

# 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

**August 13, 2007**

[www.cityofpacifica.org](http://www.cityofpacifica.org)

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## 6:00 Time CLOSED SESSION

1. PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a): Conference with legal counsel-existing litigation. City of Pacifica v. Association of Bay Area Governments, Alameda County Superior Court Case No. RG05199072.
2. PURSUANT TO GOVERNMENT CODE SECTION 54956.8 Conference with real property negotiator. Discussion concerns price and terms of payment. Agency negotiator: Steve Rhodes. Property: 700 Coast Highway, Pacifica. Negotiating parties: The City of Pacifica and Martin Wahl.
3. PURSUANT TO GOVERNMENT CODE SECTION 54957.6. Conference with labor negotiator. Agency negotiator: Ann Ritzma. Employee organizations: Police Management Teamsters Local 350; Pacifica Police Supervisors Association, Unrepresented; Pacifica Police Officers Association, Unrepresented.

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

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

### CONSENT CALENDAR

**In a single motion, the City Council will consider and act upon Items 1 through 12 .**

1. Approval of disbursements dated:
  - a) 06/28/07 to 07/24/07 in the amount of \$412,672.01. Regular and quick checks numbered 81623, 81629, 81633, 116943 to 117031 and 117045 to 117116 (**Proposed action:** approve)
  - b) 07/06/07 to 07/24/07 in the amount of \$338,165.53. Regular and quick checks numbered 81624 to 81625, 117032 to 117044, and 117117 to 117144 (**Proposed action:** approve)
2. Approval of Minutes of Regular City Council Meeting of July 23, 2007 (**Proposed action:** approve)

- ✓ 3. Approval of Amendment #3 to Agreement for Contract Services with Christopher A. Joseph, Associates, for Environmental Review Services in Connection with the Proposed Project of 34 Residential Condominium Units at 801 Fassler Avenue Known as "The Prospects" (**Proposed action:** move to approve amendment #3 to the Agreement with Christopher A. Joseph, Associates for environmental review services in connection with the proposed development of 34 condominium residential units at 801 Fassler Avenue (APN 022-083-020 & 030), subject to legal changes as may be required by the City Attorney, authorize the City Manager to execute the document, and approve the necessary budget adjustment)
- ✓ 4. Approval of the Final Map for Connemara Subdivision (23 Residential and 2 Commercial Lots) on the Property Known as Lower Milagra Ridge and Acceptance of all Public Easements Dedicated in Said Final Map (**Proposed action:** approve the Final Map "Connemara", accept all Public Easements being dedicated in the said Final Map and authorize the City Manager to execute any and all documents necessary to record the said map)
- ✓ 5. Amendment to Agreement for Contract Services with Thomas Reid Associates (TRA), Consultant for Environmental Review Services in Connection with the Subdivision of Two Vacant Parcels into Thirteen (13) Lots and Development of a 2 Acre Lot with a Single-Family Residence with a Second Residential Unit at the Northeast Corner of Fassler Avenue and Roberts Road (**Proposed action:** move to approve Amendment No. 2 to the agreement with TRA for environmental review services in connection with the proposed development of the subdivision of two vacant parcels into thirteen (13) lots and development of a 2 acre lot with a single-family residence with a second residential unit at the northeast corner of Fassler Avenue and Roberts Road (APN 022-150-310, -420 and 022-150-030), subject to legal changes as may be required by the City Attorney, authorize the City Manager to execute the document, and approve the necessary budget adjustment)
- ✓ 6. Approval of Contract Services Agreement between the City of Pacifica and Wilsey Ham for Hydraulics Study and Additional Traffic and Bridge Structure Analysis in Connection with the Route 1, San Pedro Creek Bridge Replacement Project (**Proposed action:** approve the consultant services agreement between the City of Pacifica and Wilsey Ham for preparation of a hydraulics report and additional traffic and bridge structure analysis in connection with the Route 1, San Pedro Creek Bridge Replacement Project and authorize the City Manager to execute the agreement)
- ✓ 7. Fairmont Recreation Center Roof Replacement (**Proposed action:** authorize staff to advertise the project)
- ✓ 8. Amendments to Peninsula Humane Society and City Contracts (**Proposed action:** adopt resolution executing an amendment to the agreement with San Mateo County for the provision of Animal Control Services extending the contract term for three years and amending the payment schedule)
- ✓ 9. Adopt Resolution Extending the Golden Gate National Recreation Area Liaison Committee (**Proposed action:** adopt resolution entitled "Resolution of the City Council of the City of Pacifica Extending the Golden Gate National Recreation Area Liaison Committee")
- ✓ 10. Adopt Resolution and Approve Grant of Easement on the City-Owned Sweeney Ridge Parcel to the National Park Service (**Proposed action:** Find that the transfer is categorically exempt from CEQA and direct the Planning Director to file a Notice of Exemption with the County Clerk within five days; approve the resolution titled "Resolution of the City Council of the City of Pacifica Approving Terms and Execution of Documentation Transferring a Property Interest to the National Park Service"; approve the Letter Agreement as executed by the Interim City Manager; approve the vendor's Certificate of Possession and authorize the appropriate staff to execute the document; authorize the City Manager or his designee to negotiate and execute such other documents as are necessary to effect the transfer, as approved by the City Attorney)
- ✓ 11. Notice of Completion for the 1628-DR-CA 2006 FEMA Repairs Project: Beach Blvd. Seawall, Rockaway Beach Seawall, Clarendon Outfall and Pier Piles (**Proposed action:** adopt the resolution next in order a Resolution of the City Council of the City of Pacifica Accepting Completion and

Directing the City Manager to File Notice of Completion for 1628-DR-CA-2006 FEMA Repairs Project: Beach Blvd. Seawall, Rockaway Beach Seawall, Clarendon Outfall and Pier Piles)

- ✓ 12. Issue Request for Proposals to Consultants to Develop a Streetscape Plan for Palmetto Avenue and the Three Streets Parallel to and Between Paloma and Clarendon (**Proposed action:** authorize staff to issue an RFP to consultants to prepare a streetscape plan for Palmetto Avenue and the three streets parallel to and between Paloma and Clarendon and return to Council with a recommendation)

### SPECIAL PRESENTATION

- ❖ Commendation – William C. Norton

### 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. Pursuant to Pacifica Municipal Code Title 2, Chapter 1, Section 2-1.118 any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Council shall be called to order by the presiding officer and, if such conduct continues, may, at the direction of the presiding officer, be ordered barred from further audience before the Council during the meeting.

### PUBLIC HEARING

- ✓ 13. Continued Public Hearing for Fiscal Year 2007-2008 General Fund Operating Budget Consideration of Additional Funding (**Proposed action:** as part of the adopted Operations and Capital Budget for Fiscal Year 2007-2008 move to approve funding for School Resource Officer in the amount of \$75,000)

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

- ✓ 14. Police Department's Review of the Fourth of July 2007 (**Proposed action:** accept the police department's review of the fourth of July 2007)
- ✓ 15. Adoption of Resolution Delivering Quality Library Services (**Proposed action:** adopt resolution of the City Council of the City of Pacifica Delivering Quality Library Services)

### 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, 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.cityofpacificca.org](http://www.cityofpacificca.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
- President George W. Bush, 1600 Pennsylvania Ave. NW, Washington DC 20500 (202) 456-1111

**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
August 13, 2007**

AGENDA ITEM NO. 3

**SUBJECT:**

Amendment #3 to Agreement for contract services with Christopher A. Joseph, Associates, for environmental review services in connection with the proposed project of 34 residential condominium units at 801 Fassler Avenue known as "The Prospects".

**ORIGINATED BY:**

Planning and Economic Development Department

**DISCUSSION:**

On May 9, 2006 the City entered into a contract with Christopher A. Joseph, Associates, for environmental review services in connection with the proposed development of 34 condominium residential units on a vacant parcel addressed as 801 Fassler Avenue (see Attachment C). The project is also known as "The Prospects". The contract amount to complete the environmental review is \$100,820.

On October 11, 2006, Christopher A. Joseph, Associates requested an amendment to the Original Agreement because it incurred costs in excess of the budget that was approved by the Council on May 9, 2006. The cost overruns relate to additional analysis on several issue topics such as Cultural Resources, Traffic and Transportation, Geology and Soils, Hydrology and Water Quality, the expansion of the project description and the creation of an additional visual simulation. Therefore, Christopher A. Joseph, Associates requested an amendment to the contract which would increase the total labor budget by \$6,860. On November 13, 2006, the City Council approved the amendment for a total of \$107,680 for the new contract.

On March 9, 2007, Christopher A. Joseph, Associates requested a second amendment to the Original Agreement because it incurred costs in excess of the budget that was approved by the Council on May 9, 2006. The cost overruns were incurred due to additional time needed by the consultant to respond to more than 50 comments from the public regarding the Draft EIR and to have the traffic consultant respond to the traffic related issues. Therefore, Christopher A. Joseph, Associates requested a second amendment to the contract which would increase the total labor budget by \$7,900. On March 26, 2007, the City Council approved the second amendment for a total of \$115,580.

On July 19, 2007, Christopher A. Joseph, Associates requested a third amendment to the Original Agreement because it incurred costs in excess of the budget that was approved by the Council on May 9, 2006 (see Attachment B). The cost overruns are incurred because the budget did not include enough time for attendance at the Planning Commission and City Council meetings by the environmental consultants, review of the project redesign proposed by the applicant and a response to the wildlife corridor issue recently raised by concerned members of the community. Therefore, Christopher A. Joseph, Associates requested a third amendment to the contract which would increase the total labor budget by \$3,000 for a total contract amount of \$118,580 (see Attachment A).

**FISCAL IMPACTS:**

None, all consultant service costs will be borne by the developer.

**ATTACHMENTS:**

- A. Amendment #3, Agreement with Christopher A. Joseph, Associates to Increase Contract Amount
- B. Budget Amendment Request from Christopher A. Joseph, Associates
- C. Original Contract with Christopher A. Joseph, Associates

**COUNCIL ACTION REQUESTED:**

Move that the City Council **APPROVE** Amendment #3 to the Agreement with Christopher A. Joseph, Associates for environmental review services in connection with the proposed development of 34 residential units at 801 Fassler Avenue (APN 022-083-020 & 030), subject to legal changes as may be required by the City Attorney, authorize the City Manager to execute the document, and approve the necessary budget adjustment.

**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
AUGUST 13, 2007**

Agenda Item No. 4

**SUBJECT:**

Approval of the Final Map for Connemara Subdivision (23 Residential and 2 Commercial Lots) on the Property Known as Lower Milagra Ridge and Acceptance of all Public Easements Dedicated in Said Final Map

**ORIGINATED BY:**

Engineering Division  
Public Works Department

**DISCUSSION:**

On March 20, 2006, the Planning Commission by a 4-1 vote certified the EIR and adopted the Mitigation Monitoring and Reporting Plan and CEQA findings for the proposed "Connemara" Subdivision on the property known as Lower Milagra Ridge. The Commission also approved the Vesting Tentative Subdivision Map, Development Plan, Specific Plan, Variance, Exception to Planned Development Regulations and Modification to Subdivision Regulations. The Planning Commission also recommended that the City Council approve the proposed rezoning and General Plan amendment for the project.

On April 24, 2006, the City Council certified the Environmental Impact Report; adopted the Mitigation Monitoring and Reporting Plan, CEQA Findings and General Plan Amendment, Rezoning and Development Plan; and granted exception to the Planned Development Regulations for Connemara. The Vesting Tentative Map was also approved by the City Council. A Final Map has now been prepared in accordance with the Vesting Tentative Map and the Subdivision Map Act. Emergency Access Easement for purposes of ingress and egress of emergency vehicles and Public Service Easement for public utility companies are also being dedicated as part of the Final Map.

Together with the recordation of the Final Map, the Public Access Easement for pedestrian, bicycle and vehicular access; Public Parking Lot Easement on Lot 26 and Public Trail Access Easement will be dedicated via a separate instrument.

Staff and CSG Consultants, Inc. reviewed the Final Map for compliance with the Subdivision Map Act and recommend approval of the Final Map and acceptance of the public easements being dedicated.

**FINANCIAL IMPACT OF RECOMMENDATION:**

There is no fiscal impact associated with the approval of the Final Map and acceptance of the dedication of all public easements.

**DOCUMENTS ATTACHED:**

1. A reduced copy of the Final Map "Connemara" consisting of nine sheets is attached. A full-size copy is available at the office of the City Engineer and will be available at the time of the meeting.

Council Agenda Summary Report

**Approval of the Final Map for Connemara Subdivision**

August 13, 2007

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**COUNCIL ACTION REQUESTED:**

Approve the Final Map "Connemara," accept all Public Easements being dedicated in the said Final Map and authorize the City Manager to execute any and all documents necessary to record the said map.



**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
August 13, 2007**

AGENDA ITEM NO. 5

**SUBJECT:**

Amendment to Agreement for contract services with Thomas Reid Associates (TRA), Consultant for environmental review services in connection with the subdivision of two vacant parcels into thirteen (13) lots and development of a 2 acre lot with a single-family residence with a second residential unit at the northeast corner of Fassler Avenue and Roberts Road.

**ORIGINATED BY:**

Planning and Economic Development Department

**DISCUSSION:**

On August 14, 2006 the City entered into a contract with Thomas Reid Associates (TRA) for environmental review services in connection with the subdivision of two vacant parcels into thirteen (13) lots and development of a 2 acre lot with a single-family residence at the northeast corner of Fassler Avenue and Roberts Road. The project is also known as "Harmony @ 1." On May 14, 2007 the Original Agreement was amended because the original agreement did not include surveys for the federal endangered Mission Blue butterfly and Callippe silverspot butterfly. The amendment to the Original Agreement increased the original budget for the preparation of the EIR from \$106,023 to \$113,057.

On July 23, 2007 TRA requested another amendment to the Original Agreement because it incurred costs in excess of the increased budget that was approved by the Council on May 14, 2007. The cost overruns relate to the preparation of site surveys to document vegetation map, surveys to map and document the dusky-footed woodrat, Mission blue butterfly and Callippe silverspot butterfly, coordination with applicant's architect about movement of proposed building and access road on proposed Lot 11, peer review of geotechnical report for the 2-acre lot and attendance by consultant to an additional public meeting. Therefore, TRA has requested, and the project applicant has agreed to, an amendment to the contract which would increase the total labor budget by \$5,480.00.

**FISCAL IMPACTS:**

None, all consultant service costs will be borne by the developer.

**ATTACHMENTS:**

1. Amendment No. 2, Agreement with TRA, dated August 13, 2007
2. Original Contract with LSA Associates, Inc.

**COUNCIL ACTION REQUESTED:**

Move to **APPROVE** Amendment No. 2 to the Agreement with TRA for environmental review services in connection with the proposed development of the subdivision of two vacant parcels into thirteen (13) lots and development of a 2 acre lot with a single-family residence with a second residential unit at the northeast corner of Fassler Avenue and Roberts Road (APN 022-150-310, -420 and 022-150-030), subject to legal changes as may be required by the City Attorney, authorize the City Manager to execute the document, and approve the necessary budget adjustment.

**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
AUGUST 13, 2007**

AGENDA ITEM NO. 6

**SUBJECT:**

Approval of Consultant Services Agreement Between the City of Pacifica and Wilsey Ham for Preparation of a Hydraulics Report and Additional Traffic and Bridge Structure Analyses in Connection with the Route 1, San Pedro Creek Bridge Replacement Project

**BACKGROUND/DISCUSSION:**

The Route 1, San Pedro Creek Bridge Replacement Project will replace the existing bridge over San Pedro Creek along Highway 1. The existing bridge was built in 1954 and, not only is it more than five decades old; it also has an elevation that is below flood zone level. In addition, it has a short span that bottlenecks the flow of San Pedro Creek.

The replacement bridge is proposed to be at least 5 feet higher and will be above flood zone elevation. It will also have a longer span to accommodate any future creek widening.

The Route 1, San Pedro Creek Bridge Replacement Project is currently in the Project Study Report/Project Report (PSR/PR) phase. Caltrans' approval of the PSR/PR is necessary prior to proceeding with the final design phase of the project. The project consultant, Wilsey Ham, has been working with the Project Development Division of Caltrans for more than a year to get the project PSR/PR approved. In an effort to speed up the approval process, the City Engineer, along with Wilsey Ham, met with the various divisions of Caltrans to identify exactly what Caltrans needs to complete its review and approve the project PSR/PR. During this meeting, Caltrans asked for a Hydraulics Report and additional Traffic and Bridge Structure Analyses. These are new requirements by Caltrans and are not part of Wilsey Ham's scope of work for this phase of the project.

Staff recommends approval of this agreement.

**FISCAL IMPACT:**

Fiscal impact will be in the amount of \$60,000 from Account No. 12-6759-2800 of the Highway 1 Fund. However, there is no need for any additional budget authority as money has been budgeted in this Fiscal Year budget for \$1,061,599 to cover these expenditures.

There are a number of grants that sum up to fully fund this project. These are: Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) High Priority Project for \$1,000,000, SAFETEA-LU Federal Earmark for \$2,500,000 and the Reauthorized Measure A for \$6,000,000, which will be available in January 2009.

Council Agenda Summary Report

Agreement with Wilsey Ham for Preparation of a Hydraulics Report and Additional Traffic and Bridge Structure Analyses in Connection with the Route 1, San Pedro Creek Bridge Replacement Project  
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**DOCUMENTS ATTACHED:**

Consultant Services Agreement Between the City of Pacifica and Wilsey Ham for the Preparation of a Hydraulics Report and Additional Traffic and Bridge Structure Analyses in Connection with the Route 1, San Pedro Creek Bridge Replacement Project.

**COUNCIL ACTION REQUESTED:**

Approve the Consultant Services Agreement Between the City of Pacifica and Wilsey Ham for Preparation of a Hydraulics Report and Additional Traffic and Bridge Structure Analyses in Connection with the Route 1, San Pedro Creek Bridge Replacement Project and authorize the City Manager to execute the agreement.

CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
August 13, 2007

Agenda Item No. 7

**SUBJECT:**

Fairmont Recreation Center Roof Replacement

**ORIGINATED BY:**

Parks, Beaches, and Recreation Department

**DISCUSSION:**

Built in the 1960's the City owned facility, Fairmont Recreation Center, has been home for a number of recreational activities such as Adult Day Care, Child Care, Community Events, and Teen programs. It also provides a space for the Fairmont Subdivision Improvement Association to hold meetings and conduct general office functions. Since its original construction, the roof has never been totally replaced and it has been leaking for the past four years. Although Building Maintenance continues to patch these leaks, the age and condition of the roof renders this ineffective. The Fairmont Recreation Center Building Roof Replacement Project will replace the existing roof system, which is a combination of asphalt shingles and tar and gravel. Engineering staff is currently putting together the project plans and specifications. Funding for this project will come from the Roy Davies Trust Fund as a part of the focus on the park/facility improvements plan to upgrade this area. The initial estimate for the roof is \$40,000. Further grant funding has been made available to provide a 3-hour State Preschool in this building which will provide additional funds to offset some of the Roy Davies funds earmarked for a tot play structure.

In an effort to preserve the structure of the building, we request that the Council approve the advertisement of this project.

**FISCAL IMPACT:**

None

**COUNCIL ACTION REQUESTED:**

Authorize staff to advertise the project.

**CITY OF PACIFICA**  
**COUNCIL AGENDA SUMMARY REPORT**  
**August 13, 2007**

**AGENDA ITEM NO. 8**

**SUBJECT:**

Amendments to Peninsula Humane Society and City Contracts

**ORIGINATED BY:**

Police Department

**BACKGROUND:**

On June 17, 2003, the County and Peninsula Humane Society & SPCA entered into an Agreement for Animal Control Services and Shelter Services. On or about July 1, 2003, the County and City entered into an Agreement for Animal Control Services. On or about December 14, 2004, the County and City entered into an Amendment extending the City Agreement to correspond with an extension of the Agreement and Peninsula Humane Society (PHS) land lease through June 30, 2008 and amending the PHS payment schedule. The County and PHS have entered into a Second Amendment, extending the Agreement and PHS land lease through June 30, 2011 and amending the PHS payment schedule. The City and County wish to amend the City Agreement as set forth below to be consistent with the Second Amendment with PHS/SPCA.

**DISCUSSION:**

The County, cities and Peninsula Humane Society wish to extend the Animal Control Services contract an additional three years through June 30, 2011. In order to do so, the PHS/County amendment also extends the land lease with PHS through June 30, 2011.

The City and County wish to amend the City Agreement as set forth in the attachment "Second Amendment to Agreement for Animal Control Services Between the Cities of Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Pacifica, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, Woodside and the County of San Mateo".

The Second Amendment to Agreement for Animal Control Services consists of four changes:

- Base costs to be paid to County Contractor by the County and Cities as follows: 2007-08 \$5,076,951; 2008-09 \$4,750,000; 2009-10 \$4,987,500; 2010-11 \$5,236,875.
- Term and Effective Period previously deleted and replaced in its entirety in the First Amendment, is hereby further deleted and replaced in its entirety in the Second Amendment to be effective the period from July 1, 2006 through June 30, 2011.
- The Hold Harmless is expanded so that the City and County will hold each other harmless when an incident occurs in their respective jurisdictions, however, it does not change the indemnity that PHS provides the City.
- Exhibit C (“Contractor Responsibilities”), Section 11 (“Excluded Services”) of the Services Agreement is amended to add the following exclusion of the Services Agreement to render it consistent with the parties’ intent as of June 17, 2003: “Enforcement of State law and regulations related to the prevention of cruelty to animals”.

**FISCAL IMPACT:**

Base costs to be paid to County Contractor by the County and Cities are as follows:

2007-08	\$5,076,951
2008-09	\$4,750,000
2009-10	\$4,987,500
2010-11	\$5,236,875

The 2007-2008 cost percentage distribution for the City of Pacifica is 5.46% or an estimated amount of \$237,217.00 inclusive of program revenue received by County or County Contractor and shall be based on service costs.

**ATTACHMENTS:**

Second Amendment to Agreement for Animal Control Services

**COUNCIL ACTION REQUESTED:**

Adopt a Resolution executing an Amendment to the Agreement with San Mateo County for the provision of Animal Control Services extending the contract term for three years and amending the payment schedule.

CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
August 13, 2007

Agenda Item No. 9

**SUBJECT:**

Adopt Resolution Extending the Golden Gate National Recreation Area (GGNRA)  
Liaison Committee

**ORIGINATED BY:**

City Manager's Office

**DISCUSSION:**

The City Council approved the creation of the Golden Gate National Recreation Area Liaison Committee in May of 2004 by Resolution No. 20-2004 which stated an automatic sunset date of June 30, 2007. Council recently appointed two citizens to fill vacancies on this committee and it is the desire of the committee and council to extend the sunset date to June 30, 2010.

**FISCAL IMPACT:**

None

**COUNCIL ACTION REQUESTED:**

Adopt the Resolution entitled "Resolution of the City Council of the City of Pacifica Extending the Golden Gate National Recreation Area Liaison Committee".

**CITY OF PACIFICA  
CITY COUNCIL AGENDA SUMMARY REPORT  
August 13, 2007**

AGENDA ITEM NO. 10

**SUBJECT:**

Adopt resolution and approve grant of easement on the City-owned Sweeney Ridge Parcel to the National Park Service

**ORIGINATED BY:**

City Attorney's Office

**DISCUSSION:**

The City of Pacifica owns approximately 7.2 acres in San Bruno, California, near Sweeney Ridge, San Mateo County Assessor's Parcel No. 017-520-010 ("Property"). The Property is adjacent to the boundaries of the Golden Gate National Recreation Area ("GGNRA"). The City and the National Park Service ("NPS") have been working to incorporate the Property into the GGNRA for the purpose of protecting, preserving, and maintaining the Property's natural, scenic and historic value.

The City Council declared the Property surplus on December 13, 1999. The Planning Commission found the transfer of the Property was in conformance with the General Plan on November 11, 1999 and later again on May 16, 2005. Staff recommends that the City Council find the transfer categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to 14 CCR 15316, on the basis that it is a transfer of interest in land to establish a park and the land is in a natural condition.

The City will transfer a conservation easement to NPS. Upon the close of escrow, the City will receive \$800,000. If, in the future, the City and County of San Francisco or other entity designated by NPS desires fee title, and NPS approves, the City will execute a donation deed and transfer fee title to the entity at that time.

Escrow is scheduled to close on August 15, 2007.

**ATTACHMENTS:**

1. Resolution of the City Council of the City of Pacifica Approving Terms and Execution of Documentation Transferring a Property Interest to the National Park Service
2. July 16, 2007 Letter Agreement between the City and NPS
3. Grant of Easement Agreement
4. Vendor's Certificate

**FISCAL IMPACT**

Receipt of \$800,000.00.



**COUNCIL ACTION REQUESTED:**

Find that the transfer is categorically exempt from CEQA and direct the Planning Director to file a Notice of Exemption with the County Clerk within five days; approve the Resolution titled "Resolution of the City Council of the City of Pacifica Approving Terms and Execution of Documentation Transferring a Property Interest to the National Park Service";

Approve the Letter Agreement as executed by the Interim City Manager;

Approve the Grant of Easement and authorize the Mayor to execute the document;

Approve the Vendor's Certificate of Possession and Authorize the appropriate staff to execute the document;

Authorize the City Manager or his designee to negotiate and execute such other documents as are reasonably necessary to effect the Transfer, as approved by the City Attorney.

**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
AUGUST 13, 2007**

**Agenda Item No 11**

**SUBJECT:**

Notice of Completion for the 1628-DR-CA 2006 FEMA Repairs Project: Beach Blvd. Seawall, Rockaway Beach Seawall, Clarendon Outfall and Pier Piles.

**ORIGINATED BY:**

Planning and Economic Development Department  
Engineering Division - Public Works Department

**BACKGROUND/DISCUSSION:**

On October 13, 2006, Council authorized award of contract to Power Engineering Contractors Inc for the 1628-DR-CA 2006 FEMA Repairs Project: Beach Blvd. Seawall, Rockaway Beach Seawall, Clarendon Outfall and Pier Piles. The project consisted of emergency void repairs at the Beach Blvd Promenade, the reconstruction of Clarendon Outfall, removal of broken piles from the old footprint of the outfall and the purchase of polyethylene pipe casings for the Pier Pile Project.

All other work defined in the original contract was deleted from the contract via change order number four, approved by Council on July 9, 2007. This change order defined the final contract cost to be \$408,226.99, a reduction from the original contract amount by \$1,067,284. The projects bid items completed and described above were performed in a satisfactory manner.

As the project defined in change order number 4 is now complete, it is appropriate to record the formal Notice of Completion. This recorded document is the legal notice that the city considers the project complete and that we intend to pay the contractor for the full and complete contract price as defined in change order number 4.

1628-DR-CA 2006 FEMA Repairs Project: Beach Blvd. Seawall, Rockaway Beach Seawall, Clarendon Outfall and Pier Piles is covered by a one (1) year guarantee from date of filing of the Notice of Completion.

**FISCAL IMPACT:**

There is no fiscal impact related to the filing of the Notice of Completion.

**DOCUMENTS ATTACHED:**

1. A Resolution of the City Council of the City of Pacifica Accepting Completion and Directing the City Manager to File Notice of Completion for 1628-DR-CA 2006 FEMA Repairs Project: Beach Blvd. Seawall, Rockaway Beach Seawall, Clarendon Outfall and Pier Piles
2. Notice of Completion.

**COUNCIL ACTION REQUESTED:**

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Notice Of Completion For 1628-DR-CA 2006 FEMA Repairs Project: Beach Blvd Seawall, Rockaway Beach Seawall, Clarendon Outfall, Pier Piles

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Adopt the resolution next in order A Resolution of the City Council of the City of Pacifica accepting completion and directing the City Manager to file Notice of Completion for 1628-DR-CA 2006 FEMA Repairs Project: Beach Blvd. Seawall, Rockaway Beach Seawall, Clarendon Outfall and Pier Piles”.

**CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
August 13, 2007**

AGENDA ITEM NO. 12

**SUBJECT:**

Issue Request for Proposals to consultants to develop a streetscape plan for Palmetto Avenue and the three streets parallel to and between Paloma and Clarendon.

**ORIGINATED BY:**

Planning and Economic Development Department

**DISCUSSION:**

The West Sharp Park Advisory Committee (WSPAC) was created by the City Council on January 9, 2006. Some of the key activities of the committee include but are not limited to improvement of infrastructure, economic development and viability, business retention, landscaping, street lighting, under grounding of utilities and the general vitality of Palmetto Avenue.

WSPAC has met regularly and conducted considerable research, including interviews with local businesspeople and residents, to arrive at a new vision for West Sharp Park. Several consultants experienced with design and place-making have also made presentations during regular WSPAC meetings.

The Committee would like the City to hire a consultant to prepare a streetscape plan for Palmetto Avenue and the three streets parallel to and between Paloma and Clarendon. At their July 19, 2007 meeting, the Committee voted to recommend that the City Council direct staff to send out an RFP to obtain formal proposals from consultants to prepare streetscape plans for Palmetto Avenue and the three streets parallel to and between Paloma and Clarendon. WSPAC will review and make a recommendation to the Council regarding which consultant should be hired.

**FISCAL IMPACTS:**

Minor mailings and copying costs will be associated with sending out the Request for Proposals (Account# 22.9814.2800).

**ATTACHMENTS:**

Administrative Policy No. 54 – Selection of Professional Consultants

**COUNCIL ACTION REQUESTED:**

Move to authorize staff to issue an RFP to consultants to prepare a streetscape plan for Palmetto Avenue and the three streets parallel to and between Paloma and Clarendon and return to Council with a recommendation.

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Agenda Item No. 13

**SUBJECT:**

Continued Public Hearing: Fiscal Year 2007-2008 General Fund Operating Budget Consideration of Additional Funding.

**ORIGINATED BY:**

Administrative Services

**DISCUSSION:**

At the May 29, 2007 City Council meeting, the City Council adopted the budget for fiscal year 2007-2008 but continued the public hearing to allow for full Council discussion of the funding of several items. The City Council postponed a decision on the School Resource Officer pending discussions with both school districts.

School Resource Officer = \$75,000  
(Supplemental Law Enforcement Services – Fund 07)

Staff has now met with both school districts and Jefferson Union High School District has approved \$9,000 for the School Resource Officer position for FY 2007/08.

**FISCAL IMPACT:**

Funding for this item, if approved, was included in the balanced budget as presented and adopted on May 29, 2007.

**COUNCIL ACTION REQUESTED:**

As part of the adopted Operations and Capital Budget for Fiscal Year 2007-2008, move to approve funding for:

School Resource Officer = \$75,000 (Supplemental Law Enforcement Services – Fund 07) with support from the Jefferson Unified High School District for \$9,000.

**ATTACHMENTS:**

Budget – Supplemental Law Enforcement Services – Fund 07 – Revenues      A-63  
Budget – Supplemental Law Enforcement Services – Fund 07 – Expenditures      A-64

CITY OF PAFICICA  
COUNCIL AGENDA SUMMARY REPORT  
August 13, 2007

Agenda Item No. 14

**SUBJECT:**

Police department's review of the 4<sup>th</sup> of July 2007.

**ORIGINATED BY:**

Police Department

**DISCUSSION:**

This year July 4<sup>th</sup> was on a Wednesday, which we thought might keep the festivities to a minimum and hopefully encourage citizens to stop their celebrating early since Thursday was a regular workday. However, that did not prove to be the case. The daytime activities went off without an incident. The run in the morning and the events at Frontierland Park were enjoyed by all and did not generate any issues for the police department.

We had four officers less than last year due to injuries, current openings and retirements. We staffed the dayshift with the minimum personnel, a watch commander and four officers (one unit had an officer in training), so that we had the maximum amount of officers for the evening.

We staffed the Linda Mar Beach with 7 officers, 3 reserves, 4 Broadmoor Officers and 5 police explorers. We utilized the Command Bus from Daly City PD and 3 of their police assistants came with the bus to operate the equipment. We also had System Specialist Ken Fong on hand in case any issues came up with our radios or computers and Evidence Technician Mondragon was on hand to assist with evidence processing and the paperwork that this includes. We used a van, portable lights and warning signs from OES and the ATV that was purchased last year. We established two Command Posts, one at the Linda Mar Beach for police personnel and we opened the EOC for the Fire Department to stage.

Rockaway Beach and Sharp Park Beach were staffed with one officer and one reserve for each location.

In the past, the beaches have seen an extremely high volume of activity and the use of illegal fireworks. For the past two years, due to our increased presence, we have seen a significant decline in illegal fireworks on the beaches and in turn a huge increase in the neighborhoods.

This poses a dangerous situation for both police and fire personnel. Police personnel have a difficult time getting into the neighborhoods to identify those violating the illegal fireworks ban and the fact that citizens mix both the legal and illegal fireworks adds to the identification issue. We have attempted several different approaches to the neighborhoods with the most illegal activity, but have had limited success. Plus, the situations that the officers are placed have become very unpredictable and uncontrollable. We have observed intoxicated adults showing young juveniles how to light illegal fireworks with a large crowd watching. We have also seen individuals shoot bottle rockets and other projectiles towards homes and open fields with no regard to the dangers of their actions. We have noted "lookouts" watching for police officers and then warning the participants of our presence. To summarize, we have seen normal law

abiding citizens, use alcohol, handle dangerous explosives and then turn on the police officers when they try to intervene. In fact, supervisors have ordered officers out of a particular area because we could not safely enter and deal with the violator(s).

Fire personnel were also on high alert this year due to the dry conditions we had experienced just days before the 4<sup>th</sup>. I feel it is safe to say we dodged a large bullet this year and once again I encourage both the city council and the non-profits to get together and find an alternate way to generate funds.

To handle the situations in the neighborhoods we had 2 sergeants and 6 patrol officers assigned to beat areas in the city. These officers were to handle the every day calls and then respond to fireworks calls as available. We had two additional teams of officers consisting of 2 sergeants and 7 officers and they worked special assignments related to fireworks. In addition, Captain Realyvasquez and myself were on the street from 7 PM until almost 2 AM handling calls for service. Total personnel for the evening assignments was 26 Pacifica PD officers, 4 Broadmoor PD Officers, 3 Daly City PD police assistants, plus all of our reserve officers and explorers.

During the day and evening of July 4<sup>th</sup> our dispatch center received over 141 fireworks related calls compared to 93 last year. Total calls for the day were over 240, which was down slightly from last year when we received 250 calls. The police department made 25 arrests for fireworks related violations and 1 drunk driving arrest, this compares to 19 arrests last year.

One call on Solano Avenue tied up 5 officers for over 3 hours and one unit, with two officers, had to stay on the street to prevent a further flare up the entire evening. There were several other "hot spots" that required a significant number of officers to deal with the participants. All in all we were overwhelmed with the calls for service, the number of "hot spots" and the lack of cooperation by the citizens. This was one of the worst years I have experienced in Pacifica in the 26 years I have been on the police department.

For next year I am considering some significant changes in the procedures we use to deal with the various neighborhoods. It will require more personnel, but I believe it may be the only way to gain compliance. I am also researching what other cities have done to deal with this dangerous situation in their jurisdictions.

I once again recommend that the city council consider banning all fireworks in the city of Pacifica for the safety of the community. As I have said, I firmly believe that we lucked out again.

**FINANCIAL IMPACT:**

Total police personnel costs that are reimbursed by the surcharge was \$12, 936.31 and the total cost with food, drinks and water is \$13,833.12.

**ATTACHMENTS:**

None

**COUNCIL ACTION REQUESTED:**

Accept police department's review of the 4<sup>th</sup> of July 2007.

CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
August 13, 2007

Agenda Item No. 15

**SUBJECT:**

Adopt Resolution of the City Council of the City of Pacifica Delivering Quality Library Services

**ORIGINATED BY:**

City Manager's Office

**DISCUSSION:**

This item is before Council at the request of the Pacifica Library Foundation. A draft resolution is attached addressing library services for the purpose of discussion and recommendations to achieve unanimous support of such a resolution.

**FISCAL IMPACT:**

None

**COUNCIL ACTION REQUESTED:**

Adopt the Resolution entitled "Resolution of the City Council of the City of Pacifica Delivering Quality Library Services".