

# CITY OF PACIFICA CITY COUNCIL AGENDA

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

CITY COUNCIL CHAMBERS  
2212 BEACH BOULEVARD  
PACIFICA, CALIFORNIA 94044

**March 27, 2006**

[www.ci.pacifica.ca.us](http://www.ci.pacifica.ca.us)

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## 7:00 p.m. REGULAR COUNCIL MEETING

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

## ADJOURN TO JOINT CITY COUNCIL/FINANCING AUTHORITY MEETING

1. City of Pacifica General Fund Obligations – Series 2006 Certificates of Participation (hereinafter called (COPs) (**Proposed action:** move to adopt resolutions and documents associated herewith and authorize the City Manager/Chairperson of the Financing Authority to execute all relevant documents necessary to complete the transaction)

## RECONVENE TO REGULAR CITY COUNCIL MEETING

### CONSENT CALENDAR

**In a single motion, the City Council will consider and act upon Items 1 through 8.**

1. Approval of disbursements dated 02/28/06, 03/01/06 to 03/03/06 in the amount of \$211,766.74. Regular and quick checks numbered 81422, 81425 to 81426 and 110816 to 110967 (**Proposed action:** approve)
2. Approval of Minutes of regular City Council meeting of March 13, 2006 (**Proposed action:** approve Minutes)
3. Continuation of Local Emergency Status and Authorization of Immediate Expenditure of Public Money to Safeguard Life, Health or Property (**Proposed action:** 1) continue the proclamation for Local Emergency dated January 5, 2006 and the Proclamation Confirming the Existence of Local Emergency ratified by Council on January 9, 2006; 2) Continue Resolution No. 05-2006; 3) direct the City Manager to return with a status update at the next City Council meeting)
4. Adoption of and “An Ordinance of the City Council of the City of Pacifica Amending Title 4 of the Pacifica Municipal Code by Adding Chapter 14, Maintenance and Preservation of Trees” second reading (**Proposed action:** move to adopt ordinance)

5. Adoption of “An Ordinance of the City Council of the City of Pacifica Amending Certain Sections of Article 2 of Chapter 1 of Title 6 of the Pacifica Municipal Code Relating to Animal Regulations” second reading (**Proposed action:** move to adopt ordinance)
6. Fire Suppression Assessment – Fund 8 Independent Audit (**Proposed action:** accept the Fire Suppression Audit for the record)
7. Approve Pre-Acquisition Environmental Site Assessment Agreement with National Park Service for Sweeney Ridge and Authorize the City Manager to Enter Into Documents Permitting More Detailed Property Inspection or Testing (**Proposed action:** approve Pre-Acquisition Environmental Site Assessment Agreement and authorize the City Manager to execute the agreement and any other documents permitting more detailed or invasive property inspection/testing if required)
8. User Fee Schedule – Costs of Services Study (**Proposed action:** approve the approach recommended by staff and direct staff to return as soon as practical to present to the Council for consideration a different and updated User Fee Schedule for the purpose of recuperating costs of services)

### **SPECIAL PRESENTATION**

- ❖ Proclamation – Masonic Lodge 50<sup>th</sup> Anniversary
- ❖ Presentation of RAMA Awards – Amanda Cue

### **COUNCIL COMMUNICATIONS**

The purpose of Council Communications is for Councilmembers to inform each other of items of potential interest to other Councilmembers, such as interagency meetings. Each councilmember is allotted three minutes.

### **ORAL COMMUNICATIONS**

This portion of the Agenda is available for the public to address the City Council on any issue that is not on the Agenda. A maximum time of three minutes will be allowed for any speaker.

### **PUBLIC HEARING**

During public hearings, an applicant or their agent and appellants have ten minutes for their opening presentation and three minutes for rebuttal before the public hearing is closed. Members of the public are limited to three minutes.

9. Public Hearing to Consider Appeal of Denial of Heritage Tree Removal Permit Application No. HT-0053-05 Appellant: Antonio Baltazar/Location: 126 Arcadia Drive (**Proposed action:** move to uphold the appeal and approve the Heritage Tree Removal Permit Application HT-0053-05, subject to conditions 1 through 6)

### **CONSIDERATION**

10. Relocation of the 4000 amp Main Transformer for the Calera Creek Wastewater Treatment Plant 3<sup>rd</sup> Floor to the Ground to Olsen Electric for \$381,285.00 (**Proposed action:** authorize the City Manager to enter into agreement with Mark Olsen for the relocation of the main 4000 amp transformer at the Calera Creek Wastewater Treatment Plant for \$381,285.00)
11. Wi-Fi Services Contract Negotiation (**Proposed action:** approval to enter into contract discussions with Veraloft, LLC)
12. Award of Contract to IMR Contractor Corporation for the Fire Stations 71 and 72 Roof Replacement Project (**Proposed action:** award contract to the apparent low bidder, IMR Contractor Corporation for the Fire Stations 71 and 72 Roof Replacement Project. Should that contractor not complete contract award requirements, authorize award to the second apparent low bidder, authorize the City Manager to execute all necessary documents associated with the award of contract; and approve additional budget authority in the amount of \$27,000.00 from the General Fund for this project)

## ADJOURNMENT

\* \* \* \* \*

**NOTICE:** If you challenge a city's zoning, planning or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Judicial review of any city administrative decision may be had only if a petition is filed with the court not later than the 90<sup>th</sup> day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The City of Pacifica will provide assistance for disabled citizens upon at least 24 hours advance notice to the City Manager's Office (650) 738-7301. If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

### **How to obtain City Council Agendas**

#### **Posted agendas:**

Agendas are posted the Friday prior to the City Council meeting date, at the entrance to City Hall, 170 Santa Maria Avenue

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#### **City Clerk's Office/City Manager's Office:**

City Hall, 170 Santa Maria Ave., 2<sup>nd</sup> Floor

#### **Council Meetings:**

Agendas are available at the City Council meeting

### **How to obtain City Council Agenda Packet Materials**

#### **City Clerk's Office or the Library:**

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

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#### **Council Meetings:**

A complete agenda packet is available for review at the City Council meeting.

*The Pacifica Municipal Code is available on line at the City's website ([www.ci.pacifica.ca.us](http://www.ci.pacifica.ca.us)); at the website, scroll down to find the Link.*

### **HOW TO REACH YOUR LEGISLATORS**

- **Governor Arnold Schwarzenegger, State Capitol Building, Sacramento CA 95814 (916) 445-2841**
- **State Senator Jackie Speier, 400 So. El Camino Real, Ste 630, San Mateo CA 94402 (650) 340-8840**
- **Assemblymember Gene Mullin, 1528 So. El Camino Real, Ste 302, San Mateo CA 94402 (650) 341-4319**
- **Congressman Tom Lantos, 400 So. El Camino Real, Ste 410, San Mateo CA 94402 (650) 342-0300**
- **Senator Barbara Boxer, 1700 Montgomery Street, Ste 240, San Francisco CA 94111 (415) 403-0100**
- **Senator Dianne Feinstein, #1 Post Street, Ste 2450, San Francisco CA 94104 (415) 393-0710**

CITY OF PACIFICA

CITY COUNCIL AGENDA SUMMARY REPORT

March 27, 2006

**FINANCING AUTHORITY ITEM NO. 1**

**SUBJECT:**

City of Pacifica General Fund Obligations – Series 2006 Certificates of Participation (hereinafter called COPs)

**ORIGINATED BY:**

Finance Department

**OVERVIEW:**

The City has three outstanding COPS with average interest coupon payments of 5.78%. By refinancing the total of all three bonds the City's interest obligation on the debt would be decreased to 4%. This would result in approximately \$865,000 of savings over the term of the new debt. An additional benefit is that the City can increase the overall debt by \$2 million while maintaining approximately the same annual principal and interest debt obligation as the current bonds.

**DISCUSSION:**

The current Certificates of Participation outstanding are secured by and paid for from General Fund revenues. These are the series 1999, 2000, and 2003, outstanding in the principal amounts of \$4.505 million, \$5.675 million and \$2.6 million respectively as of March 28, 2006. Each was issued as a fixed rate bond with average interest rates of 5.78%, 5.75% and 4.73% respectively. The proceeds from the 1999 Certificates were used to fund a street improvement program, while the 2000 and 2003 Certificates were used to finance the Public Safety Building Project. These Certificates have combined annual debt service of approximately \$935,000.

In the current interest rate environment, the City has the opportunity to refinance the existing obligations at interest rates, which are lower than when each series was initially issued. This will be accomplished through a Synthetic Fixed Rate financing program.

Total savings are estimated to be approximately \$865,000 in today's dollars net of all cost of issuance and fees associated with the refunding. The Certificate proceeds will be used as follows:

Refunding of Existing Obligations	\$13,506,500
Additional Funds	2,000,000
Bond Insurance	300,000
Costs of Issuance	283,500
<hr/> Total	<hr/> \$16,090,000

**FISCAL IMPACT:**

Debt Service for the 2006 Bonds will be structured to amortize on a level basis through November 2036. Total annual debt service including all fees and expenses is currently estimated to be \$944,000 and will produce \$2.0 million in net proceeds. The estimated debt service is only \$10,000 per year more than currently being paid, however this could be slightly higher or lower depending on when the financing is priced and the rates are finalized.

**ATTACHMENTS:**

Resolution  
 Financing Authority Resolution  
 Summary of Legal Documents  
 Title Pages as listed (Full set copies available in City Manager's Office for Review)  
 Preliminary Official Statement  
 Certificate Purchase Agreement  
 Assignment Agreement  
 First Amended and Restated Lease Agreement  
 First Amended and Restated Site Lease  
 Trust Agreement  
 Agreement for Legal Services with Jones Hall

**COUNCIL ACTION REQUESTED:**

- 1) Approve the Resolution of the City Council Authorizing Delivery and Sale of Certificates of Participation and related documents and actions.
- 2) Approve the Resolution of the City of Pacifica Financing Authority Authorizing Delivery and Sale of Certificates of Participation and related documents and actions.
- 3) Approve Agreement for Legal Services with Jones Hall to act as bond counsel and disclosure counsel.
- 4) Authorize the City Manager/Chairperson of the Financing Authority to execute any necessary documents to complete the transaction

**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT**

**March 27, 2006**

*AGENDA ITEM NO. 3*

**SUBJECT:**

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

**ORIGINATED BY:**

City Manager's Office

**DISCUSSION**

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

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

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

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

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

Clean-up of Various Sites is approximately \$40,000.00 to date which has not changed since the last staff report of January 23, 2006.

Approximately \$90,000.00 for road repairs since the storms in Mid December 2005.

Big Bend Clean-up of Land Slide approximately \$100,000.00. The City has entered into a contract with Cotton, Shires and Associates for geotechnical work and with Go-Native for clearing and brush removal. The geotechnical investigation is continuing with additional soil investigation.

**ATTACHMENTS:**

FEMA Declaration of Disaster

**COUNCIL ACTION REQUESTED:**

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

CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
March 27, 2006

AGENDA ITEM NO. 4

**SUBJECT:**

Adoption of "An Ordinance of the City Council of the City of Pacifica Amending Title 4 of the Pacifica Municipal Code by Adding Chapter 14, Maintenance and Preservation of City Trees" second reading

**ORIGINATED BY:**

City Manager's Office

**DISCUSSION**

This Ordinance was introduced at the March 13, 2006 City Council meeting and is in order for adoption.

**ATTACHMENTS**

Proposed Ordinance

**COUNCIL ACTION REQUESTED**

Move to Adopt "An Ordinance of the City Council of the City of Pacifica Amending Title 4 of the Pacifica Municipal Code by Adding Chapter 14, Maintenance and Preservation of Trees"

CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
March 27, 2006

AGENDA ITEM NO. 5

**SUBJECT:**

Adoption of "An Ordinance of the City Council of the City of Pacifica Amending Certain Sections of Article 2 Chapter 1 of Title 6 of the Pacifica Municipal Code Regarding Animal Regulations" second reading

**ORIGINATED BY:**

City Manager's Office

**DISCUSSION**

This Ordinance was introduced at the March 13, 2006 City Council meeting and is in order for adoption.

**ATTACHMENTS**

Proposed Ordinance

**COUNCIL ACTION REQUESTED**

Move to Adopt "An Ordinance of the City Council of the City of Pacifica Amending Certain Sections of Article 2 Chapter 1 of Title 6 of the Pacifica Municipal Code Regarding Animal Regulations"

CITY OF PACIFICA  
CITY COUNCIL AGENDA SUMMARY REPORT

March 27, 2006

**AGENDA ITEM NO. 6**

**SUBJECT:**

Fire Suppression Assessment - Fund 8 - Independent Audit

**ORIGINATED BY:**

Finance Department

**DISCUSSION:**

February 14, the Fire Suppression Assessment fiscal year 2004-2005 was presented to the City Council for acceptance and filing. The City Council requested that the Finance Director meet with interested community members to explain the independent audit statements of the first year of the fire assessment. Two community meetings were held to that end with the following results in community participation.

The first meeting was held on Thursday, March 9 with a total of 17 in attendance. Nine of those were community members with no current or past fire department employment relationship with the City. Councilmembers Cal Hinton and Julie Lancelle were in attendance. The financial audit was fully explained and questions from the community members were answered. The non-employee members of the community seemed to be satisfied that the fire assessment funds are being used as they were intended. It is the City Administration's responsibility to be sure that the \$1 million is used for only two purposes; salaries/benefits and fire fighting equipment. It is up to the Fire Assessment Committee to make the recommendation to the City Manager each budget season as to how much of the \$1 million would be dedicated to firefighter salaries and how much would be put in reserve for fire fighting equipment/vehicles. The goal is to have approximately \$450,000 in the reserve account at the end of the assessment term to purchase a fire engine in 2010.

The second meeting was held Wednesday, March 15. Ten people attended with seven of the ten also in attendance at the first meeting. Four of the ten were members of the community with no City employment history...and two of the four attended both meetings. Councilmember Hinton was in attendance.

In conclusion, this audit has been thoroughly reviewed and discussed with interested community members per the City Council's request.

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

Fire Suppression Assessment Independent Audit

**COUNCIL ACTION REQUESTED:**

Accept the Fire Suppression Audit for the record.

**CITY OF PACIFICA**  
**CITY COUNCIL AGENDA SUMMARY REPORT**  
**March 27, 2006**

**AGENDA ITEM NO. 7**

**SUBJECT:**

Approve Pre-Acquisition Environmental Site Assessment Agreement with National Park Service for Sweeny Ridge and Authorize City Manager to enter into documents permitting more detailed property inspection or testing.

**ORIGINATED BY:**

City Manager's Office *CMB*

**DISCUSSION:**

The City owns a piece of vacant property on Sneath Lane (at Sweeny Ridge) (the "Property") within the City of San Bruno. The property is just over 7 acres and is zoned and planned for residential development. The City declared the property surplus in 1999, sent offer letters to all designated agencies, as required by state law, and received no responses.

The National Park Service (NPS) and the Pacifica Gas and Electric Company (PG&E) are concluding their settlement negotiations regarding PG&E's mitigation measures for the Jefferson-Martin 230 kV Transmission Line Project (which is proposed to traverse NPS lands). One of those mitigation measures includes a donation of \$800,000 to the City in exchange for a transfer of an easement interest in the Sweeny Ridge property to NPS and the transfer of the underlying fee to the City and County of San Francisco.

Prior to NPS's acquisition of any interest in the Property, NPS must conduct an environmental assessment. The initial stage of the environmental assessment process is a visual inspection of the Property. The attached Agreement has been drafted to allow NPS access to the Property, accompanied by a City representative, in order to conduct that visual inspection. If the Property passes the visual inspection, more detailed inspections are unlikely. If further inspection, or any testing, is required, NPS will need to execute another agreement in that regard. This process is a critical step in the contemplated transfer of Property interests to NPS and the City and County of San Francisco.

**ATTACHMENTS:**

United States Department of Interior Letter

**COUNCIL ACTION REQUESTED:**

Approve Pre-Acquisition Environmental Site Assessment Agreement and authorize the City Manager to execute the agreement and any other documents permitting more detailed or invasive property inspection/testing if required.

CITY OF PACIFICA  
CITY COUNCIL AGENDA SUMMARY REPORT

March 27, 2006

**AGENDA ITEM NO. 8**

**SUBJECT:**

User Fee Schedule – Cost of Services Study

**ORIGINATED BY:**

Finance Department

**DISCUSSION:**

At the February 14, 2006 City Council meeting, the City Council adopted the Mission Statement, Five Year Vision Statement and Strategic Plan Goals and Objectives. Goal #4 is to “broaden and enhance local revenues to provide stable, reliable, and sufficient revenue sources.” Objective 4(A) is to “locate and secure funding sources for public safety (Police and Fire) that allow for adequate staffing.” Objective 4(B) is to “explore and recommend funding sources for infrastructure maintenance and improvements which include sewer service/fee schedule.”

Over the past year the Finance Department has been working on a comprehensive user fee study to determine: (1) the services that are currently provided by all the departments of the City; and (2) the time/costs related to each individual service. As a result of this study, it has been determined that the Admin. Policy #2 fee schedule that has served for many years as the guideline for determining services and fees should soon be replaced to better reflect the City’s current services and ensure recovery of the City’s costs.

When the Finance Department has finalized the comprehensive user fee study, staff will bring to the Council a new fee schedule that will update and serve as a complete replacement for the existing fee schedule. This new schedule will reflect a change in methodology in identifying the services provided as they relate to costs of the City staff. Staff believes that this approach is consistent with the recently adopted Strategic Plan. This methodology includes not only the staff time/costs but also takes into consideration the comparison of fees of other local cities that provide the same services; as well as considering the reasonableness of the fees when it comes to matters of public safety. For instance, it may be advisable to keep the City’s fees lower than actual costs for services such as new hot water heater permits or HVAC system permitting, where permits and inspections are important for public safety.

**FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

None

**COUNCIL ACTION REQUESTED:**

Approve the approach recommended by staff and direct staff to return as soon as practicable to present to the Council for consideration a different and updated User Fee Schedule for the purpose of recuperating costs of services.

**CITY OF PACIFICA  
CITY COUNCIL AGENDA SUMMARY REPORT  
March 27, 2006**

**AGENDA ITEM NO. 9**

**SUBJECT:**

Public Hearing to Consider APPEAL of Denial of Heritage Tree Removal Permit  
Application No. HT-0053-05  
Appellant: Antonio Baltazar / Location: 126 Arcadia Drive.

**ORIGINATED BY:**

Public Works Department  
Parks, Beaches and Recreation Department

**DISCUSSION:**

This item came before the City Council for a public hearing on March 13, 2006. After taking public testimony, the Council continued the matter to the meeting of March 27, 2006 to allow Staff to review the arborist report submitted by the appellant and directed staff to return with findings granting the appeal and approving the tree removal permit.

The entire factual background and case history is set forth at length in the March 13, 2006, Council Agenda Summary Report, which is included (with all original attachments) herein as Exhibit "A." The case originated with an application to remove a protected ("Heritage") tree. The matter was opposed, however, by a neighboring resident, and the applicant was then requested to submit an arborist report justifying the removal of the tree. No report was submitted, and the Parks, Beaches and Recreation Commission ultimately voted to deny the permit. The applicant appealed the denial to the City Council, and—due to the fact that no arborist report had been submitted-- Staff initially recommended upholding the denial of the tree removal permit.

For the hearing, however, the appellant did subsequently provide a report from certified arborist Thomas Dahl, dated February 3, 2006, recommended removal and replanting [attached hereto as Exhibit "B"].

**DISCUSSION**

The Heritage Tree Ordinance (Chapter 4-12) applies. The criteria for granting a permit are set forth in PMC Sec. 4-12.05(c)(1-5), and include factors such as: "...the condition of the tree with respect to disease, health, damage, public nuisance, danger of falling, *the proximity to existing or proposed structures, interference with utility services...*" and whether the requested removal is "...*necessary for the economically viable use of the property.*" Also to be considered is: "...*the effect of the requested action upon shade, noise buffers, protection from wind damage, air pollution, historic value, and the general*

welfare of the area and the City as a whole,” and “...the number of healthy trees the parcel is able to support” [PMC Sec. 4-12.05(c)(4) & (5)].

When appropriate, the City may require an applicant (as in this case) “... to furnish a written report from a qualified horticulturist, arborist, or licensed landscape architect...” prior to making a final decision [PMC Sec. 4-12.05(d)]. Originally, no such report was submitted, and staff could not recommend removal without this information.

The subsequent report of Thomas Dahl (Ex. “B”), however, included the necessary in-depth analysis requested, and Dahl made several important findings: (i) Tree repeatedly topped and has no central leader; (ii) tree has disabled the drainage system and caused at least one sewer backup; (iii) tree leans over sidewalk for a partial obstruction at head height; (iv) tree roots are under and against the house foundation and sidewalk. Mr. Dahl’s recommendation is: “...that the Monterey Cypress Tree be removed. The stump is ground out and the roots severed. The elevated sidewalk be repaired. A new replacement tree shall be planted...” [see Ex. “B” – “Recommendation” paragraph].

The findings and recommendations in the arborist report are consistent with the conditions under which a tree removal permit may be granted [PMC Sec. 4-12.05(c)]. It appears the tree’s proximity to existing structures, as well as its structural condition, would favor removal and replanting, under specified conditions. However, the loss of the shade, wind-blocking, noise buffering, and scenic beauty must also be factored into any such approval. The City’s arborist has reviewed the report and finds it to be in order.

### **RECOMMENDATION**

Staff recommends that the City Council uphold the appeal, and **APPROVE** Heritage Tree Removal Permit Application HT-0053-05, based on the conditions set forth below:

### **Conditions:**

1. The Monterey Cypress Tree shall be removed only by a state-licensed tree removal contractor. The stump shall be ground out, the roots severed, and the elevated side walk repaired.
2. Homeowner must replace the tree with two (2) new trees—minimum fifteen (15) gallons. The tree species to be chosen must be approved by Staff before planting, the new trees must be located on property at least five (5) feet from the sidewalk.
3. The entire tree removal and sidewalk repair operation shall be bid, contracted and completed concurrently—using a single primary contractor.
4. The re-planting shall occur no more than sixty (60) days after removal.

5. The permit shall be null and void if authorized work has not commenced within forty (40) days of the issuance of the permit.

6. The conditional permit as issued represents the final administrative decision of the City. The timeframes for judicial review of same are set forth in the California Code of Civil Procedure Sec. 1094.6.

**ATTACHMENTS:**

- A. Staff Report (March 13, 2006)
- B. Arborist Report (Thomas Dahl)

**COUNCIL ACTION REQUESTED:**

Move to uphold the appeal and approve the Heritage Tree Removal Permit Application HT-0053-05, subject to conditions 1 through 6.

**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
March 27, 2006**

**AGENDA ITEM NO. 10**

**SUBJECT:**

Relocation of the 4000 amp Main Transformer for the Wastewater Plant 3<sup>rd</sup> Floor to the ground to Olsen Electric for \$381,285

**ORIGINATED BY:**

Public Works Department

**DISCUSSION:**

The main transformer for the Calera Creek Wastewater plant requires relocation from the 3<sup>rd</sup> floor to the ground. The transformer has severe harmonic vibration that may result in structural damage that could result in failure of the floor beams in the third floor of the treatment plant within the next 10 years. At present, there are high voltage and associated magnetic fields in the office area, which staff does not recommend. Also, the space occupied by the transformer is required for the inverters for the photovoltaic system.

The new system requires a disconnect switch and a 4000 amp bus duct. These are very expensive systems to install. We advertised for bids on January 18, 2006 and received the following three bids on February 6, 2006.

- Buthram and Collins - \$402,894
- Rodan Builders - \$710,800
- Mark Olsen Electric - \$381,285

It is staff determination that Mark Olsen Electric is the lowest responsive bidder.

**FISCAL IMPACTS:**

To finance this project in the wastewater budget, staff is eliminating the following projects from this fiscal budget 2005 – 2006 and postponing them for future budgets.

Sludge Handling - \$45,000  
Disinfection System Improvements - \$300,000  
Lewis Lane Sewer Improvements - \$32,000  
Collection System Budget Reduction - \$4,285

Based on the budget reductions above, no additional budget authority is required.

**ATTACHMENTS:**

Agreement

**COUNCIL ACTION REQUESTED:**

Authorize the City Manager to enter into attached agreement with Mark Olsen Electric for the Relocation of the main 4000 amp transformer at the Calera Creek Wastewater Plant for \$381,285 and to execute the document.

CITY OF PACIFICA  
CITY COUNCIL AGENDA SUMMARY REPORT

March 27, 2006

**AGENDA ITEM NO. 11**

**SUBJECT:**

Wi-Fi Services Contract Negotiation

**ORIGINATED BY:**

Finance Department

**DISCUSSION:**

On February 14, 2006, the City Council adopted a five-year Strategic Plan, which included a five year Vision Statement and ten goals with objectives. At least three of the goals point to supporting opportunities for emerging technologies. Goal 3 is to “maintain, modernize and beautify the City’s infrastructure and facilities.” Objective K is to “continue to enhance telecommunications opportunities by supporting...internet and community telecommunications....” Goal 5 is to “foster a vibrant business climate.” Objective B is to “promote the establishment of businesses that serve both residents and visitors alike.” Finally, Goal 9 is to “provide efficient, cost-effective City government and excellent customer service and administration.” Objective D is to “encourage improved citizen communication and build an inclusive community...research and recommend options for community wireless...support the enhancement of inter-communications infrastructure for City departments, non-profits and community to include wi-fi....”

Veraloft, LLC has come before the City Council twice to present and discuss the wireless internet services provided by that company. Staff believes that negotiating with this company is consistent with the City’s Strategic Plan goals and objectives. The City Council indicated an interest in allowing this company to operate this service with non-exclusivity in the City. Any final contract document would be returned to the City Council for approval at a future City Council meeting.

**FISCAL IMPACT:**

No Cost to the City.

**ATTACHMENTS:**

None

**COUNCIL ACTION REQUESTED:**

Staff requests approval from the City Council to enter into contract discussions with Veraloft, LLC.

**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
March 27, 2006**

**AGENDA ITEM NO. 12**

**SUBJECT:**

Award of Contract to IMR Contractor Corporation for the Fire Stations 71 and 72 Roof Replacement Project.

**ORIGINATED BY:**

Engineering Division  
Public Works Department

**BACKGROUND/DISCUSSION:**

Fire Station 71 at Edgemar Avenue and Fire Station 72 at Linda Mar Boulevard are the two remaining fire stations within the City of Pacifica. Both buildings are considered to be mature building being built in 1957 and 1976, respectively. Unfortunately, the roofs of both fire stations, much like the buildings, are old and leaking. Efforts have been made by the City Building Maintenance Division to patch the leaks but these efforts have been unsuccessful.

The Fire Stations 71 and 72 Roof Replacement Project will remove and replace the existing roofs over both buildings. The project plans and specifications were prepared by staff and was advertised for bid on February 15, 2006. A total of nine companies purchased copies of the project plans and specifications with five companies submitting bids. The Bid opening was held on March 16, 2006 and the result is as follows:

Enterprise Roofing Service, Inc.	\$232,750.00
IMR Contractor Corporation	\$192,000.00
Western Roofing Service	\$238,363.00
Pioneer Contractors, Inc.	\$207,000.00
Southwest Construction	\$279,488.00

The apparent low bidder is IMR Contractor Corporation. Staff has checked references and the assessment of IMR Contractor Corporation' s performance is satisfactory. All required documentations were submitted with their bid; therefore, staff recommends award of contract to IMR Contractor Corporation. If the low bidder does not provide the proper bonds and proof of insurance prior to the signing of the contract, the project may be awarded to the apparent second low bidder.

**FISCAL IMPACT:**

The fiscal impact is as follows:

**Project Costs**

Construction contract	\$192,000.00
Contingencies	<u>\$ 50,000.00</u>
<b><u>Total Project Cost</u></b>	<b><u>\$242,000.00</u></b>

**Project Funding**

Previous budget for roof replacement FY 05-06	\$215,000.00
Additional Budget Authority General Fund	<u>\$ 27,000.00</u>
<b><u>Total Funding</u></b>	<b><u>\$242,000.00</u></b>

There is a total of \$215,000.00 remaining in the current budget for roof replacement. An additional budget authority of \$27,000.00 from the General Fund is necessary to fully fund the project.

**DOCUMENTS ATTACHED:**

- 1) Contract
- 2) A copy of the project plans and specifications is available at the Engineering Division and will be available at the Council meeting.

**COUNCIL ACTION REQUESTED:**

Award contract to the apparent low bidder, IMR Contractor Corporation for the Fire Stations 71 and 72 Roof Replacement Project. Should that contractor not complete contract award requirements, authorize award to the second apparent low bidder; authorize the City Manager to execute all necessary documents associated with the award of contract; and approve additional budget authority in the amount of \$27,000.00 from the General Fund for this project.