

**Minutes-
Regular & Special Meeting
City of Half Moon Bay City Council
February 15, 2005**

The City Council convened in Special Session at the hour of 7:00 p.m. with **Councilmembers Ferreira, Fraser, McCausland, Taylor & Mayor Grady** present.

1. **Appoint City Manager and City Attorney as Property Negotiators for APN-048-136-140; 065-044-150; 065-045-060; and 065-206-020.**

A motion was made by **Councilmember Taylor** to appoint the City Manager only as the property negotiator for APNs. 048-136-140; 065-044-150; 065-045-060; and 065-206-020. The motion was seconded by **Councilmember Ferreira** and upon a roll call vote, the motion carried by a vote of 5-0.

RECESS TO CLOSED SESSION — 7:05 P.M.

- Pursuant to Government Code Section 54956.9 — *Conference with Legal Counsel — Existing Litigation — Wavcrest Village LLC v. City of Half Moon Bay; CIV No. 435208.*
- Pursuant to Government Code Section 54956.9 — *Conference With Legal Counsel — Existing Litigation — Parness v. City of Half Moon Bay, San Mateo County Superior Court Case No. 443388.*
- Pursuant To Government Code Section 54956.8 — *Conference With Property Negotiators. Property: APN 048-270-070 and 048-270-080, APN-048-136-140; 065-044-150; 065-045-060; and 065-206-020. City Property Negotiators: City Manager and City Attorney. Negotiating Parties: City of Half Moon Bay and County of San Mateo. Price and Terms of Payment: Under Negotiation.*
- Pursuant To Government Code Section 54956.8 — *Conference With Property Negotiators. Property: APN 048-270-070 and 048-270-080, South of Sewer Plant Road. City Property Negotiators: City Manager and City Attorney. Negotiating Parties: City of Half Moon Bay & Peninsula Humane Society. Price and Terms of Payment: Under Negotiation.*
- Pursuant To Government Code Section 54956.8 — *Conference With Property Negotiators. Property: 3072 Cabrillo Highway, APN 048-094-020. City Property Negotiators: City Manager and City Attorney. Negotiating Parties: City of Half Moon Bay & Kenneth Coverdell. Price and Terms of Payment: Under Negotiation.*

The City Council convened in Regular Session at 7:30 p.m.

City Attorney Lindgren announced that in Special Session the City Council appointed the City Manager and City Attorney as property negotiators for APN Nos. 048-136-140; 065-144-150; 065-045-060; and 065-206-020. **City Attorney Lindgren** further announced that in Closed Session the City Council received information but no action was taken.

ROLL CALL

PLEDGE OF ALLEGIANCE

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE:

None.

PROCLAMATIONS AND PRESENTATIONS:

None.

ORAL COMMUNICATIONS:

Robert Clinton, 515 Terrace Avenue, spoke regarding the use of Terrace Avenue as access for Pacific Ridge traffic.

George Muteff, 408 Redondo Beach Road, said he attended the recent LCP workshop and felt that the workshop wasn't participative.

Discussion ensued between the City Council and staff regarding scheduling a public educational session to discuss the LCP update process.

Don Friese, 1 Creekside Drive, expressed his gratitude to the City Council and members of the public for their ongoing participation in the public process.

CITY COUNCIL REPORTS:

Councilmember Taylor provided an update on recent meetings held to discuss the proposed Community Park plan.

Councilmember McCausland stated that he would be resigning from the City Council as soon as a successor is named.

A recess was called at 8:00 p.m.

The meeting was reconvened at 8:05 p.m.

Councilmember Taylor said she attended the Chamber/Governmental Affairs Committee meeting to discuss the proposed Community Park.

COUNCIL PRIORITY STATUS REPORTS FROM STAFF:

City Manager Ryan thanked **Councilmember McCausland** for his service to the community. She noted that the next LCP plan is scheduled for 2/24/05. **City Manager Ryan** reported that she and **Councilmember Ferreira** attended a meeting earlier in the day regarding the County LCP and delivered the comment letter the City Council provided. She announced that a Highway 92 Advisory Committee meeting was held to discuss public outreach and information.

Councilmember Ferreira asked that a future agenda item be scheduled to discuss recruiting additional Highway 92 Advisory Committee members.

Planning Director Liebster informed the City Council of recent improvements to the City's software that allow the Planning Department to print high quality maps.

Public Works Director Nagengast said he was informed by the County Transportation Agency and MTC that \$3,843,000 of STIP project funding has been reallocated to 2006-2007 at the earliest.

The City Council asked that this issue be discussed at the next City Council meeting.

Planning Director Liebster announced that the Planning Commission had approved the Carter Hill 20" pipeline project and that the appeal period for this project had ended.

CONSENT CALENDAR:

1. **Waive Reading or Ordinances and Resolutions.**
2. **Dedication of Open Space Easement – 741, 749, 757 Arroyo Leon Drive.**
3. **Approve Warrants dated January 27, 2005 in the Amount of \$151,414.61; January 31, 2005 in the Amount of \$15.00 and February 1, 2005 in the Amount of \$47,701.53.**
4. **Approve City Council Minutes for Meeting of January 25, 2005.**

A motion was made by **Councilmember Ferreira** and seconded by **Councilmember Taylor** to approve the Consent Calendar as presented. Upon a roll call vote, the motion carried by a vote of 5-0.

STAFF REPORTS & RESOLUTIONS

Item #6, Status Update Regarding Coastal Commission Review of City Ordinance Establishing the Mobile Home Park (MHP) District
(This item heard out of order.)

City Attorney Lindgren presented the staff report.

Mayor Grady opened Public Comment at 8:40 p.m.

Greg Antone, on behalf of Keet Nerhan and KN Properties, had questions regarding the map provided in the staff report. He urged the City Council to stick with the Mobile Home Act and its restrictions and do nothing to impose further restrictions.

Jim Henderson, 85 Creekside Drive, on behalf of **Christopher O'Donnell, 102 Creekside Drive** and **Catherine Thane, 86 Seascape Drive**, spoke in support of the concept of the Mobile Home Zoning Ordinance.

Jim Henderson, 85 Creekside Drive, spoke in support of the Mobile Home Zoning Ordinance.

Anthony d'Antonio, 249 San Mateo Road, manager of Hilltop Mobile home park, had questions regarding setback requirements.

Ben Steffens, 7 Creekside, said he thinks there is a need for the residents of Canada Cover to have legal protection ensuring the park remains zoned as a mobile home park.

Don Friese, 1 Creekside Drive, said he hadn't had the opportunity to review the materials distributed this evening, but that he wanted to be sure that the City's response to the Coastal Commission answered all of the questions put forth by the Commission.

The City Council felt that the late distribution of materials made it difficult to fully consider the issue and asked that this be on the City Council agenda for the meeting of March 1, 2005.

5. **Update on Potable Water Supply for Contaminated Drinking Water Wells and Direction to Staff Regarding Failed Wells.**

Public Works Director Nagengast presented the staff report.

Discussion ensued between the City Council and staff.

Mayor Grady opened Public Comment at 9:20 p.m.

Bruce Bean, 2905 Alameda, had questions regarding CCWD's ability to sell hookups at a price set by the open market. He said that in his opinion option #4 in the staff report is the best solution. He also expressed concern as to the origin of the nitrates being found in the well water.

Susan Penner, 500 Washington Blvd., asked for the City Council's support regarding the failed well program.

Wayne Homer, 211 Washington Blvd, said his well has been condemned and he has no water. He urged the City Council to resolve this issue tonight.

Discussion ensued between the City Council and staff.

A motion was made by **Councilmember McCausland** to authorize staff to offer to the County of San Mateo replacement allocations for priority permits for any permits they are willing to grant to the four applications for failed wells. **Councilmember Grady** seconded the motion.

Further discussion ensued and **Councilmember McCausland's** motion was tabled. Staff will negotiate aggressively with the County of San Mateo and CCWD and work with the Coastal Commission to resolve this issue. **Councilmember Ferreira** was designated as the Councilmember contact to work directly with the affected homeowners, keeping them informed of any action.

7. Highway 1 Trail Alignment – Highway 92 to Poplar Avenue.

Public Works Director Nagengast presented the staff report.

Discussion ensued between the City Council and staff.

A motion was made by **Councilmember Grady** to approve alternative #2 as outlined in the staff report. **Councilmember McCausland** seconded the motion.

Discussion ensued between the Councilmembers.

Peter Callander, Landscape Architect, reviewed the various alternatives.

A motion was made by **Councilmember Ferreira** to approve the proposed pedestrian and bicycle alignment for the portion between Poplar and Kelly of the Highway 1 Trail. The section between Kelly and 92 will be completed without striping, diverting pedestrians and bicyclists to the Pilarcitos Creek Bridge. This will be considered a temporary solution until additional funding is found to complete the improvements on Highway 1. The motion was seconded by **Mayor Grady** and upon a voice vote, the motion carried by a vote of 5-0.

8. Draft Letter of Comment to the Honorable Board of Supervisors of San Mateo County Regarding the County Planning Commission's Recommendation for Amending the County LUP.

City Manager Ryan presented the staff report.

Discussion ensued between the City Council and staff.

There was no action required for this item.

9. Accept the Comprehensive Annual Financial Report (CAFR), the Communication with Governing Body Letter, the Report on Compliance and Internal Control Over Financial Reporting, and the Appropriation Limit Report for the Fiscal Year Ended June 30, 2003.

Finance Director Norrell presented the staff report.

A motion was made by **Councilmember Taylor** to accept the CAFR, Communication with Governing Body Letter, Compliance Report and the Appropriation Limit Report for the Fiscal Year Ended June 30, 2003. **Mayor Grady** seconded the motion and upon a voice vote, the motion carried by a 5-0 vote.

INTERAGENCY

Councilmember Ferreira noted that **Councilmember McCausland's** resignation necessitates the appointment of a new representative to the Sewer Authority Midcoastside Board. He also reported that NOAA is proposing a summit between various agencies to discuss recycling relevant to replenishing Pilarcitos Creek and Pilarcitos lagoon.

Councilmember Taylor noted that the Carter Hill water project had recently been approved by the Planning Commission in one meeting.

A motion was made by **Councilmember McCausland** to adjourn at 10:45 p.m. The motion was seconded by **Councilmember Ferreira** and upon a voice vote, the motion carried by a vote of 5-0.

Respectfully submitted:

Siobhan Smith
Interim City Clerk

Approved:

Jim Grady
Mayor