



**CITY OF PACIFICA  
CITY COUNCIL MINUTES**

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

Mayor Sue Digre  
Mayor Pro Tem Mike O'Neill  
Councilmember Karen Ervin  
Councilmember Mary Ann Nihart  
Councilmember John Keener

**May 09, 2016 (MONDAY)  
www.cityofpacifica.org**

Mayor Sue Digre called the meeting to order on May 9, 2016 at 7:00 PM

**CLOSED SESSION - NONE.**

**7:00 PM OPEN SESSION**

Call to Order

Mayor Digre called the meeting to order at 7:00 p.m.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Sue Digre	Mayor	Present	
Mike O'Neill	Mayor Pro Tem	Present	
Karen Ervin	Councilmember	Present	
Mary Ann Nihart	Councilmember	Present	
John Keener	Councilmember	Present	

Staff Present: Lorenzo Hines, Asst. City Manager; Michael Visick, Acting City Attorney; Van Ocampo, Public Works Director; Tina Wehrmeister, Planning Director; Christian Murdock, Assoc. Planner; Rich Johnson, Deputy Fire Chief; Mike Perez, PB&R Director; Kathy O'Connell, City Clerk.

Salute to the Flag led by Councilmember Keener

Closed Session Report

None.

**SPECIAL PRESENTATIONS**

**CONSENT CALENDAR**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike O'Neill, Mayor Pro Tem
<b>SECONDER:</b>	Mary Ann Nihart, Councilmember
<b>AYES:</b>	Digre, O'Neill, Ervin, Nihart, Keener

1. Approval of Disbursements for 04/05/16 through 04/29/16

**PROPOSED ACTION:** Move to approve attached list of disbursements for 04/05/16 through 04/29/16.

2. Approval of Minutes  
**PROPOSED ACTION:** Move to approve the minutes of the regular City Council meeting held on April 25, 2016.
3. Agreement to Terms with Pacifica School District for Rental Space for Child Care Services in the Amount of \$142,272 for the 2016-2017 School Year.  
**PROPOSED ACTION:** Authorize the City Manager to sign the 2016-2017 contract with the Pacifica School District.
4. Adoption of Resolution Authorizing Acceptance of a Settlement Agreement  
**PROPOSED ACTION:** Approve a resolution authorizing acceptance of a settlement agreement in *United States et al. ex rel. Perez v. Stericycle, Inc. et al.*

### **ORAL COMMUNICATIONS**

**Kelly Bogdonov, Pacifica**, expressed her gratitude for the work done by the Public Works Director and other city workers in regard to the quick response to repair the sink hole and requesting that they replace the sea wall. She urged the city to work with government officials who are willing to partner with the city to replace the sea wall with an improved version.

**Brent Ritz, Pacifica**, stated that he lives on Beach Blvd. He mentioned the conclusion mentioned at their previous meeting that they would find damage in various areas which has been proven to be the case. He felt they could not ignore the wall, mentioning some of the issues that he thought needed to be addressed, and stressed that they needed to focus on adding value to the community, where it could be financed, with government agencies being involved, as well as a general obligation bond. He acknowledged that they could raise the property value and get more taxation and more commerce. He felt, while they do have issues to deal with, it was a wonderful place to visit, and it will require servicing because of greater depreciation of assets, but by building value, they will have more money to spend in other programs.

**Dan Steginck, Pacifica**, stated that he was present to discuss the quarry petition, reading a portion of the petition. He gave Council a federal document that addressed what constitutes residential units, and he was told was actually approving apartment buildings, not apartment units. He stated that, while the Chamber stressed that it was just for people to vote on it, but he stressed that signing the petition meant they were approving the quarry plan as presented which could mean 206 buildings rather than 206 apartment units.

**Anita Rees, Pacifica**, thanked the Council for considering ways to fund the Resource Center. She gave an updated report on funding from the County which could mean less money, but the County will not reduce their contribution until the Center gets other sources up to that level. She stated that she would work with them to strategize ways to get more funding.

**Mike Bell, Pacifica**, stated that he was there to express his concern on the failing seawall. He was fearful that it was endangering lives, property and threatening the existence of the West Sharp Park area. He acknowledged that there were existing governmental efforts to replace the

existing failing seawall with a much stronger wall and he was in support of it, adding that he requested they begin the process before next year's wave season is upon them. He felt that time was of the essence, mentioning that our representatives have said that funding is available, and he stressed that they have to do it now. He also mentioned that people walk the trail along the sea wall and there were also threatened property owners. He thanked them for the attention being given to this issue, also expressing appreciation for what city staff did in making the recent repairs. He asked that they get this on the next agenda, referring to money that Congresswoman Speier and others have said are available.

**Steven Montoya, Asst. Scoutmaster of Pacifica Troop 264**, stated that they were on a field trip and attending the Council meeting as part of a Citizenship in the Community badge.

### **COUNCIL COMMUNICATIONS**

Mayor Digre stated that there was so much going on and it was overwhelming. She stated that she watched the California legislation session on TV and found a controversial SB112 item regarding AirBnB and she stated that she wanted to ensure that the city gets income from that measure. She mentioned Steven Phillips, who contacted her several years ago about the need for a mural and she hooked him up with Kathleen Manning of the Historical Society. After a lot of work, they unveiled a mural on Crespi that gives a snapshot of Pacifica's history and she was thrilled that historians and art individuals put it together. She hoped it was the beginning of a collaboration of various entities that make Pacifica who we are. She mentioned Columbo's having their 30<sup>th</sup> anniversary, adding that she hoped to have a proclamation prepared for them. She referred to the swim team that was in search of a pool in which to practice, mentioning that they won a championship for the first time in many years. She mentioned that they have a goal setting session coming up and she stressed that they want to hear from citizens. She mentioned several issues that they have to address, such as Pacific Skies Estates, the increased number of mobile homes parked on the streets of Pacifica, sea level rising, quarry etc. She referred to the Pacifica Resource Center, mentioning that, as she works with non-profits, when the person needing help is from Pacifica, they are helped quickly which is normally a rare situation in other cities. She referred to the issue of airport noise and their active involvement in addressing the issue, mentioning that our governmental representatives were also involved. She acknowledged that there was progress but questioned if it was enough. She mentioned that, while our governmental representatives were speaking up, she felt we should not stop speaking up ourselves. She then referred to the ABAG and MTC merger controversy, mentioning not everyone was happy but a future meeting was being scheduled to further address the various issues. She mentioned that she was unfortunately not able to attend that meeting.

Councilmember Nihart stated that she was glad she brought up the ABAG issues, and asked if she was sending a proxy.

Mayor Digre stated that she hoped that the Vice Mayor would be there, then questioned if she could discuss that.

Acting City Attorney Visick stated that she could ask for a volunteer.

Councilmember Nihart stated that it was critical because one of the core issues in the Bay Area was housing as it was getting critical, mentioning a specific problem in Lafayette. She mentioned that MTC was about transportation and the Lafayette situation was by a BART station. She wished mothers a belated Happy Mother's Day. She then referred to the mural

on Crespi, mentioning that the Beautification Committee was looking at several areas for that purpose as well. She then mentioned sea level rising and the fact that two more houses were condemned, adding that one family was in desperate need. She stated that Council should give direction to staff in an organized way about what funds to go after, adding that she hoped they agendized that soon. She stated that she reached out to Supervisors Groom and Tissier regarding the isolation on the coast and issues with which the Pacifica Resource Center has struggled, specifically mentioning mental health issues. She felt we didn't have easily accessible services, and that was important for the resource center. She then invited them to the event acknowledging her 2 1/2 years as chair of CCAG.

Mayor pro Tem O'Neill stated that he attended the dedication of the mural on Crespi. He also heard about some potential meetings with Kimcoe and has asked to be part of that so he can let Kimco know what he thinks of them.

Councilmember Ervin thanked her fellow members for mentioning everything that was going on. She also thanked the community who commented on the work along Beach Blvd. She assured them that they were going to make sure that everything is done to fix the problem prior to another winter storm. She also referred to the murals. She appreciated what the Beautification Committee was doing, as well as the Historical Society. She thought the mural on Crespi was gorgeous and encouraged everyone to go by and see it. She attended an event at the Daly City Youth Health Center, mentioning that it was a great organization that provided needed services to the youth including students of Terra Nova and Oceana High Schools and she was proud to support that organization. She mentioned that there was a budget meeting on Wednesday and she encouraged the public to attend, listen and give input. She stated that she and Mayor pro Tem O'Neill have been attending the housing forum as they addressed the serious housing needs in our city. She thanked the Boy Scouts for attending and being part of their discussions.

Mayor Digre asked the date and time of the budget meeting.

Asst. City Manager Hines stated that it will be on Wednesday at 6 p.m. in Council Chambers.

Councilmember Keener stated that he wanted to volunteer to be a proxy at the ABAG meeting on May 19.

### **STAFF COMMUNICATIONS**

Asst. City Manager Hines stated that staff has nothing to report this week.

### **PUBLIC HEARINGS**

Asst. City Manager Hines stated that Item #5 and Item #6 hearings have been cancelled as the appeals for both have been withdrawn.

Acting City Attorney Visick stated that, if there was anyone who was present to comment on those items, they should take the public comments, adding that he has not seen any cards turned in so there may not be anyone who did want to comment.

There were no public comments.

5. Appeal of Planning Commission Approval of Site Development Permit PSD-792-15, Coastal Development Permit CDP-349-15, Subdivision SUB-225-15, and Sign Permit S-

113-15, to Construct Four Detached Motel Rooms in Conjunction with a One Lot Subdivision on a Vacant Lot at 500 San Pedro Avenue (APN 023-073-190). Recommended California Environmental Quality Act (CEQA) Status: Categorical Exemption (Class 3 - CEQA Guidelines § 15303 - New Construction or Conversion of Small Structures; And, Class 15 - CEQA Guidelines § 15315 - Minor Land Divisions).  
**PROPOSED ACTION:** No action required. Appellants have withdrawn their appeal.

6. Appeal of Planning Commission Approval of Coastal Development Permit CDP-348-15 and Use Permit UP-70-16, to Construct a 993 Square Feet (Sq. Ft.) Addition to an Existing 1,962 Sq. Ft. Lawful Nonconforming Single-Family Residence at 135 Stanley Avenue (APN 023-035-040 and 023-035-130). Recommended California Environmental Quality Act (CEQA) Status: Categorical Exemption (Class 1 - CEQA Guidelines § 15301 - Existing Facilities).  
**PROPOSED ACTION:** No action required. Appellants have withdrawn their appeals.

## **CONSIDERATION**

7. Parks, Beaches and Recreation Commission Annual Report to City Council  
**PROPOSED ACTION:** None - information item only

PB&R Dir. Perez presented the staff report, introducing Chair Deidre Finnegan-Martin, Cindy Abbott, August Murphy and Greg Cochran, who presented a brief summary of Commission's work and were ready to provide feedback.

Councilmember Nihart stated it was an excellent report, and referred to the Devil's Slide ride and stated that the County's Measure A wasn't providing the shuttle program, but they were looking at a proposal for the coastline. She was also hoping that the various groups, such as PB&R, Open Space, etc., were working together on the access at Pedro Point. She also mentioned that Pacifica did not have a Bike and Pedestrian's Committee as most city's did, and that was a potential for grants, etc.

Mayor pro Tem O'Neill thought it was a good report and felt they were being proactive, such as off leash dog issues. He asked about their signage plans, as to whether they would be warning people of rip tides, etc.

Chair Finnegan-Martin stated that it would be, as well as things like surfing etiquette.

Mayor pro Tem O'Neill asked about the water safety program, mentioning that they had asked for more information at the last meeting.

PB&R Dir. Perez asked if he had a specific question.

Mayor pro Tem O'Neill stated that he assumed the aquatics program would fall under PB&R.

PB&R Dir. Perez responded affirmatively.

Mayor pro Tem O'Neill asked how many people swim each day.

PB&R Dir. Perez responded that it was a lot, giving some general times, such as starting at 6 a.m. and continuing until 9 pm at times.

Commissioner Abbott referred to the Terra Nova pool needing work, but mentioned that the Jean Brink pool was already at a pretty high utilization. She stated that there was a question about providing space for a program that was not open to the public and reducing availability for the public.

PB&R Dir. Perez explained that their priorities were for the schools, the public and lastly a privately run program, and he was concerned about their ability to provide that service as they had a lot of adjustments to make just to take care of the schools and the public, in accommodating those from Terra Nova's pool programs.

Councilmember Keener stated that he thought there was a Bike and Pedestrian Committee forming through Public Works, and he suggested that they need to keep the heat on. He asked who owned Sharp Park Beach besides the small portion owned by the GGNRA.

Commissioner Murphy stated that it was owned by the City of San Francisco and the GGNRA owned the southern portion

Chair Finnegan-Martin stated that she thought Pacifica owned up to the median tidelines.

Commissioner Murphy stated that years ago they had received a letter from San Francisco stating it was okay to have dogs off leash. He stated that they didn't know if they could use the beach based on that letter, adding that San Francisco was not very talkative now but they were going to give it a shot.

Councilmember Ervin stated that they did a lot of good work and took a lot off the Council's plate. She mentioned that she had two dogs and she would love to have more off leash areas to add to the quality of life. She mentioned that they have to sometimes deal with contentious issues, such as the Council dealing with the snowy plover problem. She asked if there have been any issues related to the snowy plovers.

Commissioner Cochran stated that none that he was aware of.

Councilmember Ervin thought it was important that it was a win-win situation, then mentioned the dog parks, which have not been easy, and she thought they have handled that with such professionalism. She asked if there were still difficulties or people have come to terms with it.

Commissioner Abbott stated that the dog park near where she works was actively used. She mentioned there was noise at times, from dogs and people, but there was a great deal of interaction and civilness now that wasn't there at the beginning.

Councilmember Ervin was aware that there were sometimes difficulties but she thought they handled it when there were issues. She thanked them for their work as well as Dir. Perez' work, adding that she felt they did a good job.

Councilmember Nihart commended them for taking this on. She thanked Councilmember Ervin for what she said, mentioning that when going through change they think it is the end of the world to make changes and they need to be reasonable to make those changes with no

preconceived ideas. They were in an issue that was very hard to find the middle ground and the Council was there to support them.

Mayor Digre thanked them for the report, stating that she liked that they brought up drones as they needed to be ahead of that. She mentioned that they had a bike committee in the Open Space committee.

Councilmember Ervin stated that she was on the Bike and Pedestrian Committee.

Mayor Digre stated that was for the county but she was talking about one with the city. She referred to the shuttle, stating that she thought it ran until July 1 or until the end of June.

Public Works Dir. Ocampo stated that she was correct that it ran until the end of June.

Mayor Digre stated that she was going to advocate to the end that they increase ridership. She then referred to the Youth Advisory Board meeting with the PB&R and she thought it would be good if the three of them met so the youth can feel the broader sense of the community.

Chair Finnegan-Martin mentioned that they had met with them and they had done special activities, providing candy, etc. She thought it would be nice if Council joined them. She then gave the Council their party package.

There were no public comments.

Councilmember Nihart asked if they needed to move to accept the report.

Acting City Attorney Visick stated that they should make a motion to accept the report.

Councilmembers Nihart moved to accept the report; seconded by Councilmember Ervin.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mary Ann Nihart, Councilmember
<b>SECONDER:</b>	Karen Ervin, Councilmember
<b>AYES:</b>	Digre, O'Neill, Ervin, Nihart, Keener

**ADJOURN**

Mayor Digre adjourned the meeting at 8:18 p.m.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell  
City Clerk

APPROVED: 5/23/16; 5-0

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Sue Digre, Mayor