

Public Comments

Agenda Item 10 – Appeal

Written Comments Received By 12pm on 9/26/2022



September 26, 2022

City Council Meeting

From: Adrienne Carr <acarr@nccwd.com>
Sent: Thursday, September 22, 2022 2:25 PM
To: _City Council; Bier, Mary; Bigstycck, Tygarjas; O'Neill, Mike; Vaterlaus, Sue; Beckmeyer, Sue
Cc: Woodhouse, Kevin; Public Comment; Tom Piccolotti
Subject: September 26, 2022 Continued Hearing for Appeal of Coastal Development Permit CDP-437-22
Attachments: Board ltr to City Council regarding continued appeal hearing_9_26_22.pdf

[CAUTION: External Email]

Honorable City Council Members,

Please see attached letter from the North Coast County Water District Board of Directors.

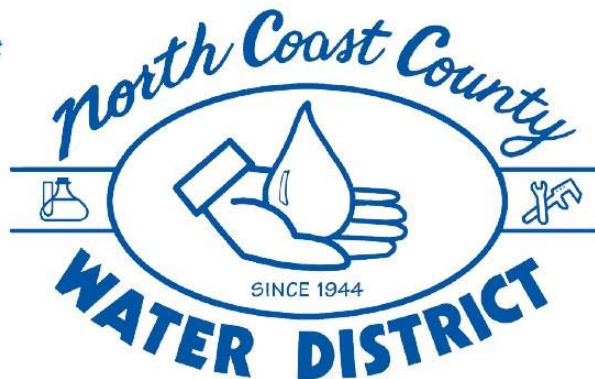
Very best regards,
Adrienne

Adrienne Carr, Ph.D.
General Manager
North Coast County Water District
2400 Francisco Boulevard
Pacifica, CA 94044
Tel: (650) 355-3462
Fax: (650) 355-0735
On the web at www.nccwd.com
acarr@nccwd.com



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Phone (650) 355-3462
Fax (650) 355-0735

September 22, 2022

Pacifica City Council
540 Crespi Drive
Pacifica, CA 94044

Re: September 26, 2022 Continued Hearing for Appeal of Coastal Development Permit
CDP-437-22

Dear Mayor Bier and Members of the Pacifica City Council:

The North Coast County Water District Board of Directors appreciates the City Council's August 8, 2022, vote to continue its consideration of the District's appeal of the Coastal Development Permit proposed adjacent to our headquarters on 2400 Francisco Boulevard, and to direct City staff to coordinate with the District to evaluate the feasibility of alternate sites. The City Council continued the appeal hearing to September 26. **The District's Board of Directors respectfully requests that the City Council approve the District's appeal, or continue the appeal hearing again so that the District and City staff can continue to evaluate the feasibility of alternative sites so that the temporary site at 2400 Francisco Boulevard can be relocated.**

Since the August 8 vote, the District and City staff met at one of the potential alternative sites to discuss the feasibility of the site. The discussion was promising and we continue to be hopeful that the City will find this location, or an alternative site, as a suitable replacement to the 2400 Francisco Boulevard site. As a reminder, the 2400 Francisco Boulevard location will have a significant negative impact on District operations, particularly in an emergency such as a water main break or a major seismic event, will impact customers coming to and from the District's headquarters, and will cause unnecessary hardship to potential participants in the City's program living at this location when the District proceeds with the planned major renovation of its headquarters facility, as well as disrupt construction activity when construction begins.

Also, since the August 8 vote, the District filed a Petition for a Writ of Mandamus against the City of Pacifica in order to preserve its rights while the District and the City continue to evaluate the feasibility of alternative sites. The statute of limitations for challenging the City's Temporary Safe Parking Program (TSPP) under CEQA expired at the end of August. The District requested to enter into a tolling agreement with the City to maintain the "status quo," and when that did not occur, the District felt it must take action to preserve its rights for the reasons set forth in the District's appeal.

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Furthermore, since the City Council meeting on August 8, the California Coastal Commission at their August 12 meeting found substantial issue for the appeals to two Coastal Development Permits issued by the City under the Temporary Safe Parking Program. The Coastal Commission staff recommended that the City not issue any Coastal Development Permits in the Coastal Zone until the Commission finds the City's program compliant with the Coastal Act. The Coastal Commission will hold a merits hearing on whether the Coastal Development Permits comply with the Coastal Act at a future meeting. The 2400 Francisco Boulevard site is located in the Coastal Zone.

While the District feels that its legal position is strong, the District would much rather resolve this dispute amicably by relocating the 2400 Francisco Boulevard site to an alternative location, and to do so quickly so that both parties minimize the expense of litigation. We believe that this is in the best interests of the City, the District, the TSPP participants, and, most importantly, to the residents of the City of Pacifica, as our agencies serve the same people.

The District looks forward to continuing to collaborate with the City to develop a workable solution for everyone involved. Please do not hesitate to contact me if you want to discuss this matter.

Sincerely,



Thomas J. Piccolotti
President, NCCWD Board of Directors

cc: Board of Directors
Adrienne Carr, General Manager
Kevin Woodhouse, City Manager

From: Adrienne Carr <acarr@nccwd.com>
Sent: Friday, September 23, 2022 2:06 PM
To: _City Council; Bier, Mary; Bigstycck, Tygarjas; O'Neill, Mike; Vaterlaus, Sue; Beckmeyer, Sue
Cc: Woodhouse, Kevin; Public Comment; Coffey, Sarah
Subject: RE: September 26, 2022 Continued Hearing for Appeal of Coastal Development Permit CDP-437-22

[CAUTION: External Email]

Honorable Mayor Bier and City Council Members,

I'm writing to ask if you would be willing to provide the District with some time to make comments at the continued public hearing on Monday. One of our board members would like to make some short remarks, and I would also like to speak very briefly. We would also like to be available to answer any questions the Council may have.

I know before August 8th hearing, the City Clerk reached out to me to ask names of those who might be speaking on behalf of the District during the hearing (for Zoom purposes). I haven't received a communication from the City Clerk this time, but I will provide the following list of names, just in case we are given a chance to speak and/or answer questions that the Council may have.

Adrienne Carr
Joshua Cosgrove
Anne De Jarnatt
Thomas J. Piccolotti
Patrick Miyaki
Natalie Kirkish

Very best regards,

Adrienne Carr
General Manager
North Coast County Water District

From: Adrienne Carr
Sent: Thursday, September 22, 2022 2:25 PM
To: 'citycouncil@pacific.gov' <citycouncil@pacific.gov>; mbier@pacific.gov; 'tbigstycck@pacific.gov' <tbigstycck@pacific.gov>; 'moneill@pacific.gov' <moneill@pacific.gov>; 'svaterlaus@pacific.gov' <svaterlaus@pacific.gov>; 'sbeckmeyer@pacific.gov' <sbeckmeyer@pacific.gov>
Cc: 'Woodhouse, Kevin' <kwoodhouse@pacific.gov>; 'publiccomment@pacific.gov' <publiccomment@pacific.gov>; Tom Piccolotti <tpiccolotti@nccwd.com>
Subject: September 26, 2022 Continued Hearing for Appeal of Coastal Development Permit CDP-437-22

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Very best regards,
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