back into Fund 22.

Mayor DeJarnatt asked if that was \$160,000.

City Manager Rhodes stated that it was \$146,000, and it was after a net cost of \$54,000. Mayor pro Tem Stone stated that his concern was that they were not taking it out and then not replenishing it the whole way. He asked if he had another idea why it was necessary. He acknowledged that they would be saving about \$50,000 over time. He assumed that the money would be spent out of the General Funds.

City Manager Rhodes stated that it would be from various funds.

Mayor pro Tem Stone concluded that they would be putting almost \$50,000 into the General Fund and he was concerned about why the plan was not to replenish the Capital Improvement Fund until the \$200,000 has been fully repaid or could it be.

City Manager Rhodes agreed that it could be. He stated that they could identify a funding stream in year 2 and 3 to repay the remainder of the money. He added that he felt Fund 22 was getting a benefit otherwise it would have to fund all the improvements that are being funded by

the General Fund. He thought the \$54,000 to the Capital Improvement Fund was a bonus on that funds part to not contribute the remainder of the funding that would be needed for the project if they had not done this kind of a project.

Mayor pro Tem Stone agreed that was one way to look at it.

City Manager Rhodes stated that there was still a cash flow that would allow them to consider full replacement.

Mayor pro Tem Stone thought they didn't need to know about that now.

City Manager Rhodes responded affirmatively.

Councilmember Nihart mentioned discussions when they first looked at this, regarding guarantees and cost differences and paying for those. She asked if they got some references and if he could share what other cities have done and if it was comparable.

City Manager Rhodes stated that he was most familiar with Sonoma County. He stated that Shannon Run from AirCon was present and may be more specific. He then stated that Sonoma County did a very large project with a number of changes through the process. He stated that they had initially talked with PG&E but they did not include street lighting. He stated that street lighting was the big item and the one from which they would have the most to gain which was why they chose AirCon rather than any other program.

Councilmember Nihart assumed that staff had walked through it, adding that the change order clause got her attention in case any come up.

City Manager Rhodes stated that AirCon had been meeting with Public Works and Public Works and AirCon engineers have walked through the buildings and talked through the improvements, spending quite a bit of time making sure. He added that AirCon was guaranteeing what they were going to do and making sure they have identified the work properly.

Mayor DeJarnatt's understanding was that the LEDs last 10-20 times longer than what the City was using now and used a fraction of the energy and he concluded that it would save the City a great deal of money which the Capital Improvement Fund would otherwise have to pay. He felt it should be very beneficial for the City.

City Manager Rhodes agreed with him.

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

Councilmember Nihart asked if the refrigeration system was our current filter.

City Manager Rhodes stated that it was ours, adding that we probably shouldn't admit it.

Councilmember Jaquith stated that she has seen the photographs and was prepared to make a motion.

Councilmember Digre stated that she had asked a lot of questions of the City Manager prior because it appeared convoluting and she was concerned about it. She stated that she was worried about it, but after talking with him, she was much more assured.

Councilmember Jaquith moved to adopt the attached resolution adopting certain findings and approving energy services contract for energy related improvements and adopt the attached resolution approving the forms of, and authorizing, execution and delivery of a site lease, site purchase agreement and an escrow agreement and authorizing additional actions, also to provide budget authority for the expenditure of \$200,000 from Capital Improvement Fund 22; seconded by Councilmember Digre.

Mayor DeJarnatt thought it was great and a no-brainer. He felt it was going to save a great deal of money, adding that LEDs are the way to go as they are less expensive and they last forever.

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

- 7. Approval of Lease Agreement and Related Documents with Municipal Finance Corporation to Fund Energy Related Improvements at City Facilities
PROPOSED ACTION: No action required.

RESULT:	WITHDRAWN
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COUNCIL COMMUNICATIONS

Councilmember Digre stated that she attended Congresswoman Speier’s excellent presentation and received the fund book from Brian Perkins which she turned over to Mayor Rose. She mentioned that there could possibly be a grant for the Historical Society. She stated that Brisbane has been having airplanes every two minutes for a long time and she was concerned that, in their attempt to help them, Pacifica was getting it. She was concerned recently when the Terra Nova/Big Bend area was getting more air traffic and they were tracking it closely and connect with Brisbane to see if they were getting less and Pacifica was getting more. She stated that the Airport Noise Commission was committed as a group to not allow airport noise shift from one city to another. She stated that they also asked Congresswoman Speier’s office to connect with FAA regarding noise because the plan they were working on didn’t have concerns regarding avoidance of noise. The Commission were outspoken about that. She also attended an ABAG meeting which was extremely helpful. She stated that they pointed out that the big earthquake was coming and they were prepared for the immediate triage type of thing but they really needed to sit down with Public Works and other groups, as well as connecting with other cities to get your city functioning again. She stated that they prepared a toolkit covering those things which she turned over to the City Manager. They were encouraged to share the information with their community. She stated that they also had presentations on their website. She mentioned that 35-45 year olds were moving out of the Bay Area which was a concern. She stated that seniors may move toward the urban areas or move out. She stated that they were concerned about replacement of the younger folks, and they felt education was the most important thing to assure that we have excellent education for anyone who is interested in starting a business in our area. She stated that it was our opportunity as a coastal city to lobby regarding the quality of life. She stated that Pacifica has done a good job marketing for tourism but we need to network that we, along with Half Moon Bay, were real assets to the community. She stated that, within our County, we have money for food stamps but people are too proud to say they need food. The money is there and they were looking for ideas of how to educate the community regarding those who use food stamps and those who need food stamps. They felt that, because of the economy, there are families trying hard but

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have been hit and they shouldn't be embarrassed to use food stamps. She stated that the Beach Coalition had a movie on the oceans, showing farmers, fishermen and environmentalists working so well together. She encouraged everyone to see it, so they can see how those groups got over the differences.

Councilmember Jaquith stated that she has also heard comments related to airport noise from people on the Pedro Point area, adding that she thought the southern end of the City has been impacted.

Mayor pro Tem Stone stated that he would keep it short in the hope that he might catch the end of the Giants game. He welcomed the Ride to Recovery team. He stated that it was a great event, helping those living with mental and physical handicaps to recover. He hoped that, in the future, if it falls on a weekend, they might be able to participate.

Councilmember Nihart wasn't belaboring the noise issue, but mentioned that CCAG had the land use piece of the airport. She stated that there were interesting sound maps, with a discussion on the improvement of airplanes and the quality of noise has been offset by the number of planes. She also stated that, when the County Board of Supervisors meet, they would be looking at the EIR related to the single use plastic bag ban. She stated that, if they accept the EIR and move forward which is anticipated, we could have a single use ban in San Mateo County by April 22, 2013, adding that almost all the cities have supported and moved forward on that. She then referred to the food stamp use, agreeing with Councilmember Digre that San Mateo County estimated underusing food stamps in the county. She stated there was an opening at the new boutique by the beach for Good Will, which was a great event. She stated that the shop was well done. She hoped to join the ride. She couldn't ride, but she mentioned it because recovery was a focus of mental health and veterans and she was pleased about that. She stated that this was an opportunity to share with the Councilmembers on what people have done, and she wanted to share that they have had several requests from Mr. Medler about Seaview Tire and Brake and she shared that she has been at his house three times, gone through papers, tried to sort it out, spent time with the Planning Department, mentioning that there has actually been a court case about it. She stated that they have had code enforcement out, had pictures, etc., looking for any violations, and the bottom line was that, unfortunately, staff has said that there is no real jurisdiction by the City and it was between the parties.

Mayor DeJarnatt added that he has spent a great deal of time on it himself.

Councilmember Digre stated she had spent time on it as well. She then mentioned that the Economic Development Subcommittee has been meeting with Kimco and the bank, with the report coming later. She was excited with what they were doing there.

Councilmember Nihart stated that she wanted to make sure people knew that on November 14 the public meeting about the coastal sediment realignment was happening. They were watching the plan closely because they were talking about coastal erosion. She encouraged the public to come out and look at it. She stated that what was decided would impact our coastline.

ORAL COMMUNICATIONS

Therese Dyer, 1408 Crespi Drive, stated that she was going to read her letter to the editor in the event that it doesn't get in with all the endorsements of candidates. She wanted the public

to hear it, but she wasn't sure they were being televised because the cameras wasn't on. She then read the letter which addressed the subject of a fireworks ban.

Roger Medler, Pacifica, stated that Seaview Tire never had a use permit, but the City gave him a permit to work on cars and brakes in 1985, even though the conditions were never met. He stated that they then let him apply in 1987 but the final was not approved. He stated that 21 letters have been written to him. He stated that he would like to know where the permits were for the front end alignment and front parking lot. He also questioned if the garage was legal and if Lift permits were granted. He stated that they had two letters objecting to the permits, and it took a year for him to get a copy of the permit. He stated he would like to see the approved fire lane behind the business. He mentioned that he asked to see the permit on the 15th and he got the permit on the 29th.

Tod Schlesinger, Linda Mar, gave kudos to Courtney Conlon, stating that she was present every meeting with the Chamber of Commerce. He reminded everyone that they only get three minutes, and the Councilmembers were supposed to get three minutes also. He stated that his real issue was that he has a piece of paper on the revenue and expenditure analysis of the beach parking lot proposal, the City would lose money on the project was because bringing in \$300,000 per year and they will spend almost \$385,000 they were going to lose money with the bulk of it being two rangers at \$80,000 each with benefits. He stated that, if that was a condition by the Coastal Commission to make this happen, he was against it. He stated that someone needs to find out if that is true. He stated that, if they have 3 1/2 years left on the lease with the state and they were signing a 5-year agreement with the Coastal Commission, they can't enforce their own agreement and will be in breach at the end of 3 1/2 years. He stated that they need to listen to his expertise.

Anita Rees, Pacifica, thanked everyone who attended their second annual stroll, helping them raise funds for the Resource Center, as well as the auctioneer and the businesses who donated auction items. She stated that they have started their holiday programs, signing up people in need and looking for donors to match with their families. She added that they have the families write letters to the donors afterwards so they can see that they got the gifts and how it has impacted them. They were also looking for at least 16 volunteers for the one-day homeless count which was last done two years ago. It was planned for January 24, 2013, 6:00 - 10:00 a.m. and will document the numbers so they can get more resources coming to Pacifica to help them. They were also looking for tax preparers, doing 80 taxes the previous year and looking to increase it to 100. She stated that they go through the IRS' training program on the computer. She mentioned that the Resource Center can help people apply for food stamps on line and they don't have to go in to the welfare office.

CONSIDERATION

8. HEART Request for Information
PROPOSED ACTION: Provide response to question from HEART

City Manager Rhodes presented the staff report.

There were no public comments.

Councilmember Digre stated that it was a reevaluation of HEART to find out how dedicated the cities are to HEART and if it was of value to the City. She stated that she was able to respond affirmatively for Pacifica because of Ocean View.

Mayor DeJarnatt thought they were of value to the community.

Councilmember Digre thought they could reiterate that in print.

Mayor DeJarnatt thought they agreed on that, and they were willing to work with them.

RESULT:	NO VOTE REQUIRED
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9. Acceptance of Library Conceptual Design and Cost Model and Directing Staff to Prepare a Financing Plan and Provide Budget Authorization for a \$12,000 Contribution from the Capital Improvement Fund 22, Account # 22.900000.52800.0219.000 to the Pacifica Library Foundation for Polling on Funding Options
PROPOSED ACTION: Accept Library Conceptual Design and Cost Model and authorize staff to work on preparation of a financing plan. Also authorize a \$12,000 contribution from the Capital Improvement Fund 22, Account # 22.900000.52800.0219.000 to the Pacifica Library Foundation for polling on funding options.

City Manager Rhodes presented the staff report.

Councilmember Nihart asked if she can be there and is this site specific.

City Manager Rhodes stated that it was.

Councilmember Nihart concluded that she needed to recuse herself. She had read it as not site specific.

Mayor DeJarnatt asked the Asst. City Attorney if she should or not.

City Manager Rhodes then clarified that it was really on the funding, not the site.

Mayor DeJarnatt opened up public comments.

Eric Ruchames, Pacifica, thanked the Council for their support to date. He stated that the foundation was excited about the progress they have made with a true community partnership, mentioning several people involved in the process. He stated that they had people at the Fog Fest asking when they were going to start. He wished that it was that simple but realized that the positive response didn't necessarily equate to two-thirds at the ballot box to make it happen and they haven't found anyone willing to write a check for \$30 million.

Mayor DeJarnatt asked him to have them add \$10 million for the City if they are funded.

Mr. Ruchames stated that they have gone through the needs assessment, conceptual design and now they move to the funding. He appreciated staff's support as well as Council.

Ellen Ron, Pacifica, stated she was co-president of the foundation, briefly mentioning that it was 8-0 in the eighth for the Giants. She reiterated Eric's comments. She stated that a lot of what they did was outreach and they have been hearing all the excitement. They felt that, the

more information they have, the better they can address the questions being asked and were excited with this part of the project.

Caroline Barba, Pacifica, stated that she was co-president of the Pacifica Friends of the Library. She was grateful for the inventor of the BBR. She stated that this has been an exciting journey for them and great working with the City, library foundation and San Mateo County Library. She thought it was exciting when looking at the plans and how it would fit into the plans for the Beach Blvd. property. She mentioned that they now had to develop information with polling to move forward with the next steps. She felt it was a great collaborative effort, adding that she hoped they supported the polling and figure out how to move forward with that information.

Mayor DeJarnatt closed public comments.

Councilmember Nihart stated that she was making it clear that she was talking about the financing only. She was thrilled with the idea of combining what they have. She felt the concept was so much better. She thought it was important to get information and the timing. She would be all about this.

Mayor pro Tem Stone thanked all the speakers, especially the Library JPA and the Council's support of the project. He felt the polling was an important step, stating that it would be interesting to know how people feel about the library with our tax history. He asked staff when the timing of the polling would be.

City Manager Rhodes stated that he would ask Eric to respond.

Eric Ruchames stated that the plan was to move forward after the election and before the end of the year which they were told was doable and would give them valid results with information by the first of the year and, if positive, look at the ballot availability for next year.

Mayor pro Tem Stone was concerned that, with everything on the November ballot, but he acknowledged that they would have a good window to get good data between November and the first of the year.

Mr. Ruchames responded affirmatively.

Mayor DeJarnatt stated that the pollster came to a meeting and that was what was asked with a thorough consideration.

Councilmember Digre thanked all the public and private individuals working for the library, which she felt was a step to a free democracy.

Mayor DeJarnatt agreed with all the comments, and was pleased to see it come up.

Councilmember Nihart accepted the library conceptual design and cost model and authorize staff to work on preparation of financing plan and provide a budget authorization of \$12,000 contribution from the Capital Improvement Fund 22 to the Pacifica Library Foundation for polling on the funding options; seconded by Mayor pro Tem Stone.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Ann Nihart, Councilmember
SECONDER:	Len Stone, Mayor pro Tem
AYES:	DeJarnatt, Stone, Digre, Nihart, Jaquith

10. A Resolution of the City Council of the City of Pacifica Adopting an Administrative Policy Regarding Commercial Fire Inspection Fees.
PROPOSED ACTION: Adopt the attached resolution adopting an administrative policy regarding commercial fire inspection fees.

Asst. City Attorney Guinea presented the staff report.

Councilmember Jaquith asked clarification as to whether they were also talking about non-profits, using commercial as a generic term.

Asst. City Attorney Guinea stated that he was, clarifying that there was no distinction between a for profit or non-profit entity.

Courtney Conlon, Pacifica, stated she was the CEO of the Pacifica Chamber of Commerce and was speaking on behalf of her Exec. Board of Directors, stating that they had concerns about the proposed adoption of the commercial fire inspection fees. She stated that they were not debating the City's ability and need to do the fire and safety inspections and were voted in for budget reasons, but they had concerns and were asking the Council to consider a special study session be conducted prior to adoption of this policy. She stated that several chamber members were asking what the fees were based on, such as square footage, foot traffic, business licensing fees. They didn't have any answers to those questions and were asking for the study session to explore a more thorough understanding of what the fire inspection entails and what they were inspecting during their walkthrough. They were asking that this be tabled and engage in an open discussion with the Chamber of Commerce as well as members of the business community for a better understanding of the criteria implemented for the fees.

Kathleen Salvia, Pacifica, stated that she understood why the Chamber might want the study session but she felt it was like apples and oranges. She stated that they had a good policy pertaining to City owned buildings, with staff spending weeks working on this and nothing has been said from anybody else until now. She encouraged them to go ahead with the proposed policy and keep the suggestion of a study session as a separate matter.

Ted Schlesinger, Linda Mar, mentioned that the Giants were leading 8-0 in the eighth inning. He encouraged everyone to not forget to vote. He thanked them to do what he suggested about this which was to put it on the tenants and not the subtenants and let the tenants and subtenants fight it out. He then stated that there was a representative from the fire department in attendance, and asked if that meant that the 17 subtenants at the Art Center would not be inspected which would be a bad thing since they have paint in their units. He stated that the \$2,000 was meaningless in the overall scheme, but they have to make sure the units are inspected. He thought Courtney Conlon's questions to clarify the unclarified were important and needed to be addressed because this ugly issue will rear its head again. He asked if the fire representative answer the question and he didn't support a long study session but felt they needed to dot the i's and cross the t's.

Dep. Fire Chief Johnson stated that the intent of the policy was that the fire department staff would continue to conduct their inspections of all of the units in a particular building as they are

now, regardless of whether the occupant was a tenant or subtenant. He stated that the policy before them was only addressing how the costs of the inspections was handled.

Mayor DeJarnatt closed public comments.

Councilmember Digre asked, if one subtenant didn't step up to the plate, whether that would be worked out and they didn't need to worry about it because the tenant would cover that with a subtenant.

_____ agreed, clarifying that the tenant and subtenant would have their own private agreement as to how that cost sharing was going to happen, if at all, and the City would not be involved in any disputes between the tenant and subtenant.

Councilmember Jaquith thought the request from the Chamber was an appropriate topic for a study session, although she thought it was a separate issue from this policy which focuses on City owned facilities. She again stated that it was a reasonable discussion at either a Chamber lunch and learn event or a study session. She stated she was prepared to make a motion.

Mayor DeJarnatt suggested she make a motion and they can second it for discussion.

Councilmember Jaquith moved that the City Council adopt a resolution adopting an administrative policy regarding commercial fire inspection fees as attached; seconded by Councilmember Digre.

Councilmember Digre appreciated what staff has done, based on their last conversation, because it gives the artists and subgroups the opportunity to be part of the soul of Pacifica which was positive for all of Pacifica.

Councilmember Nihart stated that she went back and forth with this, having shared her thinking with the City Manager. She hated setting up this different thing but it seemed clear to her. She concluded that she had a hard time with this because of how they defined things. She stated that they already put the fees in place and a study session was something they did before they did the fees. She concurred with Councilmember Jaquith that an informational session might be good.

City Manager Rhodes stated that they were in the middle of a study for new fees, which would include these, and it would be appropriate to do that when the new study was complete. They would cover all fees, not just this specific one.

Mayor DeJarnatt assumed it would be before it came back to Council.

Councilmember Nihart stated that they would do an informational staff report and this tides them over.

Mayor pro Tem Stone asked what kind of time frame they were talking about with the fee study.

City Manager Rhodes stated that it was for December of this year.

Mayor pro Tem Stone concluded that there was plenty of time for the next year's budget and time for the business community to evaluate and the Council to get it back.

City Manager Rhodes agreed, adding that it puts the full slate, not just a single fee.

Mayor pro Tem Stone stated that they had a lively discussion in a former budget study session and he didn't think this had been thought out extremely well on how it would be applied and discussing it with the business community. Now they were seeing people noticing it and wanting to be engaged in it. He wished more of that had been done at the time this was put forward. He thought these were two separate issues, and thought they could pass something for the City-owned properties. He agreed with the assessment that the Art Center was one tenant and any fire inspection should be with the one tenant and not a bunch of different subtenants. He supported the proposal.

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

- 11. Authorize Issuance of Request for Proposals for Development of an Economic Development Plan in Accordance with Council Goals
PROPOSED ACTION:
 Authorize Issuance of a Request for Proposals for the Development of an Economic Development Plan

City Manager Rhodes presented the staff report.

Councilmember Jaquith asked if this would be a one time change in the fee structure for the vehicle replacement.

City Manager Rhodes responded affirmatively.

Councilmember Jaquith asked if there were adequate funds in the event that there was some sort of emergency that they would have money because they put this in every year.

City Manager Rhodes responded affirmatively.

Councilmember Digre stated that she had asked about the marketing and it was not on the list of 3.1. She stated that she would feel better if it was, but thought it was assumed that marketing strategies would be considered.

City Manager Rhodes stated that he would assume that it was in there, adding that it was also working with the Economic Development Committee to make sure those things were covered. He stated that it was an assumption that it was part of the plan.

Mayor pro Tem Stone asked the City Manager how he imagined the City Council giving input throughout the process.

City Manager Rhodes stated that they have two councilmembers on the Economic Development Committee which would be the main liaison between the Council and EDC. He envisioned that they would come back to the Council with a draft before the plan was actually finished to solicit the input.

Mayor pro Tem Stone concluded that it would be coming back to the Council.

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City Manager Rhodes envisioned a joint work session.

Mayor pro Tem Stone asked if the motor pool fund would contribute \$25,000 in the General Fund or move it to the General Fund.

City Manager Rhodes stated that it stays in the General Fund and won't be transferred out.

Mayor pro Tem Stone thought it was a large amount of money being moved from the motor pool fund to the General Fund.

City Manager Rhodes responded that it was not the case.

Mayor pro Tem Stone stated that he misunderstood.

City Manager Rhodes was recommending that they suspend the General Fund contributions to the vehicle plant for one year so the money stays in the General Fund.

Mayor pro Tem Stone asked if the \$225,000 would be designated toward economic development or just free money.

City Manager Rhodes stated that his recommendation was that it go into reserves, only allocated specifically the amount for the EDC and the remainder for the reserve.

Mayor pro Tem Stone asked if it had anything to do with the policy or a separate thing.

City Manager Rhodes stated that he would come back with the implementing policy when they award the contract.

Mayor pro Tem Stone stated that he was trying to understand the \$225,000. He understood that they were not putting that into the motor pool fund, but he was trying to understand why that \$200,000 was going to put into reserves. He asked if that was a separate policy or did it have to do with the Economic Development plan.

City Manager Rhodes stated that it would be a separate policy as to how to approach the funding.

Mayor pro Tem Stone asked if it was just to bolster the reserve, not for any future policies.

City Manager Rhodes responded affirmatively. He stated that the Council would make that specific designation when they come back for the whole package. They would say they were going to allocate \$30,000 to the economic development study and the remainder to reserves.

Mayor pro Tem Stone asked if this would come back to them for that.

City Manager Rhodes stated that when they award the contract in December, they would also bring the policy that frees up the funds and determines how the rest of the funds will be handled. He stated that, in the back of his mind, when they get to mid year they had some issues to consider and that may help them get over some of those issues depending on where they are mid year.

Mayor pro Tem Stone stated that he was trying to understand because they seemed to be two separate issues, the financial issue and paying for the Economic Development plan.

City Manager Rhodes agreed they were separate except that they were intertwined for the Economic Development plan.

Councilmember Nihart stated that she was going to take a stab at that, because it was simply leaving it in the checking account because they didn't have a separate reserve fund. She stated that they just weren't transferring it out but would hold it there and use \$25,000 for the Economic Development plan and with the rest, they were expecting an increase in ERAF and a number of things. She stated that they would actually be holding off. She asked if they had any vehicles teetering on the edge now.

City Manager Rhodes stated that they didn't, adding that they have funds there. He reminded them that they were purchasing vehicles this year and, if they have something on the edge next year, they can always switch it out with something from this year.

Councilmember Nihart concluded that they could do this for one year.

Mayor DeJarnatt opened public comments.

Tod Schlesinger, Linda Mar, stated that he was disappointed and perplexed since the Economic Development Committee was her baby four years ago. He asked to be corrected if he was wrong but, if this was where it went, there were three parts to the committee and he was actually named on one of the subcommittees but he never heard from anyone and didn't participate at all. He concluded that, after four years, all they can come up with was to give a consultant \$25,000-\$30,000 to come up with some kind of plan that we were supposed to do gratis, in his perception of what the Economic Development Committee was all about. He stated that they need money now, not another Julie Lancelle, which was a strategic plan or a study session ad nauseum, ad infinitum. He stated that they were sitting in a multi-million dollar piece of property and he has shared with the City at least a dozen times what can and should be done. He stated that everything he has been talking about the past few years was coming true. He asked what their three choices were to get immediate money. He stated that they can sell it outright, joint venture with a developer, throwing the property in and still have ownership participation, or they can do a 50-99 year ground lease and generate money immediately but this is all they can come up with after four years. He stated that he should know about this, adding that if they want him off their back, inform him. He knows his business. He stated that, if anyone knows economic development it was him and he couldn't even get on a committee and now they want his tax dollars to go to some outside entity to come up with something that was going to take another year or two. He was disappointed and perplexed.

Mayor DeJarnatt closed public comments.

Mayor pro Tem Stone thought it was a great idea. He stated that, when looking at the City comprehensively, they need to focus on target industries, target locations and look at Pacifica holistically when they were looking at economic development. They see what looking at it piecemeal has done, and they haven't used land at its best capability for generating revenue. He stated that they didn't have a lot of it left with most of it designated as open space, and now they have to be strategic with how they proceed, what industries to look at and where they were going to focus. He felt having an expert focus on that was important. He was sure there would be more discussion but he was ready to make a motion when ready.

Councilmember Nihart stated that she was going to ask the Economic Development Committee since the reports haven't gotten out there. She stated that they have a group of volunteers which included a person who does economic development for a living. There were three objectives which formed three subcommittees. Each subcommittee was supposed to contact other individuals who wanted to volunteer. The first was the most complete, which was a survey of businesses about planning, etc., with massive changes in the planning office as a result of information received from Javier Chavarria and Mike Ervin. The second group was about the business districts with a huge amount of outreach. Commercial listings were put on the City's webpage with outreach to businesses, promotional activities, with the third about marketing in general, as in marketing the City through tourism dollars. She stated that what became clear in the committee was that they needed some guidance that was greater, and she concurred with some of Mayor pro Tem Stone's comments. She stated that there were more things done, but she hit the high points.

Councilmember Digre stated that she sees this as fasttracking as a daily commitment to something historically done. She was aware that the City had marketed the available properties at one time, mentioning the Swenson group, and other things they are working on now, such as Kimco. Looking at following through and evaluate what has been done and evaluate future potentials.

Mayor DeJarnatt briefly mentioned that he had not been for this at all but, after talking to the City Manager, he thought it would do a couple of things that were important and he would go along with this.

Mayor pro Tem Stone moved that they authorize the issuance of a request for proposal for the development of an Economic Development Plan; seconded by Councilmember Digre.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Len Stone, Mayor pro Tem
SECONDER:	Sue Digre, Councilmember
AYES:	DeJarnatt, Stone, Digre, Nihart, Jaquith

- 12. Discussion on Voting at City Selection Committee for Nominee to California Coastal Commission
PROPOSED ACTION: Give direction to the Mayor or the designated proxy for voting purposes.

City Clerk O'Connell presented the staff report.

There were no public comments.

Mayor pro Tem Stone stated that he wasn't familiar with this process. He tried to read about it on the Coastal Commission website, stating that it was a pretty long, drawn out and extensive process. He thought the cities nominate, they vote at the Council of Cities, and the County Board of Supervisors were going to nominate Carol Groom, and he wasn't sure how they all worked together but it seemed convoluted. He thought a lot of people go "into the hat" and then a selection committee with a short list and extensive interviews.

City Clerk O'Connell agreed that he summed it up well.

Mayor pro Tem Stone thought it was a long process. He stated that all the members on it currently are full time. He thought it was important that they put someone up with a lot of experience. He thought, if Carol Groom wants to do it, she has a good chance of getting selected.

Councilmember Digre stated that she asked a colleague today if there was anything she knew. She remembered something a few years ago and there was a lot of interest, but they submitted a letter ahead of time so everyone knew what was going on. Then, at the League of Cities meeting, they voted on it. She was very interested except that it was for 4-5 days, and if you are a working person with a son, it was almost impossible.

Mayor DeJarnatt commented that, after seeing her schedule, he didn't see how she could fit anything else.

Councilmember Digre thought 4-5 days was a bit much.

Councilmember Nihart asked who was going.

Mayor DeJarnatt stated that he was not going, but Mayor pro Tem Stone will. He asked if they were in agreement on supporting Carol Groom, adding that he didn't have a problem with that.

Mayor pro Tem Stone was interested in that, but he didn't know if the Council of Cities was only for city folks.

City Manager Rhodes stated that it was just and the Council of Cities would not voter on Carol Groom.

Mayor DeJarnatt assumed it was only when the city selection committee meets again.

City Clerk O'Connell stated that they will just be voting for a Councilmember from the San Mateo County at the city selection committee.

Mayor pro Tem Stone thought the Mayor of Half Moon Bay was putting their name in.

Mayor DeJarnatt assumed that, when it comes up again, they will have knowledge ahead of time and they will take it from there.

City Manager Rhodes stated that it was coming up and was the remainder of the term that expires May of 2013.

Mayor DeJarnatt wasn't sure where they were going with this.

Councilmember Jaquith stated that they had a long time member who was a former City Councilmember who was on the Coastal Commission, Grace McCarthy. She stated that Mayor pro Tem Stone was going to attend and be our representative. She thought they would concur that having a representative from San Mateo County would be our first priority. She thought they could authorize Mayor pro Tem Stone to support a San Mateo County councilmember as a nominee and, if there are no members, they could support the one person who has indicated an interest.

Mayor DeJarnatt didn't think there was anywhere else to go with it, and Mayor pro Tem Stone has his proxy.

Councilmember Jaquith asked if they knew of anyone else.

Mayor DeJarnatt stated that this was news to him. He stated that they happen somewhat sporadically and this was the first one coming up in a while and he was happy with the agreement if everyone else was.

Councilmember Nihart concurred that San Mateo would be good and she thought it would also be good to have someone from the coast. She appreciated the schedule of working people such as Councilmember Digre and herself, but she knows someone who is getting off Council in November who might be a really good candidate in this regard who might actually think about applying.

Mayor DeJarnatt thought she would be perfect.

Councilmember Jaquith appreciated that support but she has some other things on her list and it doesn't include the Coastal Commission.

Councilmember Nihart stated that it was worth a try.

Councilmember Jaquith stated that she would support a member from Half Moon Bay.

Mayor DeJarnatt stated that, if someone is from Half Moon Bay, he would be happy with that.

Councilmember Digre stated that this was like flying blind. She remembered in the past that they knew when they went there, they had seven people and as a Council they had time to say who they preferred. She thought they should request that they evaluate it and send a letter from the Mayor.

Mayor DeJarnatt asked staff to make note of that.

Mayor pro Tem Stone stated that he would be happy to communicate that at the meeting and they will definitely see who is putting their hat in the ring.

Mayor DeJarnatt stated that he thought he had direction.

RESULT:	NO VOTE REQUIRED
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ADJOURN

Mayor DeJarnatt adjourned the meeting, stating that Councilmember Digre's daughter-in-law had a baby girl and "Go Giants!" He stated that, judging by the sonic boom they heard earlier, the Giants won. He thought it was 9-0.