



**CITY OF PACIFICA
CITY COUNCIL AGENDA**

**Council Chambers
2212 Beach Blvd
Pacifica, CA 94044**

Mayor Sue Digre
Mayor Pro Tem Mike O'Neill
Councilmember Karen Ervin
Councilmember Mary Ann Nihart
Councilmember John Keener

**December 19, 2015 (SATURDAY)
www.cityofpacifica.org**

Off-street parking is allowed by permit for attendance at official public meetings. Vehicles parked without permits are subject to citation. You should obtain a permit from the rack in the lobby and place it on the dashboard of your vehicle in such a manner as is visible to law enforcement personnel.

PLEASE SILENCE CELL PHONES DURING METING

10:30 A.M. CLOSED SESSION

PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1) Conference with legal counsel - Existing Litigation: City of Pacifica v. Millard Tong, San Mateo County Superior Court Case No. NM439582.

11:00 A.M. OPEN SESSION

Call to Order

Roll Call

Salute to the Flag led by Mayor Pro Tem O'Neill

Closed Session Report

CONSENT CALENDAR

Persons wishing to address the Council on any Consent Calendar item may do so at this time. Each speaker will be allotted three minutes. Those wishing to address the Council on any item listed on the agenda should submit a speaker card to the City Clerk.

Items on the consent calendar will be adopted by one motion unless a Councilmember or person in the audience requests, before the vote on the motion, to have an item discussed under the Consideration portion of the agenda. Time limit on comments is three minutes or less.

1. Consideration and Adoption of Resolution Approving Second Amendment to Employment Agreement Between City of Pacifica and Lorie Tinfow as City Manager.
PROPOSED ACTION: Move to adopt a resolution (attached) Approving the Second Amendment to Employment Agreement Between the City of Pacifica and Lorie Tinfow.

ORAL COMMUNICATIONS

This portion of the Agenda is available for the public to address the City Council on any issue that is not on the Agenda. Any person wishing to address the Council shall be recognized by the Mayor during Oral Communications, provided, however, that during the Oral Communications portion of the agenda, only items not on the agenda for that meeting may be addressed. All remarks shall be addressed to the Council as a body and not to any member thereof. Councilmembers shall not enter into debate with speakers under Oral Communications. A maximum time of three minutes will be allowed for any speaker. Pursuant to Pacifica Municipal Code Title 2, Chapter 1, Section 2-1.118 any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Council shall be called to order by the presiding officer and, if such conduct continues, may, at the direction of the presiding officer, be ordered barred from further audience before the Council during the meeting.

COUNCIL COMMUNICATIONS

The purpose of Council Communications is for Councilmembers to inform each other of items of potential interest to other Councilmembers, such as interagency meetings.

STAFF COMMUNICATIONS

The purpose of staff communications is for the City Manager to offer announcements as appropriate.

PUBLIC HEARING

During public hearings, an applicant or their agent and appellants have ten minutes for their opening presentation and three minutes for rebuttal before the public hearing is closed. Members of the public are limited to three minutes.

CONSIDERATION

2. Consideration of Emergency Actions Needed to Abate Unsafe Conditions at 320 Esplanade Including Appropriation of \$400,000 to Cover Associated Costs and Delegation of Authority to the City Manager to Expend Funds Up to This Amount to Complete the Abatement and Demolition Work.

PROPOSED ACTION: Move to adopt a resolution of the City Council of the City of Pacifica authorizing immediate expenditure of public money to safeguard life, health or property; finding that emergency conditions require abatement and demolition of the apartment structure located at 320 Esplanade Avenue without competitive solicitation of bids; and appropriating \$400,000 from Fund 30 Excess ERAF toward the cost of the abatement and demolition work.

ADJOURN

NOTICE: If you challenge a city's zoning, planning or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Judicial review of any city administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations

may be subject to a shorter time period for litigation, in certain cases 30 days following the date of the final decision

The City of Pacifica will provide assistance for disabled citizens upon at least 24 hours advance notice to the City Manager's Office (650) 738-7301, or send request via email to: o'connellk@ci.pacifica.ca.us if you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

The Pacifica Municipal Code is available on line at the City's website (www.cityofpacifica.org/municode);

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Posted agendas:

Agendas are posted no later than Friday prior to the City Council meeting date, at the entrance to City Hall, 170 Santa Maria Avenue

View on the Internet:

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E-mail subscription:

Send a request to Kathy O'Connell, at o'connellk@ci.pacifica.ca.us

City Clerk's Office/City Manager's Office

City Hall, 170 Santa Maria Avenue, 2nd Floor

Council meetings:

Agendas are available at the City Council meeting

HOW TO REACH YOUR GOVERNMENT OFFICIALS

- Governor Jerry Brown, State Capitol Building, Sacramento CA 95814 (916) 445-2841
- State Senator Jerry Hill, 1528 So. El Camino Real, Suite 303, San Mateo CA 94402 (650) 212-3313
- Assembly Member Kevin Mullin, 1528 South El Camino Real, Suite 302 San Mateo, CA 94402 (650) 349-2200
- Congresswoman Jackie Speier, 155 Bovet Road, Suite 780, San Mateo CA 94402 (650) 342-0300
- Senator Barbara Boxer, 1700 Montgomery Street, Suite 240, San Francisco CA 94111 (415) 403-0100
- Senator Dianne Feinstein, #1 Post Street, Suite 2450, San Francisco CA 94104 (415) 393-0710
- President Barack Obama, 1600 Pennsylvania Ave. NW, Washington DC 20500 (202) 456-1111

CITY COUNCIL

- Mayor Karen Ervin, 61 Driftwood Circle, Pacifica, CA 94044
- Mayor pro Tem Sue Digre, 780 Edgemar, Pacifica, CA 94044
- Councilmember Mary Ann Nihart, 146 Hilton Way, Pacifica, CA 94044
- Councilmember Mike O'Neill, 1562 Miranda Court, Pacifica, CA 94044
- Councilmember John Keener, 1211 Galvez, Pacifica, CA 94044



**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT**

12/19/2015

SUBJECT:

Consideration and Adoption of Resolution Approving Second Amendment to Employment Agreement Between City of Pacifica and Lorie Tinfow as City Manager.

RECOMMENDED ACTION:

Move to adopt a resolution (attached) Approving the Second Amendment to Employment Agreement Between the City of Pacifica and Lorie Tinfow.

STAFF CONTACT:

Michelle Kenyon, City Attorney
650-738-7409

BACKGROUND/DISCUSSION:

The City and Lorie Tinfow entered into an Employment Agreement in September 2013 providing for the terms and conditions of employment of Lorie Tinfow as City Manager. In June 2014, the City and Lorie Tinfow entered into a First Amendment to Employment Agreement. Following a performance evaluation in November 2015, the Council directed staff to prepare a Second Amendment to Employment Agreement ("Second Amendment"). The Second Amendment provides a salary increase and also provides for a nine (9) months' severance package. In addition, the Second Amendment eliminates the City's provision of any housing allowance. Council is asked to approve the attached Resolution which approves the Second Amendment and authorizes the Mayor to execute the attached Second Amendment to Employment Agreement with Lorie Tinfow.

This report appeared on the December 14, 2015, agenda but was removed before Council action by the City Attorney in order to ensure it included the correct provisions. That review was done and no changes were needed. The amendment attached to this report is identical to the one presented at the earlier Council meeting except that the effective date has been changed to December 19, 2015.

FISCAL IMPACT:

The annual base salary for Ms. Tinfow will be Two Hundred Thirteen Thousand Nine Hundred and Ninety-Six Dollars (\$213,996.00) and the costs associated with this Second Amendment is expected to increase the annual budget for City Manager compensation by approximately Twelve Thousand Dollars (\$12,000.00).

ORIGINATED BY:

City Attorney's Office

ATTACHMENT LIST:

Second Amendment to Employment Agreement - Lorie Tinfow 12-19-15.docx (PDF)



RESOLUTION NO. (ID # 1833)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA:
APPROVING SECOND AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN CITY OF
PACIFICA AND LORIE TINFOW**

WHEREAS, the City of Pacifica (“City”) and Lorie Tinfow entered into an Employment Agreement in September 2013 to employ Lorie Tinfow as City Manager; and

WHEREAS, the City and Lorie Tinfow entered into a First Amendment to Employment Agreement in June 2014 to modify the terms and conditions of Manager’s employment as City Manager; and

WHEREAS, the City now desires to enter into a Second Amendment to Employment Agreement with Lorie Tinfow.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pacifica hereby approves the Second Amendment to Employment Agreement Between City of Pacifica and Lorie Tinfow in substantially the same form attached hereto as Exhibit "A" and authorizes and directs the Mayor to execute same for and on behalf of the City of Pacifica.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on December 14, 2015 by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSTAIN, Councilmembers:

ABSENT, Councilmembers:

* * * * *

(ID # 1833) at 12/19/2015 12:00 AM City Council Special Meeting

CITY OF PACIFICA

By: _____
Karen Ervin, Mayor

APPROVED AS TO FORM

By: _____
Michelle Kenyon, City Attorney

ATTEST

By: _____
Kathy O'Connell, City Clerk

"EXHIBIT A"

**SECOND AMENDMENT TO
EMPLOYMENT AGREEMENT**

between

CITY OF PACIFICA AND LORIE TINFOW

1. PARTIES AND EFFECTIVE DATE

The parties to this Second Amendment to Employment Agreement ("Second Amendment") are the City of Pacifica ("City") and Lorie Tinfow ("Manager"). The effective date of this Second Amendment shall be December 19, 2015.

2. PURPOSE

The parties have previously entered into an Employment Agreement Between City of Pacifica and Lorie Tinfow effective as of September 9, 2013 and a First Amendment to Employment Agreement effective as of June 23, 2014 (hereinafter collectively referred to as ("Employment Agreement")). The City and Manager hereby desire to amend the Employment Agreement as set forth below.

3. AMENDMENT

A. Section 6 is hereby modified to read in its entirety as follows:

6. COMPENSATION AND BENEFITS.

- a. Salary. City agrees to pay Manager for her services rendered pursuant hereto as City Manager the sum of Two Hundred Thirteen Thousand Nine Hundred Ninety-Six Dollars (\$213,996) annually payable in installments at the same time as other employees of the City are paid. Beginning January 1, 2016 Manager shall be entitled to a three percent (3%) salary increase.

- b. Vehicle Allowance. The City will provide Manager a monthly vehicle allowance in the amount of Five Hundred Fifty-Three Dollars (\$553). This amount will be evaluated annually to consider the increasing costs of ownership, insurance and maintenance of a vehicle.
- c. Vacation Leave. Manager shall accrue twenty-four (24) days of vacation leave in the first year following her appointment as Manager. Starting in the second year, the accrual rate shall increase by one day for each additional year of service to a maximum of 27 days as received by department directors. Manager shall be eligible for all other vacation leave provisions including return of vacation in the same manner as other department directors of the City and upon separation from service, Manager shall be entitled to have all accrued vacation leave earned prior to the effective date of termination paid into either a health retirement account or paid in a lump sum in proportions as directed by Manager.
- d. Administrative Leave. Manager shall receive ninety-six (96) hours of administrative leave each calendar year; the amount for 2013 shall be prorated. Manager agrees that there shall be no accrual of unused administrative leave from year to year.

- e. Holidays and Other Employee Benefits. Manager shall receive the following additional benefits:
- i. Retirement: 2.5% @ 55 CaiPERS (classic); employee contributes 8%. Effective the first payroll period after January 1, 2016, Manager shall continue to pay through payroll deduction the 8% member contribution plus an additional 1% of PERSable compensation for a total contribution of 9% toward the normal cost of pension benefits as permitted by Government Code § 20516.
 - ii. Health Insurance: City contribution to health insurance shall be as set forth below:

Plan	2015 (Effective August 1, 2015)	2016 (5.0% increase effective January 1, 2016)	2017 (5.0% increase effective January 1, 2017)	2018 (5.0% increase effective January 1, 2018)
Health Insurance (Kaiser CA)				
Employee Only	\$714.45	\$750.18	\$787.69	\$827.08
Employee+ 1	\$1,384.60	\$1,453.83	\$1,526.53	\$1,602.86
Employee + 2 Or More	\$1,800.00	\$1,890.00	\$1,984.50	\$2,083.73

- iii. VSP Vision Plan: City shall contribute the monthly amount of \$26.52, which shall be increased in accordance with increase provided to department directors.
- iv. Flexible Spending Account (FSA): City will offer IRS qualified flexible medical spending accounts (FSA) for

- health reimbursement and childcare/ eldercare reimbursement (Discovery Benefits).
- v. City-paid Contribution Towards Medical Premium: City shall pay an additional amount as set forth by CaiPERS Health towards Manager's medical premium.
- vi. Voluntary Participation PARS 401(a): Manager can contribute up to \$44,000 annually or as IRS regulation allow.
- vii. Dental: City to provide self-funded dental plan (currently Delta) that typically covers 100% paid premiums of dental expenses and \$2,000 in orthodontic benefits.
- viii. Sick Leave: 12 days accrued annually.
- ix. Holidays: 11 paid holidays annually and 2 floating holidays.
- x. Retirement Health Savings:
- Voluntary participation as well as city contribution of 2% to ICMA VantageCare Retirement Health Savings program.
 - City also pays an additional contribution of 8% of salary at time of retirement with two or more years of service.
- xi. Deferred Compensation: \$5,000 paid annually in October.

- xii. Long-term Disability Insurance and Life Insurance: City paid.
 - xiii. City-paid term life insurance \$400,000
- f. Professional Associations and Memberships. The City shall annually budget during the term of this Agreement under the City Manager's Department the cost of reasonable fees and memberships for the Manager in professional organizations such as the International City/County Management Association (ICMA), the California City Management Foundation (CCMF), the Municipal Managers Association of Northern/Southern California, etc., as well as the registration fees and travel and subsistence costs for professional and official meetings, conferences, and functions associated with these organizations. In addition, the City recognizes the value of the Manager's continued involvement with organizations such as Continuing Education for Public Officials, Inc., and the Center for Priority-Based Budgeting and considers maintaining these relationships by attending meetings, conferences, etc., and serving on their Boards as part of her regular duties.
- g. Internal Revenue Code Compliance. All provisions of this Paragraph 6 are subject to the provisions and limitations of the Internal Revenue Code and its related regulations as

amended from time to time. No requirement of any provision of this Paragraph 6 shall be effective if it would violate any provision of the Internal Revenue Code or its related regulations, and the inability of the City to effectuate such requirements shall not constitute a breach of this Agreement.

B. Section 7.c. is hereby modified to read in its entirety as follows:

7. RESIGNATION AND TERMINATION.

c. In the event the City terminates Manager's employment without cause, Manager shall receive a severance payment of nine (9) months' salary and benefits.

4. Except as specifically modified herein, all remaining terms and obligations set forth in the Employment Agreement between the City and Manager shall remain in full force and effect.

CITY OF PACIFICA

By: _____
Mayor

Dated: _____

MANAGER:

By: _____
Lorie Tinfow

Dated: _____

APPROVED AS TO FORM:

Michelle Marchetta Kenyon
City Attorney



**CITY OF PACIFICA
COUNCIL AGENDA SUMMARY REPORT**

12/19/2015

SUBJECT:

Consideration of Emergency Actions Needed to Abate Unsafe Conditions at 320 Esplanade Including Appropriation of \$400,000 to Cover Associated Costs and Delegation of Authority to the City Manager to Expend Funds Up to This Amount to Complete the Abatement and Demolition Work.

RECOMMENDED ACTION:

Move to adopt a resolution of the City Council of the City of Pacifica authorizing immediate expenditure of public money to safeguard life, health or property; finding that emergency conditions require abatement and demolition of the apartment structure located at 320 Esplanade Avenue without competitive solicitation of bids; and appropriating \$400,000 from Fund 30 Excess ERAF toward the cost of the abatement and demolition work.

ALTERNATIVE ACTION:

Take no action at this time to abate and demolish the apartment building located at 320 Esplanade or provide alternative direction to staff about how to proceed.

STAFF CONTACT:

Lorie Tinfow, City Manager

ltinfow@ci.pacifica.ca.us

650-738-7409

BACKGROUND/DISCUSSION:

In the winter of 2009-10, Pacifica experienced severe storms with associated wave action that caused severe bluff erosion and subsidence adjacent to the Pacific Ocean from Manor Drive northward to approximately 100 Palmetto Avenue. The City Council proclaimed the existence of a local emergency related to these storm events on February 22, 2010. The storms directly impacted the property at 320 Esplanade Drive, eroding the bluff supporting the apartment structure at the site, and undermining the structure. The City's Building Division condemned the building on April 20, 2010, identifying it as unsafe for occupancy. Since that time, the apartment building has remained unoccupied and the owner has taken no action to make the structure safe or to demolish the building.

The City's code enforcement staff have sought to obtain the owner's compliance with health and safety regulations related to the building. Specifically, staff required that the owner demolish the building to avoid health and safety impacts that could flow from the predicted "El Nino" storm season this winter if the bluff near the building were to erode further. However, despite the City's administrative code enforcement action and its subsequent filing of a criminal code enforcement Complaint in San Mateo County Superior Court in October 1, 2015 (the code enforcement action is ongoing), the owner has refused to take the required steps.

As noted above, it is predicted that this season will bring another “El Nino” storm system with conditions similar to or worse than those in 2010. This anticipated weather, along with its associated wave action, create urgency to undertake the demolition work, and thereby prevent further emergencies if the building becomes unstable and debris begins to fall to the beach below.

The National Weather Service has stated there is a 95 percent chance that an El Nino event will occur and continue through winter 2015-2016, gradually weakening through spring 2016. Oregon State University research has determined that El Nino episodes tend to bring increased wave size and accelerated erosion. The Washington State Department of Ecology has observed a similar phenomenon of greatly increased wave size from El Nino episodes. The increased wave sizes observed during El Nino episodes can increase the rate of erosion by two to three times the normal rate.

Due to the unusual weather events predicted for this winter season, and the potential consequences if the bluff erodes further near the apartment building at 320 Esplanade, it is imperative that immediate action be taken to abate and demolish the structure before further significant bluff erosion occurs.

As there are no “public projects” or “public works contracts” related to this work, it is unlikely that public bidding is required for the City to carry it out. However, in an abundance of caution and because this work also meets the criteria for an exception to the public bidding requirement under the Public Contracts Code, staff is recommending that the Council vote to utilize that exception from public bidding requirements.

The emergency conditions, and the demolition necessary to respond to them, will not permit the delay resulting from competitive solicitation for bids, and staff therefore recommends that the Council adopt the attached resolution delegating to the City Manager the authority to abate and demolish the apartment structure at the Property, take any directly related and immediate action required by the emergency, and procure the necessary equipment, services and supplies for those purposes, including but not limited to entry into any necessary contracts to carry out the work, and to do so without giving notice for bids to enter into contracts to carry out the work.

Under the Public Contracts Code, this resolution to carry out the work without the formal bid process must pass by a four-fifths vote.

FISCAL IMPACT:

Staff is requesting the City Council approve an appropriation of \$400,000 from Fund 30 Excess ERAF to cover the costs associated with the abatement and demolition work, and authority to expend up to this amount to complete the work.

Fund 30 Excess ERAF has an approximate balance of \$1 million at this time. Approval of this action will reduce the balance to approximately \$600,000.

The City expended funds from Fund 30 to purchase the Colt property and expects to receive reimbursement grant funds for most of the cost in the first quarter of 2016. The grant fund amount is estimated to be \$550,000 and will be deposited into Fund 30. This action will bring the balance to approximately \$1.15 million.

ORIGINATED BY:

City Manager's Office

ATTACHMENT LIST:

None. (TXT)



RESOLUTION NO. (ID # 1837)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA
AUTHORIZING IMMEDIATE EXPENDITURE OF PUBLIC MONEY TO SAFEGUARD LIFE,
HEALTH OR PROPERTY, FINDING THAT EMERGENCY CONDITIONS REQUIRE
ABATEMENT AND DEMOLITION OF THE APARTMENT STRUCTURE LOCATED AT 320
ESPLANADE AVENUE WITHOUT COMPETITIVE SOLICITATION OF BIDS, AND
APPROPRIATING \$400,000 FROM FUND 30 EXCESS ERAF TOWARD THE COST OF THE
ABATEMENT AND DEMOLITION WORK**

WHEREAS, California Public Contract Code Section 20168 authorizes the City Council to pass a resolution by a four-fifths vote of its members in case of emergency declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property; and

WHEREAS, upon adoption of the resolution, the City may expend any sum required in the emergency without complying with Division 2, Part 3, Chapter 1 of the California Public Contract Code; and

WHEREAS, pursuant to California Public Code Section 22050, upon adoption of a resolution by four-fifths vote the City Council may delegate to the City Manager or other non-elected agency officer the authority to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

WHEREAS, severe winter storms combined with extreme high tide, 20 foot high swells and waves have caused significant erosion near the apartment structure at 320 Esplanade Avenue (“Property”), eroding the bluff supporting the structure, and undermining the structure, leading the City to condemn it on April 20, 2010 after determining that it was unsafe for occupancy; and

WHEREAS, the City has sought through its code enforcement staff to obtain the Property owner’s compliance with health and safety regulations related to the structure, specifically that the owner demolish the structure, but the owner has refused to take the required steps; and

WHEREAS, the City initiated criminal code enforcement action against the Property owner in San Mateo County Superior Court on October 1, 2015, which code enforcement action is ongoing at this time; and

WHEREAS, it is predicted that winter storm events during this El Nino will bring severe weather conditions, and associated wave action, that could cause further severe bluff erosion and subsidence, and it is thus imperative that remediation be taken at the Property before further significant bluff erosion occurs;

WHEREAS, this emergency situation has created risks to public and private property, the environment and to the public health, safety and welfare and requires immediate repair and requires efforts to prevent or mitigate a further emergency; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pacifica hereby determines that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property; and

IT IS FURTHER RESOLVED based on substantial evidence, that the City Council finds the emergency will not permit a delay resulting from a competitive solicitation for bids, and that this action is necessary to respond to the emergency; and

IT IS FURTHER RESOLVED that the City Council delegates to the City Manager or her designee the authority to abate and demolish the apartment structure at the Property, take any directly related and immediate action required by the emergency, and procure the necessary equipment, services and supplies for those purposes, including but not limited to entry into any necessary contracts to carry out said work, and to do so without giving notice for bids to let contracts; and

IT IS FURTHER RESOLVED that the Council appropriates \$400,000 from Fund 30 Excess ERAF toward the costs of the necessary actions described herein to safeguard life, health or property.

IT IS FURTHER RESOLVED that the City Manager is hereby directed to report to the City Council at the next regularly scheduled meeting, and every Council meeting thereon until the emergency action is terminated.

* * * * *

PASSED AND ADOPTED at a special meeting of the City Council of the City of Pacifica, California, held on the 19th day of December, 2016 by the following vote:

- AYES:
- NOYES:
- ABSTAIN
- ABSENT:

Sue Digre, Mayor

ATTEST:

Kathy O'Connell, City Clerk

APPROVED AS TO FORM:

Michelle Marchetta Kenyon, City Attorney

* * * * *

(ID # 1837) at 12/19/2015 12:00 AM City Council Special Meeting

CITY OF PACIFICA

By: _____

Karen Ervin, Mayor

APPROVED AS TO FORM

By: _____

Michelle Kenyon, City Attorney

ATTEST

By: _____

Kathy O'Connell, City Clerk

None.

2182. txt

Attachment: None. (1837 : Consideration of Emergency Actions Needed to Abate Unsafe Conditions at 320 Esplanade)