

March 25-26, 2022
Pacifica City Council Study Session

Public Comments

City Council Study Session – Goal Setting

Written Comments Received By 12:00 pm on 3/25/2022



March 25-26, 2022

City Council Study Session

From: Patton, Arlene
Sent: Monday, March 21, 2022 2:43 PM
To: _City Council Group
Cc: Coffey, Sarah; Public Comment; _Open Space & Parkland Advisory Committee Group; Wehrmeister, Tina; Murdock, Christian; Gannon, Helen
Subject: City Council Goal Setting Meeting: OSPAC Request to Amend its Authorizing Resolution
Attachments: CC Goal Setting Letter.jpg; OSPAC_DRAFT_NewAuthorizingResolution_10_31_2021 ver 5(3).docx; Resolution 44-2015.pdf

Hello Everyone,

Attached is OSPAC's Request to Amend its Authorizing Resolution, the proposed resolution and the existing resolution.

Sarah, Please ensure this information goes into Council's packet.

Thank you for your interest and time,

Arlene Patton
Chair



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA

Open Space and Parkland Advisory Committee

March 21, 2022

Dear Council Members:

The purpose of this communication is to bring to your attention OSPAC's request to revise its authorizing resolution.

As you know, Pacifica identifies itself by its Open Space and over the years has had many different types of Open Space Committees. Over time, the role the Committee has played has changed.

Attached are copies of the existing resolution as well as the proposed (Draft) amended OSPAC resolution.

OSPAC'S subcommittee for Amending OSPAC'S Authorizing Resolution worked hard to incorporate input from the greater committee and the public to update our role to better reflect community needs and expectations. OSPAC approved the draft resolution on 10/20/21. The objective of the proposed draft authorizing resolution for OSPAC is to achieve the following:

1. Build on the existing resolution from 2015.
2. Respond to the public's request for OSPAC to be more involved in the development process, especially with the Hillside Preservation District (HPD) but also for development proposals on lands adjacent to parklands and other open spaces. We want to make it clear that we are not trying to usurp the existing Planning Dept or Planning Commission process, but instead we are trying to provide a public platform early in the process for an applicant to describe their project and how it relates to the open spaces it's on or adjacent to. We are hopeful OSPAC's role will be to provide a tool that helps both Council and staff, and which helps to alleviate the misinformation that can happen when communities turn to social media for information instead of participating in formal public discourse.
3. Begin pursuing funding to support open space through bonds, grants, or other sources.
4. Become more engaged with other commissions and committees and groups and how we all interact with each other.

We are fully aware that cities must comply with California law. With the passage of recent legislation at the State level, future local input on development may be more limited than it was historically. That said, we believe there is still a role to play at the local level, and

OSPAC could help improve coordination between the developers and the public on topics related to open space and parklands in Pacifica.

We hope Council agrees that it is time to update OSPAC's authorizing resolution from 2015. We look forward to discussing these items further through a public study session. If Council agrees to the new role outlined for OSPAC in the attached draft authorizing resolution, there may be a need for Council to also amend the Pacifica Municipal Code. In particular, OSPAC may need to be formally given the authority to provide comment on proposed developments. Planning Staff or Legal Counsel can explain what would be needed. Our hope is that OSPAC's proposed new role will improve Pacifica's public process and benefit both community and property owners.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Patton", written over the printed name.

Arlene Patton
Chair

RESOLUTION NO. 44-2015
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA
CREATING AN OPEN SPACE AND PARKLAND ADVISORY COMMITTEE AND
RESCINDING RESOLUTION NO. 31-2013

WHEREAS, a subcommittee of the Council reviewed the function of City Commissions and Committees and held a Study Session on March 20, 2013; and

WHEREAS, natural areas and parks surround the City of Pacifica, contribute to its beauty and character, and remain a valued asset for our community; and

WHEREAS, there was an Open Space Advisory Committee without an authorizing resolution and a Golden Gate National Recreation Area Advisory Committee with an expired authorizing resolution; and

WHEREAS, the Council determined that it would be beneficial to combine the functions of the two committees into one committee called the Open Space and Parkland Advisory Committee that would consider issues related to natural areas that are proposed to be dedicated to the Golden Gate National Recreation Area ("GGNRA"), lands that are proposed to be dedicated open space, parklands that are under the jurisdiction of the GGNRA and areas operated by San Mateo County Parks Department; and

WHEREAS, the committee shall also advise the City Council on other pertinent open space issues, the current priority objectives of the committee shall be to make recommendations to the City Council on: (1) The Policy and Procedures of the National Park Service ("NPS") as they relate to areas of the GGNRA within the City of Pacifica and adjacent communities; (2) Issues surrounding the transfer of ownership of Cattle Hill and the Pedro Point Headlands to the NPS; (3) Access and operation of the San Mateo County Parks in the City of Pacifica including the San Pedro Valley County Park and the Devil's Slide Trail County Park; and (4) Ways in which these areas can contribute to the economy of the City; and

WHEREAS, the committee may also advise applicants on properties listed in the Open Space Task Force report and on other open space issues. Recommendations of the committee will be solely advisory; and

WHEREAS, while some of the recommended actions of the Open Space Task Force Report have been completed, the report should remain the basic reference for the Open Space and Parkland Advisory Committee; and

WHEREAS, The Open Space and Parkland Advisory Committee will be comprised of nine (9) members selected by the Council from the community at large; and

WHEREAS, on June 10, 2013, the City Council adopted Resolution No. 31-2013, a Resolution of the City Council of the City of Pacifica Creating an Open Space and Parkland Advisory Committee (the "OSPAC Resolution"); and

WHEREAS, on November 23, 2015 the City Council considered amending the OSPAC Resolution.

NOW THEREFORE BE IT RESOLVED that Resolution No. 31-2013 is hereby rescinded; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Pacifica does hereby authorize the creation of the Open Space and Parkland Advisory Committee to consist of 9 members appointed by the City Council with the goals and objectives as stated in this resolution.

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*

*

Passed and adopted at a regular meeting of the City Council of the City of Pacifica on November 23, 2015, by the following vote of the members thereof:

AYES, Councilmembers:

Keener, O'Neill, Nihart, Digre, Ervin

NOES, Councilmembers:

None

ABSENT, Councilmembers:

None

ABSTAIN, Councilmembers:

None



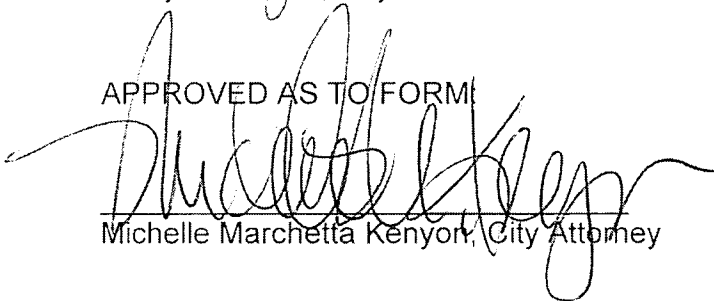
Mike O'Neill, Mayor

ATTEST:



Kathy O'Connell, City Clerk

APPROVED AS TO FORM:



Michelle Marchetta Kenyon, City Attorney

For OSPAC Discussion on 10/20/2021
DRAFT Authorizing Resolution suggested by OSPAC to replace Resolution 44-2015
(For discussion with Pacifica City Council at a Study Session – date TBD)

1 WHEREAS, the Council reviewed the function of the Open Space and Parkland Advisory
2 Committee (OSPAC) and held a study session on _____, 2021; and
3

4 WHEREAS, the City of Pacifica has had a long history of open space committees with the latest
5 being OSPAC, a result of combining the Open Space Advisory Committee and the Golden Gate
6 National Recreation Area Advisory Committee via City Council Resolution 44-2015 on
7 November 23, 2015; and
8

9 WHEREAS, Pacifica's Open Spaces and Parklands and associated prominent hills, ridgelines,
10 bluffs, beaches, recreational opportunities, and viewsheds are fundamental to Pacifica's
11 essence. The beauty, character, economy, history, and the quality of life for the citizens of
12 Pacifica attracts residents and visitors to Pacifica, and provides them with mental and physical
13 health benefits; and
14

15 WHEREAS, the Opens Spaces and Parklands of Pacifica support a unique coastal flora and fauna
16 that require intact and connected habitats to thrive, and this biodiversity is essential to
17 ecosystem diversity and resilience which is critical to maintaining the community and public
18 benefits derived from Open Spaces and Parklands; and
19

20 WHEREAS, significant Parklands and Open Spaces in and around Pacifica are owned and
21 managed by the

- 22 • National Park Service as part of the Golden Gate National Recreational Area (GGNRA), such
23 as Mori Point, Milagra Ridge, and Sweeney Ridge;
- 24 • San Mateo County through its Parks Department (SMCP), such as San Pedro Valley Park and
25 Devil's Slide Trail
- 26 • the City of Pacifica, including Cattle Hill and lands on Pedro Point Headlands; and
27

28 WHEREAS, some of the recommended actions of the Open Space Task Force Report have been
29 completed, the report will remain the fundamental reference for the Open Space and Parkland
30 Advisory Committee; and
31

32 WHEREAS, equitable access to Parklands and Open Spaces is an important component of
33 addressing systemic injustices and inequalities; and
34

35 WHEREAS, an Advisory Committee whose sole focus of consideration is Open Space and
36 Parklands, including advisement on issues of equity, access, safety, connectivity, safety,
37 economics, scenic beauty, and effects on adjacent neighborhoods. OSPAC is uniquely qualified
38 to provide valuable recommendations on these topics including input in a community forum to
39 safeguard the benefits of Open Spaces and Parklands for current and future generations; and
40

41 NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pacifica does hereby
42 reauthorize the creation of the Open Space and Parkland Advisory Committee (OSPAC)

For OSPAC Discussion on 10/20/2021
DRAFT Authorizing Resolution suggested by OSPAC to replace Resolution 44-2015
(For discussion with Pacifica City Council at a Study Session – date TBD)

consisting of nine (9) members selected from the community at large and appointed by the City Council with goals and objectives as stated in this resolution; and

BE IT RESOLVED that the committee shall continue to advise the City Council on open space issues, making recommendations to the City Council on:

- (1) issues related to lands owned or managed by the GGNRA and SMCP within and adjacent to the City of Pacifica; and
- (2) issues related to Open Space owned by the City of Pacifica and associated considerations such as transfer of ownership to an appropriate long-term owner; and
- (3) opportunities for existing and potential future Open Space and Parklands to provide public benefit and continue to enrich the well-being of Pacifica's residents and visitors. Including consideration of Open Space and Parkland related issues of access, use, connectivity, safety, economics, scenic beauty, preservation and effects on adjacent neighborhoods; and

BE IT RESOLVED that OSPAC will engage and collaborate with other City Committees and Pacifica's Land Trust to protect Open Space lands described in the City's General and Coastal Plans; and

BE IT RESOLVED that planning project applicants shall be required to participate in a public study session during OSPAC's monthly meetings for properties listed in the Open Space Task Force report, as well as vacant parcels in the Hillside Preservation District (HPD), vacant adjacent to existing parklands, or existing and proposed trails. The purpose of the study session is for the applicant to share their design and vision, to establish an opportunity for the public to have a voice, and for OSPAC to work with the applicant collaboratively in the early conceptual stage, as soon as practicable after the initial application package is submitted, to bring stakeholders together to identify opportunities to bring value to the project and for open space preservation, natural resource protection, and public benefit. Recommendations from OSPAC would be incorporated into the Planning Department's staff report on the project proposal; and

BE IT RESOLVED, that Committee members may assist staff with identifying sources of funding for open space preservation, acquisition, enhancement, and maintenance. Funding sources could be as varied as grants, bond or parcel tax measures or community fund raising resources; and

For OSPAC Discussion on 10/20/2021

DRAFT Authorizing Resolution suggested by OSPAC to replace Resolution 44-2015

(For discussion with Pacifica City Council at a Study Session – date TBD)

82 Passed and adopted at a regular meeting of the City Council of the City of Pacifica on
83 _____, 2021 by the follow vote of the members thereof
84

DRAFT

From: Coffey, Sarah
Sent: Wednesday, March 23, 2022 1:36 PM
To: Public Comment
Subject: FW: Public comment on City Council Study Session.

-----Original Message-----

From: Bob [REDACTED]
Sent: Wednesday, March 23, 2022 12:53 PM
To: Coffey, Sarah <scoffey@pacifica.gov>
Subject: Public comment on City Council Study Session.

[CAUTION: External Email]

Hi Sarah this is regarding the study session this Friday 3/25/22. I don't see a link to make a comment or info on attending and testifying or phoning in. And is there a link that can be included to anymore information that can be provided about what specific training will be provided?

Please post this as a public comment on that study sessio which it all related to one way or another

Hello esteemed members of the PACifica city council,. I'm sure you're aware that this study session like any gathering of a majority of council members is considered "a meeting" under the brown act. And as such must include a period for public comment on any subject as well as access by the public to participate and comment at the meeting.

You should be very wary when limiting free speech in any way including limiting comments to one subject at an open meeting as well as stating the public may not address single council members or individual employees. Or stating any characterization of content in any way is prohibited. The Supreme Court has been very clear in repeatedly and consistently upholding the first amendment at public meetings and most municipalities have removed such language and repealed any codes, ordinance or rules saying as much. We need to do the same. You need to look into it and find out for yourselves and not just take other people's word for anything.

At the last city council meeting on 3/14/22 I gave each of you pages from a brown act guide (which should be part of that agenda packet and available to the public) which has some great and accurate guidelines about these and other topics. You might notice much of what it says conflicts with advice from your city manager as well as your city Attorney and her law firm Burke Williams Sorenson. Then you might have thought. why should I trust this guide Bob Hutchinson gave me? Then I'm sure you saw the guide was produced during a workshop conducted by the city attorneys law firm Burke Williams Sorenson. Maybe they need to read it too too.

Btw at that last council meeting mayor Beir made a strange comment out of the blue that she doesn't respond to personal attacks.. I hope that wasn't directed towards me because I don't recall ever making a personal attack about you. I did ask you and the other council members to look into violations of state law and showed you evidence showing the city manager illegally keeping public documents the people had a right to see from the public. And then I stated in my lawsuit against the city (that's pending) that not one Councilperson even replied to my report of lawbreaking by their employee (Except Sue V. who said she won't reply cause I twist her words). So maybe you consider my reporting to

lawbreaking by the city manager a personal attack on your employee and if so that emphasizes the need for ethics and other training for all council persons.

That said I'm glad to see you're getting some kind of training. Even though we don't see exactly what training it is because of the vague agenda description. The city council and key staff need some intensive training on Ethics laws, the brown act and public records act. City council needs to be giving direction to the city attorney and the city manager not taking directions from them. Btw your attorneys firm charged us about \$2 million dollars this current year so far and they do not need to be racking up more hours attending city council meetings just to tell you how to state something. We never had city attorney at meetings, they were part Time workers

OpYou need to know all that. If anything Burke law firm has attracted more lawsuits due to their bad advice which is a tactic some sleazy law firms use to increase profits. You as elected officials need to learn to recognize when something maybe not be legal and not just take the city attorney or city mangers word for it. It's all of your responsibility to know the laws of the land. Each and every citizen needs to know the laws that affect them just as each and every council person needs to know the laws of the state that govern city public's right to know what they do. You need to know ethics laws, the brown act and public documents act inside out. You can't just rely on somebody's word that it's OK to do that or we don't have to do this. Just because they have a law degree doesn't mean they You need to know the laws are correct lawyers are wrong 50% of the time. But they still get paid. And you need to question when something doesn't sound legal. And you need to do something about it because if it ever comes down to it you are each personally legally responsible.

Our great Pacifica has fallen into a period of closed public government not in touch with the people and in fact working very hard to keep people out of the loop on many issues such as the Civic Center proposed project. Which is all exacerbated by having a city manager and city attorney and their law firm Burke Williams Sorenson who have worked very hard to keep Information the public has a right to know away from the people. If the city is ever going to become more open and transparent those people need to go and their policies tossed out with the followed by intensive retraining and in some cases dismissal of staff who participated in any illegal or unethical acts.

Bob Hutchinson

[REDACTED]

Pacifica CA

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From: Vicki Sundstrom [REDACTED]
Sent: Wednesday, March 23, 2022 2:02 PM
To: _City Council Group
Cc: Public Comment; Murdock, Christian; Woodhouse, Kevin
Subject: Use of tax payer funds

[CAUTION: External Email]

Good afternoon City Council Members and Staff, I've been thinking a lot lately about how Pacifica City Hall and Council is serving Pacifica and how exactly you are managing our city and funds. I'd like to share with you the feedback I provided on the recent DEIR. With the various iterations it's gone through - since 2009 - it's cost us Pacifica tax payers - anywhere from 1M-2M dollars. It's a pricey document that does not meet standards - current or prior. My write up is an easy read - no more than 5 minutes and not terribly technical. (https://drive.google.com/file/d/1snhPG_hl_iXu_oCpCT4HJl0yFPmyQKaR/view?usp=sharing) Pacifica tax payers are or have been paying for it but it's lacking in representing us, our needs, our issues and our safety. The document, meant to serve our community - Pacifica - is very specific in addressing development - the needs of developers who didn't pay for the document or live here. And completely lacking in addressing anything we, Pacificans, might need. Most of us were deliberately left out of the process. It doesn't address traffic, traffic mitigation, our safety, climate change and a lot of other issues - but development it does. Why am I bringing this up now and here. At an event over the weekend, a current council member mentioned that she would vote for the General Plan/DEIR to pass in its current state because it's better than the one from 40 years ago. In any other municipality, the people working on something this bad would be fired and it would be a public shame. But our council member thinks subpar performance is something we should pay for and she can stand by. Keep in mind we have higher sewer rates on the table and you are looking to increase taxes to run our municipality. If this basic document is an indication of your performance standards and how you manage our funds, you should not be trusted to do the job. We can't afford what you are costing us.

Regards

Vicki Sundstrom

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From: Christine Boles <[REDACTED]>
Sent: Friday, March 25, 2022 9:02 PM
To: Public Comment; Woodhouse, Kevin; _City Council Group
Subject: Council goal setting

[CAUTION: External Email]

Dear Mayor Bier, Mayor Pro-Tem Bigstych, and Councilmembers Beckmeyer, O'Neill and Vaterlaus,

I'm sorry I cannot join you for goal setting tomorrow, but wanted to applaud a lot of what I see on your agenda.

I want to ask you to please put the update to the Climate Action Plan high on your list, as well as reach codes. We have great examples from Half Moon Bay and other local cities to work with as models and it should not be a great burden on staff. Our climate is changing so quickly, and Pacifica is more at risk of fire, flooding and landslides every year. We need to proactively be doing all that we can to reduce our dependence on fossil fuels, and to reduce our emissions individually and collectively.

I am happy to assist you in any way I can on these issues. Bob and I will also be hosting tours of our Net Zero all electric home in April and tours of our first place award winning NCCWD water-wise garden in May to help educate and inspire our community. Changes to our gardens can also help with storm water management thereby reducing the burden on city infrastructure.

I look forward to helping with the completion of the General Plan and Housing Element updates, and to the upcoming work on our zoning codes. Having consistent and up to date documents that properly address our hazards and environmental concerns will give our planning staff the tools they need to properly review projects. This should help immensely in reducing the number of appeals and legal challenges as well. I know it will take some time as the GP and DEIR drafts were not fully updated to current science, but we need to see this through properly so that we have the tools we need to guide us through the next 20-30 years, as well as the tools we need to ensure we are not putting our residents in harms way.

Thank you for listening and for your service to our town.

Christine Boles

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Christine

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