CITY OF PACIFICA CITY COUNCIL AGENDA

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

CITY COUNCIL CHAMBERS 2212 BEACH BOULEVARD PACIFICA, CALIFORNIA 94044

April 9, 2007

www.cityofpacifica.org

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5:45 p.m. CLOSED SESSION

- 1. In Accordance with Government Code Section 54956.9(a). Conference with legal counsel-existing litigation. Walsh-Nicolas v. City of Pacifica, San Mateo County Superior Court Case No. CIV 453148
- 2. In Accordance with Government Code Section 54957. Public Employee Appointment: City Manager Recruitment.

7:00 p.m. REGULAR COUNCIL MEETING

Call to Order Roll Call Salute to the Flag led by Mayor DeJarnatt Commission Liaisons: None Chamber of Commerce Liaison: None

Closed Session Report: None

CONSENT CALENDAR

In a single motion, the City Council will consider and act upon Items 1 through 11.

- 1. Approval of disbursements dated 03/30/07 in the amount of \$1,010,283.72. Regular and quick checks numbered 115590 to 115775 (**Proposed action**: approve)
- 2. Approval of Minutes of Regular City Council Meeting of March 26, 2007 (**Proposed action**: approve)
- 3. Resolution Authorizing the Support of the Reauthorization of the Dedicated Motor Vehicle Fee California Government Code Section 65089.11 Et. Seq. (**Proposed action**: move to approve resolution supporting the dedicated motor vehicle fee California Government Code Section 65089.11 et. seq.)
- 4. Approve Side Letter of Agreement to the Memorandum of Understanding with Teamsters Local 856 for Miscellaneous Employees Establishing a Pay Rate for Call Back on Sanitary Sewer Work Related Calls (**Proposed action**: approve side letter of agreement to the Memorandum of Understanding with Teamsters Local 856 Miscellaneous Employees establishing a pay rate for call back on after hours sanitary sewer work related calls)

- 5. Approve Side Letter of Agreement to the Memorandum of Understanding with Teamsters Local 856 for Miscellaneous Employees Establishing Certification Pay for Tree Trimmers (**Proposed action**: approve side letter of agreement to the Memorandum of Understanding with Teamsters Local 856 Miscellaneous Employees Establishing certification for tree trimmers)
- 6. Adoption of the Ordinance titled "An Ordinance of the City Council of the City of Pacifica, Amending Chapter 6 of Title 6 of the Pacifica Municipal Code Relating to Sewer Service Charges" second reading (**Proposed action**: move to adopt the ordinance entitled "An Ordinance of the City Council of the City of Pacifica, Amending Chapter 6 of Title 6 of the Pacifica Municipal Code Relating to Sewer Service Charges")
- 7. Adoption of the Ordinance titled "An Ordinance of the City Council of the City of Pacifica Adding Article 47, Titled "City of Pacifica Below Market Rate (Inclusionary) Program", to Title 9, Chapter 4 of the Pacifica Municipal Code" second reading (**Proposed action**: move to adopt an ordinance entitled "An Ordinance of the City Council of the City of Pacifica Adding Article 47, Titled "City of Pacifica Below Market Rate (Inclusionary) Program" to Title 9, Chapter 4 of the Pacifica Municipal Code"
- 8. Authorize the City Manager to Enter into an Agreement with G & G Builders Inc. for \$37,430.00 for the Purchase and Installation of the Fairmont West Playground Equipment (**Proposed action:** authorize the City Manager to enter into the attached Agreement with G & G Builders Inc. for \$37,430.00 and authorize budget authority)
- 9. Fire Suppression Assessment Fund 8 Independent Audit (**Proposed action**: accept the Fire Suppression Independent Audit for the record)
- 10. Earth Day Volunteers (**Proposed action**: accept as information only)
- 11. Update on Farmers Market (Proposed action: accept staff report and authorize staff to move forward with locating the Farmers' Market on Old County Road, Rockaway Beach, subject to required permits)

SPECIAL PRESENTATION

Proclamation - Earthquake Preparedness

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.

CONSIDERATION

12. City of Pacifica 50th Anniversary Banquet Committee Update (**Proposed action**: direct staff as to how to proceed and waive fees for use of Community Center, approve the use of staff time, and authorize the use of the City seal on invitations and correspondence)

- 13. Award of Contract to Bay Pacific Pipelines, Inc. for the Monterey Road Sanitary Sewer Improvements Project for \$269,215.00 Authorize Additional Budget Authority of \$216,000.00 (**Proposed action**: authorize the City Manager to enter into the attached agreement with Bay Pacific Pipelines, Inc. for Monterey Road Sanitary Sewer Improvements Project for \$269,216.00. Authorize budget authority for \$216,000.00)
- 14. Authorize the City Manager to Direct the Contractor to Order the Rock for the Beach Boulevard Seawall Repair and Authorize Budget Authority in the Amount of \$600,000.00 (**Proposed action**: authorize the City Manager to direct contractor to place an order with the rock supplier for the supplier to begin quarrying the rock for Beach Blvd. and authorize budget authority in the amount of \$600,000.00)
- 15. Adoption of Resolution Stating Intention to Revise the City's Sewer Charges Beginning Tax Year 2007-2008 the Proposed Increase is 9.21% (**Proposed action**: adopt resolution of the City Council of the City of Pacifica stating its intention to revise the City's sewer charges beginning tax year 2007-2008)
- 16. Sharp Park Golf Course (**Proposed action**: authorize staff to take the next steps in entering into discussions)

ADJOURNMENT

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

The Pacifica Municipal Code is available on line at the City's website (www.cityofpacifica.org); at the website, scroll down to find the Link.

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HOW TO REACH YOUR LEGISLATORS

- Governor Arnold Schwarzenegger, State Capitol Building, Sacramento CA 95814 (916) 445-2841
- State Senator Leland Yee, 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

April 9, 2007

Item No. 3

SUBJECT:

Resolution Authorizing the Support of the Reauthorization of the Dedicated Motor Vehicle Fee California Government Code Section 65089.11 Et. SEQ.

ORIGINATED BY:

City Manager's Office

DISCUSSION:

In 2004, the Governor signed Bill AB 1546 (Simitian) which allowed San Mateo County to collect \$4 per vehicle to address the issues of storm-water pollution and congestion management. Since then, the program has been successfully implemented and has distributed \$2.4 million to cities and the County. It is estimated that approximately \$9 million will be available to the cities and county over the life of the current bill and as much as \$35 million if this bill is extended. Of the \$2.7 million collected so far, less than 5% went to administrative costs and approximately \$375,000 remains undistributed pending programs currently under consideration by the Technical Advisory Committee (TAC)

The City of Pacifica has been allocated \$64,955.61. Estimated total revenues anticipated to be \$876,900.74 if this bill is extended to January 1, 2019.

Under current statue, the bill will sunset on January 1, 2009 unless reauthorized. Therefore, staff recommends supporting SB 613 to extend the sunset date to January 1, 2019.

FISCAL IMPACT:

None

ATTACHMENTS:

Resolution C/CAG Brochure for SB 613 Distribution of Funds to Cities/County

COUNCIL ACTION REQUESTED:

Move to approve resolution supporting the dedicated motor vehicle Fee California Government Code Section 65089.11 et. seq.

April 9, 2007

Item No. 4

SUBJECT:

Approve Side Letter of Agreement to the Memorandum of Understanding with Teamsters Local 856 for Miscellaneous Employees establishing a pay rate for call back on sanitary sewer work related calls.

ORIGINATED BY:

Human Resources

DISCUSSION:

The Public Works Department has been discussing a new pay rate for maintenance workers that would be equivalent to the rate of pay received by wastewater treatment plant employees when responding to an after hours sewer emergency.

Currently a wastewater treatment plant employee who responds to a sewer related call receives \$34.96 per hour which is then paid at an overtime rate of time and a half (1.5x) or \$52.45 per hour. The maintenance worker receives an average pay of \$26.89. The City is proposing that both the maintenance worker and wastewater treatment plant employee receive approximately the same hourly rate for after hour or call back sewer work. Therefore, the City is proposing that maintenance workers who respond to after hour sewer calls receive overtime at a double time (2x) rate or \$53.78.

FISCAL IMPACTS:

The maintenance division logged 66 hours of time working on after hours sewer related work in 2006. The new rate will result in a \$1,000 increase in overtime costs for the maintenance division. An additional \$13.45 per hour at approximately 74 hours of sewer work related calls after hours.

ATTACHMENTS:

Side letter:

 City of Pacifica and Teamsters Local 856 Miscellaneous Employees establishing a pay rate for call back on after hour's sanitary sewer work related calls.

COUNCIL ACTIONS REQUESTED:

 Approve Side Letter of Agreement to the Memorandum of Understanding with Teamsters Local 856 Miscellaneous Employees establishing a pay rate for call back on after hours sanitary sewer work related calls.

April 9, 2007

Item No. 5

SUBJECT:

Approve Side Letter of Agreement to the Memorandum of Understanding with Teamsters Local 856 for Miscellaneous Employees establishing certification pay for Tree Trimmers.

ORIGINATED BY:

Human Resources

DISCUSSION:

The Public Works Department has a tree trimming crew that provides both tree trimming services and street light maintenance for the City. Employees on the crew receive extensive training in climbing, power line safety and tree trimming, eventually certifying in each of the areas – climbing, power lines and arborist. The City and Teamsters Local 856 recognize the value of certification and as with other specialized training propose to compensate employees for maintaining certification in these specialized areas at the following rates:

1% for climbing certification

1% for power line certification

1% for arborist certification

FISCAL IMPACTS:

The maximum impact to the Public Works budget, if every employee, working at the highest possible salary rate, were to certify in all three categories (3% total) would be \$8,000 per year. The average employee will certify in one or two areas and the anticipated impact to the City budget will be \$3,000.

ATTACHMENTS:

Side letter:

• City of Pacifica and Teamsters Local 856 Miscellaneous Employees establishing certification pay for Tree Trimmers.

COUNCIL ACTIONS REQUESTED:

 Approve Side Letter of Agreement to the Memorandum of Understanding with Teamsters Local 856 Miscellaneous Employees establishing certification for tree trimmers.

City of Pacifica Council Agenda Summary Report April 9, 2007

Item No. 6

SUBJECT:

Adoption of the ordinance titled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA, AMENDING CHAPTER 6 OF TITLE 6 OF THE PACIFICA MUNICIPAL CODE RELATING TO SEWER SERVICE CHARGES" second reading

ORIGINATED BY:

City Manager's Office

DISCUSSION:

This ordinance was introduced at the City Council meeting of March 26, 2007 and is in order for adoption.

This ordinance is to be published once within 15 days after its passage and will become effective thirty days after its final passage.

FISCAL IMPACT:

None

ATTACHMENTS:

Sewer Service Charges Ordinance

RECOMMENDATION:

Move to adopt an ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA, AMENDING CHAPTER 6 OF TITLE 6 OF THE PACIFICA MUNICIPAL CODE RELATING TO SEWER SERVICE CHARGES"

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SUBJECT:

Adoption of an ordinance titled "An Ordinance of the City Council of the City of Pacifica Adding Article 47, Titled "City of Pacifica Below Market Rate (Inclusionary) Program", To Title 9, Chapter 4 of the Pacifica Municipal Code" second reading

ORIGINATED BY:

City Manager's Office

DISCUSSION:

This ordinance was introduced at the City Council meeting of March 26, 2007 and is in order for adoption.

This ordinance is to be published once within 15 days after its passage and will become effective thirty days after its final passage.

FISCAL IMPACT:

None

ATTACHMENTS:

Ordinance

COUNCIL ACTION REQUESTED:

Move to adopt an ordinance entitled "An Ordinance of the City Council of the City of Pacifica Adding Article 47, Titled "City of Pacifica Below Market Rate (Inclusionary) Program" to Title 9, Chapter 4 of the Pacifica Municipal Code"

Item No. 8

SUBJECT:

Authorize the City Manager to Enter into an Agreement with G & G Builders Inc for \$37,430.00 for the Purchase and Installation of the Fairmont West Playground Equipment.

ORIGINATED BY:

Public Works / PB&R Department

DISCUSSION:

As a part of the Smart Kids Grant through the Child Care Program, the PB&R Department is having new playground equipment installed at Fairmont West.

The project was advertised on March 9th, 2006. Bids were received on March 28th. Two bids were received: G&G Builders Inc; in the amount of \$19,319.00 and Scapes Inc., in the amount of \$52,445.00. The lowest responsible bidder was G & G Builders Inc. Staff recommends that the City enters into the attached agreement with G & G Builders Inc.

FISCAL IMPACTS:

The project is funded through the Smart Kids Grant and not the General Fund. Budget Authority is required.

ATTACHMENTS:

Agreement Bid Sheet

COUNCIL ACTION REQUESTED:

Authorize the City Manager to enter into the attached Agreement with G & G Builders Inc. for \$37,430.00 and execute any necessary documents and authorize budget authority.

CITY OF PACIFICA

CITY COUNCIL AGENDA SUMMARY REPORT

April 9, 2007

Item No. 9

SUBJECT:

Fire Suppression Assessment - Fund 8 - Independent Audit

ORIGINATED BY:

Finance Department

DISCUSSION:

The Fire Suppression Assessment, approved by the voters of the City of Pacifica in 2003, assesses each residential parcel \$75.24 per year and calls for an annual independent audit. To that end, a new fund (Fund 8) was set up within the government financials to separately track all revenue and expenditure activity of the Fire Suppression Assessment. This report will present the independent audit along with an item-by item-explanation of the revenues and expenditures in Fund 8. This audit covers the second year of the Fire Suppression Assessment for fiscal year 2005-2006.

The independent audit firm that performed the audit Moss, Levy & Hartzheim, LLP, 9107 Wilshire Blvd., Ste. 400, Beverly Hills, CA 90210 (310/273-2745). This is a different auditing firm from last year's audit on the Fire Assessment. It is good fiscal management to change independent auditors at least every 3-4 years in order to introduce a fresh look at the government financial statements and maintain an "independent" relationship.

The Fire Suppression Assessment, as approved by the voters, limits the use of these funds to only two functions: To support the Fire Department salaries and benefits; and to purchase equipment or vehicles necessary for the Fire staff to perform their duties to protect structures and occupants from fires.

There was a community meeting held on March 21 in the PB&R conference room to review the Fire Assessment audit. There were fifteen community members in attendance, most of which also attended last year's Fire Assessment audit review meetings. The meeting was posted in the Pacifica Tribune two weeks in a row and either phone calls or e-mails were sent to attendees from last year's review in an effort to reach out to all interested community members.

Please review the attachments to the audit showing documentation of all expenditures from the Fire Assessment funds. To summarize: Total revenues received were \$1,041,592 including \$7,881 of interest earnings. Total expenditures on fire fighting small equipment totaled \$5,463. There were tax collection expenses of \$18,114 and audit expenses of \$2,045. A total of \$900,000 was appropriated to partially fund the cost of firefighter's salaries and benefits out of a total Fire Department salary and benefits cost of \$4,891,265. There was an additional cost of overtime in the amount of \$562,898, which is **not** included in the total salary and benefits of \$4,891,265. Additionally, \$115,970 was placed in the Large Vehicle Replacement account in the Fire Assessment Fund. The balance reserved for a new engine at the end of the second year of the Fire Assessment is \$193,453 with a goal of \$500,000 by the end of the five year assessment.

The group requested four year history of actual expenditure information showing the total salaries and benefits and overtime of each firefighter position with no names included. They also asked for the total firefighter count for each of those years. This information was assembled and e-mailed to the entire group on March 30, 2007.

FISCAL IMPACT:

None

ATTACHMENTS:

Fire Suppression Assessment Independent Audit with expenditure handouts

COUNCIL ACTION REQUESTED:

Accept the Fire Suppression Independent Audit for the record.

Item No. 10

SUBJECT:

Earth Day Volunteers

ORIGINATED BY:

Finance Department

DISCUSSION:

The Beach Coalition group is planning an Earth Day litter cleanup campaign throughout the City of Pacifica on Saturday, April 21. It is anticipated that 500 volunteers will participate working all morning from 10:00 to 12:00 noon. The day's events are intended to be both educational and fun with the goal of protecting our environment and sending a message about the damage caused by litter.

The Beach Coalition group will be providing a sandwich lunch and beverages for the volunteers at Sharp Park at 12:00. The event will feature speakers and dignitaries discussing the good work Pacificans are doing to safeguard the environment. The City along with many other organizations will sponsor a lunch for the volunteers consisting of sandwiches and soft drinks. Each volunteer will also receive a plastic water bottle with the sponsor's names on it. The City will contribute \$2500 for the day's events, which has been approved by the City Manager from the contingency budget.

RECOMMENDATION

Accept as information only

ATTACHMENTS:

None

Item No. 11

SUBJECT:

Update on farmers market

ORIGINATED BY:

Finance Department

DISCUSSION:

There was a kick-off meeting on February 22 attended by approximately 40 members of the community. At that meeting, the manager requested community input to come up with a name for the farmers market. It seems the most likely name will be "Coastside Farmers Market at Rockaway".

The location decided upon is Rockaway on Old County Road, directly east of Dondee. The original location selection at Pedro Point did not work out because of the length of time it would take to get the coastal use permit. However, a license agreement was worked out with the owner of the Pedro Point Shopping Center and this location may be utilized in the coming years.

We have approached the majority of the businesses around Rockaway to inform them of the new site location with positive feedback from everyone we approached.

The market manager has met with the fire Deputy Chief, the Police Chief, the City Engineer and a Planning staff member to discuss traffic and other safety planning issues.

The permit is in the hands of the planning department and will go before the Planning Commission on April 16, 2007. Insurance issues are still being addressed.

Staff members from all departments are working to finalize the procedural steps in time to open the market no later than middle May.

The second meeting took place on Wednesday, April 4 at 6:00 in the Council Chambers. There will be further updates to the City Council regularly.

FISCAL IMPACT:

None

ATTACHMENTS:

None

COUNCIL ACTION REQUESTED:

Accept Staff Report and authorize staff to move forward with locating the Farmers' Market on Old County Road, Rockaway Beach, subject to required permits

Item No. 12

SUBJECT:

50th Anniversary Banquet Committee Update

ORIGINATED BY:

Parks, Beaches, and Recreation Department

DISCUSSION:

The '50th Anniversary Banquet Committee', comprised of May Gee, Chris Porter, Cal Hinton, Barbara Carr, and Shirley Gibbs, and attended by the PB & R Director has been meeting every two weeks. This committee who has past experience with previous city anniversaries has planned a banquet to take place at the Community Center on Saturday, November 17. The committee has not requested funds from the City for the event, only the use of the Community Center on Saturday and for a Sunday event. PB&R requires that a building attendant be present at all events, which is estimated to be a total of 17 hours for part-time recreation personnel to staff both events.

The committee is seeking sponsorship and donations from the community to offset additional costs as the funds from the \$50 plate dinner is anticipated to only cover the local caterer and decoration expenses. The committee has also arranged for a local printer to provide invitations and correspondence.

Recognizing that the 200 limit for the dinner will not accommodate a large amount of people, the committee has planned two additional events for Sunday, November 18. The first event would be at the Community Center from 11:00 am-4:00pm and the second event is 'The Taste of Pacifica', from 1:30 pm-4:00 pm at Nick's. Committee member Gibbs will provide more information and background as a part of this agenda item, as the Director is not a formal city liaison who can speak for the committee.

FISCAL IMPACT:

Estimated \$255 for part-time PB&R staff hours

COUNCIL ACTION REQUESTED:

Direct Staff as to how to proceed and waive fees for use of Community Center, approve the use of staff time, and authorize the use of the City seal on invitations and correspondence.

Item No. 13

SUBJECT:

Award of Contract to Bay Pacific Pipelines, Inc. for the Monterey Road Sanitary Sewer Improvements Project for \$269,215. Authorize Additional Budget Authority of \$216,000.

ORIGINATED BY:

Public Works Department

DISCUSSION:

The sewer system at Monterey Road between Hickey Boulevard and Fremont Avenue are performing 100% capacity on normal days. During rainy weather, the sewer system surcharges and the sewer laterals of some of the residents on the south side backs up because their laterals are either lower than the mainline or the slope is very flat. This happens routinely. This situation will be worsen with the additional 95 units the Cypress Walk Project, located southeast of Monterey Road, will create. As mitigation for their impact, the developer of the Cypress Walk Project designed the new sewer system that will accommodate their project and greatly increase the capacity of the sewer system on Monterey Road. In addition they will also pay their fair share of the cost for the construction of this improvement.

Advertisement for this project was done in accordance with the formal bid process on January 24, 2007 and on March 2, 2007, bids were received. Sixteen companies bought plans and specifications but only ten submitted bids. The result of the bid opening is as follows:

Bay Pacific Pipelines, Inc.	\$269,215.00
D&D Pipelines, Inc.	\$278,644.00
Ranger Pipelines, Inc.	\$324,319.00
JDB Construction	\$327,419.24
J. Flores Construction	\$333,332.00
Casey Construction	\$386,252.00
Pacific Underground	\$423,570.00
Power Engineering	\$428,253.00
Precision Engineering	\$441,645.00
ARB, Inc.	\$489,639.00

The apparent low bidder is Bay Pacific Pipelines, Inc. All required documentations were submitted with their bid. In addition staff has verified some of their listed reference projects and agencies and the response were satisfactory. Therefore, staff recommends award of contract to the apparent low bidder.

FISCAL IMPACT:

Project Cost:

Construction Cost	\$269,215.00
Compaction Test	\$ 6,000.00
15% Contigency	<u>\$ 40,382.00</u>
Total Cost	\$315,597.00

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Award of Contract to Bay Pacific Pipelines, Inc. for the Monterey Road Sanitary Sewer Improvements Project.
Authorize Budget Authority for \$216,000
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The project has an authorized budget of \$100,000.00 from the Wastewater Enterprise Fund, an additional \$216,000 budget authority from the Wastewater Enterprise Fund is needed to complete the work. At the end of the project, staff is anticipating a refund of approximately 23% of the final construction cost from the Olson Company (estimated \$73.000.00), the developer for the Cypress Walk Project. In addition, the developer will pay a \$2,600.00 connection fee for each of the 90 units developed (\$234,000.00).

DOCUMENTS ATTACHED:

Agreement.

COUNCIL ACTION REQUESTED:

Authorize the City Manager to enter into the attached agreement with Bay Pacific Pipelines, Inc. for the Monterey Road Sanitary Sewer Improvements Project for \$269,216. Authorize Budget Authority for \$216,000.

Agenda Item No. 14

SUBJECT:

Authorize the City Manager to Direct Contractor to Order the Rock for the Beach Blvd. Seawall Repair and Authorize Budget Authority in the amount of \$600,000.

ORIGINATED BY:

Public Works

DISCUSSION:

City staff is in the process of obtaining a Coastal Permit for the Beach Blvd. Seawall. The application was submitted in September. We have been responding to concerns from the Commission staff and will be resubmitting the application as soon as the Commission staff is satisfied. We have met with the Commission staff and have been given strong indications that we will ultimately receive a permit. At the current rate it will take approximately 3 months to obtain the Coastal Permit. The notice of exemption pursuant to CEQA was filed with the county on October 13, 2006.

The Beach Blvd Seawall is constructed with a rock revetment toe protecting a segmented tie-back retaining wall. The wall requires a lot of maintenance. The City invests approximately \$500,000 to a \$1 million about every 5 to 10 years in the maintenance of the Seawall. The types of failures that occur include wash out of the tiebacks due to failure of the rock toe revetment, wash out of the tiebacks from holes in the wall and wash out of the tiebacks through failure of the surface protecting the wall. Undermining and washing out of the tiebacks will cause the wall to collapse. We have experienced sections of the wall collapsing in 1998 and 1988. Large voids opened up behind the wall this winter. The void at the concession stand exceeded 200 cubic yards.

The seawall protects the promenade coastal trail and Beach Blvd. Beach Blvd. houses utilities and provides access to the homes on the east side of the street. The cost to construct this wall was approximately \$1500 per linear foot in 1984. The cost to replace the wall with a monolithic concrete structure would exceed \$15,000,000 today.

Power Engineering Contractors Inc. was awarded the 2006 FEMA Repairs Contract on October 9th, 2006 which includes four FEMA 1628 Project sites; Beach Seawall, Rockaway Seawall, Clarendon Outfall and the Pier Pile Wraps for a total of \$1,368,525 for all four project sites. The Beach/Rockaway Seawall total project cost is \$1,076,118 and was combined into "one project" during the FEMA investigatory process which occurred over many months in 2006. This repair is funded by FEMA.

The work associated with the Beach Seawall Repair includes repair of the voids behind the wall, resurfacing and the replacement of large rock (10 to 15 ton) on the face of the wall. During the process we will be mining rock from the surf zone to protect beach users. In 2002, the City rebuilt the rock toe with large stable rock in the 10-ton size range. The face rock is primarily made up of 3 to 7 ton rock that can be plucked off the face and roll onto the beach. Rock below 10-ton is too small to be stable in this ocean environment. The current project will provide needed stability to the wall face by removing a portion of the smaller tonnage rock and replacing it with larger 10 to 15 ton rock, and as a result will provide adequate protection for another 10 years. Without this repair the wall could be seriously damaged within the next 5 years.

The large rock is not commercially available and must be quarried specifically for this job. Our Contractor has obtained a commitment from a quarry located in the central Sierras. It will take approximately 3 months to quarry the rock. If we wait until we receive the Coastal Permit before we quarry the rock, we will lose the \$600,000 quoted price for the cost of the rock and will not be able to start placement of the rock until next winter. The cost of placement in the winter will be much higher and additional damage to the wall will be inevitable.

Staff recommends that the rock be quarried as soon as possible to take advantage of the optimum construction period and to minimize damage to the wall.

FISCAL IMPACTS:

The City will be committing to the purchase of approximately \$600,000 of rock prior to receiving the Coastal Permit for the work. There is some risk in this action but it is most likely offset by the risk of not proceeding with the order. Budget Authority was not requested in the initial Contract Award Council Report dated 10/13/06 as this is a FEMA funded Project as a result of Disaster 1628. As we have not yet received funding from FEMA, the City Council will need to authorize Budget Authority in the amount of \$600,000 in order to expedite the quarrying of the Rock. City Staff is currently working along with the City's FEMA consultant to revise the Project Worksheet to describe the cost/scope associated with the seawall repair. Once staff has completed this task, staff will direct their attention to filing advance payment requests with OES and FEMA to secure the funding as soon as it is possible from the Federal Government for this repair.

ATTACHMENTS:

None.

COUNCIL ACTION REQUESTED:

Authorize the City Manager to direct Contractor to direct the rock supplier to begin quarrying the rock for Beach Blvd and Authorize Budget Authority in the amount of \$600,000.

Agenda Item No. 15

SUBJECT:

Adoption of A Resolution of the City Council of the City of Pacifica Stating Its Intention to Revise the City's Sewer Charges Beginning Tax Year 2007-2008

ORIGINATED BY:

Public Works Department & Finance Department

DISCUSSION:

The minimum sewer rate is proposed to increase by 9.21% from \$352.08 per year to \$384.50 per year.

As the City Council is aware, in 1980, the City of Pacifica was an example by the Regional Water Quality Control Board, Stanford University and UC Berkeley on how NOT to handle wastewater. We had a secondary plant that discharged higher levels of solids than came into the plant as raw wastewater. We overflowed over 50% of our raw sewage on the beaches and streets of the City. In 1983 we modified the secondary plant so that it met dry weather discharges for the first time. In 1984 through 1990 we added trunk sewers and pump stations to effectively eliminate all raw sewage bypassing with the exception of that caused by mechanical breakdowns and those caused by excessive flows due to failed private sewage laterals.

By 1990, all of the City's wastewater flows made it to the poorly designed Sharp Park Treatment Plant. The plant had a peak capacity of 6 mgd with wet weather flows of 25 mgd. In 1991, the City embarked upon the planning and design phase of the wastewater treatment plant upgrades. This was one of the final phases of the Wastewater Capital Improvement Plan. It was determined to be more cost effective to construct a new tertiary treatment plant than to repair the existing plant. In 1995, the Regional Board imposed a \$1.5 billion dollar fine for failure to treat wet weather flows at a secondary level.

The new treatment plant included the following features that are paying off today:

- 1. The \$1.5 billion fine was eliminated.
- 2. The plant is carbon discharge neutral and will meet all future green house gas limits by controlling CO2 uptake in the 45,000 planted tree treatment wetlands.
- 3. The plant meets the most stringent nitrogen and phosphorous discharge limits that are currently being imposed on other bay area dischargers.

- The plant meets the most stringent metal, pharmaceuticals and organic compound discharge requirements that are currently being imposed on other bay area dischargers.
- 5. The plant produces very high quality unrestricted reclaimed water. We are working with North Coast County Water District to distribute this extremely valuable resource.
- 6. The cost of these capital improvements have been high for a City with no industry and low levels of commercial development. However, due to the timing of the construction of the treatment plant (good bidding climate), the cost was low at \$50,000,000 as compared to comparable plants today at \$150,000,000 to \$250,000,000.
- 7. Our sewer rates are mid range for San Mateo County and we are on the downside of completing our capital improvements to meet current and all future foreseeable discharge regulations. The City of Pacifica's annual minimum sewer service charge is currently \$352.08.

As you can see from the chart below, Pacifica's current minimum rate is the sixth lowest in the County, where the County median rate is \$386.00 and the average rate is \$519.26. It should also be noted that several agencies are receiving mandated improvement requirements, as the City of Pacifica received in 1980, to perform major plant renovation costing millions of dollars to bring their sewer plants into environmental compliance, requiring dramatic increases in rates in the coming years. Also, please note that the smaller the population of the City, the higher the cost per household requirement to support the operations of a sewer plant.

SAN MATEO COUNTY CITY COMPARISONS

CITY	MINIMUM ANNUAL		ANTICIPATED
	SEWER CHARGE	POPULATION	INCREASE
San Carlos	\$276.00	28,190	13%
Menlo Park	\$290.00	30,648	7%
Redwood City	\$315.00	75,986	12%
South San Francisco	\$323.00	61,724	9%
San Mateo	\$352.00	94,212	6-8%
Pacifica	\$352.08	39,034	9.21%
Belmont	\$364.00	25,470	6%
Burlingame	\$395.00	28,189	9.5%
Daly City	\$406.00	104,661	10%
San Bruno	\$410.00	41,750	N/A
Foster City	\$421.00	28,866	N/A
Millbrae	\$499.00	21,000	N/A
Hillsborough	\$1,404.00	10,983	5%
Brisbane	\$1,462.56	3,597	3%

To fund the construction of the Calera Creek Water Recycling Plant, a 1995 State Revolving Loan \$46 million was required. To complete the improvements, the City authorized an additional Sewer Revenue Bond in 1996 for \$5 million. In 2003, the City issued a Bond that extended the payments for the Revolving Loan to begin in fiscal year 2008-2009. Consequently, total annual debt service cost for the Water Recycling Plant will increase from \$1.4 million to \$3.5 million per year to include the Revolving Loan Payments.

This increase in loan payments is an increase in operating costs of 26%. To avoid a rate increase of this magnitude, we have reduced the operating cost from last year by \$400,000 and reduced the capital expenditures necessary to keep the plant repaired by an additional \$400,000. By reducing the operating costs by approximately \$800,000 and making no deposit into the reserve account, an increase in revenues of 9.7% is required to pay the additional payment of \$2.1 million that is due in July 2008. The sewer rate increase is obtained by calculating a formula including the revenue requirement in conjunction with the water flow during the two consecutive heaviest rainfall months, which resulted in a 9.21% sewer rate increase requirement. If the City raises the sewer rates by less than 9.21%, the Wastewater Enterprise fund will have to borrow money from the general fund or sell additional bonds. After making the payment with the 9.21% increase, the Wastewater Fund will have essentially no operating reserve. On the positive side, the plant will be operating with a balanced budget. However, a plant of our size requires a reserve of about 10% or \$5 million to operate safely. Next year (2008/2009) wastewater rates should be raised an additional 9% to begin making deposits into the reserve account. raised by the Consumer Price Increase (CPI) for following years, the reserve account should reach \$5 million by 2011.

Additionally, for your information, the Impact of the Bighorn-Desert View Water Agency Supreme Court decision will be implemented with the imposition of a rate increase for the new fiscal year. The increase of 9.21% is now subject to the Proposition 218 45-day notice requirement. All property owners will receive a notification in the mail 45 days before the sewer fee increase is scheduled for public notice on the agenda. A protest vote of 51% of total property owners would repeal the proposed increase. Also, revenues derived from the fee may not exceed the cost to provide the property related service, but does include the cost of capital improvements.

FISCAL IMPACT:

Revenue increase requirement of 9.7% - Sewer Rate Increase of 9.21%

ATTACHMENTS:

Sewer Service Charges Proposed for Fiscal Year 2007-2008 Resolution

COUNCIL ACTION REQUESTED:

Move to Adopt a Resolution of the City Council of the City of Pacifica Stating Its Intention to Revise the City's Sewer Charges Beginning Tax Year 2007-08

Agenda Item No. 16

SUBJECT:

Sharp Park Golf Course

ORIGINATED BY:

PB&R, Public Works, Finance

DISCUSSION:

City Staff and two City Councilmembers recently met with the City of San Francisco Recreation & Parks Department staff to discuss the potential disposition of the Sharp Park Golf Course. In order to go forward as a participant in the discussions, staff is asking City Council to authorize staff to prepare a letter of intent to participate in the decision making by describing Pacifica's interest in maintaining the golf course for public use.

San Francisco will be making the decision regarding Sharp Park Golf Course as a consideration of their fiscal year 2007-2008 budget during the next few months. The letter of intent would go to the S.F. Recreation & Parks commission meeting on April 19, 2007, so time is of the essence. The current indication is that the San Francisco Board of Supervisors no longer wants the S.F. General Fund to subsidize their golf course properties and is, therefore, looking for alternatives. The Sharp Park Golf Course is held in trust by the City of San Francisco and so cannot be sold, but can be leased to an interested public or private agency for a nominal annual lease amount, as long as it is maintained as a public recreational facility. It is in the best interest of the City of Pacifica to retain the golf course status as it is a valuable asset to the community.

FISCAL IMPACT:

None at this time.

ATTACHMENTS:

None

COUNCIL ACTION REQUESTED:

Authorize staff to take the next steps in entering into discussions.