

## MINUTES

### REGULAR & SPECIAL MEETING OF THE CITY COUNCIL

CITY OF HALF MOON BAY

SEPTEMBER 20, 2005

#### CONVENE SPECIAL MEETING – 7:00 P.M.

**COUNCILMEMBERS PRESENT:** Ferreira, Fraser, Gorn, Taylor. Mayor Grady was absent.

Recess to Closed Session

- **Pursuant To Government Code Section 54956.9 (b) – Conference With Legal Counsel – Anticipated Litigation – Significant Exposure To Litigation (2 Cases)**
- **Pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Existing Litigation – Cypress Cove Townhomes Association v. City of Half Moon Bay CIV No. 447330.**
- **Pursuant to Government Code Section 54956.9 – Conference with Legal Counsel – Existing Litigation – Yamagiwa v. City of Half Moon Bay CIV 449464.**
- **Pursuant to Government Code Section 54956.9 — Conference With Legal Counsel — Existing Litigation — Crunugelj-Gale v. City of Half Moon Bay CIV No. 449378.**
- **Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – City Manager – Police Officers’ Association, Management/Confidential; International Union of Operating Engineers Stationary Local 39 AFL-CIO; Police Management and Unrepresented Employees.**

The special meeting was adjourned at 7:28 p.m.

## **CALL TO ORDER:**

The Regular Meeting was convened at the hour of 7:30 p.m. with **Councilmembers Ferreira, Fraser, Gorn, and Taylor**. **Mayor Grady** was absent.

## **PLEDGE OF ALLEGIANCE**

## **ORAL COMMUNICATIONS:**

**Jim Marsh** invited the community to attend Quarry Park Children's Day September 25, 10-2 p.m.

**Gerry Scopesi, 1210 Tayon Drive, Millbrae**, addressed the City Council regarding property owned by her family..

**George Muteff, 408 Redondo Beach Road**, reviewed various situations that he felt needed to be addressed in Half Moon Bay.

**Terry Gossett, Californians for Property Rights**, spoke regarding the California Public Records Act.

**Joel Farbstein, 412 6<sup>th</sup> Street, Montara**, voiced his objection to being removed from the Community Park Committee and offered some suggestions to address what he perceives as a public relations problem in Half Moon Bay.

**Charlie Hall**, provided information on tournament awards received by the HMB Horseshoe Club.

## **COUNCIL PRIORITY STATUS REPORTS FROM STAFF:**

**City Manager Ryan** provided an update on the Community Park process and the upcoming meeting schedule.

**Public Works Director Nagengast** provided an update on the Highway 92 project and funding.

**City Attorney Lindgren** announced that in closed session the City Council continued several items to the end of the meeting and that direction was provided to the City Attorney on litigation and labor negotiations.

## **CONSENT CALENDAR:**

- 1. Waive Reading of Ordinances & Resolutions**
- 2. Approve Warrant Reports Dated August 31, 2005 in the Amount of \$65,959.89; August 31, 2005 in the Amount of \$6,130.69 and September 12, 2005 in the Amount of \$167,075.24**
- 3. Approve City Council Minutes of August 16, 2005**
- 4. Execute Memorandum of Understanding (MOU) Between the City of Half Moon Bay and the Half Moon**

A motion was made by **Councilmember Fraser** to approve the Consent Calendar as presented. The motion was seconded by **Councilmember Ferreira** and upon a roll call vote, the motion carried by a vote of 4-0, with **Mayor Grady** absent.

## **STAFF REPORTS AND RESOLUTIONS**

### **5. Discussion Regarding Matteuchi Subdivision Appeal Agreement**

**City Manager Ryan** and **City Attorney Lindgren** presented the staff report.

**Faydon Holmboe, 444 Oak Avenue**, provided a presentation regarding the Matteuchi Subdivision Appeal Agreement.

**Jane Mortensen, 451 Kelly**, urged the City Council to assist the neighbors in enforcing the development agreement.

Discussion ensued between the City Council and staff.

The City Council directed staff to provide assistance to the homeowners in enforcing the Matteuchi subdivision appeal agreement. The City Council further directed staff to bring back this issue in one month with recommendations on possible actions the City can take to assist the homeowners.

### **6. Discussion and Possible Action on Proposed Amendments to the City Local Coastal Program: Revisions to Chapter 17.06 and LUP Policy 9.4 per Measure D; Failed Wells Policy; LUP Chapters 1 and 3; and Timing of Future Actions on These and Other Proposed Amendments. PDP 88-04**

**Planning Director Liebster** presented the staff report, assisted by **City Attorney Lindgren**.

**Vice Mayor Taylor** opened Public Comment at 8:50 p.m.

**Naomi Patridge, 487 Laurel Avenue**, asked why permitted uses in riparian buffer zones were changed.

**Ozzie Monteiro, 808 Monte Vista Lane**, expressed his opinions regarding buffer zones and the Coastal Commission.

**Patric Jonssen, 431 Kehoe**, urged the City Council to finally resolve the issue of buffer zones and ditches on residential lots.

**Dale Dunham, 513 Ruisseau Francais**, addressed the City Council regarding buffer zones and ditches.

**Anne Carey, Half Moon Bay property owner**, asked the City Council to please include duplex and multifamily units in Measure D and had questions regarding revisions to section 17.06.

**Terry Gossett, Californians for Property Rights**, asked the City Council to comply with 13552 stating that LCP amendment submittals that all comments and responses be included.

**William Dahl, Kehoe Avenue**, addressed the City Council regarding buffer zones and ditches.

**George Muteff, 408 Redondo Beach Road**, spoke regarding the LCP amendment process thus far.

**Vice Mayor Taylor** closed Public Comment at 9:10 p.m.

Discussion ensued between the City Council and staff.

A motion was made by **Councilmember Ferreira** to: 1) direct staff to refer Measure D as written back to the Planning Commission for action by October 13, 2005 if possible; 2) direct staff to publish a new review draft of the Measure D ordinance by September 22, and; 3) direct staff to schedule a City Council hearing on the Measure D ordinance and LCP amendments and related items on October 18, 2005. The motion was seconded by **Councilmember Fraser** and upon a voice vote, the motion carried by a vote of 4-0 with **Mayor Grady** absent.

Further discussion ensued between the City Council and staff.

A motion was made by **Councilmember Ferreira** to direct staff to refer Chapter 3 back to the Planning Commission with the request that that the Planning Commission report back to the City Council at its earliest opportunity. The motion was seconded by **Councilmember Fraser** and upon a voice vote, the motion carried by a vote of 4-0, with **Mayor Grady** absent.

## **ADJOURNMENT**

A motion was made by **Councilmember Ferreira** to adjourn the Regular Meeting to Closed Session at the hour of 9:30 p.m. The motion was seconded by **Councilmember Fraser** and upon a voice vote, the motion carried by a vote of 4-0, with Mayor Grady absent.

**Respectfully submitted:**

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**Siobhan Smith**  
**City Clerk**

**Approved:**

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**Jim Grady**  
**Mayor**