

**Minutes of the Continued Regular & Special Meeting
City of Half Moon Bay City Council
November 3, 2005**

The City Council convened in Special Session at the hour of 6:30 p.m. with **Councilmembers Ferreira, Fraser, Gorn and Mayor Grady** present. **Councilmember Taylor** was absent.

RECESS TO CLOSED SESSION — 6:30 P.M.

- **Pursuant To Government Code Section 54956.9 (b) – Conference With Legal Counsel – Anticipated Litigation – Significant Exposure To Litigation (1 Case)**
- **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.*
- **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 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*

CONVENE CONTINUED REGULAR MEETING – 7:30 P.M.

(Meeting Continued from November 1, 2005)

The City Council convened the Continued Regular Meeting at 7:30 p.m. with **Councilmembers Ferreira, Fraser, Gorn and Mayor Grady** present. **Councilmember Taylor** was absent.

City Attorney Lindgren reported that during Closed Session the City Council received information and gave direction regarding labor negotiations and anticipated litigation and that the City Council added an item to Closed Session Agenda relating to Wavecrest.

City Attorney Lindgren announced that the Supreme Court denied a request to hear the Yamagiwa v. City of Half Moon Bay case.

PUBLIC HEARINGS AND ORDINANCES

1. **Discussion and Possible Action on Proposed Amendments to the City Local Coastal Program: Revisions to Chapter 17.06, 18.04 and LUP Policy 9.4 to Implement Measure D; Failed Wells Policy; LUP Chapters 1 and 3; PDP-88-04.**

Planning Director Liebster presented the staff report, assisted by **Planning Consultant Wendy Lama** and **City Attorney Lindgren**.

Discussion ensued between the City Council and the staff.

Mayor Grady opened Public Comment at 8:10 p.m.

Dale Dunham, 513 Ruisseau Francais, had questions regarding the Fish and Game Code, and non-consumptive uses.

Anne Carey, 7 Wood Lane, Menlo Park, asked that the map included in Chapter 3 be omitted.

Steven Weed, HMB Landowners Association, said that in his opinion, Chapter 1 is one-dimensional and needs more balance.

Kerry Burke, 34 Amesport, said that the late distribution of materials is disappointing to her, and urged the City Council to make sure the submittal to Coastal Commission is correct and accurate.

Naomi Patridge, 487 Laurel, said she agreed with the comments made by Kerry Burke previously, and pointed out a typographical error on the map.

Rich Lund, representing Gil Properties, stated his opinion that there are still many issues to be resolved.

Kevin Lansing, 359 Filbert, speaking as an individual and not as a Planning Commission member, had questions regarding the map.

Mayor Grady closed Public Comment at 8:25 p.m.

Further discussion ensued between the City Council and staff.

Motion by **Ferreira/Gorn** to:

- Waive the 2nd reading of the Ordinance amending Municipal Code Chapters 17.06 and 18.04 as introduced on Oct. 18 2005, including all typographical corrections referred to by staff,
- Approve the resolution amending LUP Policy 9.4 regarding residential growth limitations,
- Adopt a resolution amending LUP Chapters 1 & 3, and
- Adopt the resolution amending LUP Policy 10-14(a) regarding failed wells.

Upon a roll call vote, the motion carried by a vote of 4-0, with **Councilmember Taylor** absent.

ADJOURNMENT:

Motion by Ferreira/Gorn to adjourn the Continued Regular Meeting at the hour of 8:25 p.m. The motion carried by a voice vote of 4-0, with **Councilmember Taylor** absent.

**Special Meeting of the Half Moon Bay City Council
November 3, 2005**

The Special Meeting was convened at 8:30 p.m., with **Councilmembers Ferreira, Fraser, Gorn** and **Mayor Grady** present. **Councilmember Taylor** was absent.

ORAL COMMUNICATIONS:

Susan Priebe, 415 Kehoe, had questions regarding the Kehoe Ditch, and also urged civility in the upcoming election.

Dale Dunham, 513 Ruisseau Francais, asked why the City Council put forth advisory Measures O & P for the November 8, 2005 election.

Mayor Grady closed Public Comment at 8:48 p.m.

2. Discussion and Direction Related to Condition of Approval C.2(f) (Completion of Fire District Requirements) for PDP 89-03 – Single Family Residence at 419 Wave Avenue.

City Manager Ryan presented the staff report.

Discussion ensued between the City Council and staff.

Mayor Grady opened Public Comment at 9:05 p.m.

Kevin Lansing, 359 Filbert, speaking as a Planning Commissioner, said he sympathizes with Mr. Avila not being aware of the condition and that this situation creates an opportunity to improve communication between agencies.

Mayor Grady closed Public Comment at 9:10 p.m.

The City Council directed staff to further analyze this issue on a policy level and also specifically as it relates to the 419 Wave Avenue project.

3. Discussion to Consider Having Martin Luther King Jr. Day an Official City Holiday

City Manager Ryan presented the staff report.

There were no speakers.

Discussion ensued between the City Council and staff.

Motion by **Fraser/Gorn** to authorize the addition of Martin Luther King Jr. Day to the official City of Half Moon Bay holiday list. The motion carried by a roll call vote of 4-0, with **Councilmember Taylor** absent.

4. Adjourn Special Meeting

Motion by **Ferreira/Fraser** to adjourn the Special Meeting at 9:25 p.m. The motion carried by a voice vote of 4-0, with **Councilmember Taylor** absent.

Respectfully Submitted:

Approved:

Siobhan Smith
City Clerk

Jim Grady
Mayor

