

**MINUTES
OF THE
REGULAR AND SPECIAL MEETING
OF THE
CITY COUNCIL
FOR THE
CITY OF HALF MOON BAY
MARCH 20, 2001**

The City Council convened in Special Session at 7:00 P.M. with all members present with the exception of **Mayor Ruddock** who was absent at the Adcock Community/Senior Center at 535 Kelly Avenue.

The City Council recessed to Closed Session at the hour of 7:01 P.M. for the purpose of Conference with Legal Counsel –Existing Litigation Pursuant To Government Code Section 54956.9 - Yamigawa vs. City of Half Moon Bay, Case No. 402781 and Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation Pursuant To Government Code 54956.9 (c) (1 Case)

The City Council reconvened to Special Session at the hour of 7:45.M.

Vice Mayor Taylor reported Item No. 7 on the Consent Calendar would be pulled for separate consideration as a result of the Closed Session and that the proposed Resolution and Order would be available to the public prior to the City Council discussion of Item No. 7.

The City Council convened in Regular Session at the hour of 7:46 P.M. at the Adcock Senior/Community Center at 535 Kelly Avenue.

ROLL CALL: **Councilmembers Coleman, Donovan,
Patridge and Taylor**

Mayor Ruddock was absent.

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

Vice Mayor Taylor presented Proclamation to Maya Kennedy proclaiming April 1- 7, 2001 as National Library Week.

Vice Mayor Taylor presented Proclamation to Jim Marsh proclaiming May 5, 2001 as Arbor Day.

City Manager King introduced the new Interim Finance Director, John L. Morris.

ORAL COMMUNICATIONS

J. R. Rodine. He stated that he was representing the Andreini Family and thanked the City for the cooperation they had received on their rezoning. He outlined the next steps they would be taking relative to the Andreini Business and also stated that as a thank you to the community they would be coming to the City Council in the near future with a plan for improvements to the Cemetery on Route 92.

CONSENT CALENDAR

Vice Mayor Taylor requested that Item No. 7 be pulled for separate consideration as a result of Closed Session.

Councilmember Coleman requested that Item No. 11 be pulled for separation consideration.

Councilmember Coleman requested clarification on Items No. 2, 4 & 5.

A motion was made by Councilmember Donovan and seconded by Councilmember Coleman that the Consent Calendar be approved as submitted by Staff with the exception of Items No. 7 and 11 which had been pulled for separate consideration.

The motion carried by a roll call vote of 4-0 with Mayor Ruddock absent.

1. Waive Reading of Ordinances & Resolutions.
2. Update On Route 92 Improvements Project.

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3. **Approval of Street Agreement With Patricia Roma – 63 Alameda Avenue – APN 048-091-410.**
4. **Approval of Street Agreement With Gregory Scott Jamison – 620 Magnolia Street – APN 064-352-240,250**
5. **Approval of Street Agreement With Robert J. Jamison, Gregory S. Jamison & Jami J. Jamison – 652 Magnolia Street – APN 064-352-280.**
6. **Approve Human Service Funding For Fiscal Year 2000-01.**
8. **Authorizing the Matching Appropriation (\$3,600.00) For California Department Of Transportation Environmental Enhancement & Mitigation (EEM) Program For Half Moon Bay Urban Forestry Enhancement Project.**
9. **Appropriating Funds For The Poplar Avenue Pedestrian Trail Improvement Project.**
10. **Independent Auditor's Measure "A" (Transportation Funds) Compliance Report For Year Ended June 30, 2000.**
12. **Accepting Irrevocable Offer To Dedicate Property PDP-56-99 Parcel C (Arnold Way) From The Labuda Family Foundation.**
13. **Approval of SAM Project Budget To Recommission The Walker Tank At Montara Pump Station.**
14. **Approve Warrant Report Dated March 1, 2001 In The Amount of \$265,958.36 and March 13, 2001 In The Amount Of \$62,542.70.**
15. **Approve City Council Minutes For Regular & Special Meeting of February 6, 2001 & Regular & Special Meeting of February 20, 2001.**
16. **Planning Commission Minutes For February 22, 2001.**

REQUEST TO ADD ITEM TO THE AGENDA

A motion was made by **Councilmember Coleman** and seconded by **Councilmember Patridge** that the City Council add an item to the agenda relative to a proposed agreement with the Coastal Commission as the issue arose after the posting of the agenda.

Upon a voice vote, the motion carried by a vote of 4-0 with **Mayor Ruddock** absent.

ORDINANCES AND PUBLIC HEARINGS

17. **Appeal By Herman I. Kalfen Of Planning Commission Approval Of The Applications For A Coastal Development Permit For A Proposed Residence at 144 Kelly Avenue.**

Continued Noticed Public Hearing.

Planning Director Curtis presented the Staff Report.

Discussion ensued among the **City Council**.

The Public Hearing was opened at the hour of 8:35 P.M.

Discussion ensued among the **City Council**.

Discussion ensued between **Vice Mayor Taylor, Scott Singer** and **Greg Garrison** relative to who the official appellant of record actually was.

Greg Garrison, Garrison, Musacchio & Montanari. He requested that the record reflect that the original appeal incorporated by reference in the letter dated March 20, 2001 from Mr. Musacchio addressed the Staff Report.

Scott Singer, 208 Garcia Avenue. He expressed his views relative to the Railroad Right-of-Way; the past history of the proposed project and requested that the City Council continue this item or send it back to the Planning Commission for further review.

Pat Chimienti, 205 Garcia Avenue. She presented to the City Council a map of the land in question and expressed her opinions relative to the former owner of the lot.

Ellen Koland, 141 Kelly Avenue. She expressed her concern that the City Council would not have an opportunity to read the letter from Mr. Musacchio

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stating that the letter touched on issues that were vitally important. She also requested that the City Council either deny the CDP or send it back to the Planning Commission for further review.

Dana Kimsey, 173 Correas. She requested that the City Council keep the big picture in mind and remember that there was a reason that this Railroad Right-of-Way property had not been developed before.

Cordell Koland, 141 Kelly Avenue. He expressed various opinions relative to the former owner of the lot which included Conflict of Interest problems, funding from the Labuda Trust and the fact that the former owner had made a windfall profit from the sale of the property. He asked that the City Council uphold the appeal and deny the application.

Jim Grady, 320 Miramontes Avenue. He expressed his opinions relative to the proposed project and also addressed the issues with his property adjacent to the Railroad Right-of-Way. In addition, he requested that the City Council send the item back to the Planning Commission to be worked out.

Mike Ferreira, 361 Cypress Point Road. He addressed the issue of the Grady Property expressing his opinions relative to the proposed projects stating that the whole process was incredibly complicated.

Warren Bateman, 300 Central Avenue. He expressed his opinion relative to the Railroad Right-of-Way stating that he did not want anything built until the possibility of purchasing the land was finished. He also requested that the City Council continue the item until all five City Council members were present.

Bob Rodgers, 216 Garcia. He addressed the issue of the proposed lot expressing his opinion that the lot was anything but a classic infill lot explaining his reasons.

Melissa Lane, 148 Kelly Avenue. She stated that she was the property owner next to the subject property and addressed the issue of drainage. She asked that the City Council deny the CDP or send it back to the Planning Commission.

John Oelschlaeger, President of Over The Hill Development Corporation. He stated that he was the applicant and that he had a straight forward R-1 lot that was legally zoned and surveyed and was complete with water, sewer and a Measure A Certificate.

The Public Hearing was closed at the hour of 9:15 P.M.

Discussion ensued between the **City Council, City Attorney Lindgren and Planning Director Curtis.**

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A motion was made by **Councilmember Donovan** and seconded by **Councilmember Patridge** that the City Council continue this item to the City Council meeting of April 3, 2001.

Upon a voice vote, the motion carried by an unanimous vote 4-0 with **Mayor Ruddock** absent.

The City Council recessed at the hour of 9:32 P.M.

The City Council reconvened at the hour of 9:42 P.M. with all members present except Mayor Ruddock who was absent.

18. **Request For Amendment To A Condition Of Approval For Payment Of Traffic Mitigation Fee For The Ocean View Driving Range. (PDP-43-98) (Noticed Public Hearing.)**

This item was removed from the Agenda by Staff as the issue had been resolved.

RESOLUTIONS AND STAFF REPORTS

19. **Presentation From The Police Facility Blue Ribbon Committee .**

Police Chief Wick and the Police Facility Blue Ribbon Committee gave a visual and oral presentation on the proposed new Police Facility/ presentation.

After presentation and discussion, it was the consensus of the **City Council** that this item be brought back to the City Council meeting of April 17, 2001 for further discussion.

SEPARATE CONSIDERATION

7. **Beachwood Subdivision.**

City Attorney Lindgren presented the Staff Report.

A motion was made by **Councilmember Donovan** and seconded by **Councilmember Coleman** that the City Council adopt the Resolution pursuant to the Court Order and the Writ of Mandate as recommended by the City Attorney.

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Upon a roll call vote, the motion carried with **Councilmembers Donovan, Patridge and Coleman** voting yes, **Vice Mayor Taylor** abstaining and **Mayor Ruddock** absent.

20. Public Works Yard Location.

Interim Public Works Director Farrell presented the Staff Report.

Patrick Johnson, 431 Kehoe. He stated that he was speaking on behalf of the residents on Kehoe and outlined the report that the neighbors had drafted. He also submitted photographs of corporation yards in San Mateo and Hillsborough and requested that the City Council consider the neighbors thoughts and suggestions for the area in question.

Discussion ensued among the **City Council**. After discussion, it was the consensus of the City Council that the item be continued until Staff could get additional biological review and assess the impacts of the proposed corporation yard locations on the proposed park for the area.

**21. Consider Taking Off The Table A Project
Study Report (PSR) For Route 1 Between North
Main Street & Kehoe Avenue & The Bayview
Intersection.**

City Manager King presented the Staff Report.

Mike Ferreira, 361 Cypress Point Road. He addressed the issue of Option 8 expressing his opinions and outlining the work that the Planning Commission had done on Option 8 relative to the Circulation Element.

Robert Lanzone, Attorney on behalf of Ailanto Properties. He stated that from Ailanto's standpoint they had received the CDP from the Coastal Commission even though there was a lot of work to do. He explained that the reason that they had requested clarification on the Highway 1 improvements was that they had set money aside to pay for part of those improvements and that the City needed to have the PSR done so that they would be eligible for Transportation Authority Funds.

Discussion ensued among the **City Council**.

After discussion, it was the consensus of the **City Council** that the Staff provide additional information for further review by the City Council on how to spend the remaining funds.

22. Discussion of Possible Alternatives For Resolving Issues In The Implementation Of Measure D Residential Growth Control Provisions.

This Item was Continued to the City Council Meeting Of April 3, 2001.

SEPARATE CONSIDERATION

11. Approval Of A Proposed Agreement Imposing Deed Restrictions For An Affordable Duplex Located At 665-667 Poplar (Corner Of Poplar & Main Street).

Councilmember Coleman explained the concerns he had relative to the proposed agreement.

Greg Antone – KN Properties, Inc. He stated that he had drafted the agreement and explained how and why he had come up with the language in the proposed agreement.

Discussion ensued among the **City Council**.

A motion was made by **Councilmember Coleman** and seconded by **Councilmember Donovan** that this item be continued until April 3, 2001 City Council meeting so that the City Attorney could review the agreement.

Upon a voice vote, the motion carried by a vote of 4-0 with **Mayor Ruddock** absent.

ADDED ITEM

Agreement with Coastal Commission Relative To In-Lieu Fee For The Ritz Carlton.

City Manager King presented the Staff Report.

A motion was made by **Councilmember Donovan** and seconded by **Councilmember Patridge** that the City Council authorize the City Manager to enter into an agreement with the Coastal Commission for the in-lieu mitigation fee of \$250,000.00 from the Ritz Carlton.

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Upon a voice vote, the motion carried by a vote of 4-0 with **Mayor Ruddock** absent.

CITY MANAGER'S REPORT

City Manager King suggested that the City Council keep some time open the second week of April for interviews with Interim City Managers and Executive Search Firms

CITY COUNCIL REPORTS

Councilmember Donovan reported on the Legislative Committee.

STATUS REPORT ON GENERAL PLAN

City Manger King stated that he had a draft work plan that had been submitted by the Planning Director and that it would be coming to the City Council in the near future. It was the consensus of the City Council, that the City Council General Plan Subcommittee review the draft work plan prior to it being placed on a City Council agenda.

INTERAGENCY:

23. C/CAG Traffic Mitigation Fund.

This Item Has Been Placed On The Agenda At The Request Of Councilmember Coleman.

This Item Was Continued to the City Council Meeting of April 20, 2001.

ADJOURNMENT

A motion was made by **Councilmember Coleman** and seconded by **Councilmember Donovan** that the City Council meeting be adjourned.

Upon a voice vote, the motion carried by a vote of 4-0 with **Mayor Ruddock** absent.

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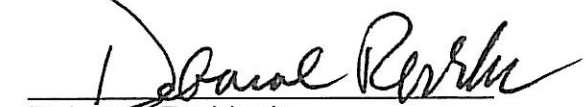
The City Council adjourned at the hour of 11:58 P.M.

Respectfully submitted,



Dorothy R. Robbins
City Clerk

Approved:



Deborah Ruddock
Mayor

PASSED AND ADJOURNED AT THE
COUNCIL MEETING

4-17-01
DR
CITY CLERK