



**CITY OF PACIFICA
CITY COUNCIL MINUTES**

**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

**May 23, 2016 (MONDAY)
www.cityofpacifica.org**

Mayor Sue Digre called the meeting to order on May 23, 2016 at 7:05 PM

6:15 PM CLOSED SESSION

Mayor Digre called the meeting to order at 6:15 p.m., stating that all councilmembers were present and announced that the Council would meet in Closed Session. Acting City Attorney Visick announced the business to be discussed.

PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d) (1) Conference with legal counsel - existing litigation. Chang v. City of Pacifica et al. (U.S. District Court, Northern District of CA, Case No. 4:15-CV-94591-SBA)

7:00 PM OPEN SESSION

Call to Order

Mayor Digre reconvened the meeting at 7:05 p.m.

Attendee Name	Title	Status	Arrived
Sue Digre	Mayor	Present	
Mike O'Neill	Mayor Pro Tem	Present	
Karen Ervin	Councilmember	Present	
Mary Ann Nihart	Councilmember	Present	
John Keener	Councilmember	Present	

Staff Present: Lorie Tinfow, City Manager; Matthew Visick, Acting City Attorney; Lorenzo Hines, Asst. City Manager; Van Ocampo, Public Works Director; Tina Wehrmeister, Planning Director; Dan Steidle, Police Chief; Joe Spanheimer, Police Captain; Rich Johnson, Deputy Fire Chief; Mike Perez, PB&R Director; Ray Donguines, Assoc. Engineer; Anne Stedler, Economic Dev. Mgr; Kathy O'Connell, City Clerk.

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

Closed Session Report

Acting City Attorney Visick stated that there was nothing to report.

SPECIAL PRESENTATIONS

Proclamation - Pacifica Resource Center Volunteer Appreciation

Anita Rees stated that the Lion's Club was not able to be present and the Pacifica Resource Center would deliver the proclamation to them.

Mayor Digre read the proclamation honoring the Pacifica Lion's Club as a volunteer of the Pacifica Resource Center.

Ms. Rees Introduced a member from their Board, who was going to read a message from the Lion's Club thanking the Pacifica Resource Center for the honor.

Mayor Digre acknowledged the good work they do.

CONSENT CALENDAR

Mayor Digre stated that they are pulling Item #9 for a future agenda.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Mike O'Neill, Mayor Pro Tem
SECONDER:	Mary Ann Nihart, Councilmember
AYES:	Digre, O'Neill, Ervin, Nihart
RECUSED:	Keener

1. Approval of Disbursements for 05/01/16 through 05/13/16
PROPOSED ACTION: Move to approve attached list of disbursements for 05/01/16 through 05/13/16.
2. Approval of Minutes
PROPOSED ACTION: Move to approve the minutes of the regular City Council meeting held on May 9, 2016.
3. Proclamation Confirming Existence of Local Emergency of the Pacifica Coastline from Westline Drive to the End of Beach Boulevard.
PROPOSED ACTION: Accept current photos as of May 17, 2016 (Attachment 2) and move to continue proclamation confirming the existence of local emergency.
4. The California State Department of Education Increase to the Child Care Division's General Contract CCTR in the Amount of \$32,762 for the 2015-2016 Fiscal Year.
PROPOSED ACTION: Authorize the City Manager to sign the 2015-2016 amended contract with the State of California Department of Education #CCTR-5247.
5. The California State Department of Education Increase to the Child Care Division's State Preschool Contract (CSPP) in the Amount of \$9,228 for the 2015-2016 Fiscal Year.
PROPOSED ACTION: Authorize the City Manager to sign the 2015-2016 amended contract with the State of California Department of Education #CSPP-5482.

6. The San Mateo County Office of Education Decrease to the Child Care Division's State Preschool Contract (CSPP) in the Amount of \$145,059 for the 2015-2016 Fiscal Year.
PROPOSED ACTION: Authorize the City Manager to sign the 2015-2016 amended contract with the San Mateo County Department of Education.
7. Adoption of Resolution Supporting the City of Pacifica Submitting an Application for the California Coastal Commission Local Coastal Plan Planning Grant Program.
PROPOSED ACTION: Adopt the Resolution Supporting the City of Pacifica Submitting an Application for the California Coastal Commission Local Coastal Plan Planning Grant Program and authorize the City Manager to execute any documents required for the grant program.
8. Adoption of Resolution Authorizing the Purchase of a Vac-Con Truck from Municipal Maintenance Equipment Company.
PROPOSED ACTION: Move to adopt a Resolution of the City Council of the City of Pacifica Authorizing the Purchase of a Vac-Con Truck from Municipal Maintenance Equipment Company in the amount of \$390,751.50; and authorize the City Manager to sign the purchase contract.
9. Adoption of Resolution Supporting the City of Pacifica Submitting Applications for the Hazard Mitigation Grant Program
PROPOSED ACTION: Adopt a Resolution Supporting the City of Pacifica Submitting an Application for the Hazard Mitigation Grant Program and authorize the City Manager to execute any document/s required for the grant application.
10. Resolution of Intention to Continue the Business Improvement District Program and Levy the Annual Assessments for Fiscal Year 2016-2017
PROPOSED ACTION: adopt the resolution entitled "A Resolution of the City Council of the City of Pacifica Confirming the Annual Report of the Advisory Board of the Pacifica Hotel and Business Improvement District (BID) and Declaring the City Council's Intention to Continue the BID Program and Levy the Annual Assessments for Fiscal Year 2016-2017 at the Same Rate as Levied in Fiscal Year 2015-2016 Without Change" and sets the date of June 13, 2016 for the Public Hearing on the annual levy of assessments on hotels within the BID.

ORAL COMMUNICATIONS

Mike Bell, Pacifica, stated that he asked the other speakers if he could speak out of turn, and then stated that the subject was Beach Boulevard but specific to the section from the pier to Paloma.

Mayor Digre asked that he make that clear when speaking.

Mr. Bell stated that he wanted to be sure it was okay to talk about it since there was an agenda item later on regarding a greater hazard discussion.

Mayor Digre asked Acting City Attorney Visick if it was okay.

Acting City Attorney Visick confirmed that he could speak if he was not speaking about the agenda item coming up later.

Mayor Digre suggested he just make it clear.

Mr. Bell mentioned that with spring, the ocean was full of whales and birds, etc., people were coming to the area to enjoy that and the beautiful sunset and waves. He wanted to point out a few dangerous situations that needed immediate attention. He stated that the railing was still missing. The railings and safety chain and fence made the promenade unpassable at that point by anyone using a wheelchair, walker, etc., and there was a large population with mobility challenges who used the walkway every day. Those with disabilities, as well as others, must step off the raised curb onto the street in traffic until they can get back on the sidewalk which he felt was risky. He also stated that the benches were removed or coned off because of being in disrepair and people were creating makeshift seating but he thought it was not safe and he asked that the city look at that. He referred to an area at Beach and Salada that was swamped. He acknowledged that they had grants, etc., pending, but with the FogFest coming and the beginning of winter weather, he felt we had no luxury regarding time and respectfully requested that the Council deliberate and vote on an expressed written policy regarding the repair, replacement or abandonment of the Beach Boulevard Seawall with a definitive plan and timeline to save an important part of Pacifica.

Tom Richardson, Pacifica, stated that his wife has owned Beach Boulevard property since the 1960s, and mentioned a lot of change happening within our community over that time. He mentioned that, when walking along the promenade, they speak to people from all over the Bay Area who come to enjoy the promenade and thought it was something to be proud of. He mentioned the damage done to portions of the sea wall this past winter, and felt that we needed to address the situation in other portions of the sea wall before next winter as it was much easier to fix and maintain than to replace and repair the breaches. He stated that it will cost less to do the maintenance and he felt it was important to bring this up as an agenda item now rather than later, adding that time was of the essence.

Kelly Bogdanov, Pacifica, stated that she also lived on Beach Boulevard and wanted to talk about the north sea wall. She was encouraged by an article in the Tribune stating that the voids in the sea wall will be tested for sink holes and necessary repairs addressed. She felt, if that was true, it was an example of our government being proactive in taking care of immediate risks to the concerned areas. She requested that the city not stop at fixing the void areas but replace the entire north sea wall in partnership with state and federal agencies to preserve the sea wall for future generations and asked that they add this as an agenda item soon.

Brent Ritz, Pacifica, stated that he lived on Beach Boulevard as well. He mentioned a fear that has been created in the community and stated that owners were now coming forward, meeting and will be becoming very proactive because of the millions of dollars at risk. He felt the Council needed to put this on the agenda. He suggested possible solutions would be a general obligation bond in addition to state funds, stating that there were businesses such as Goldman Sachs where the cost of a 20 year bond was cheap now. He stated that, starting now, they were two years into getting it done. He mentioned that they will be seeing a lot of owners stepping forward in the future as they have a lot invested in the area.

Dave O'Connor, Pacifica, stated that he also lives on Beach Boulevard and was requesting that they replace the north sea wall. He mentioned that this past winter was bad and the battering of the waves shook his house as though there was an earthquake. He stated that he

spends a lot of time on the promenade interacting with people. He acknowledged the efforts of Public Works in maintaining it. He mentioned that they draw people from other areas who prefer staying in Pacifica to San Francisco and local businesses can be prosperous. He asked that we fix this vibrant area by the Council moving with urgency on placing this on the agenda and investigate how they can build a seal wall that will protect the area.

Martin Anaya, Pacifica Coast Television, stated he would like to come at a future date and give an update on what was going on at Pacifica Coast Television. He stated that by the end of the summer, they will have a number of upgrades. He referred to past upgrades to the studio, stating that what pays for that are fundraisers, such as PCT Honors happening on June 3, adding that while this does not raise a huge amount of money, it does raise awareness and identify the people in the community who contribute to making Pacifica the wonderful place it is. He invited everyone to the event where they will be honoring nine wonderful Coastsiders, including one Councilmember. He mentioned that he always learns wonderful things about people who live in the area.

Mayor Digre stated that, besides honoring citizens, she thought PCT was the only local station broadcasting their city's meeting, and she was grateful that we have PCT.

Councilmember Nihart stated that, for clarification, the councilmember being honored was Karen Ervin.

COUNCIL COMMUNICATIONS

Councilmember Keener stated that he attended the ABAG General Assembly as a substitute for Mayor Digre. They were making a decision, explaining that MTC funds ABAG and MTC had decided to eliminate that funding unless ABAG comes up with an acceptable option. ABAG was deciding between Option 4, a complete merger of staffs and governance, which was ABAG's preferred option, or Option 7, complete merger of staffs with governance to be decided in the future. ABAG saw this as a fall back measure in case MTC did not go on with Option 4 which they had already said they would not accept. They had the minimum number to have a quorum and they passed Option 4 and the fall back Option 7, which was passed later that evening by the Executive Board. He stated that there were conditions attached, one being that, at the completion of the contract of the present MTC Exec. Director, the next Exec. Director would be selected and supervised by both boards and the other a deadline for the memorandum of understanding to pursue these options. He stated that it was a contentious meeting, but he thought he voted the way Council wanted him to vote.

Mayor Digre assumed it was in favor of local control.

Councilmember Keener responded affirmatively, adding that the best choice was Option 4, however, MTC said they won't have anything to do with that but the ABAG general assembly president negotiated to get MTC to say they would accept Option 7. He then requested that they adjourn the meeting in honor of Roleen Leon who passed away last week.

Mayor Digre added that Rollene was the wife of a former planning commissioner.

Councilmember Nihart added further comment on the ABAG vote from the Executive Board's view. She explained that they also had a contentious meeting, but it was Option 7 that was the preferred option of the Board, but they did approve both options put forth by the General Assembly. She explained the jurisdiction of both ABAG and MTC with planning and

transportation respectively, and stated that they had attempted a merger in the past. She stated that there was state law connected with both organizations and she thought it would be interesting to see what happens with these votes. She stated that they have drifted apart with transportation and planning, and she gave a brief explanation how each has been functioning and why there is that contention. She stated that she was hoping to hear a report on what was happening on the clean energy issue as they are meeting continuously.

Mayor pro Tem O'Neill suggested that Councilmember Keener answer the question on the status of clean energy.

Mayor Digre asked Acting City Attorney Visick if that was allowed.

Acting City Attorney Visick stated that, as long as he was merely answering a question, that would be okay.

Mayor Digre stated that she would still have Mayor pro Tem O'Neill speak and then go to Councilmember Keener to answer the question so there would be no fuzziness.

Mayor pro Tem O'Neill stated that he attended the budget meeting and worked on the budget for 2016-17. He also attended the library meeting where they reviewed the RFPs for the architects and had gotten the list down to four, with further review pending. He stated that the Harbor District has gotten their act together, mentioning that they have a new general manager, they are now debt free, have developed a capital improvement plan, etc.. He was present when the Economic Development Director Stedler talked to the Pacifica Democrats, going through all the various endeavors. He attended the library JPA meeting, and while Pacifica did not have the facilities to do it, the other libraries are stepping in and providing free lunches to kids during summer vacation and continuing the program to avoid summer dropoffs when kids return to school in the fall. He mentioned that they were also moving forward with providing 3D printers in the libraries. He attended the noise meeting planned by Mayor Digre, adding that he will be missing the next two meetings as he was having a knee replacement.

Councilmember Keener stated that Peninsula Clean Energy have been having board meetings every two weeks, and he has served on a couple of committees to interview potential contractors for data management and the energy suppliers. At this time, they have hired a CEO and the data base contract has been awarded to Noble Energy, mentioning what needs to be in place to be ready in two months when notices are sent out to potential customers. He stated that you will automatically be enrolled and, if you choose to opt out, you can. He added that the energy supplier should be awarded by the end of June.

Councilmember Ervin expressed her condolences to the Leon family for their loss. She then stated that she attended a legislative committee meeting where they discussed transportation issues and bills coming to the forefront, adding that the best part of the meeting was to be present for the celebration of Councilmember Niharts term as chair of CCAG, where she was given accolades for all she did and she thanked her for what she did in representing Pacifica for those 2 1/2 years as the chair. She also attended the library advisory committee, and stated it was exciting to look at all the potential plans for a new library. She stated that, during the Economic Development Committee meeting, they visited the Pacifica Sanchez Art Center and she encouraged everyone to attend some of their events. She mentioned that she attended her son's graduation and congratulated him.

Mayor Digre also mentioned having the Economic Development Committee meet at the Sanchez Art Center and they heard the history of the Art Center. She added that the EDC was looking to enveloping all aspects of Pacifica's personality and interacting with each other. She stated that she was Council's representative for the Airport Noise Abatement Roundtable. She mentioned that, with all the new technology, noise was not factored into that. She stated that, while airline safety is important, the health and safety issues of those on the ground are important as well. She mentioned our representatives, such as Congresswoman Speier, were in agreement and the FAA has been more receptive which was a good thing. She stated that she wished she could tell them that they will be bringing relief in the next 15-30 days. She thanked all Pacificans who speak out. She mentioned that she has a group that helps her gather all data, stating that they will continue to update the website and asked anyone to feel free to become involved, adding that they will be composing a letter for City Council to sign. She then mentioned the Memorial Day Services planned in Pacifica at the Chapel by the Sea to honor all veterans who have given their lives, as well as those injured and not injured.

Mayor pro Tem O'Neill mentioned the continual comment by the FAA that they will study it and they study each new suggestion for two years and he asked why they don't just go back to how they were doing it for the previous 40 years.

Mayor Digre stated that they can't have a discussion, but they were going to ask why it can't be like it used to be. She stated that the questions and advocacy are there but the answers are not always clear.

STAFF COMMUNICATIONS

City Manager Tinfow stated that the repairs to the promenade and Beach Boulevard are actually out for bid for the big hole, and are due June 1.

Mayor Digre asked about June 1.

City Manager Tinfow reiterated that was when the bids were due for the substantial repairs for Beach Blvd. She stated that she will be coming to the Council at a future meeting with an update on all the storm responses. She stated that she had been reporting on the meetings with the Army Corp but she will be presenting a report on that which addresses the comments made in Oral Communications.

PUBLIC HEARINGS

11. Resolution of the City Council of the City of Pacifica Adopting the City of Pacifica 2016-2021 Capital Improvement Program
PROPOSED ACTION: Continue the item to the next City Council meeting of June 13, 2016.

City Manager Tinfow stated that they were continuing this item to the next meeting, adding that there was some wording in the agenda for them.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Mike O'Neill, Mayor Pro Tem
SECONDER:	Mary Ann Nihart, Councilmember
AYES:	Digre, O'Neill, Ervin, Nihart, Keener

12. Public Hearing to Consider Recommended 2016-2017 Fees and Charges
PROPOSED ACTION: Move to adopt a resolution approving the proposed 2016-2017 Fees and Charges

Asst. City Manager Hines presented the staff report.

Mayor pro Tem O'Neill asked if they were looking for questions and a discussion from them, adding that they had talked about it at length at the last meeting and he asked if they could just make a motion and vote.

Mayor Digre stated that it was a public hearing and she was asking for questions now.

Councilmember Ervin referred to a recommendation regarding the appeal fee, and asked if that had been resolved.

City Manager Tinfow stated that what staff took away from that discussion was to set the fee at \$350 per appeal.

Mayor Digre opened the public hearing.

Dave Blackman, Pacifica, stated that he had some concerns. He explained that he had several projects in the process and the planning fees were running at \$30,000 each. He mentioned that there was no mention of development fees, and he thought they needed to have a hearing to increase those costs. He stated that, with the increase in development fees, they will see people developing properties while not applying for the permits or people not making any improvements on their property. He stated that they had a dilapidated housing stock and felt they were headed in the wrong direction, adding that he was not asking that the entire city be developed but felt to prohibit any type of development was a bad course.

Mayor Digre closed the public hearing.

Asst. City Manager Hines stated that he was going to ask Planning Director Wehrmeister and Public Works Dir. Ocampo to come up, adding that he thought those fees were duplicated in two sections and they consolidated them in one section.

Planning Director Wehrmeister stated that she can clarify the development impact fees which was asked at the study session and was referenced under the engineering section. She then stated that the focus since she began with the city was on cost recovery and that may be why they are seeing the total costs increasing. She added that, since Mr. Blackman has experienced appeals on several of his projects, that has raised the costs for his projects.

Councilmember Ervin stated that she has asked questions in previous meetings regarding the increased rates, but she didn't see an increase in rates except for the CPI and so she didn't see any large increases and was confused in terms of cost recovery.

Planning Director Wehrmeister stated that the hourly rate was not increasing significantly, but they were tracking their time.

Councilmember Ervin concluded that they were doing a better job of collecting fees that the city should have been collecting prior.

Planning Director Wehrmeister responded affirmatively.

Councilmember Keener referred to the fact that impact fees were no longer listed in their fees and charges but were referred to the Planning Department for the amount. He asked if they are the same or increased by the CPI or construction cost index.

Public Works Director Ocampo stated that they have increased based on the construction cost index.

Councilmember Keener asked what the approximate increase was.

Asst. City Manager Hines stated it was 2.1%.

Councilmember Keener stated that was just one component of the total charges not listed in detail and directing anyone to see the Planning Department for the amount.

Planning Director Wehrmeister stated that it was the Engineering Department.

Councilmember Nihart referred to Mr. Blackman's comment on the number of cities that charge hourly as opposed to a flat fee and asked if she had any information on which one was more common.

Planning Director Wehrmeister thought it was probably 50-50, adding that if we were going to charge a flat rate, they would need to do a fee study to look at how long it would take and the cost. She thought that cities with a flat rate usually have a significant up front cost. She reiterated that it can be done but they would need to do a fee study to determine that.

Councilmember Ervin asked if she was satisfied that they were treating developers in a fair way and the amount was reasonable.

Planning Director Wehrmeister stated that she was satisfied with that. She mentioned that they can't predict how much controversy will arise with a project and, as such, it was difficult to predict what the ultimate fee will be, adding that she appreciated that it was frustrating for applicants. She felt that a flat rate might be more satisfying to some applicants, but they may not get cost recovery depending on how controversial the project is.

City Manager Tinfow reminded them that they did a fee study and cost analysis in 2013 and have built on that each year. She stated that they could do an update, but the basis for the figures was still pretty recent.

Councilmember Nihart stated that they comment on the developer or contractor but she thought it was the homeowners who pay the bill. She stated that, while you can raise taxes and fees, the choice was never good on who was paying for them. She asked if they have some kind of check so that if someone asks they can show that.

Planning Director Wehrmeister responded that they can, mentioning that the planners add the overtime to their time sheet and she looks at it.

Councilmember Nihart assumed she looked for consistency on the amount of time spent and asked if there was any mechanism to assess that.

Planning Director Wehrmeister asked if it was in terms of how we compare to other cities.

Councilmember Nihart stated that she meant about consistency in reviewing plans such as getting the same consistent rates for things such as kitchen remodels with a general estimate.

Planning Director Wehrmeister stated that, materials and hourly rates happens with entitlement applications and building permit fees were based on evaluation.

Councilmember Nihart concluded that, with remodeling a home, they would know up front.

Planning Director Wehrmeister responded affirmatively.

Councilmember Ervin thought it was important that they don't discourage homeowners from getting permits on their homes or on in-fill projects while trying to meet the costs and needs of staff. She would like to prioritize consistency and transparency. She thought staff agreed, but she thought they should prioritize that in all departments in the city.

Councilmember Nihart stated that, following those answers, if they are ready to close the public hearing, she was ready to make a motion.

Mayor Digre commented that it was frustrating because they want to provide customer service for residents, adding that it was a help that they were working on the city's economy so as to be more flexible. She thought the fees were for two years rather than 20 years, and they will continue to be looking at it again. She was ready for the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Ann Nihart, Councilmember
SECONDER:	Karen Ervin, Councilmember
AYES:	Digre, O'Neill, Ervin, Nihart, Keener

CONSIDERATION

- 13. Development of the 2016-2017 Budget
PROPOSED ACTION: Provide direction to staff related to development of the 2016-17 Budget.

Asst. City Manager Hines presented the staff report, introducing Police Chief Steidle who gave the staff report on the Supplemental Law Enforcement Services Fund.

Councilmember Ervin asked Police Chief Steidle if he was concerned that the expenditures were so much more than the revenues and asked if we will be losing services once the funds are depleted.

Police Chief Steidle stated that they will not, and explained how he manages things to always have a balance remaining.

Asst. City Manager Hines stated that Interim Wastewater Dir. Gervin was ill and he and Public Works Dir. Ocampo presented that part of the staff report.

Councilmember Keener referred to the upgrade at Pedro Point and asked if it will include sewer lateral replacements similar to that at lower Linda Mar.

Public Works Dir. Ocampo asked if he was talking about the subsidy in terms of the laterals because as you replace them you have to reconnect them, and he wanted to be sure what he was asking.

Councilmember Keener stated that at lower Linda Mar through the contractor, they offer reduced rates for the homeowners to replace the laterals, and he asked if that would be the case at Pedro Point.

Public Works Dir. Ocampo explained that they get a discount based on volume and that option will be made available as part of the project.

Asst. City Manager Hines continued with the staff report.

City Manager Tinfow clarified that the first slide was from eight years ago and the next slide was what they had until December 2015, following the prior Wastewater Director's retirement. They were now looking at changes.

Asst. City Manager Hines continued with the staff report.

Mayor pro Tem O'Neill stated that he would like a discussion on the new position as it would be an increase in the budget of \$380,000.

Asst. City Manager Hines clarified that it was \$250,000 for wastewater and \$80,000 for the General Fund.

Mayor pro Tem O'Neill then stated that they might have to increase the rates for sewers. He was also concerned during the goal setting where they thought this would impact Planning and Public Works. He had discussed this with the Planning Director but he would like to talk about it for the benefit of the public.

City Manager Tinfow referred to the structure she inherited when she arrived. She explained that they had two people doing four jobs, and stated that when the Public Works Director retired, Van Ocampo and Dave Gromm were elevated to the present positions but they still had vacant positions which impacted their ability to complete planned projects. Now they were trying to fill all the positions and that was what was impacting the budget. She stated that, by adding people, it will allow the Public Works Director to get projects back on track and they will be able to meet all requirements.

Mayor pro Tem O'Neill referred to discussion about the planned new retention basin and getting experienced personnel, asking if he was remembering it correctly.

City Manager Tinfow explained that they tried to do their best, but their inexperience hampered their ability to get projects done. She felt combining the two departments would get them back to getting the jobs done in the long term.

Mayor pro Tem O'Neill asked if the Public Works Director will have to get some licensing from the state.

City Manager Tinfow stated that the Deputy Director of Wastewater will have the appropriate certification to oversee the plant and meet all their requirements. She asked Public Works Dir. Ocampo if he would like to add to that information.

Public Works Dir. Ocampo stated that, with the planned setup, the Wastewater Plant Director will have a grade 5 and the Plant Manager will also have a grade 5.

Mayor pro Tem O'Neill referred to the new positions, and stated that, this winter, you could have the sewer plants flooding in Linda Mar and the sea wall collapsing at the north end, and one person making all the decisions. He questioned whether one person could oversee both problems at the same time, adding that it was very likely to happen and not an academic discussion.

Public Works Dir. Ocampo explained that, with the new structure, you will actually have three people helping to address the issues during storms. He thought it would lend itself to better coordination by being one department.

Councilmember Nihart commented that she understood Mayor pro Tem O'Neill's thinking but she felt, by adding a third person, she was more assured, but agreed that they should consider his words of caution. She also confirmed the City Manager's thinking that the positions that were left vacant in the past were due to budget cuts. She understood the reasoning but agreed that it was time to expand.

Councilmember Keener asked how the extra \$330,000 was broken down.

City Manager Tinfow stated that \$250,000 was being added to the wastewater to cover half of the director's salary and the new position.

Councilmember Keener asked how that was broken down.

City Manager Tinfow stated that she didn't know.

Asst. City Manager Hines stated that they would get that information to them.

Mayor pro Tem O'Neill assumed the project engineer would be in charge of the RFP process, retention basin and new capital projects.

City Manager Tinfow thought they would work with the Deputy Director, but she deferred to Public Works Dir. Ocampo.

Public Works Dir. Ocampo explained that the person handling wastewater projects was only dealing with those projects.

Councilmember Keener asked if the \$330,000 included PERS payments.

City Manater Tinfow responded that it was fully burdened.

Councilmember Keener thought it was pretty cheap for three positions.

Asst. City Manager Hines pointed out that they were taking a director's position and downgrading it to a deputy director's position with savings in that move so it was part of the subtraction in the equation.

Councilmember Keener mentioned that they had a full discussion of this about a month ago and he wasn't in favor of this move then as he questioned whether they needed to add that excess expense. He also referred to the possible need to raise the sewer rates because of lower flow in water usage used to calculate the fees, and thought they would probably need additional funding on top of that.

Councilmember Ervin thought we were lucky to have a superintendent who could serve as a plant manager and questioned whether we could likely replicate that situation. She concluded that they were going back to a formula that was more typical where most often they have public work directors, but not wastewater directors.

City Manager Tinfow agreed, adding that when she looked at the compensation comparisons, Pacifica was atypical, and when reaching out to recruit for a replacement, the recruiter confirmed that there were no candidates as normally wastewater directors don't exist and that information was what caused her to make the present recommendations. She added that on calculating the \$250,000 for wastewater, it came to an additional 1.78% to the budget.

Councilmember Ervin appreciated that information. She then asked if their plans were to train the deputy directors for possible replacements when retirements occur.

City Manager Tinfow stated that she always tries to get the best that she can get and if they have two candidates who can rise to the top, she thought that would be wonderful.

Asst. City Manager Hines continued with the staff report.

Councilmember Keener asked if he could explain how money flows from the collection of sewer fees into the two funds.

Asst. City Manager Hines responded that they have a couple of budget slides that will lay that all out for him. He then continued with the staff report.

Mayor Digre asked clarification that, when he referred to testing transactions, he was referring to financial transactions.

Asst. City Manager Hines responded affirmatively then continued with the staff report.

Councilmember Keener asked what the extra payment from the County was for.

Asst. City Manager Hines explained that the County every so often will provide a cleanup payment but added that they pull them out of the budget because they can't count on them.

Councilmember Keener asked how often they see these catch up payments.

Asst. City Manager Hines responded that this was the first time he has seen it.

Councilmember Nihart stated that she gets the management end of it, and it wasn't up to her to talk about the policy end of it, but she referred to the loosening of water controls and the response to that in the East Bay, adding that she anticipates a similar situation here. She stated that with the 3% decrease in income and with the 1.78% raise, she was concerned from a policy standpoint. She was wondering how building and Public Works manages the construction piece of it and how they can understand that from the public's standpoint as they will be asking for more money.

City Manager Tinfow stated that, with the raises and rate structure, they had recommended that a rate study be done, adding that they were in the last year of the rate structure that was set in 2012. She didn't think they wanted the water usage to go up with the drought situation, so they were looking at hiring a firm to look at the data, expenses and make recommendations to bring to Council on how to fix the problems. She thought that the methodology was convoluted and if they come back with a methodology they can explain that would be a good thing. She stated that there was money budgeted to pay for the rate study.

Councilmember Nihart concluded that the City Manager was looking to overhaul the rate structure to begin with, basing it on water funds which she thought would make people very happy.

Councilmember Keener asked if the new rate structure would still be based on water usage.

City Manager Tinfow stated that she did not know at this time, but was open to seeing how other wastewater treatment plants operate and how they set their rates, and she will bring that information back to Council.

Asst. City Manager Hines stated that, while they will be covering it on the next slide, they will be looking for a revenue model that was more stable and less susceptible to things like this.

Mayor Digre added that she heard that they also want to have customer service or be customer friendly. She thought the subject of water saving and fees going up was being discussed in many cities because it was painful to residents and they don't want to lose sight of the customers.

Public Works Dir. Ocampo referred to Councilmember Nihart's question, stating that on looking on the wastewater structure as mentioned by the City Manager, the former Director Gromm took over the responsibility of plant director, as well as the responsibilities of the Assistant. Plant superintendent when that person retired. He explained that the engineer who was supposed to be in charge of capital improvement projects of wastewater also got moved into this position, and as mentioned by the City Manager, you then have four positions being done by two individuals. With the Director of Public Works in charge of that department, he oversees the CIP for wastewater as well as capital improvements on the city's side. He stated that the hiring of the project engineer assures that there will be someone focused as now the superintendent of the plant was also handling this and basically doing two jobs. With the project engineer, it ensures his focus on the project as time was of the essence with certain deadlines to be met.

Councilmember Nihart didn't think that answered the split at the top versus the single but only talked about what you would do underneath. She asked if there was a way that the two directors could work collaboratively. She stated that, in the name of responsibility for money, she wanted to hear that discussion as to whether they could have them work collaboratively and not have someone over both, and look at the pros and cons.

Public Works Dir. Ocampo stated that it would increase the budget as the Deputy Director would be elevated to the Director level and they won't have that savings.

City Manager Tinfow agreed that the cost would be higher than expected with this model. She concluded that Councilmember Nihart was asking if they could still have two directors and yet make it work. In answering that, she stated that they sort of tried that and, for several reasons, one being having individuals trying to do too much, but also that the collaboration was not naturally developed. With this option, it becomes a structural issue and they will work together with levels of accountability and lines of responsibility to ensure that to be the case. She added that having Public Works Dir. Ocampo be in charge of all construction projects will bring his level of expertise to bear across the board in a way they haven't had until now. She reiterated that they went to this model to allow his expertise to be spread across the board with all projects. She reminded them that the recruiter told them that they will not be able to find someone qualified to fill the position of wastewater director. She stated that the recruiter's firm was well respected and she just did a recruitment for deputy director of wastewater and her experience was very fresh.

Councilmember Nihart thought that expertise was what they used in the past.

City Manager Tinfow agreed, adding that it was very successful.

Councilmember Nihart added that they built a lot in town, but she wanted to hear that discussion for the benefit of the public.

Councilmember Ervin asked if the project engineer was a permanent position as eventually the equalization basin will be completed.

Public Works Dir. Ocampo stated that it was a permanent position, mentioning that even after the completion, structures will age and there will always be some project and that was why it was important to have someone dedicated to wastewater projects to ensure delivery and succession of the projects.

City Manager Tinfow stated that another element of the budget was an assessment of the facilities.

Asst. City Manager Hines stated that was the Facilities Assessment Study.

City Manager Tinfow stated that the engineering position would be responsible for implementing that, adding that they were in midlife, mentioning 30 years.

Mayor Digre stated that she was struggling with this proposal. She has concluded that everyone will be able to get more sleep and, therefore, be thinking better, have more oversight on the projects of each department with the ability to focus better,

Public Works Dir. Ocampo expressed appreciation for her concerns regarding his lack of sleep. He reiterated that the key was having deputy directors to help.

Asst. City Manager Hines continued with the staff report.

Mayor pro Tem O'Neill referred to a printout of All Budgets Summary given to them by Asst. City Manager, and on looking at the Enterprise funds, he mentioned some of the specific items.

Asst. City Manager Hines stated that he will be explaining that shortly then continued with the staff report.

Mayor pro Tem O'Neill referred to the operating sewer charge fund which was the checking account for the operating fund and capital improvement fund, and asked if there was an accounts receivable. He mentioned that the capital fund was the one that made the loan to the city for the pension obligation bonds. He asked if they have an accounts receivable for repayment of the loan.

Asst. City Manager Hines stated that they lay out the money coming from the wastewater fund, and then, they will bring back the pension obligation repayment schedule as they get to the end of the fund loaning to the general fund and then it will be the general fund paying back to this fund. He then referred to the fact that, regarding the accounts receivable, this was not a balance sheet and they won't see it there. He added that they know it is a receivable and that it exists because they authorized the loan which was in play and they will start paying it back in the next year or two.

Councilmember Keener referred to Fund 34 revenues with \$3.4 million in equalization bond proceeds, and asked if those were all the proceeds to fund the equalization basins or would there be more next year.

Asst. City Manager Hines responded that there will be more proceeds, stating that the last equalization basin figure he saw was \$15 million. He stated that they have to raise that capital and would be talking with his bond advisors to see if they should raise more than \$3.4 million and hold it or go with \$7 million now and \$8 million at some other point. He mentioned that they have to worry about arbitrage and other technical things. He will be getting advice from the bond advisor as well as Director Ocampo and Interim Director Gervin as to the timing. He stated that the key was that, before the shovel goes into the ground, the money arrives and not sit too long.

Councilmember Keener concluded that none of the money was presently in the budget but would come from the sale of bonds.

Asst. City Manager Hines stated that they were looking for Council to give them the authority to spend those proceeds when they come in but will not have permission if the money doesn't show up.

Councilmember Keener thought he was now clear that there are no funds currently to pay for the equalization basin but it was all going to be funded from bonds.

Asst. City Manager Hines stated that not all as there was a small amount they found that allowed them to fund the design effort, but they will need to get bonds for the major construction.

Asst. City Manager Hines continued the staff report.

Councilmember Keener asked if they can expect the overage of approximately \$50,000 a year to continue to pay for the replacement of pay stations or is it a one time fee.

Asst. City Manager Hines stated that they anticipate having the fee in place from here on to ensure having enough set aside to pay for the improvements. He also expects the citation fees to keep decreasing, mentioning that they were down by \$14,000 this year.

Public Works Dir. Ocampo stated that the money derived from the machines was weather dependent, explaining that if you have a shorter winter, the revenue will go up as more people go to the beach and they have to balance that out.

Mayor pro Tem O'Neill asked what they were charging for an annual fee.

Public Works Dir. Ocampo replied \$67.

Asst. City Manager Hines confirmed with PB&R Dir. Perez that it was \$67, adding that he can provide more information if needed.

Mayor pro Tem O'Neill asked confirmation that the funds were covering all costs and the city was not subsidizing anything.

Asst. City Manager Hines responded affirmatively, adding that this was also an Enterprise fund as in Funds 18 and 34, and confirming, as mentioned by Mayor pro Tem O'Neill, this fund has to survive on its own merits.

Councilmember Ervin stated that she was getting nervous, considering this a balancing act. She felt it was going to create issues if they continue to raise the cost of the fees to park in that area, especially if they get less money from citations but still need to cover the costs.

Asst. City Manager Hines responded that it wasn't necessarily a fact that, if the citations go down, they will be raising fees. He stated that the need for capital improvements was driving the need for increasing the fees.

Councilmember Ervin commented that we haven't had the pay stations that long and we were already looking to getting new pay stations.

Public Works Dir. Ocampo stated that the estimated life of the machines was about 3-4 years. He thought, as technology gets better, they may be able to get machines that last longer, adding that it was the salt air and the sand that gets into the machines.

City Manager Tinfow stated that when they created this two years ago, they estimated all of the costs that will be coming up, whether one time or ongoing, spread them across several years. There is a spread sheet and they used those figures to make their recommendations to Council. She referred to the question by Mayor pro Tem O'Neill on the annual fee, and she stated that they had not requested an increase in the fee this year but did recommend an increase in the daily rate. They are just making sure they have enough money when major improvements come up.

Councilmember Ervin referred to the fact that they monitor the machines until 8:00 p.m. and mentioned that they sometimes have events at the Community Center and she wondered if they have considered altering that time.

Public Works Dir. Ocampo stated that it was working out fine. He added that if there is a special event, they do allow parking to be free and instruct the rangers to allow it.

Councilmember Nihart stated that they also allowed free parking for some memorial events.

Public Works Dir. Ocampo confirmed that.

Mayor pro Tem O'Neill asked what the cost of the ticket was for the beach.

Police Chief Steidle stated that, if he was talking about the citation fee, it was \$43.

Asst. City Manager Hines stated that he has concluded the staff report.

Councilmember Nihart asked if they had enough direction from Council.

Councilmember Keener had some questions, first in reference to the gas tax maintenance fund. He thought \$350,000 was used to pay off the certificates of participation and he asked whether the revenues coming in was exclusively from gas tax, stating that there was \$800,000 in income listed. He asked what other costs were paid with those funds.

Asst. City Manager Hines asked if it was Fund 10 for which he has questions.

Councilmember Keener responded affirmatively.

Asst. City Manager Hines stated that, with Fund 10, they were looking at revenues of \$795,000 and expenditures of \$1,027,000 which included mostly salaries and benefits.

Public Works Dir. Ocampo stated it also pays for the street sweeping contract.

Mayor pro Tem O'Neill asked if the salary and benefits were for those working on the streets.

Public Works Dir. Ocampo confirmed that he was correct that it was for the street crew.

Councilmember Nihart added that it was for pot holes.

Public Works Dir. Ocampo confirmed that it was also to fill pot holes and repair streets.

Councilmember Keener referred to Fund 9 street construction funds and he thought it was funded by Measure A funds.

Public Works Dir. Ocampo confirmed that he was correct but not all, explaining that besides Measure A, there was Measure M, which was the vehicle licensing fee and comes to about \$153,000.

Councilmember Keener concluded that combined they added up to \$1.4 million.

Public Works Dir. Ocampo responded affirmatively, adding that they were pleasantly surprised this year when Measure A went up by \$96,000.

Asst. City Manager Hines clarified that they have \$943,000 projecting for Measure A and \$157,000 for Measure M, leaving \$44,374 that he has built into the revenue line item from the

accrual of interest from Fund 22 to 9. He stated that it wasn't the way to show this, but he had to have a way to show Council what the impact of the fund balance was going to be affected by that accrual. He wanted to make sure they start showing the interest accrual and the numbers.

Councilmember Keener asked what expenditures came from that fund.

Asst. City Manager Hines stated that he had contracts for street light replacements but by and large salaries and wages.

Councilmember Keener concluded that there was little or nothing left over from either Funds 10 or 9 for the pavement index problem.

Public Works Dir. Ocampo stated that he was correct. He clarified that, with whatever money was left on Fund 9, they used that as matching funds when applying for grants which staff diligently looked toward leveraging.

Asst. City Manager Hines asked, as the report was concluded, if they had questions or directions.

Mayor Digre mentioned that she would like the public to know that people sometimes will money to the city as a Roy Davies gift of \$3.9 million goes to PB&R Fund 27, Donna Javier gift to Fund 28.

Asst. City Manager Hines mentioned that they were only able to touch certain portions of them.

Mayor Digre just wanted the public to know that deceased members of Pacifica left money as ongoing commitments to the city and they were grateful.

PB&R Dir. Perez mentioned that they were one of several agencies that received funds from the Donna Javier trust, mentioning what they got and that they will be matching grants and doing upgrades at the Community Center. He mentioned that the interest was doing poorly so they were hoping to build up the Roy Davies funds.

Mayor Digre again expressed appreciation for their generosity to the city. She asked if staff had enough direction or if they needed a vote.

City Manager Tinfow stated that no vote was necessary.

Asst. City Manager Hines stated that on June 13, they would be bringing back the CIP and have any final discussion on the capital project.

Mayor Digre called a brief break and then resumed the meeting.

RESULT:	NO VOTE REQUIRED
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14. Pacifica Police Department 2015 Annual Report
PROPOSED ACTION: Accept the Pacifica Police Department 2015 Annual Report

Police Chief Steidle presented the staff report.

Mayor Digre asked if they worked with the NCPP.

Police Chief Steidle stated that they did work with the North County Prevention Partnerships and attend the meetings.

Councilmember Ervin appreciated the report and hearing about many of their programs. She mentioned that, with the negative publicity that police are getting across our nation, she appreciated the relationship they have worked to create with members of the community, such as working with the youth, etc. She mentioned that his report didn't address it, but she gets lots of calls regarding traffic issues, and asked about their problems with speeding, etc.

Police Chief Steidle stated that there are areas in Pacifica where there are traffic issues just by the nature of travel in those areas. He stated that the patrol officers are the ones who deal with those issues, but he mentioned some of the measures they employ to help people be aware of speed limits, etc. He stated that they deal with it by being out there enforcing the laws and educating the community.

Councilmember Ervin acknowledged that it took a significant amount of time and it was difficult to address all those issues in the neighborhoods.

Police Chief Steidle agreed that it was a balancing act, but if they see a significant problem, they make it a priority, but have to balance it with calls for service.

Councilmember Ervin referred to how they track crimes, and asked if it was helping in decreasing the number of crimes or was it too early to tell.

Police Chief Steidle felt it also actually helped to solve the crimes quicker. He stated that criminals don't recognize boundaries and it helps them identify trends before they get out of hand, giving an example of how they apply preventive actions before it gets out of hand.

Councilmember Nihart agreed with Councilmember Ervin's opening sentiment, stating that with their involvement with the community and their leadership, they have turned a major corner. She also appreciated their work with mental health which was an ongoing problem. She mentioned her concern about how San Francisco appears to be dealing with the problem in their efforts to get people off the street. She acknowledged that she wasn't sure what was or was not occurring in that city, but appreciated Pacifica police work. She also appreciated how he explained the statistics as it clarified a lot of things. She appreciated his efforts.

Mayor Digre referred to his explanation of sexual assaults and she thought the public needed to know what constitutes sexual assault and to allay their fears about whether it was increasing.

Police Chief Steidle stated that the majority are the ones against children, and they weren't in the statistics as rape previously but were now classified as rape, adding that we don't control that but rather that it comes from the federal level.

Mayor pro Tem O'Neill stated that he did a good job and he thanked him for the report.

Mayor Digre mentioned that she didn't ask for public comment, but there was no public present. She also mentioned that the Joint Powers Association of Fire Departments will have their annual meeting on May 31 at Daly City City Hall.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mike O'Neill, Mayor Pro Tem
SECONDER:	Mary Ann Nihart, Councilmember
AYES:	Digre, O'Neill, Ervin, Nihart, Keener

15. Progress Report on the City of Pacifica Local Hazard Mitigation Plan

PROPOSED ACTION: Accept report and provide feedback.

Police Captain Spanheimer presented the staff report.

Councilmember Nihart stated that she was surprised that a city would not participate and she was curious.

Police Captain Spanheimer stated that the two cities have a lot of resources, staff time and money. He felt overwhelmed by it, and was happy to work with the county's plan.

Councilmember Nihart mentioned Daly City and asked which cities were doing their own.

Police Captain Spanheimer stated that they were Foster City and San Mateo, who shared an emergency manager.

Councilmember Nihart thought this was a broader scope in terms of disaster. She mentioned the vulnerability assessment, stating that there has to be some ducktailing in terms of what the county has been doing in terms of vulnerability. She asked if they were sharing things.

Police Captain Spanheimer stated that they all share the same data and the county was a very active partner as they were also submitting for a FEMA grant.

Police Captain Spanheimer responded that the main person was the person with the San Mateo Planning Department.

Councilmember Keener asked why there was no mention of dams for Pacifica.

Police Captain Spanheimer acknowledged that they did not mention dams but Pacifica's risk ranking for dams is 0 and any mitigation projects that come up to not address a dam failure, adding that some cities, if they live downhill, will address dam failure.

Councilmember Ervin thanked him, adding that it was a great collaborative and community effort. She was impressed that he was able to put all of this together. She asked how he got citizens engaged, asking if he reached out to different entities, such as schools, etc.

Police Captain Spanheimer stated that he originally thought they had to do things themselves, so he initiated reaching out with a survey in house and got feedback. He then supplied that feedback to Tetra Tech. They then did a countywide survey that Tetra Tech authored and put on the county website. Pacifica's website then had language directing people to that website. He mentioned that they have been reaching out in several ways, such as with flyers.

Councilmember Ervin asked when this was expected to be finalized.

Police Captain Spanheimer explained the timeline for CAL OES, and stated that there was minimal staff at CAL OES but he stated that Tetra Tech had a good reputation so that would help speed up the process.

Mayor Digre mentioned that we have several creeks in Pacifica and she asked how they fit into the plan.

Police Captain Spanheimer stated that there was no mention of creeks except on the bay side.

Mayor Digre stated that she was advocating for the creeks.

Councilmember Ervin asked what issues she had about the creeks.

Mayor Digre stated that creeks flow, they keep the watershed healthy

Councilmember Ervin asked again what concerns she had about them.

Mayor Digre stated that there was erosion of the banks, any kind of blockage of the creek's flow, etc.

Police Captain Spanheimer stated that, as the person with specific knowledge of local issues, he was able to adjust the priority of various issues, and he did increase the creek situation's status when looking at those issues.

Councilmember Nihart mentioned that FEMA was aware of the creeks and looked at San Pedro Creek in terms of the flood plane and in terms of flood insurance. She thought they would have looked at it somewhere.

Police Captain Spanheimer stated that they did not look at anything specific to the creeks, although did mention flood plane areas, urban drainage, etc., so that was what he took into consideration for flooding and proximity to major retail areas and major transportation arteries.

Councilmember Nihart stated that CCAG looked at all the creeks prone to flooding and they specifically looked at San Pedro Creek.

Mayor Digre thanked him and appreciated that he addressed this.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Ann Nihart, Councilmember
SECONDER:	Karen Ervin, Councilmember
AYES:	Digre, O'Neill, Ervin, Nihart, Keener

ADJOURN

Mayor Digre adjourned the meeting at 10:45 p.m., in honor of Rollene Leon, with condolences to her husband and family.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: *As Amended 4-0; 6/13/16 Mayor Pro Tem O'Neill absent.*

Sue Digre, Mayor