



**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

**October 24, 2016 (MONDAY)
www.cityofpacifica.org**

Mayor Sue Digre called the meeting to order on October 24, 2016 at 7:00 PM

CLOSED SESSION - NONE.

7:00 PM OPEN SESSION

Mayor Digre called the meeting to order at 7:05 p.m.

Call to Order

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; Michelle Kenyon, City Attorney; Lorenzo Hines, Asst. City Manager; Van Ocampo, Public Works Director; Tina Wehrmeister, Planning Director; Anne Stedler, Econ. Dev. Manager; Dan Steidle, Police Chief; Rich Johnson, Deputy Fire Chief; Mike Perez, PB&R Director; Ed Vandehey, MIS Manager; Kathy O'Connell, City Clerk.

Salute to the Flag led by Mayor Digre

Closed Session Report

SPECIAL PRESENTATIONS

Closing the Jobs-Housing Gap - Jessica Mullin

Jessica Mullin made a presentation regarding closing the Jobs-Housing Gap. She mentioned looking at ways to secure land and strengthen the community infrastructure by enhancing transit, promote sustainable development, analyze public lands and their potential for development. She pointed out the various aspects of their website, and what information was available, specifically for the various ways for people to get involved. She stated that they work with cities, business communities and large employers to address this issue, as well as Chambers of Commerce, faith-based organizations, school districts and funding foundations.

She stated that they were asking cities to continue to work with other jurisdictions in the county to address the housing crisis on a regional basis. They felt that, with community support, they can achieve what their task force has set out to do.

Councilmember Nihart thanked her for a great presentation with a good, complex plan, which she felt was what it will take. She thought she was aware that ABAG was struggling with this because of planning regional transportation issues, stating that Pradeep Gupta was heavily involved, and she had been somewhat involved, and she was curious about that possible connection.

Ms. Mullin stated that ABAG was aware of the work the task force was trying to do, adding that they had used some of the resources ABAG has put out to help track the current progress within the communities, and ABAG staff was aware of what they were trying to do. She stated that they were also going to reach out to MTC with more conversations to link up both their efforts.

Councilmember Nihart stated that they are heavily involved in the potential development of another housing trust for the region.

Ms. Mullin stated that they have reached out to them to have those conversations.

Councilmember Nihart was glad to hear that, adding that they don't want it to conflict with HEART or some of the things they are doing, but it sounds like it will be a gap oriented approach. She then referred to mention of various services offered, specifically mentioning the medical area, and she stated that they have a part time homelessness including those in a very necessary group that cannot afford to live in the Bay Area and live remotely, commuting and stay in their cars for a 2-3 day period and then go back home. She asked if they were talking about that issue.

Ms. Mullin responded affirmatively, adding that it was very much a part of the conversations they have been having. She stated that the issue was identified by their task force members, mentioning that they have teachers in that situation, as well as a wide variety of industries faced with those challenges and they try to develop a wide range of solutions, such as shared housing or second units where they can convert a four-bedroom single family home, and you can convert two of the bedrooms into a smaller unit to rent that unit and allow people to live in the communities in which they serve. She stated that, on working with state legislators on inclusionary housing and add additional affordable housing units, they were looking at a lot of creative solutions as well as identifying tools that the state and federal governments could help with for jurisdictions can build affordable units for everyone. She stated that the goal of the task force was to produce and preserve housing at all income levels and they feel their tool reflects that.

Councilmember Nihart asked if they have sample ordinances that they might consider.

Ms. Mullin responded affirmatively, explaining that, in each tool kit, there are links to jurisdictions that have enacted that tool and they can see how they have done it to address some of the challenges within their communities.

Councilmember Nihart asked her if they were willing to help Pacifica with that community outreach.

Ms. Mullin responded affirmatively.

Councilmember Ervin thanked her for being present and making the presentation, adding that she felt it was important for people to understand the complexity of this issue and the extent they have gone to for homes for all. She felt privileged to be part of the process. She stated that what impressed her was the diversity of the group serving, mentioning business groups, councilmembers, etc. She stated that all cities are concerned and she felt it was affecting our economy and the ability for businesses hiring people. She felt they touch on various areas in a holistic way. She mentioned that, as an employee of a large company in the Bay Area, this was a primary concern of these companies as well. She felt it will “take a village” and she was lucky enough to hear the presentation at a CCAG meeting and was impressed with their website, acknowledging that it was not one solution but a variety of different things, coming together.

Mayor pro Tem O’Neill thanked her for the presentation. He stated that, when he filled in for Councilmember Ervin, he was impressed at all the people involved covering the full demographics of the county. He thought some of the solutions are “nuts and bolts”, stating that a city or school district can’t always afford to call a lawyer but one suggestion was that the county have a housing resource attorney to answer questions from cities.

Ms. Mullin stated that they hope, through the home for all initiative, to continue working on the bold strategies, as well as the nuts and bolts strategies to provide resources for all communities and partners to address that and build upon them, and address new challenges as they arise and build upon the momentum of the task force.

Mayor Digre thanked her, adding that they are aware of the gap and appreciate all the hard work. She stated that she had a suggestion for shared housing. She stated that, when they have meetings for outreach, it was a good idea to have them at senior centers. She stated that she did meetings for special needs families and she felt night time was difficult. She thought the shared housing was valuable and not totally understood how supportive it is for the home owner as well. She referred to their interest in getting cities involved, and she asked if they expected staff representation or volunteers from the community.

Ms. Mullin stated that they have a lot of task force members who expressed interest in doing outreach to recruit new members. She stated that, if they have staff or volunteers interested, they can email her and they will reach out to them and recruit them.

Mayor Digre stated that affordable housing ends in about 25 years, and she asked about the affordable housing preservation fund they have.

Ms. Mullin stated that it was a fund set up by the board in June with \$10 million to purchase units listed at an affordable rate and keep them at that level rather than have them purchased by someone who will raise the costs. She thought some of that money was going toward units in Pacifica from the preservation fund.

Mayor Digre assumed that community members who want to be involved can go to the website or contact her.

Ms. Mullin stated that they could email her at jmullin@smcgov.org and she would be happy to work with them.

Mayor Digre thought she would get volunteers. She thanked the councilmembers for their comments and Ms. Mullin for coming on a rainy day.

San Mateo County Library Annual Report - Julie Finklang

Julie Finklang, Branch Manager of the Pacifica Library, made a presentation of the San Mateo County Library Annual Report for 2015-16. She gave a brief background on the origin of the San Mateo County free public library, stating that the majority of their funding comes from property taxes, giving specifics regarding the taxing district. She gave a brief description of their mission statement and their goals.

Mayor Digre stated that, while Ms. Finklang organizes her paperwork, she would mention that they were going to adjourn the meeting in honor of Mr. Thomas Minshew, giving a brief description of his involvement in the Jefferson High School District, as well as information on the celebration of life event planned at their district office.

Ms. Finklang then continued with her presentation, including the fact that the San Mateo County Library was recognized as one of the nation's top libraries, based on use of services, and is a four-star library, 18th nationwide and 2nd in California among peer libraries, mentioning the qualifications to receive that award. She mentioned some of the events the Pacifica library system was involved in such as activities as contributing food to the Pacifica Resource Center, etc. She mentioned the improvements in the libraries to enrich their communities. She concluded with a video and a quote from Congresswoman Jackie Speier.

Mayor Digre thanked her for the report, adding that Congresswoman Speier's comment sums it all up regarding county libraries being engines of enlightenment. She thanked Mayor pro Tem O'Neill for being involved.

Mayor pro Tem O'Neill stated that it was nice being on the board of directors as he gets to see the coming attractions. He mentioned that Ms. Finklang was on a medical leave.

Ms. Finklang stated that it starts when she leaves the building.

Mayor pro Tem O'Neill stated that they were doing a partnership with the Exploratorium which he described as an Exploratorium on wheels to bring it to schools for the kids to see. He compared it to the early literacy programs in schools, etc., and stating that the library was benefitting the youth of the county.

Ms. Finklang stated that the facility from the Exploratorium was called the Book Mobile and they held a training for county library staff, adding that they will have more information on the dates it will be in Pacifica.

Councilmember Ervin thanked staff, the JPA and the foundation for the years of work they have done on behalf of all the cities in the JPA. She felt it was so important for our city, and they appreciate all they do on behalf of Pacifica. She also thanked her for being at the meeting.

Ms. Finklang thanked her, adding that they appreciate the support.

Councilmember Nihart echoed what Councilmember Ervin said. She also thanked them for continuing to expand the services, particularly the mobility work with the pop up libraries. She loved that because so many seniors can't get to where a library might be.

CONSENT CALENDAR

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

1. Approval of Disbursements for 10/01/16 Through 10/15/16
PROPOSED ACTION: Move to approve attached list of disbursements for 10/01/16 through 10/15/16.
2. Approval of Minutes
PROPOSED ACTION: Move to approve the minutes of the regular City Council meeting held on September 26, 2016 and October 10, 2016.
3. Part-Time Salary Schedule Update 10-29-2016
PROPOSED ACTION: Move to adopt a Resolution to revise the City's Part-Time Salary Schedule.
4. Authorization to Sell Surplus Vehicles and Equipment
PROPOSED ACTION: Authorize the sale of the surplus vehicles and equipment.

ORAL COMMUNICATIONS

Anna Boothe, Pacifica, asked how many people know that the city will close their present libraries at Sharp Park and Sanchez if the citizens vote yes on Measure N. She stated that, once those libraries are empty, the city can sell the libraries and pocket the money from them. She stated that, in the voter booklet, on page 31, they will find a statement that this is a general obligation bond for the General Fund and the city was not legally required to use it for the library. She stated that the city says they will but it will be years before the library can be built while the citizens will be paying taxes on a \$30 million bond and, by the time the interest is paid, they will have paid \$58 million which is almost 100% interest. She questioned that kind of financial management. She stated that the total cost will go into effect the year after the election before they have a library and Pacificans will pay for it for 30 years. She mentioned that there was hearing in Redwood City and, if they win, this will disappear from the ballot. She urged them to vote no on Proposition N.

Mike Mooney, Pacifica, stated that he is a 48-year resident of Pacifica and he was retired for 25 years. He was present to speak to No on W people. He wanted to know why they are vandalizing all the yes signs, knocking them over and spraying paint on them. He stated that he re-erects them, but the tragedy is removing the 4 x 8 signs. He was curious about the no people, asking if they are scared that Measure W might pass. He stated that the no on W people even vandalized his truck. He was trying to figure out why they are against yes on W. He stated that he spent the past 15 years at the liberty garden, and now it was a forest of pampas grass and an off leash dog walk. He stated that he was not bought by the developer but volunteered when Peoples had it. He stated that, if the people around today were around in 1968, he would not be living in Park Pacifica. He stated that, since the efforts to develop the quarry, they have had NIMBYs.

Therese Dyer, Pacifica, thanked Anna Boothe for filing a lawsuit against the city regarding the library. She stated that she sees two more violations. The sign ordinance says no political signs are to be posted until weeks before the election. She stated that another was a discrimination regarding seniors, adding that most won't live to enjoy it. She stated that those who will live, will have their rent increased, and they were talking about affordable housing. She stated that there was a conflict between the engineer from Walnut Creek, adding that she thought it was too cozy since Ms. Tinfow was from Walnut Creek. She referred to the hotel that was to be built at the old wastewater treatment plant and a statement by a councilmember that the hotel developer would have access and use of the rooms in the library. She objected to subsidizing rooms to a developer, when Pacifica has a developer struggling to get a conference center built in Rockaway to help those businesses, etc. She asked why they chose the Fromm developer outside of Peoples and Canta, suggesting that they think about a conflict of interest, since both the developer and Ms. Tinfow went to Stanford University. She asked that the public reconsider and vote no, adding that Pacifica can't afford it. She mentioned being stuck with the fire assessment tax, half cents sales tax, the lighting tax and asked that they not vote for this.

Mary Brown, Pacifica, stated that she was at the beach earlier and thrilled to see someone from Public Works on a bobcat with a sweeper who was clearing the ocean walks of all the sand. She stated that she walks it as often as possible, and the thrill for her was the fact that she lives so close to the ocean and adores being able to look out at that ocean and walk on that walkway. When she saw him, she thanked him for clearing the walkway. She stated that the sand over the concrete was slightly precarious and it was nice to see it done and she publicly thanked whomever told him to do and the man who did such an excellent job. She added that she was a strong supporter of the library and a strong supporter of Anne. She was also a supporter of W.

Mike Bell, Pacifica, also thanked the city, stating that they did a good job on Beach Blvd. He also thanked the Council for voting to authorize staff to move forward on securing funds to build a new seawall, adding that it brought a huge sigh of relief from property owners, business owners and citizens who depend on the preservation of over 600 units of affordable rental housing in West Sharp Park. He then asked what the current Council and staff can do to make that vote a binding and long lasting and trustworthy directive, stating that he has lived in Pacifica for a long time and has witnessed many successful votes approving a particular action only to be overturned or delayed indefinitely by the successive Council. He stated that the tactic always used to change a previously approved action was that they "need more community input" and they suggest forming a committee to study it in more detail and come up with recommendations and perhaps put it to a vote. He stated that it nearly always leads to the death of a project, perpetrated by the people who oppose it. He referred to the candidates who were attempting to walk back their original support of managed retreat by creating new words and definitions of this agenda, and stated that we need a binding, long lasting and durable agreement with the entire community to ensure that this action will not be tampered with. He stated that they are correct if they think he is being skeptical. He felt this manipulative mistreatment of the public trust has been a constant recurring problem in Pacifica for at least 30 years. He stated that the trust and support of our government needs to be restored. He hopes they can do something to cement this.

Sue Beckmeyer, Pacifica, stated that she was going to show them a video by a member of the Dayton Board of Education in Montgomery County, Ohio, speaking about libraries. As the audio portion could not be heard, she read a statement published in Real Simple Magazine, entitled "Five Reasons the World is Still a Wonderful Place", written by Katelyn Moore, a library

advocate, which was addressing the value of a library. She then stated that she was present to advocate for a modern library that will serve all the Pacifica community.

Ellen Ron, Pacifica, stated she was a 28-year resident of Rockaway Beach Avenue. She wanted to clarify some statements in the voter handbook, written by those against the library measure. She referred to their statement that the principal and interest will average about \$3000 per household. She stated that it should probably say per property owner. She also stated that the \$3000 figure was vague, asking if it meant per month or per year or 30 years. She stated that, if it was per year, the assessed value of the property was \$17 million and she didn't think that was right. She thought, considering the assessed value is \$560,000, which the owner would have paid after 30 years. She stated that it works out to \$8.33 a month. She stated the real average assessed value in Pacifica was about \$410,000 so that was a little over \$6.00 or \$73 a year. She stated that it was close to \$2200, not \$3000 after the loan is paid off. She stated that another statement claims that no services will be available to seniors and others, but she thinks they mean those who walk to the library. She stated that there was a way to get library services to people or people to library services, mentioning the book mobile, pop up libraries, which were mentioned earlier, and delivery of materials to those who are homebound. She stated that the last two are already provided by library staff. She stated that they have SamTrans ready wheels, Flex buses and they were working to expand the senior shuttle, and there was also carpooling. There was a long thread on NextDoor about people wanting to volunteer for the library, adding that it would be good to provide a network of rides for people. She stated that, on a different tact, she read a section of John Beckmeyer's recent letter to the editor, mentioning Pacifica being a geographically inconvenient town with various inconvenient locations. She concluded that to deny 38,000 residents the services and benefits of a new library because it was not in a convenient location for a small number of Pacificans didn't make sense. She asked that they vote yes on Measure N.

Caroline Barba, Pacifica, played the video regarding the positives of the Dayton Board of Education library. She stated that it was just one testimony of what a library can do for a community and she felt this was a great opportunity and she would not like to see us miss the opportunity to bring increased services to our whole community.

COUNCIL COMMUNICATIONS

Councilmember Keener stated that he sat in on the airport roundtable, and they were going over a document of modifications to various approaches and departures from SFO. He stated that they have been debated and vetted by Congresswoman Speier's office and will be submitted to the FAA and hopefully some of them will come to pass. He thought they were good initiatives, adding that there was still plenty of work to do and thought Mayor Digre would agree. He stated that the FAA has taken the point of view that it was safety first, adding that everyone agrees with safety of the planes in the air, but after that comes efficiency. He stated that they can appreciate that fuel efficiency is a laudable goal, but they think that the noise that people have to endure on the ground should be considered. He thought this was a longer term legislative goal. He also attended a Cal CCA conference, arising from the Peninsula Clean Energy Board. It was a conference of all the CCAs in California, publicly owned utilities that are supplying power with a higher clean component and slightly lower cost than publicly owned utilities like PG&E. He found it interesting that they had two lobbyists for the CCAs while PG&E had 50 for the state legislature. He stated that they were trying to ensure a neutral regulatory environment for the CCAs. He thought this was their first meeting and was well attended. He felt fortunate to hear what they had to offer.

Councilmember Nihart thanked Councilmember Ervin for covering for her with CCAG as she was in the east at the annual Conference of the American Psychiatric Nurses Association as president and gave a keynote address. She stated that pieces of the address got picked up by the Huffington Post, specifically a call to action related to our mental health crisis in our communities. She referred to the work police have to do because they don't have enough services. She talked about things they did in our community, working with Orange County and getting a number of DVDs that do additional training on top of the post training and crisis intervention training. She stated that what was picked up was related to Chicago where they have only 15% of their officers trained in crisis intervention. She stated that they recommended ride-alongs which was touted as a novel idea. She stated that she wanted to tell Chief Steidle that the DVDs have not only received the chief post-training excellence award that they received in California, but have also received the American Psychiatric Nurses Association media award for education. She thanked him and what the officers are doing. She appreciated that he has taken a leadership role, not just in our county but being picked up nationally.

Councilmember Ervin thanked Councilmember Nihart for her service in that area on behalf of Pacifica. She stated that she took her spot at CCAG and it was a great presentation, hearing about the housing job gap. She also heard legislative updates on a variety of issues, adding that it was closed as of September 1, but they were deciding on different funding issues, such as transportation, with a 50-50 ratio between state and local agencies to fix roads. She stated that it would include some tax increases but it would be important in maintaining our roads. She stated that they will find out if anything was done before November 30. She stated that they discussed the different things CCAG has done in terms of sustain-ability, storm water prevention, etc., on behalf of the county. She also attended a sea level forum at Coyote Point. They had a variety of members taking part, and had a virtual image of what Coyote Point will look like with sea level rise to encourage people to think about what we will be facing in 20 years or more and to get people to pay attention to that issue today. She stated that many people were interested in what Pacifica was facing and the steps we have taken. She felt Pacifica was at the forefront and making a difference when it comes to sea level rise. She stated that she will be attending a BPAC meeting on Thursday, discussing grant funding for the bike and pedestrian advisory committee. She attended the Pacifica sponsored Council of Cities event, going over all the propositions on the ballot, which was very educational. She thanked staff and the City Clerk, as well as the Mayor. She mentioned that Pacificans Care was having a fundraising event on November 4 for great causes and encouraged people to attend.

Mayor pro Tem O'Neill discussed with the City Manager regarding a naming policy and the Council had a lot of comments. He mentioned that the city hasn't forgotten it, but were dealing with staff shortages. He asked that they put Kimco on the agenda again, stating that he would like to discuss a vacancy ordinance and whether they want to send a letter addressing that, with the number of vacancies in our shopping centers, they were building a facility that will have another vacancy. He would like it on the agenda as soon as possible. He stated that he met with the youth leadership group, who have requested meeting with Councilmembers. He liked supporting youth activities, and he felt it was interesting to talk to them about their ideas and what they would like to do. He stated that he will be in contact with them, and hearing about issues they would like Council to address, such as finances and payday cash places. He also met with members of the Boys and Girls Club. He attended a similar presentation on sea level focus on a different date from Councilmember Ervin. He also wanted to take the opportunity to remember Tom Minshew who was part of the group educating the youth in Pacifica while he was on the board. He stated that his daughter was at the school when he was principal, and he was always accessible and pleasant. He mentioned once being invited to have the first cup of

coffee that day, stating that he was a nice guy and was one of the early pioneers, stating that they owned Minshew Drugs in Eureka Square and his father served on the City Council.

Councilmember Nihart followed up by mentioning that Council went down the path of an ordinance about payday lenders and she thought there should be a lot of work already completed at City Hall. She mentioned that Chief Tasa worked on that along with Planning. She stated that they were also working with Anita Rees on it.

Mayor pro Tem O'Neill stated that it was a commercial vacancy ordinance.

Mayor Digre asked if they were allowed to have this conversation, stating that they can't have back and forth conversations.

Councilmember Nihart stated that she was talking about the youth issue. She stated that two people can talk about it. She was making sure he knew the topic for clarification.

Mayor Digre stated that they celebrated Pacifica's culture with 20 years of the Sanchez Art Center, adding that it was a full house. They mentioned those who brought it together and keep going with arts and musical cultures. She stated that the Pacifica Historical Society had their quarterly meeting and the topic was Titanic. There was a teacher whose grandmother used to talk to her about the Titanic, and she did a fantastic presentation. She stated that the city and county has started getting prepared for the anniversary of Portola, and happy we were all getting on board on that, including San Mateo County Silicone Valley Visitors' Bureau. She stated that Veteran's Day is coming and they would be remembering all the vets, and our young who are joining to protect us and be there and stand for us. She stated that the San Francisco Roundtable is the committee that deals mainly with departures from SFO. Their 21st century process of putting all the planes together has ended up causing northern Pacifica as well as the whole spine of Pacifica to be impacted by what they feel are serious noise impacts. She stated that the FAA has an initiative that the San Francisco Roundtable legislators are responding to, with a lot of meetings. She has an advisory group from Pacifica because of it's extremely complexity, adding that Pacificans wanted it to be data driven. She stated that Pacificans on this issue have been supportive and very intelligent. She stated that they were full emotion and were working through staff to respond to the FAA initiative to address our needs as strongly as possible, but not shift noise to other communities. She stated that they have always respected that. She realized that part of the frustration was because the FAA staff was hemmed in without the parameters to do more about noise impacts. She stated that the FAA itself was somewhat hemmed in. She mentioned that there was a noise component on their website but it was lost somewhere and in July she suggested that the San Francisco Roundtable legislators get together with what they were doing on the initiative. There was a legislative subcommittee on the SFO Roundtable and she asked if her members were willing to go that route and agreed in July. She checked to make sure that aspect of the fight to protect Pacifica from negative noises was on the November agenda. She stated that it will be on the November 2 meeting in Millbrae. She would appreciate as much support as possible from residents. She stated this was not a solution but a step forward to look at the noise impact ordinance of 1990 and acknowledge that it was old and they need to update it and make it more relevant so residents can be protected from the negative health impacts of noise.

STAFF COMMUNICATIONS

City Manager Tinfow stated that staff was busy making presentations on the city's behalf. She mentioned that Economic Development Manager Stedler and she presented to Rotary about the

Palmetto Streetscape Project, and Rotary has offered to be a partner in helping to make other phases come true, such as landscaping, etc. She stated that both Econ. Dev. Mgr. Stedler and Public Works Dir. Ocampo were presenting to other groups, including commissions and committees. They were trying to get the word out on what was going on and get feedback from them. She stated that Asst. City Manager Hines was also making presentations on the budget to committees and commissions. She stated that she started doing that when she first arrived, and he has continued to do it. She stated that, because of the special relationship with commissions and committees, it was very important for them to understand the financial situation and it was an important presentation to continue to make. She stated that, on Veteran's Day, city facilities will be closed as it was a city observed holiday. She wanted to make a point of clarification to one of the comments made. She stated that the city's General Fund represents the discretionary revenues that they collect from property tax, sales tax, transient occupancy tax, etc., and are all discretionary. She stated that any general obligation bond revenues are not discretionary. Whatever topic to which they are assigned must be used for that effort. She stated that it applies to any funding that the city might put forward.

PUBLIC HEARINGS

CONSIDERATION

5. Recology of the Coast Five Year Extension Request
PROPOSED ACTION: Move To Adopt a Resolution Extending Recology Of the Coast's First Amended Franchise Agreement for Five Years

Asst. City Manager Hines presented the staff report, along with Chris Porter who was the general manager for Recology of the Coast.

Ms. Porter stated that she dragged her staff to the meeting, and she asked them to stand up. She stated that they total 208 years of residency, with 146 years worth of garbage experience. She stated that their entire office staff were Pacifica residents, and they are able to service the customers as they know the streets and areas, as well as the problems in the different areas in town. She reviewed the climate action control plan in preparation for this meeting. She stated that the diversion asked in that plan was 75% diversion as of 2020, and as of today, they were at 74% diversion. She stated that the state mandate now was by day, resident and pound for diversion, and the state mandate for Pacifica was 3.5 pounds a day per resident and they were at 2.8 pounds a day now. She stated that increasing the recycling will help because it will be a no brainer as people won't have to worry about what date to put out the cart. She stated that, when the cart is full, they will put it out. She stated that they had planned, in 2017, to go to C&G trucks (natural gas trucks), starting with one truck and moving forward. She stated that, because the bottom fell out of the commodities market this year, they lost over \$125,000 worth of budgeted revenues and had to readjust their plans. She stated that, as employee owners and residents of Pacifica, she felt it was foolish to go ahead with a large expenditure when you don't know what the commodities are going to be. She stated that she readjusted their capital expenses and was able to come in and give more service in 2017 without raising the rates after they lowered the rates 9.7% last year. She stated that they switched to a low emission diesel, the least polluting fuel they can use. She stated that they will revise as they go forward in the next calendar year. She mentioned that they heard the commodities market is improving and they will watch that. If things go in a positive fashion, they will come in the next year, through the budget process, which is provided to the city yearly, as to whether they will be asking for rate increase or decrease, along with an audited financial statement on a yearly basis and he

can keep track and make sure she is doing the right thing. She stated that over 6,000 customers use a 20-gallon cart which would mean that, if they were in the city to the north, they would be disenfranchised and would not have the service available.

Councilmember Keener thought it was a good presentation. He asked how many staff they have total.

Ms. Porter stated that, with drivers and staff, they have 33 employees and 24 of them live in Pacifica.

Councilmember Keener asked how many were drivers/trash collectors.

Ms. Porter stated that they have 2.5 office staff, one operation manager, one office manager, herself, two mechanics and the rest are drivers.

Councilmember Keener asked how many drivers that made.

Ms. Porter stated that she thought it was 26.

Councilmember Keener thought that was close enough. He asked, on the residential rates, 54% go for the 20-gallon trash container. He asked if the rest of the residential go with the 32-gallon.

Ms. Porter stated that the majority go for 32, with 11,262 residential customers and the majority go for the 32 but they were hoping that, going to the weekly recycling, they will be able to decrease some of those people. She stated that this service was where you are the master of your own destiny and you can decide what you are going to pay. She stated that, if you follow the recycling programs and the bulk item pickups and everything else they offer, there was no reason why they shouldn't use less than a 20-gallon cart, adding that the majority of Council uses less than a 20-gallon cart.

Councilmember Keener asked why the commercial rates were a little bit higher.

Ms. Porter stated that rates are based on the amount of customers that they have. The larger the amount of customers, it was easier to spread the rates. She stated that, if they had 10 customers in a row that they can go and pick up instead of having to go all over the place to get them, the rates would be cheaper. She stated that rates were also based on the disposal fee and the commercial garbage is always heavier.

Asst. City Mgr. Hines added that, when they were talking, they came to the conclusion that cities with a large commercial base, like San Mateo, Daly City and Redwood City, were able to spread their cost over commercial customer services and keep the residential rates lower but Pacifica doesn't have the commercial base that those cities have.

Councilmember Keener concluded that the commercial customers were collected separately, on separate routes.

Ms. Porter responded affirmatively.

Councilmember Keener asked why they have 48,000 recycling carts.

Ms. Porter stated that recycling covers compost and included every cart they had to purchase when they started.

Asst. City Mgr. Hines asked what page he was on.

Councilmember Keener stated that he didn't know.

Ms. Porter reiterated that the 48,000 was all the carts they purchased in February 2010.

Councilmember Keener stated that it was packet page 91. He assumed it was three types of carts and that made sense.

Ms. Porter responded that he was correct.

Councilmember Keener stated that the last audit that ended in September 2015 was \$10.4 million and of that \$10.1 million was the garbage collection and \$325,000 was from recycling. He asked if the franchise fee came out of that \$10 million.

Ms. Porter responded affirmatively. She stated that the franchise fee was a set fee now with no variance, a set amount per month.

Councilmember Keener thought it was \$800,000 a year.

Asst. City Mgr. Hines stated that it was in section 10 of the franchise agreement.

Councilmember Keener asked if it was the same every year.

Asst. City Mgr. Hines responded that it was.

Ms. Porter stated that it can vary. She stated that franchise fees can include payment. If recycling collections go over an X amount of dollars, although she didn't know what that figure was now, the difference was divided between Recology and the city. She stated that there have been years when there have been substantial monies paid to the city of over \$100,000. She stated that, unfortunately in the last few years, that has not been the case.

Councilmember Keener stated that he understood. He then mentioned that the franchise fee was what the rate payers pay for, and he wanted to get that out. He stated that he has had several questions about debris box rates. He wondered if they had an exclusive franchise on that, which she acknowledged affirmatively, and he asked how they compare to other jurisdictions, asking what they compared the residential to.

Ms. Porter stated that there were a lot of different ways that franchises do debris boxes. She stated that some do a set fee for delivery and pick up and then charge a dollar amount for the weight, with a lot of different ways to calculate debris boxes. She stated that, according to this franchise, they have a set fee for debris boxes which was reduced 9.7% last year. She stated that they were very favorable in comparison to debris boxes for people who charge a set amount for debris boxes. She stated that she knows that because they hardly get complaints of late about debris boxes.

Councilmember Nihart noted that there was \$30,000 of implementation of AB 939, and she assumed that was in part the reporting and mechanism for preparation of the report.

Ms. Porter stated that was the main report.

Councilmember Nihart asked if that was for the city to prepare that report, which she acknowledged affirmatively. She clarified that franchise fees were not because they like them so much that they want to charge them, but that the franchise fees pay for the 90 miles of street they have on which the trucks run up and down. She stated that people misunderstood that piece, and now it was fixed. She asked clarification that this was an option on the current contract.

City Attorney Kenyon stated that the current franchise agreement allows the city to extend unilaterally the term of the franchise agreement for another five years.

Councilmember Nihart stated that this would be like a lease that she has for an apartment that she could have for five years or a business could have for five years and extend it for five years. She stated that the option was just a pause in case one of them didn't like each other, they could get out of it, but it already exists and this is not a whole new contract.

City Attorney Kenyon responded affirmatively.

Councilmember Nihart concluded that everything stays in place.

City Attorney Kenyon clarified that, with the offer and what has been presented to the Council at this time of adding additional recycling starting January 2017, they would add that to anything written.

Councilmember Nihart assumed that you can make an addendum.

City Attorney Kenyon stated that, if the Council would like to go that route, she has some language that she would recommend to revise the resolution to make clear that it is one of the conditions under which the Council is extending the contract.

Councilmember Ervin asked the basis on which they determined they didn't need a fee increase for 2017.

Ms. Porter stated that she was a big believer of living within her means and she knows there are certain things she would like to get. She stated that her mechanic will tell them everyday to get various things. She stated that they all live in the city and pay for the service, and if they can maintain the service, find a way by moving things around, realigning routes, etc., to keep the cost level, that was what they will do. She stated that she has been doing this for 33 years and she knows where to pull and realign.

Councilmember Ervin asked if she had any forecast over the next five years in terms of how it looks going forward.

Ms. Porter stated that it was difficult to do that, especially with the commodities market. She stated that she would be guessing, acknowledging that they are saying things are improving, but there have been times this year when she had to pay to take the metal out of the recycling yard and empty the box. She referred to the past seven year history, and stated that anyone with a 20-gallon cart in 2010, going through 2017, they have paid a total of \$27 plus more that whole time, and that isn't even a tank of gas for service for seven years.

Asst. City Mgr. Hines stated that, in the end, whatever the rate will be per year will depend on her business, how it fluctuates and all the external and internal factors, including management, which is how it will play. He stated that, in just the time he has been here, they have seen the monthly fee go from \$23.38 to \$23.82 down to \$21.59. He stated that reflects her business.

Councilmember Ervin asked what it would entail if they went for an RFP, such as the cost or what the process is.

Asst. City Mgr. Hines stated that they would set down a draft and RFP and figure out what the scope of services looks like, sit down with the City Attorney and make sure they do it the right way.

City Manager Tinfow stated that it would probably be something similar to the process they are going through with the wastewater rates where they were in the process of hiring a consultant to come in and assist them as this was expertise outside what staff has. She asked if he had an estimate of what they were expecting that to cost.

Asst. City Mgr. Hines asked if she was referring to a wastewater consultant.

City Manager Tinfow responded affirmatively, asking if it was \$75,000.

Asst. City Mgr. Hines thought it was in that neighborhood.

City Manager Tinfow stated that gives a sense of what they might expect in terms of consulting fees.

Councilmember Ervin thought it would add time of staff.

Asst. City Mgr. Hines responded affirmatively.

Councilmember Ervin wanted to get an idea of what they were talking about. She referred to slide 6, and she knew they had commented on this, mentioning that Half Moon Bay charges \$13.00 and she asked if that was a factor in terms of what they offer.

Asst. City Mgr. Hines stated that he had the same question, and he learned from Ms. Porter that the array of services provided to the people in Half Moon Bay are not as robust as the services and programs offered in Pacifica.

Ms. Porter stated that Half Moon Bay has no compost. She stated that compost is the most expensive program. She stated that it was \$53/ton to bring the garbage to Ox Mountain and it was \$83/ton for composting, concluding that it was the most expensive program. She stated that the commercial recycling in Half Moon Bay was very limited. She stated that they were trying to gain the services that we have had in Pacifica for the last seven years.

Asst. City Mgr. Hines stated that there was a list of other items that Ms. Porter sent him earlier, no curb side composting, very limited commercial recycling, materials accepted curbside cart are inferior to Pacifica's program, mostly plastic collectibles. They do not offer the type of recycling yard facility that Pacifica has, offering only two bulky pickups per year versus Pacifica's proposed three, and there are no shredding events or hazardous waste dropoff events. He stated that these things that we expect from Recology are not guaranteed in other

communities. He stated that we have to be careful because there was another carrier working in Half Moon Bay and they want to respect that.

Councilmember Keener referred to the low emission diesel, and asked that she talk more about that.

Ms. Porter stated that her mechanic was present and under discussion he was going to do 3 minutes on that.

Asst. City Mgr. Hines asked if he would like to hear from him now.

Councilmember Keener stated that he wanted to know if they have to convert their trucks or were buying new ones.

Ms. Porter stated that they were using it right now.

Councilmember Keener asked if it was on all their trucks.

Ms. Porter responded affirmatively. She stated that they started using it about six months ago.

Councilmember Keener asked why they had the increase of 13% in 2012 and what was going on.

Ms. Porter stated that 2012 was a new labor agreement, clarifying that it wasn't the entire reason, but a big portion of it.

Councilmember Keener stated that, if they approve the extension, will that mean that, in five years, they will have to go to an RFP.

Ms. Porter stated that she hoped not.

City Attorney Kenyon stated that there was no further provision for an extension in the current franchise agreement, and typically, without that provision, communities tend to go out for an RFP.

Councilmember Keener concluded that it was an open question. He recalled mention that provider in Half Moon Bay owns Ox Mountain landfill.

Ms. Porter responded affirmatively.

City Manager Tinfow added that the decision about whether to negotiate a new agreement with Recology or go out for proposals will be up to the City Council.

Mayor Digre opened public comments.

Steve Wright, Pacifica, stated he was present to support Recology and their extension. He stated he owned Granite Creditor Service, a small collection agency in town. He stated that there were four employees, and 100% of them work and live in Pacifica. He stated that Recology has been a client of theirs for five years, and they appreciate them. He stated that, far more important than the import they have to Granite, he would second what Mr. Hines said. He stated that, having been a collector for 40 years and owner of Granite for six years, he can

guarantee that, if a debtor has a problem on an account, the first thing they will do will be to blame the client. He stated that it doesn't happen with Recology often, and on the rare occasion when they do have a complaint, he agreed with Mr. Hines' comment that they are able to get to a resolution immediately using their staff. He stated that the support they have given to Granite has been fantastic, adding that they can't cut off the service because someone stops paying, and they treat the debtors as fellow people who deserve respect and consideration. He stated that he can't stress how important that is to the collector that handles their accounts and, regarding the simple fact that Mr. Hines doesn't get many complaints, he seconds that entirely. He stated that it was a pleasure and honor handling their accounts and he encouraged the five-year extension.

Julie Mozzetti, Pacifica, stated that she is the owner of Mozzetti's Bakery. She stated that she was present in support of Chris Porter, who is a friend and has assisted her in many ways with her business. She stated that everyone considers Manor the ghetto and dumps garbage everywhere, inside the newspaper racks, etc. She has been fighting for help and one day she got a garbage can by the bakery and it was picked up four times a week at no charge to her. She stated that it looks nice, and people aren't putting dirty diapers, etc., on top of the newspaper racks. She stated that they have made a plan for composting with bins and they have them and Recology picks them up also. She stated that they have very little waste, and if they have a problem, it was one of the friendliest company she deals with, including the drivers and staff. She appreciates them and occasionally sends them goodies. She stated that Pacifica had a rate reduction the previous year and no rate increase in 2017. She felt, as a small business, that was fantastic, as every dollar counts. She urged Council to consider the city's partnership with Recology. She appreciates everything they do and thanks them for taking this into consideration.

Councilmember Keener wondered how often the compost from the bakery gets collected per week.

Ms. Mozzetti stated that it was every Monday and Friday, but if she needs an extra date, they are there.

Mike Mooney, Pacifica, stated he was speaking in favor of Recology. He stated that he was going to comment on what they give back to the city, but he realizes they give even more. He referred to "you get what you pay for" but he felt the city was getting more than they pay for. He stated that his comment might help. He referred to the recycling company when it was Coastside Scavengers. They had three bins, bottles, papers and cans which he felt didn't work. Then, Recology came up with the one can which he felt was great. He stated that he only put his recycle bin out once a month when it was full. He stated that the green bin was the best thing that ever happened as he had to haul it down to Palmetto and now he puts it in the garbage can. He stated that he gets all the leftover compost. He then mentioned that they pay the staff so they don't have to go on strike. He mentioned a garbage strike in Rome when he was visiting, and pointed out the bad effects when you don't pay your employees.

Mary Brown, Pacifica, stated that Recology was asking for an extension of their contract to be ready to implement the exciting new change of recycling pickup weekly. She thought it was good news, as it will make it easier to use smaller size waste cans. She thought it would make it possible for more people to switch to the smaller size waste can and they will be able to save more money on their garbage bills. She stated that she uses the larger garbage can and part of the reason was not being able to recycle more. She thought she would be able to switch to the smaller can. She mentioned that not all cities offer different sizes of garbage cans and not all

cities have the compost options we have. She thought weekly recycling was awesome. She mentioned Recology lowering our rates by over 9% and yet continuing to be extremely generous to local charities and community efforts in Pacifica. She thought they did a fine job and they need to plan ahead to prepare for that weekly recycling with extra equipment and extra staff. She encouraged Council to approve this contract extension so they can make that investment in their company and serve Pacifica the way they need to.

Victor Spano, Pacifica, stated that Recology was active in our community. He stated that he was involved in three non-profit organizations and Recology helps them all. He then read a letter by Cathy Johnson, the coordinator for the FogFest, which mentioned her appreciation with Recology's service as a resident but also as the coordinator of the FogFest, as they have been one of the biggest sponsors of the FogFest, providing dumpsters, etc. for the event as well as a monetary donation, thanking Recology for their generous contributions for the past 31 years. He then stated that the entire Board hoped the Council will adopt a resolution extending Recology of the amended franchise agreement for 5 years.

Joey Castellanos, Pacifica, stated that he has been working for Recology for the past 23 years. He stated that he has lived in Pacifica and he picks up all the commercial for Recology. He was happy to report to Ms. Porter on a daily basis and when there is a problem, he is able to resolve it with her and make the customer happy. He was grateful to work for Recology of the Coast.

Vicky Flores, Pacifica, stated that she was the CEO of the Pacifica Chamber of Commerce. She was present on behalf of the Chamber to request that the Council approve the extension of the contract for Recology. She stated that they not only have picked up garbage and recyclables for years, but have invested a lot of time and energy educating the community. She stated that, at the recent FogFest, Recology had staff members at each Recology station educating people on which bin to throw items into and why. She wondered when anyone has been at a large festival or fair and seen this type of education take place around garbage and recycling, and concluded never. She added that Recology also supports the community, working alongside them at several events, where customers can come to them with questions or requests for service. She thought the small garbage cans were the cutest things. She stated that adults try to get ahold of them as well as the kids. She then mentioned their support of the annual tree lighting festival, beach cleanup day, etc., and their staff was friendly and responsible. She mentioned that she has been in other communities on garbage days with more trash left in the streets than was picked up that day, but that was not the case with Recology. She stated that, considering the city's landscape, it was not easy to navigate some of the areas, such as the narrow roads of Manor. She suggested that, if they are considering replacing them or not renewing their contract, they should consider the dangers to which they are putting their citizens and property with new drivers who do not know the area or climate. She stated that the Chamber of Commerce urges Council to renew the contract for Recology of the Coast.

Chuck Gust, Pacifica, thanked staff and Council for their service and effort. He was present to compliment Recology. He stated that he got a call from Ms. Porter who asked if the restaurant wanted to join a pilot project for composting and recycling, and being the disposable society and he looked at it as just garbage, and after getting a second call, he decided to jump in and he now knows that garbage was not just garbage. He knows that it was a lot of work for homeowners, but also a lot of work for businesses to show staff what goes in what cans, mentioning the times he was instructed about what he was doing wrong. He has concluded,

after working with them, that they are a good solid company and he came to tell the city that we should be proud of having them working in our community.

Bernie Sifry, Pacifica, stated that he has nothing bad to say. He has found their service excellent. He asked if they thought they could get a better deal with another garbage company, performing as good as this company, and he concluded that he doubted it, adding that it will be wasted time. He stated that they are used to it and are doing the service that we request at a price that is reasonable. He referred to fluctuation of price, and stated that there are things in the economy that fluctuate and we have to expect that things go up and down, based on costs such as fuel. He stated that it shows up and is given back to us. He stated that he was sure that everyone was satisfied with the service and he questioned why they should look elsewhere.

Julie Lancelle, Pacifica, stated that Recology of the Coast was an excellent business, well run and demonstrated such care and concern about Pacifica as a community and the engagement with the community was spectacular. She felt it was in the bones of the community, felt by management. She felt Ms. Porter runs it in a thoughtful way and was considerate of the community and its needs. She felt the key point was service, a local business that knows the community and its needs and was sensitive to our needs. She was concerned about it being just a five-year extension. She thought that may be typical in these kinds of contracts, but she thought, with all the effort, dedication, development of programs, etc. on behalf of our community, putting them in the uncertainty that we might choose another company in five years troubled her. She didn't know if that was the rule but she gave her heartfelt support because they go above and beyond what any business does. She didn't think anyone could replace that level of caring about our community and doing the right things for our community, such as mentioned. She would hate to see them lose it now or in five years.

Tygerjas Bigstyk, Pacifica, stated that, in the many meetings he has attended, he has never heard this much unanimous positive feedback from the community in a long time. He stated that he walks to work every day about two miles and it feels like he is always waving to Recology drivers and seeing them wave back. He was happy to be serving groceries to Ms. Porter on a regular basis, aside from a consistent garbage pickup at his residence. He felt Recology was woven into our community and his daily life. He felt exceptional service and a good neighbor was what he and the entire community has come to enjoy and he encouraged Council to extend the franchise agreement.

Linda Jonas, Pacifica, stated that she was a good friend of Ms. Porter, as well as many of her employees. She thought they all know they are going to get this approved and she doesn't need to say a whole lot except "go baby."

Bruce Banco, Pacifica, stated he has lived in Pacifica for over 40 years. He wanted to talk about the social service partnering that Recology does with non-profits in the city. He stated that, for Pacificans Care, Recology was their biggest monetary sponsor, but they also donate for fundraisers, and a dumpster was always one of their silent auction items. He stated that, if you ask, they provide and they help the small non-profits in Pacifica. He urged Council to partner with them, and extend it for five more years.

Anthony Leal, Pacifica, stated that he works for Recology in the shop. He belongs to Teamsters Local 350, lives in Pacifica, married with three beautiful children. He stated that they are very active in the community. They teach their children that you always give back. He stated that Recology has passed a safety inspection by the CHP and they run sulphate clear diesel in their engines and were looking forward to going to CNG for alternate burning fuel in all

their trucks in the near future. He mentioned that he had experience with CNG at the San Jose Airport, and it was a great way to go. He was proud to work for Recology of the Coast and live a waste sterile lifestyle.

Bill Michaelis, Pacifica, stated that he has been a homeowner since 1980 and his son is a small business owner. He served on non-profit boards for decades, such as Pacificans Care, etc. He stated that, in good and bad times, Recology has been an excellent community partner, really caring about the community, walking the talk. He stated that they contribute substantial money and in kind services to help those less fortunate. He stated that it has been a pleasure to work with them over the years, specifically Chris Porter. He hoped they continue the relationship and approve the extension. He asked that they remember November 4, the speakeasy night for Pacificans Care, adding that Recology of the Coast has been an active partner to make that happen.

Robine Runneals, Pacifica, stated that she was a close neighbor to the Recology operation on Palmetto. She stated that she has lived there since 1976, before the recycling program started. She stated that her first experience with the previous company, Coastside Scavengers, was at the inception of the recycling program. She stated that the location of the recycling yard was originally on Palmetto, next to the building. They came up with a resolution to start the yard at the other end of Palmetto, and it turned out to be excellent for the neighborhood, making all the neighbors happy. She stated that it was a positive thing working with them at the time. She stated that they have always been an excellent neighbor. Someone comes and does patches for the street as the trucks come up and down her street every day. She has no complaints and supports them in terms of extending the franchise agreement. She mentioned, as a board member of FogFest, that there is a parade on Saturday morning during FogFest and Recology has a wonderful truck that participates in the parade and they have a lot of spirit which they contribute to FogFest as well as the community. She thanked them.

Sue Beckmeyer, Pacifica, stated that she added her kudos and encouraged Council to extend this. She agreed with Julie Lancelle that she wished it could be extended longer. She stated that every non-profit group with which she is involved, was supported by Recology and they are always donating something. She mentioned that they are always there when you need help, and felt that was the kind of community partner we need. She encouraged Council to extend the contract.

Sue Vaterlaus, Pacifica, stated that she wanted to make it unanimous because almost everyone in the room got up and spoke in favor of Recology and she suggested that they pass this item and move on.

Mayor Digre closed public comments.

Councilmember Nihart thanked them for the presentation, adding that she would echo everything they heard from the audience. She stated that they rarely hear such positive responses. She stated that, given that it is an option on the contract and it makes perfect sense, she didn't disagree with what Julie Lancelle was saying about how planning an extension works, but she thought the 12 years to begin with was when Recology purchased Coastside Scavengers and that was the total plan. She was thrilled to make a motion when ready.

Councilmember Ervin thanked them for the presentation, and she thought both the services and what they do for our community was incredibly commendable. She stated that they were grateful and it shows this was a unique situation where they have a unanimous room. She

mentioned that she gets incredible service from Recology and was grateful on a personal level. She appreciated all they give back to the community but in addition to that, she was supportive of the highly competitive price with robust offerings and very professional work ethic in everything they do. As a city councilmember, with her fiduciary responsibility to ensure that we have the best possible service at the best possible price, she felt that was something she was convinced Recology offers. She was happy to support this and second if needed.

Mayor pro Tem O'Neill echoed everyone in the room as well as Council, agreeing that Recology has done a great job and one of the best things they did was get rid of those bins. He stated that his neighbor never put a rock on top of the newspapers and there was always a mess, and he was happy they have lids now. He was happy to renew this.

Councilmember Keener stated that at his house they have no complaints about Recology's service. He stated that seven years ago, with the transition from Coastside Scavengers to Recology, the key thing was that all the staff stayed on, so much so that Julie Lancelle made the mistake in calling them by the former name. He stated that, if they were to go out for an RFP, he doubted that they would be able to get the same kind of service and if somebody else did win the RFP, such as the situation in Daly City a year ago, we would see all of the employees of Recology have to go elsewhere and find new jobs. He felt that would be a shame. He was in accord with everyone.

Mayor Digre seconded everything that was said and it was a pleasure to see the team spirit and caring for the city evident. She felt it was a pleasure to see the employees every day.

Councilmember Nihart mentioned that, unfortunately, sometimes she sees them in her bathrobe when she forgot. She asked the City Attorney if she had some additional language.

City Attorney Kenyon stated that, to clarify in the resolution what she heard in the direction of the Council, she recommended a modification to the first resolve clause, adding to the end of the sentence which currently ends after until December 31, 2022, "on the condition that Recology not seek a rate increase for calendar year 2017 and Recology provide weekly pickup of recyclable materials for single family residential customers, beginning January 1, 2017, at no additional cost to residential customers or the city nor shall Recology pass on the cost of said increased service to any customers covered by the agreement." She stated that she would also like to amend paragraph 2 of that resolve clause to state "the City Manager is authorized to take all steps necessary and appropriate and to execute and enter into all agreements required to effectuate the extension of the agreement, consistent with this resolution."

Councilmember Nihart stated that she will accept that those additions have been read into the record and, therefore, it is recorded, and she recommends that Council approve that resolution with the five-year extension as amended; seconded by Mayor pro Tem O'Neill.

Mayor Digre called a short break, then reconvened the meeting

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

6. Adoption of City Council Goals and Work Plan 2016-17
PROPOSED ACTION: Move to adopt the attached set of seven (7) Goals and the 2016-17 Work Plan.

City Manager Tinfow presented the staff report.

Mayor Digre asked if they could have a copy of the presentation.

City Manager Tinfow stated that she would be happy to give them a copy.

Councilmember Ervin referred to item 18 about the nexus study, asking if that was different from the goal of affordable housing.

City Manager Tinfow stated that they were identified as separate.

Councilmember Ervin stated that she could not recall why they identified those as separate. She stated that it was an entirely different project.

City Manager Tinfow stated that they were following the Council's lead. She stated that the nexus study was a new item suggested by one of the Councilmembers and it got support from others and ended up on the list. She agreed that it was tied in with the other work they were doing related to affordable housing.

Mayor Digre thought one was funding, asking if nexus goes into funding.

City Manager Tinfow agreed it was funding. She asked if they would like the Planning Director to comment on the differences and similarities.

Planning Director Wehrmeister agreed with everything stated. She agreed that it was identified as a separate program but was certainly related to the affordable housing goal.

Councilmember Ervin stated that, during communications, Mayor pro Tem O'Neill mentioned Kimco, and she didn't know how they would incorporate that in their lists of goals or if they need to figure it out. She thought it was a big deal at the goal setting session.

City Manager Tinfow stated that Council did discuss it then.

Councilmember Erving questioned how to prioritize that with everything else. She stated that, if they add something, they have to take something away. She felt it was a good opportunity for discussion now as to how they want to handle that priority.

Councilmember Nihart stated that she didn't have anything on that issue.

Mayor Digre thought that item 1 was the economic development program, and maybe it could be folded into that as one attempt to move forward on economic development.

City Manager Tinfow suggested that a commercial property vacancy ordinance might be somewhat counter to encouraging economic development. She stated that it was more like a stick than a carrot, and it was on the list of 48 items that she mentioned and they discussed. She stated that it was up to Council, adding that it would be a relatively large thing to undertake. It would not just apply to Kimco's property but across the city and it would have pretty big implications and ramifications. She stated that, if it was something they all wanted, at the next goal setting which will be in January or February may be the time. She stated that, if they want to take something off the list that economic development is currently working on, they could give

it time and attention and bring it back. She asked Anne Stedler if she wanted to add anything to what she shared.

Ecom. Dev. Mgr. Stedler stated that, for the sake of clarity, she agreed with the City Manager's point that it will be seen as more counter to economic development than supportive, and it will drive against the theory and premise of economic development that they were trying to communicate Pacifica as a business friendly place and are better able to attract those businesses that we want and the investments that we want. She stated that the carrot of attracting those things we do want will be more productive for the city because a general policy that looks at what will be perceived as a complaint or anti-business will be perceived by all aspects of business as unfriendly to business.

Mayor Digre stated that she thought the conversation was telephone calls, calling for a visit or conference and then an ordinance. She asked if they exhausted the first two.

City Manager Tinfow stated that they have had more than one meeting with the Kimco people and they have shared with them that they do have plans in the works for carrying out at Fairmont and plans in the works for the Linda Mar Shopping Center, but they are not ready to make them public. She stated that they were sharing them as a courtesy but it gives the city confidence that there is an end game, even though it may not seem that way now. She hesitated to say more about that, because it was not her news to share, but she offered that they have met with the Planning Director, the economic manager and her and shared ideas they have for Linda Mar Shopping Center.

Mayor Digre asked if anyone wanted to follow through on that.

Councilmember Nihart stated that, in terms of the carrot, she liked that idea. She stated that she got her groceries at the top of the hill and she was impressed. She stated that they have done a very nice job.

City Manager Tinfow agreed that the store turned out very well.

Councilmember Nihart stated that, if they want to continue talking about it, they talked about it in economic development, and the actual ordinance would take quite a bit of work, including quite a bit of legal work. She wasn't sure what they would take off the list to get that done, adding that they talked about it during that session. She then asked if they were on track, mentioning that the collection system and equalization base get added to the list and are ongoing. It sounds like a nice goal, but they have a consent decree and she was taking this as an opportunity to ask if we were on track for meeting the timeline in the consent decree.

Public Works Dir. Ocampo responded affirmatively, adding that based on the current schedule for the EQ basin, it was supposed to be completed by July 2018.

Councilmember Nihart stated she was good with that. She then stated that she knew they didn't make the cut with the TA but they really had Milagra and the overcrossings, stating that she did a lot of work talking to the TA about that. She stated that there was sometimes a disconnect between the board and the staff, and she wondered why they decided to peel off Milagra and she asked if that came from staff. She also asked if they need to work with staff.

Public Works Dir. Ocampo stated that they did not peel off the Milagra on ramp from the project and it was still a component of the project. He stated that there was a resolution passed by the

Council identifying the Milagra off ramp/on ramp project as a component of the Manor Drive overcrossing.

Councilmember Nihart stated that, the way it got presented, it sounded like it was a separate project.

Public Works Dir. Ocampo responded that it was not and, in the application, it was clearly shown as a project. He stated that the reason why it was presented that way was because they were moving ahead with the on ramp and they wanted to have credit for that. He stated that was our money was on the table and was the city's contribution to the project.

City Manager Tinfow explained that it should have been more considered as a focus since they didn't get the grant. They haven't given up, but were waiting for the next opportunity. In the meantime, they were working on the on ramp/off ramp.

Councilmember Nihart assumed that was money we were bringing to the table.

Public Works Dir. Ocampo responded affirmatively.

Councilmember Nihart wanted to make sure that gets maintained in the total project. She stated that the second part of the question was about working with the staff. She thought it seemed that the last time, the staff had more issues than the board.

Public Works Dir. Ocampo stated that was a bit puzzling for him. He stated that they had previous communication and a lot of communication with the program director at the Transportation Authority. They sought their advice and they were well aware of the Council adopting the resolution that early on, and that was why they were confused that the staff presenting the staff report to the TA board seemed to have a disconnect.

Councilmember Nihart stated that it was clearly identified as one of the project areas in the tax.

Public Works Dir. Ocampo agreed.

Mayor pro Tem O'Neill stated that, on the slide, it mentioned that the Milagra on ramp has been in CalTrans and they were waiting for approval. He asked how long it has been at CalTrans.

Public Works Dir. Ocampo stated that they have been going back and forth with CalTrans, and that was because different departments have different requirements. He stated that the major comment they had, and which they were working on, was the ability to construct another opening or its closeness to the other on ramps. They have been trying to figure out a way to iron out the kinks with that. He stated that they have been going back and forth with them, but with all the other stuff, such as El Nino, this project is not on the same track as the other ones, as the other ones are disaster related and repair projects.

Mayor pro Tem O'Neill then referred to the vacancy ordinance, explaining that he just asked to have it put on the agenda, and all the points that were made could be discussed that night. He stated that, if they choose to go forward with it, they can choose what should drop from the goals. He also looked at goals as something great, you strive for it, and setting goals is how you become successful, setting goals and prioritizing moving forward, but he also felt there were issues when they build the building, as they will have another vacancy down at Linda Mar. He stated that the last time he checked, the county average for a neighborhood shopping center

was 2.48% and they were well over 5% at Linda Mar. He stated that Patty's Hallmark probably has some ghosts sitting in there since it has been so long.

Mayor Digre referred to page 8.

City Manager Tinfow asked if it was project 8 or item 8.

Mayor Digre stated that it was the little blue number. She referred to the item saying building relationships with community, and she suggested that, instead of other or before others, they put small businesses, because those are more important throughout the United States than others. She asked that they insert that wording to highlight them.

City Manager Tinfow agreed to the suggestion.

Mayor Digre then referred to page 22. She referred to meeting with the traffic signal innovator, and asked her to elaborate on that.

City Manager Tinfow assumed the Public Works Director can.

Public Works Dir. Ocampo stated that staff has been meeting with the staff and engineers from In Sync, Rhythm Engineering company. He has engaged with them in a number of meetings with them, CalTrans as well as the Transportation Authority. He stated that, now, there was a proposal from Rhythm Engineering to install their device. He stated that they were given samples of the agreement that CalTrans normally enters into as they install that equipment into their cabinets. He stated that, unfortunately, what In Sync or Rhythm Engineering can do is install and provide you with their gadget. They don't have the contractor's license to install the camera, as well as their gadget inside the cabinet of CalTrans. He asked CalTrans, as their contribution to this project, if they can install it. He stated that he just received the notice a couple of weeks ago that they will not be able to do it.

Mayor Digre asked clarification of whether they will or will not.

Public Works Dir. Ocampo stated that they will not be able to do that. He then asked In Sync to give him a quote that would include that. They have reached out to a couple of electrical contractors with the capability of doing that. He left that together and reported it to the Transportation Authority, hoping that between the state, CalTrans, if they have any shop money, and the Transportation Authority, they will be able to fund it. He stated that he has been working on the project, but silently.

Mayor asked if In Sync and CalTrans did one area in a different City.

Public Works Dir. Ocampo agreed, stating that it was in San Ramon, and they were using that MOU or a cope agreement as a sample to use for Pacifica. He explained that the difference between the two agreements, was that the one in San Ramon was actually the city of San Ramon that operates and maintains the signals. In this case, it is that CalTrans was willing, for the first time, to maintain the system even though there are foreign gadgets within the cabinets.

Councilmember Ervin stated that she got the answer. She wanted to clarify that there were two issues, the cost of installing the gadget and the other issue is installing the gadget in a CalTrans

owned box. She stated that, at first, CalTrans was saying no to the installation and now there was hopefully further discussion.

Public Works Dir. Ocampo stated that it has gone from a definite no to a willingness now, as long as they iron out who pays for what and the availability of an electrical contractor to install it.

Councilmember Ervin asked if they had any idea of the timeline.

Public Works Dir. Ocampo explained that, now, they don't have the quote from the electrical contractor. He was hoping to get something more towards the end of the year. He stated that, if you were to install the gadget, you can only start monitoring the difference during regular travel times, when kids are back in school, adding that you can't really do it during the holidays.

Councilmember Ervin asked how long it would be installed.

Public Works Dir. Ocampo stated that the duration was about 2-3 months, three months the maximum. He stated if it yields the result, then they have the option of keeping it. If it doesn't yield the result they were promised, then they give the gadget back. He stated that the drawback on that one was that they will only refund the money for the actual gadget in the cabinet. The camera would stay, and he was trying to get CalTrans to understand that the camera has benefits to them and it should be something that is kept on the pole regardless of what the outcome was. He stated that it helps monitor, and the benefit is that the traffic control center in Oakland will be able to monitor the traffic on Highway 1, something we don't have.

Mayor Digre opened public comments.

Therese Dyer, Pacifica, stated that she attended the Democratic meetings, county supervisor meetings, charter review meetings, City Council meetings, oversight board for the bond measure, and she was on the grand jury and she feels like she is pretty well informed. She was surprised that the Council was not. She stated that, to her, this was nothing but talk and no walk. She didn't see where their priorities were in the right place. She stated that they are talking about putting a \$33 million bond measure for a library when they haven't even assessed the other two and what they are going to do with them, what's the assessed value, and she asked how they can say it is \$33 million. She then refers to stewardship of city infrastructure including repairing, replacing outdated city facilities such as City Hall, libraries, fire stations, city streets and impact of sea level rise. She stated that they were talking about repairing the libraries and they have a bond measure on there, and then they put a new one, No. 7, maintaining a safe community which includes supporting our first responders, police, fire, etc. She thought that was their job and that should not be a goal but what they are already doing. She stated that she has the original goals in her archives at home and she can't compare this with what she is saying except the new ones. She stated she also attended the Democrat party where Ms. Stedler spoke on economic development. She stated that, sadly, all she got was demographics. She stated that she was a 56-year member of Pacifica and she knows what our population is, 30,000, and it hasn't changed. She listened to the presentation on housing and she didn't see any Councilmember represent this city at the county supervisors meeting where all the money was being given out, including \$300,000 on Measure A funds for housing for VA veterans. She stated that it was all going south, and she was on the advisory board of the veterans and she was getting a group together to attend that November 14 meeting at Harbor Blvd. She asked how many Councilmembers will be there. She stated that this was nothing but hogwash and a couple of them are career councilmembers and she thought they should be ashamed of themselves. She stated that she has no offense against Ms. Stedler and thinks she

is a beautiful person but when she looks at this city, we have three things as far as economic development, the quarry no one talks about, highway widening paying 30 years of Measure A funds and never got a penny, and she asked why we weren't suing them. She stated that we bought lamp posts years ago for the Sharp Park Seascape that are rusting somewhere in some warehouse. She stated that they should get their act together or get off.

Ellen Ron, Pacifica, stated that she has to disagree with Ms. Dyer that nothing has been done, because they have a bond measure on the ballot to build the new library and when the measure hopefully passes, they will have a wonderful new asset for Pacifica. She noticed that they have seven main goals and the library covers five of them, and she thought that was pretty good. She thanked them.

Mayor Digre closed public comments.

Councilmember Nihart moved to accept the Plan and Goals before 11:00 p.m. and they do not have to extend; seconded by Councilmember Ervin.

Councilmember Nihart added that she believed we were 38,000 residents.

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 10:55 p.m. in honor of Tom Minshew and his ceremony for life will be at Jefferson Union High School District office on November 13 from 1 to 4 p.m.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 5-0; 11/14/16

Sue Digre, Mayor