



**CITY OF PACIFICA  
CITY COUNCIL MINUTES**

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

Mayor Mike O'Neill  
Mayor Pro Tem John Keener  
Councilmember Sue Digre

**December 12, 2016 (MONDAY)  
[www.cityofpacifica.org](http://www.cityofpacifica.org)**

Councilmember Sue Digre called the meeting to order on December 12, 2016 at 7:00 PM

**6:00 PM CLOSED SESSION**

Mayor Digre called the meeting to order at 6:00 p.m., stating that all councilmembers were present and announced that the Council would meet in Closed Session. Asst. City Attorney Siegel announced the business to be discussed.

PURSUANT TO GOVERNMENT CODE SECTION 54956.9 Conference with Legal Counsel - Initiation of Litigation, Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9 One Potential Case.

**7:00 PM OPEN SESSION**

Call to Order

Mayor Digre reconvened the meeting at 7:00 p.m

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

Staff Present: Lorie Tinfow, City Manager; Kevin Siegel, Asst. City Attorney; Lorenzo Hines, Asst. City Manager; Van Ocampo, Public Works Director; Tina Wehrmeister, Planning Director; Dan Steidle, Police Chief; Rich Johnson, Deputy Fire Chief; Maria Aguilar, Assist. Civil Engineer; Ray Donguines, Asst. Engineer; Bonny O'Connor, Asst. Planner; Kathy O'Connell, City Clerk.

Salute to the Flag led by American Legion

Closed Session Report

Asst. City Attorney Siegel stated that there was nothing to report.

## **SPECIAL PRESENTATIONS**

### Proclamation - Pacifica Veterans

Mayor Digre read a proclamation honoring Pacifica Veterans. She then had them take a picture with Council.

### Proclamation - Dorsetta Hale Poet Laureate

Mayor Digre read a proclamation honoring Dorsetta Hale, Poet Laureate.

Dorsetta Hale expressed her appreciation for the honor of being Pacifica's poet Laureate and then read a poem.

Councilmember Ervin thanked her for the beautiful poem and representing Pacifica.

Councilmember Nihart echoed the comments, adding that each poem she has written for Pacifica was thought out and heartfelt and that makes her special.

Mayor Digre then had her take a picture with Council.

### Wet Weather Equalization Basin Project Update

Public Works Dir. Ocampo introduced his entire team working on the Wet Weather Equalization Basin Project, he then began the presentation of the report, followed by Assoc. Engr, Aguilar, Gene Barry, Jeff Tarantino.

Councilmember Nihart assumed that they had two months latitude for hitting January 1.

Gene Barry stated that they thought about that, explaining that they will have an open basin that they can divert flow to by the summer of 2018 if they don't think they can hit the January goal , adding that they want to complete the dirt hauling during the dry season and before December 2017.

Councilmember Nihart understood, but she was concerned about the regional water quality control board, adding that they have technically had quite a bit of time. While she understood the delays, she wanted to be sure they have given a heads up.

Public Works Dir. Ocampo stated that, in addition to getting the work done, they were going to keep the board updated on where they were and, if they can't meet the deadlines, they will be showing good faith and will hopefully be able to get an extension.

Councilmember Nihart asked what their response has been so far.

Public Works Dir. Ocampo stated that they haven't asked for an extension, as their schedule shows them being completed. He mentioned that they may not need it, unless there is a heavy storm and the ground is saturated, but he reiterated that by keeping them informed, they were in a better position to get an extension.

Councilmember Ervin thanked them for a great presentation and for getting the city up to speed on the cease and desist order. She felt it was important for the city to meet the guidelines. She

then referred to the planned work on the pipelines and asked how disruptive that would be and whether the affected neighborhoods have been informed.

Public Works Dir. Ocampo stated that they were having a meeting and, in addition, as the project begins, they will inform the neighborhoods about the work going to be done.

Councilmember Ervin asked if this could be a possibility for sewer laterals.

Public Works Dir. Ocampo stated that they have already done work on the laterals in those areas.

Councilmember Ervin referred to the parking lot work, and asked, when finished, if it would be level. She questioned how hard it will be to get to the underground facility.

Mr. Barry explained how they were handling the situation.

Councilmember Ervin asked if the parking would be off limits during construction.

Public Works Dir. Ocampo responded that she was correct, adding that people going to the Community Center will be allowed to park at the Crespi lot and were working with PB&R Dir. Mike Perez on facilitating that adding that the Crespi lot wasn't that crowded during the weekdays.

Mr. Barry explained that they do the work in sections, and that will limit the disruptions and make sure the trench is covered at the end of the day.

Mayor pro Tem O'Neill referred to parking being restricted on the street for Meals on Wheels, etc., and asked if that was just during the day with open parking in the evening.

Public Works Dir. Ocampo responded affirmatively.

Mayor pro Tem O'Neill asked if they were going to coordinate with North Coast Water, Comcast, etc.

Public Works Dir. Ocampo stated that it was part of the planning of the project and was not going to be a problem.

Mayor pro Tem O'Neill asked about what will be done if they have work to do, mentioning Water District's plans for upgrading.

Public Works Dir. Ocampo stated that they didn't have any planned projects in that area, but if they have repairs, he thought they would coordinate and combine resources to fix things.

Mr. Barry added that, on that side of Crespi, they weren't infringing on the Crespi easement.

Mayor pro Tem O'Neill asked if, on completion, will there be a stripe down the street or will there be an overlay where the street looks newly paved.

Public Works Dir. Ocampo stated that they were evaluating it, and looking at the impact of the project, they will look for funding resources to do what is remaining, but the funding covers on the effects of this project.

Councilmember Keener stated it was a great report, and then asked if they planned to replace the heritage trees with a similar species, such as Monterey cypress.

Mr. Barry stated that was their intent.

Councilmember Ervin referred to the estimated project cost, stating that they are higher than originally estimated to be, and asked how they were going to account for the extra cost or did they think it was something we could handle.

Public Works Dir. Ocampo stated that you can't always project what will need to be done when doing the original planning, which was at about \$14 million now, but he added that, on looking at the original projection of the costs, it was budgeted at \$20 million.

Mayor Digre asked whether there might be things above ground that cars could hit or was everything underground.

Mr. Barry stated that there were two structures above ground, but were located at the inside of the curb. He acknowledged that they could technically be hit, but they would be fenced off and they had odor control.

Mayor Digre acknowledged that the basin was important, but she stated that, even with a state of the art waste water treatment plant, we still had odor problems.

Mr. Barry stated that the intent was to pump the basin out after two days' usage.

Mayor Digre asked what the amount of odor would be for those in that area.

Mr. Barry stated that the odor control system will draw clean air in and pump it through GAC, using activated carbon, and when operating properly, there should be no odor. He stated that the odor control operation will begin when there is water, so as soon as they collect water there will be a system that will activate the blowers but they will be off when there is no water in the system.

Mayor Digre asked if there was a backup to that process.

Mr. Barry stated that, at this time, they didn't have a second blower, but they can.

Mayor Digre thought Council should look into this.

Mr. Barry that there will be regular maintenance to ensure that it is operating properly.

Mayor Digre liked that they will have constant communication with the Water Board and connecting with North County Water District.

Councilmember Keener asked what the expected lifetime of the facility was.

Mr. Barry stated it was 75 years.

Mayor Digre opened public comments.

The question was asked what protection they had as we have frequent earthquakes.

Mr. Barry stated that it was being designed with the current building codes and they just completed the review with the building department.

Mr. Murphy stated he and his brother own the adjacent property and they were looking for a lot of soil, and could save the city a lot of money.

Mayor Digre closed public comments.

Mayor Digre referred to their comments on public outreach, this coming Thursday and in February, and she asked for more information.

Mr. Barry stated that the Thursday meeting, 6:30 at the Community Center, was part of the CEQA public review period for questions and any concerns.

Mayor Digre asked how they were noticing it.

Asst. Planner O'Connor stated that a notice of intent was done, explaining the usual process they followed prior to a study session, as well as publishing in the paper, etc.

Mayor Digre asked if they published it on NextDoor, acknowledging that they responded affirmatively. She asked about the February outreach.

Asst. Planner O'Connor stated that they would be bringing the use permit to the Planning Commission for adoption on February 6.

Mayor Digre asked that the public share with others so no one is taken by surprise.

Councilmember Nihart stated that she was worried about the deadlines, and asked if anyone had a sense about the fines if they won't grant the extension.

Mr. Barry stated that one of the key features, if they think they are behind schedule, was to engage in conversation. He thought, if they see they are working toward the goal, they will be receptive to an extension.

Councilmember Nihart reiterated that they weren't very receptive in the beginning of the consent decree and she wanted to be sure they were taking care of that relationship.

City Manager Tinfow added that the requirement to no longer have SSOs after January 2019. The basin will be operational the summer prior to that, and they can use the basin to avoid the SSO if they get into a situation.

Mayor Digre thought it was important to educate the public as to what this is about and what they are trying to achieve.

## CONSENT CALENDAR

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike O'Neill, Mayor
<b>SECONDER:</b>	Karen Ervin, Councilmember
<b>AYES:</b>	O'Neill, Keener, Digre, Nihart, Ervin

1. Approval of Minutes  
**PROPOSED ACTION:** Move to approve the minutes of the regular City Council meeting held on November 28, 2016.
  
2. 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 December 6, 2016, (Attachment 2) and move to continue proclamation confirming the existence of local emergency.
  
3. Adoption of Ordinances to Adopt the 2016 Edition of California Building Standards Code with Local Amendments, Update to the Storm Water Management and Discharge Control Ordinance, and Amend Section 6-3.13.603(B) of Title 6, Chapter 13 of the Pacifica Municipal Code Related to Requirements for Sewer Lateral Compliance Certificates (Second Reading)  
**PROPOSED ACTION:**
  1. Move to adopt an Ordinance of the City Council of the City of Pacifica repealing and re-enacting portions of Title 8 of the Pacifica Municipal Code related to Building Regulations, and repealing and re-enacting Title 4, Chapter 3, Article 1 of the Pacifica Municipal Code related to the Fire Code.
  2. Move to adopt an Ordinance of the City Council of the City of Pacifica repealing and re-enacting, as amended, Title 6, Chapter 12 of the Pacifica Municipal Code related to Storm Water Management and Discharge Control.
  3. Move to adopt an Ordinance of the City Council of the City of Pacifica amending Section 6-13.603(b) of Title 6, Chapter 13 related to when a sewer lateral compliance certificate is required during construction or remodeling.
  
4. Approval of Contract Change Order #1 to Golden Bay Construction, Inc. for the Beach Boulevard at Santa Maria Avenue Concrete Replacement Project.  
**PROPOSED ACTION:** Move to approve Contract Change Order #1 (Attachment 1) to Construction Contract with Golden Bay Construction, Inc. for the Beach Boulevard at Santa Maria Avenue Concrete Replacement Project; approve budget authority in the amount of \$53,482 from the Disaster Accounting Fund (Fund 38) for a total budget authority of \$218,530, to be reimbursed by the City's insurance and California Disaster Assistance Act (CDAA) Funds; and authorize the City Manager to execute all necessary documents associated with the approval of Contract Change Order #1.
  
5. Award of Construction Contract to JDB & Sons Constructions, Inc., Approval of Construction Management and Inspection Services Contract with CSG Consultants, Inc., Approval of Permit Compliance Services Contract with MIG/TRA Environmental Sciences, Inc. and Approval of the Temporary Construction Easement Agreement with True Jesus Church for the Milagra Creek Sinkhole Repair Project

**PROPOSED ACTION:** Move to authorize award of Construction Contract to JDB & Sons Construction, Inc. (Attachment 1) for the Milagra Creek Sinkhole Repair Project; Approve Consultant Services Agreement between the City of Pacifica and CSG Consultants, Inc.(Attachment 2); Approve Consultant Services Agreement between the City of Pacifica and MIG/TRA Environmental Sciences, Inc. (Attachment 3); Approve the Temporary Construction Easement Agreement with True Jesus Church (Attachment 4); Authorize the City Manager to execute all necessary documents associated with the project; and Approve budget authority in the amount of \$527,196 from the Disaster Accounting Fund (Fund 38), to be reimbursed by the City's insurance and California Disaster Assistance Act (CDAA) Funds.

6. Adoption of Resolution Declaring Results of the General Municipal Election of November 8, 2016

**PROPOSED ACTION:** Move to adopt the resolution entitled "A Resolution of the City Council of the City of Pacifica Declaring the Results of the General Municipal Election Held on November 8, 2016".

7. Resolution Approving Real Property Donation of 528 Esplanade Avenue (APN 009-161-010)

**PROPOSED ACTION:** Move to adopt the resolution approving the Purchase and Sale Agreement for 528 Esplanade Ave. (APN 009-161-010) and authorize the City Manager to accept the real property and take other actions to effectuate the transfer of the property.

### **ORAL COMMUNICATIONS**

**Francis Fu, Pacifica**, stated that, as a representative of Pacific Coast Television, they will be filming the reorganization meeting on Wednesday. He then invited them to PCT's holiday party at Vallemar Station at 7:30.

Mayor Digre thanked him for both.

**Ron Maykel, Pacifica**, stated that he spoke at the PB&R meeting, and was present now to talk about the loss of sand at the Linda Mar Beach. He thought it was caused when they redid the wall by the shower/restroom building and were losing lots of sand which was going to the parking lot. He commented that they had the highway and library on the back burner, so they had time to get unfinished business taken care of.

### **COUNCIL COMMUNICATIONS**

Councilmember Ervin stated that she will talk on Wednesday.

Councilmember Nihart stated that she finished her last Transportation Authority meeting and City and County Association of Government meeting. She encouraged the Council to designate someone to be the designee from the coast as part of the water committee which was about many issues Pacifica has talked about such as sea level rise, etc.

Mayor pro Tem O'Neill stated that, with Asst. City Manager, he attended a Connect 16, which was about technology and how it can be used with interaction with the public. He hosted boy

scouts in the Council Chamber and explained about what happened at meetings in the building. He also attended the tree lighting at the Community Center and the Chamber tree lighting at Rockaway.

Mayor Digre also attended the two tree lightings, and they went very nicely. She also attended an event at the castle with the Pacifica Historical Society. She worked on the airport noise, and there was more to come as she was still going through paperwork.

Councilmember Keener attended the Open Space meeting in the mayor's place. He stated that it was about trails, as well as Cattle Hill, and a discussion of where they were. He stated that it may come to Council, and they will have to have some high level talks between Council, GGNRA and the city.

### **STAFF COMMUNICATIONS**

City Manager Tinfow stated the city issued a press release related to reports on beach access being closed off over the weekend at the 100 block of Esplanade. She stated that the damage was on private property and was being addressed by the property owner of the former Lands End, currently Ocean Air, although the city was keeping an eye on things and will keep Council apprised.

Mayor Digre called a 2-minute break, then reconvened. She then offered sympathies to those who lost loved ones in the Oakland fire.

### **PUBLIC HEARINGS**

8. Appeal of the Planning Commission's Approval of Amendment of Site Development Permit PSD-790-14, Variance PV-513-14, and Parking Exception PE-160-15, to Construct a Three-Story, 3,169 Square Foot Apartment Building Comprised of Four Dwelling Units on the Top Two Floors and an Attached Ground Floor Garage at 4009 Palmetto Avenue (APN: 009-402-270) and Issuance of Development Allocations.  
**PROPOSED ACTION:** DENY the appeal and uphold Planning Commission approval and issue four residential development allocations for the project.

Asst. Planner O'Connor presented staff report.

Councilmember Nihart commented that, when the project came before Council previously, they were four small units which seemed fitting for the hillside. She asked that staff explain how they ended up with one big structure.

Asst. Planner O'Connor stated that the Coastal Commission established a 50-foot buffer around the willow at the front of the property, and it pushed everything to the north end of the property.

**Victor Carmichael, appellant**, referred to the Fish and Bowl not being developed for many years, pointing out some of the areas of concern, such as wetlands, hydrology, etc. He stated that this was a second version, and mentioned some of their concerns, including the location being the only alternate route for Palmetto in case of the road being washed out. He stated that the Coastal Commission adjusted the buffer zone which allowed the present proposed redesigned project. He stated that the Planning Commission postponed their decision to allow

for possible redesign and less units. He stated that, when the project was brought back with zero changes, it was grudgingly approved. He stated that they appealed the project on four issues, CEQA which they felt does apply, there is confusion regarding the drainage, they question four units being the minimum number of units required, and the sidewalk would be through the wetland area. He then went into some detail regarding all those issues. He concluded that the project was inappropriate for the area, aesthetically and environmentally, and stated that the alternative of two units would be acceptable. He asked that they send this back to the Planning Commission for consideration.

**Dave Blackman, applicant**, stated that this was the sixth time he has addressed this issue, adding that in all his years, he has always worked things out with his neighbors. He discovered that in this case, the appellant is concerned that, if this project is approved, it will encourage the owners of the Bowl to start a development project again. While he has no control over the Bowl, he has tried to work out everything with Victor. He stated that he is ready to answer any questions. He mentioned that they have agreed to work with the Coastal Commission regarding storm drain projects on property other than their own.

**Michael O'Connell, applicant**, stated that on working with the Coastal Commission, they did a lot of studying and came up with several design alternatives. He referred to the buffer zone not being definitively 100 feet, but it was a starting point with the Coastal Commission, and after several redesigns, they settled on a 50-foot buffer. He explained that it was 3 stories because the parking was underneath. He stated that, on the original design, the units were 400-500 square feet and detached, and putting them together was tough but they are not supersized. He stated that the ravine was studied and the city applied a "bandaid" to halt the erosion, and it has done a good job, but they propose to solve the problem by diverting the pipe to the city storm drain system. He added that they were not contributing to the problem but volunteered to help fix it. He mentioned the recommendations for the heritage tree by the arborist. In addition, he stated that the Coastal Commission commended them for being open to making the changes required. He stated that it has been a long road. He mentioned that they have tried to negotiate with Victor, but his appeal leaves litigation as a next step if he doesn't like what they have ended up with, and in addition, his primary concern was what was going to happen at the Bowl.

Councilmember Keener referred to the problems of drainage as mentioned by Victor, and stated that they don't match.

Mr. O'Connell stated that they don't match because the city tried to fix one end of it to fix the problem. He stated that, if the pipe had a failure, a common solution was to slip a new pipe into the old pipe.

Councilmember Keener asked where the city's storm sewer system took the water.

Mr. O'Connell guessed it was Esplanade but stated that they haven't looked at the maps so he didn't know.

Public Works Dir. Ocampo described the newly rerouted pipe from the catch basin and ultimately discharged at the 500 block of Esplanade.

Councilmember Keener referred to the possibility that two studio apartments would be acceptable to the appellants, and he asked if they were open to negotiating with them.

Mr. O'Connell stated that they had asked that he send a message to Planning Director stating what they could do for him to drop the appeal and he had refused to do that.

Mr. Blackman added that these appeals have cost a lot of money and they have been amenable to various ideas but ultimately the Coastal Commission and the Planning Department were telling them that they have to have a minimum of four units.

Councilmember Keener asked staff for their thoughts on negotiating down to two studio apartments.

Planning Dir. Wehrmeister responded that the lower density on that site is four units now, and they wanted to see the applicants and appellants come to an agreement before they spent time to see if lesser units were possible under the General Plan. She added that, since they are bound by the Planning Commission's decision, this would put them back into the cycle of going to the Planning Commission to get another design approved. She also didn't know what the Coastal Commission's process would be if they were to redesign the project.

Councilmember Keener asked if they could accept less units if it was determined that a large portion of the property was unbuildable because of the willow.

Planning Dir. Wehrmeister thought there was language in the General Plan under this type of circumstance that would necessitate less density, but they would have to speak to legal counsel to make sure they did that analysis.

Councilmember Keener acknowledged that they were reluctant to undertake that without an agreement from both sides.

Councilmember Nihart stated that she had a question regarding the impacts that the applicants may be able to speak to. She asked if they said they could change the design to the foundation so as not to get into the root system of the heritage tree.

Mr. O'Connell stated that they could put a different foundation that would have less impact on the roots.

Councilmember Nihart concluded that, if they did that, they would not be disrupting the roots.

Mr. O'Connell stated that it was hard to say, mentioning the two possibilities that can be used in putting in the foundation.

Councilmember Nihart stated they were either getting a heritage tree application or getting it after the fact. She just wanted to address that.

Councilmember Ervin commented that the medium density residential was 10-15 per acre and this was .4 acres so it was 4-6 units. She stated that this was not a big project, just 2-4 units, and Pacifica was losing housing at a rapid rate. She felt, if they were going to be building on the property, it made sense to provide the housing that we need.

Planning Dir. Wehrmeister agreed, stating that was why they did the analysis for them to go lower because the intent was to get medium density.

Councilmember Ervin understood that was the philosophy of keeping it at the medium density and not lowering it.

Planning Dir. Wehrmeister responded affirmatively.

Councilmember Ervin referred to the storm drain, asking if that was done solely on the premise that the applicants want to prevent further erosion on the site, also asking if it was a requirement.

Asst. Planner O'Connor stated that it was to prevent further erosion in the ravine across the street from the project site.

Planning Dir. Wehrmeister added that, as pointed out by the applicant, in addition to their site, they were improving conditions beyond their project.

Councilmember Ervin asked confirmation that the Coastal Commission approved this project as is and agreed that it doesn't need CEQA.

Mayor pro Tem O'Neill stated that, before going to the public, he wanted to know if the Planning Commissioner wanted to say anything.

Commissioner Cooper stated that they have struggled with this from the beginning. He stated that it was a very nice development at the beginning, but after the changes due to the heritage tree, this was the very best development with the amount of units they needed. He stated that it was not out of character with the area, referring to all the condos on the hillside above this site. He thought more units would have an impact, but they felt this was the best option they could have with the restrictions put on by the Coastal Commission.

Councilmember Nihart referred to the pipe and what was causing the erosion in the ravine, and asked what the water in the pipe was to begin with.

Public Works Dir. Ocampo stated that the water in the Bowl would accumulate and then get into the pipe. He stated that, without the development, most of the water gets into the ground, and then the rest goes into the pipe.

Councilmember Nihart asked when the pipe was put in.

Public Works Dir. Ocampo didn't know, but thought it might be prior to the construction of the freeway, in the late 1960s.

Councilmember Nihart assumed it was not the city's pipe.

Public Works Dir. Ocampo stated that it goes under the ground, and they did some bandaid measures to reduce the erosion of the cliff.

Councilmember Nihart asked if changing the pipe and running it down to the storm system stopped the erosion.

Public Works Dir. Ocampo stated that it drastically reduces it and the water is contained in the system and discharged at the 500 block.

Councilmember Nihart referred to putting a crosswalk through the wetlands rather than a sidewalk.

Planning Dir. Wehrmeister stated that the requirement was deferred until there is other development in the area, otherwise it is a sidewalk to nowhere. They would ultimately make it a crosswalk to a continuation of the Coastal Trail on the other side of the street but would not be done until it was necessary.

Councilmember Nihart asked if the deferral goes with the property.

Planning Dir. Wehrmeister responded affirmatively.

Mayor Digre stated that she definitely wanted an answer now, but had sent a message to the City Attorney. She then referred to attending the Planning Commission meeting when the project was four bungalows and there was a patch of willows, and now there was just one willow. She stated that the Coastal Commission said there was no need for another Coastal Development Permit, and she wondered if the Council could say the four bungalows were great and ask that they go back to that design. She didn't want an answer now as she wanted all involved to have time to think about it.

Councilmember Ervin stated that she wanted to know the answer to that.

Mayor Digre explained that she wanted them to think about it, and she would like to get the answer after the public speaks and they bring it back to Council.

Asst. City Attorney Siegel thought he could answer the question now. He stated that the Coastal Commission basically denied the project the city approved and came up with an alternative, which was what was basically before them now. He concluded that, since the final decision was at the discretion of the Coastal Commission, the Council may have some discretion, but it was limited by those constraints.

Mayor Digre stated that her question was whether the Coastal Commission was aware of the patch at the time of their denial, and would that make any difference.

Planning Dir. Wehrmeister stated that the willow was the reason for the Coastal Commission creating the buffer and effectively denying the project.

Mayor Digre stated that it was one willow toward the east, but she understood that the patch was toward the north on the right side. She understood the decision but she didn't know if that new knowledge was part of that decision.

Asst. Planner O'Connor stated that the willow located west of the project was known by the Coastal Commission.

Mayor Digre stated that she knew they knew about that, but she was asking if they knew about the patch.

Asst. Planner O'Connor stated that there was only one willow.

Mayor Digre stated that patch and willow did not go together.

Planning Dir. Wehrmeister stated that the speaker was stating that the reference to one willow was actually a patch, and one and the same.

Mayor Digre acknowledged that it was not new information but the same, adding that it was still fuzzy as to what the powers of the Council are but sounded like they were constrained.

Asst. City Attorney Siegel agreed in the sense that the project originally approved was no longer an option. It was redesigned and approved, and it was what they now have, four attached units. He stated that the Council had options to revise what was before them, just as the Planning Commission did, but the original design of four separate bungalows was not an option.

Councilmember Nihart concluded that the fact that there was a willow, a patch and a wetland pushed the 50-foot buffer, and to get four units, they end up with one building.

Mayor Digre opened the Public Hearing.

**Ron Maykel, Pacifica**, stated he was speaking as a citizen, not a member of the Open Space Committee. He was concerned that there was no discussion regarding the close proximity of the Barrier Ridge Trail and the California Coastal Trail on the opposite side of the street. He mentioned that the trails go over the pipe in the ravine and he felt that was worth some consideration.

**Dawn Summers, Pacifica**, stated that she lives on Palmetto, and was not convinced that the ravine will not be affected. She acknowledged the need to replace lost property and understood they had a geotech study of the ravine, but she didn't think the hydrology issue has been studied. She mentioned concern if Palmetto needs to be rerouted, stating that this project is in that path and she felt they needed to do more studies.

**Clifford Lawrence, Pacifica**, stated his concern about the ravine and the land disturbance on the other side of Palmetto can possibly trigger unknown events to vent that water and they can lose Palmetto with the only access route on the project property in question. He stated that the defeat of Measure W may be a statement that Pacificans are concerned about over development in this area. He agreed with the previous speaker about the advisability of putting more housing in this area with the sea level rising problem. He asked that the Council send this back to the Planning Commission as they are concerned about this development.

**Marina Kurdyukov, Pacifica**, stated she was expressing concerns of people from Pacifica and Daly City. She pointed out the damage already caused by the water going into the ravine and expressed concern that the development would simply exacerbate the situation which would negatively impact both cities. She stated that the developer will not be held accountable for future damage, but the Council will, and she asked that they consider this appeal.

**Rebecca Peters, Pacifica**, stated that she had no problem with the original four bungalows design but with the larger, multiple story units presently proposed, she saw problems with more automobiles, as well as the weight of the building having an impact on erosion. She asked for more clarification that the studies have considered the larger, heavier building,

**David Hirzel, Pacifica**, stated that, in September, the applicants were requested by the Planning Commission to return with a reduced, more compact plan, but returned with the exact same plan which was approved in October. He also stated that there was an unwarranted granting of a variance into the side yard setback and he referred to provisions in the building

codes regarding storm water falling in newly created impervious surfaces must be retained on the site, but they have it running into the City's storm drainage system. He felt all city agencies needed to uphold standards rather than reduce them at the request of developers.

**Margaret Goodale, Pacifica**, handed Council pictures of the ravine, pointing out sock, a "bandaid" measure by the city. She then referred to prior discussions of erosion in the ravine and she felt that the problem must be addressed as the results could be devastating to the viability of the road. She asked if the city will be liable when the ocean washes out under the ravine.

**Hal Bohner, Pacifica**, referred to the staff report and stated that, while this project has been discussed for a long time, there were major changes being made at the last minute without being considered by the Planning Commission or Coastal Commission, and he felt it was an absurd situation. He referred to the midblock crosswalk, stating that it was the first time it was being discussed. He questioned the safety issues, asking what the Coastal Commission would think if they put bright lights there. He also questioned whether they would need two crosswalks instead of one, mentioning his thoughts on that subject. He then asked for more time than his 3 minutes.

Mayor Digre questioned the ability to grant the time.

Asst. City Attorney Siegel stated that it was within their discretion to allow it.

Mayor Digre then gave him the extra time.

Mr. Bohner stated that the discussion of the water in the ravine was confusing. He asked to consider where the water was coming from, what will happen under this development. He stated that they will be picking up water from the north, but not from the project itself. While there was mention that they will pick up the water from the project, he didn't think that will happen. He asked that they get clarification from the developer. He considered doing this in haste to be a bad idea.

Mr. O'Connell referred to mention of sea level rise and buffer trees, and stated that they were studied by their people as well as the experts with the Coastal Commission. He stated that the Coastal Commission has seen the revised plans as he has kept them updated, but their only concern was not encroaching into the buffer area. He referred to a comment that they would not be held accountable with a catastrophic event, but the Coastal Commission has conditions included that say they have to remove the buildings if the city red-tags them. He referred to storm water runoff, mentioning that the runoff rate must be equal both before and after development.

Mr. Blackman referred to the storm water pipes, and stated that the Ocean Shore Railroad used to come down that area. He mentioned how it was set up then, and he felt there was a lot of room for relocating the road if needed.

Mr. Carmichael commented on the condition of the ravine, then mentioned that the Coastal Commission approved it because they thought there was a low percentage of possibility of a collapse, which was a judgment call. He then referred to sea level rise, stating that we haven't really seen it in our area yet and they don't know how it will affect the ravine when it does happen. He acknowledged that everything had a problem.

Mayor Digre closed the Public Hearing.

Councilmember Ervin wanted to address whether they have answers to some of the concerns expressed by the public. Regarding the weight of the building being addressed by the geotech people, she asked the applicant to report on the differences regarding the weight on the original and present plans.

Mr. O'Connell stated that they were using wood, which is lighter, and the soil being removed will also affect that weight situation.

Councilmember Ervin referred to the comment that the Coastal Commission has not seen this current plan, and she asked, aside from the sidewalk, what other changes has the Coastal Commission not approved.

Planning Dir. Wehrmeister stated that she felt the comments have been a bit exaggerated. She stated that the building changes proposed have not affected the size of the plan, and the changes to the driveway have actually improved things by getting it out of the buffer. She stated that she would let Asst. Planner O'Connor explain it in more detail.

Asst. Planner O'Connor explained the rationale for the changes, which, while not officially approved by the Coastal Commission, they have not found any problems with it.

Councilmember Ervin asked if they have had both geologists and biologists look at it.

Mr. O'Connell confirmed that both the applicant and the Coastal Commission have had both geologists and biologists look at it.

Councilmember Ervin asked if a hydrologist has looked at it.

Mr. O'Connell explained that they have done preliminary hydrologic calculations that have been reviewed by Public Works and have found they can extend the existing pipe from the city catch basin and it was adequate to handle the runoff which was significant. He stated that it works, because they accounted for the entire area, even though they never extended the pipe because it was easier then to have the culvert go into the road and the outfall in the bluff. He added that Public Works had the calculations which he thought were included in the staff report.

Councilmember Keener stated that, regarding sea level rise, the Coastal Commission has required a deed restriction that will not allow any protection for this property and the applicant is willing to take the risk. He stated that, if Palmetto is compromised, he found it difficult to see it as the fault of the developer. He saw sea level rise as the major cause of possible problems, not the erosion of the ravine. He referred to comments that, if there is a problem with the road, an alternative would go through the property. He felt that they cannot prevent the development because of such a possible contingency. He added that they don't have a legal map to deal with properties subject to sea level rise. He concluded that their option would be to buy the developer's land if he can't develop it. He also thought the Coastal Commission created the 50-foot buffer around the wetlands to allow the developer to build something on his property. He stated that the project has gone through several iterations with the previous one being the favored plan, and that wasn't an option now. He concluded that they have been painted into a corner and this is what they have.

Councilmember Nihart appreciated Councilmember Keener's summation, as she agrees with it. She felt that, with all the changes, they lost something that was better and with much less impact, but she understood how they got there. She also agreed that they don't have a path forward with sea level rise or responsibility of the developer, but sea level rise and erosion was a risk on the coast. She also liked Mr. Maykel's comments regarding the path and trails. She mentioned that everyone living along the bluffs has to be aware that it is all about ground water, and the management of that water. She mentioned seeing how much water came from that area following the recent heavy rains that must be collected in the pipes and into the storm drains. She then referred to the crosswalks, concluding that they were in lieu of sidewalks, but were deferred to a date in the future if warranted.

Asst. Planner O'Connor confirmed that the crosswalks were deferred.

Councilmember Nihart agreed with Mr. Bohner that they didn't make sense where they are now. She also referred to the comment that this had a lot to do with the issue of the Fish and Bowl, and whether this project would open up that situation again. She also stated that this project was not done in haste but grueled over for quite some time. She compared it to a "definition of a camel" which is a horse developed by committee, you don't always end up with what you want. She felt this was much less of a project but this was what they were left with. She mentioned that the city was responsible for anything in the street unless they can prove it came from someone else.

Mayor Digre asked if they would give her the page where they give direction to Council.

Planning Dir. Wehrmeister asked if she was talking about the recommended action.

Mayor Digre responded affirmatively.

Planning Dir. Wehrmeister stated that the recommended action was on page 239, with alternative actions on page 250.

Asst. City Attorney Siegel stated that he didn't think the recommended action mentioned option approval A or B,

Planning Dir. Wehrmeister stated that those were based on modifications of the applicant's options.

Asst. City Attorney Siegel concluded that they weren't part of Planning's recommendations.

Planning Dir. Wehrmeister responded affirmatively.

Councilmember Ervin agreed that this was an unintended consequence of what happened with the appeal and they were pushed into a corner to consider this. She mentioned that it had been addressed by many experts and they have to rely on these experts, adding that it is private property and their only other option would be to buy it from them. She also mentioned that it had gotten all the approvals from the city and the Coastal Commission. She felt the applicants had gone to great lengths to find consensus and work with the appellant and end with a project that would make everyone happy. She thanked them all for working hard. She pointed out the process that they have gone through and the efforts they have all made, and concluded that they really don't have any legitimate reasons to say no.

Mayor pro Tem O'Neill referred to the erosion issue, and asked if there was any data on how much erosion there has been in the ravine.

Asst. Planner O'Connor stated that one report made a statement regarding the bluff situation but she thought that, regarding the water issues, it has been stable for about 50 years.

Mayor pro Tem O'Neill concluded that a lot of the concerns raised were "what ifs" but no certainties about what will happen if this project is built. He was aware that the applicants originally presented a project the city preferred but that was not approved by the Coastal Commission, so they are just trying to go with what is permitted on that property. He agreed with the majority of the Council to move forward.

Mayor Digre stated that the ravine has been an ongoing concern for her. She asked what the basis was for alternative A.

Planning Dir. Wehrmeister stated that they want to give Council all the options available to them, and if they cannot make findings to approve the project, they have the option of asking them to go back and make findings for denial.

Mayor Digre referred to reports regarding the coastal ranges which state that they just drain but she felt that they don't take it into account. She was concerned about not sending this back for an EIR to address the coastal range drainage, mentioning the ravine and the danger to the only coastal road out. She felt that Pacificans in the north end of the city could land up having to go through Daly City. She did appreciate everything that the developers have done, adding that she didn't understand the Coastal Commission not allowing the duplexes.

Councilmember Keener moved to DENY the appeal and uphold Planning Commission approval of the amendment of Site Development Permit PSD-790-14, Variance PV-513-14 and Parking Exception PE-160-15, to construct a single three-story, 3,169 square foot apartment building comprised of four dwelling units on the top two floors and an attached ground floor garage at 4009 Palmetto Avenue, by adopting the attached resolution, including conditions of approval in Exhibit A to the resolution; issue four residential development allocations for the project and incorporate all maps and testimony into the record by reference; seconded by Councilmember Ervin.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	John Keener, Mayor Pro Tem
<b>SECONDER:</b>	Karen Ervin, Councilmember
<b>AYES:</b>	O'Neill, Keener, Nihart, Ervin
<b>NAYS:</b>	Digre

## **CONSIDERATION**

- 9.** 2015-16 Mitigation Fee Act Development Fee Review  
**PROPOSED ACTION:** Move to adopt a resolution entitled "A Resolution of the City Council of the City of Pacifica Approving 2015-2016 Mitigation Fee Act Annual Report of Development Fees June 30, 2016 and Making Findings Regarding Unspent Fees in the Manor Drive/Palmetto Avenue/Oceana Boulevard Intersection Improvement Fund."

Asst. City Mr. Hines presented the staff report.

Councilmember Keener referred to packet page 681, and asked the source of the other revenues of \$1.8 million.

Public Works Dir. Ocampo stated that they were grants, Measure A funds, STIP funds and federal money, all for the San Pedro Bridge replacement.

Councilmember Keener then referred to the same page and asked what the balance was for the impact fees themselves.

Asst. City Mgr. Hines stated that they typically track the fees by the fund balance with which they are associated. He mentioned that Public Works could give more detail on specific fee usage if that was what they wanted.

Asst. Engr. Donguines stated the current Fund 12 balance at the end of the fiscal year is negative \$34,000. He asked if that was what he was looking for.

Councilmember Keener responded that it wasn't.

Asst. Engr. Donguines then mentioned that the collected development fee was \$8418.

Asst. City Mgr. Hines thought he might be looking for the cumulative amount of the developers fees since the inception of the fee.

Councilmember Keener stated that he was looking for the current balance.

Asst. City Mgr. Hines stated that was the cumulative amount since the inception of the fee. He stated that this report didn't call for that because it was an annual report, but they can do what they can to get him that information.

Councilmember Keener stated he would be interested to know the cumulative balance since the inception but he was really interested in the balance of the impact fees now. He then referred to page 684, capital projects fund, mentioned that the other revenues were just \$5,000, and he asked if any one knew what that was, adding that it was not a problem if they didn't know.

Asst. City Mgr. Hines stated that it was just what flows into that fund. He stated they could get him the amount, but given the amount that flows in, but they were focused on the improvement fees itself which was why they were presenting this information. He explained that the other revenues were components of the adopted budget they saw earlier in the year.

Councilmember Keener asked what the drain wall repair was.

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Councilmember Keener responded that it wasn't.

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Councilmember Keener asked what the drain wall repair was.

Public Works Dir. Ocampo stated that it was a project they did prior to the onset of El Nino. He referred to the area of Capistrano, stating that they have a drainage canal there. The shot creek wall was already failing so they took the proactive measure of reinforcing that wall because, if it collapses, it could possibly block the drainage or erode the adjacent walls of the canal.

Councilmember Kenner asked what the debt was on the transfer out debt.

Asst. City Mgr. Hines stated that a few years ago, the city embarked on an energy efficiency activity with renovations on lighting structures, etc. which resulted in long term debt, which is paid out of Fund 22.

Councilmember Keener concluded it was ongoing with a payment made every year.

Asst. City Mgr. Hines responded affirmatively.

Councilmember Keener then referred to the Park & Rec Fund on page 686 which includes \$25,000 expenditure to the General Fund.

Asst. City Mgr. Hines explained that the General Fund expenditures represented General Fund resources, which included staffing such as with the Public Works Dept.

Mayor pro Tem O'Neill asked if that was just an allocation of costs.

Asst. City Mgr. Hines responded affirmatively. He reminded them that, when they talked about the funds in the past, they were pointed out to be separate economic and financial entities so when they do business with each other they have to pay each other and loans have to be paid back unless they are transfers. He reiterated that they were separate economic entities and this was just Fund 26 paying the General Fund for use of General Fund resources.

Councilmember Keener referred to packet page 687, Fund 34, sewer connection charges. He stated that the total revenues were \$44,000 this year, but the fund balance was \$10 million. He asked where this money came from.

Asst. City Mgr. Hines stated that the Fund balance represented Fund 34, and the sewer connection fees were just a small component of all the activities in Fund 34. Because the activities are so close in nature, he stated that the sewer connection fees were deposited in Fund 34 and separately accounted for. He stated, because of the nature of this report, they have to show the fund balance that the funds are deposited in which was why they don't have a direct connection. He assured them that they know exactly what funds are coming in for the sewer connection fees, and they are used for the applicable activities.

Councilmember Keener asked if the funds were coming from possibly sewer fees.

Public Works Dir. Ocampo stated that was correct, cumulative and the present year.

Councilmember Keener commented that it was only \$44,000 coming in this year, and they have \$10 million which was why he asked the question.

Asst. City Mgr. Hines commented that, of the \$44,000, \$28,500 are from other revenue sources which are non-development fee sources. He stated the only fees that came in that can be considered development fees are the \$9,371 and a small portion of the \$6,668 in interest.

Councilmember Nihart stated that she wanted to go back to Fund 12 and point out her assumption that, before they started the San Pedro Creek bridge, they had a negative balance in this fund.

Public Works Dir. Ocampo stated that there was a negative balance, and pointed out that, on looking at the expenditures, if you looked at the revenue, it was much smaller than the expenditures, because when they did this report, it was a snapshot. He stated that the expenditures were reimbursed to the city. They do the expenditures before they get the request for reimbursement which they pay, and the Transportation Authority provides them the money. He explained that, at the time of this report, they were accumulating expenditures but haven't invoiced them. He stated that there was money coming into this fund, and he wanted to clarify that.

Councilmember Nihart stated that he saved her all the questions leading to that answer. She stated that she wanted people to understand how they get their transportation dollars when they are building something, adding that it wasn't a clean snapshot because things are outgoing and coming in. She asked how much money they saved on that project.

Public Works Dir. Ocampo stated it was \$2 million.

Councilmember Nihart mentioned it so they don't lose track of that, adding that it might come up again.

Mayor pro Tem O'Neill stated that he can't find the exact fund for in lieu fees in Rockaway, but he thought the fund balance was about \$3,000. He stated that they have talked about it and didn't know how much more development will go into Rockaway, but the last he heard, it was \$10,000 to fund a parking space, and they were charging \$3,000. He thought, if it was in lieu, they should be trying to raise that number and he didn't know when it was an appropriate time to have that discussion.

Asst. City Mgr. Hines mentioned that they were on packet page 685, and asked Public Works Dir. Ocampo for input.

Public Works Dir. Ocampo stated that he would have Asst. Engr. Donguines respond as he was the one who helped put the report together.

Asst. Engr. Donguines stated that there was currently \$21,086 in Fund 25 Rockaway Beach in lieu fee and they were planning on a project to do a parking study regarding that money in the Rockaway Beach area.

Mayor pro Tem O'Neill stated that he didn't see that, but he saw the in lieu parking fee was \$3,000 and the balance was as mentioned by him. He thought the study would eat up most of the balance.

Asst. Engr. Donguines responded affirmatively.

City Mgr. Tinfow added that the study was required in order to address the fee, as they need a study to address the basis to adjust to a higher fee.

Mayor pro Tem O'Neill concluded that was part of the madness.

Mayor Digre opened public comments, and seeing no one, closed public comments.

Councilmember Nihart commented that she was pleased that they were doing the resolution on Fund 14 because the Manor Drive, Palmetto, Milagra area was still in the mix and listed as a Measure A item when they passed Measure A, and she wanted to make sure they continue to go after those funds as they were meant to fix that.

Councilmember Keener stated that he has had issues with this in the past, and still does, although he acknowledged that the presentation has improved. He explained that the main issue he has is regarding the state government code cited in the report, which refers primarily to page 681, Fund 12, but also to several other funds, and then quoted from the code which stated that funds should not be co-mingled with other fees, except for temporary investments. He wasn't sure what was meant by temporary investments but he didn't think it was anything they have in their funds. He then quoted the city's municipal code relating to Fund 12, which said that funds collected for Fund 12 should be placed in a restricted fund, with an example given of the Highway 1 funds. He concluded that it was not anything like the present San Pedro Creek

bridge. He then referred to page 689 and read a portion of the resolution, which stated that they met the government code, and he felt they did not meet the code and he will, therefore, vote no.

City Mgr. Tinfow stated that, in response to his comments, she recalls talking about this the previous year, when the fees were reviewed by the former Financial Services Mgr. Mosser who showed that the fees collected were kept separate even though they were shown in this fund. She acknowledged that it was not clearly shown in the present document, but she felt they were kept separate in a way required by the code. She stated that she was sure she still had that information and would be glad to resurrect it for Council.

Councilmember Keener recalls that discussion but he disagrees because of the word co-mingling. He thought the government code was written so people could look at a page and determine immediately what the development funds were spent for as well as what the balance is for the development funds, and he felt you cannot determine that from this report because of the co-mingling of the various funds, and that was the basis of his issue.

Councilmember Ervin thanked staff, stating that they added a great deal of transparency to what was provided, as previously they were given numbers on sheets, and now there is a great deal of explanation and description of what they are talking about, and she encouraged the public to read it, as it explained a great deal about what they were discussing.

Councilmember Nihart stated that she wanted to go back to the finance director, recalling this discussion. She referred to Councilmember Ervin's comments, and stated that part of what they do is hire experts in a field, and she asked Mr. Hines, as the Finance director, to confirm that part of the point of an audit was, not just to account for the dollars and cents, but that the extensive report was to make sure they were adhering to the laws of finance of California. She asked if that was a true statement.

Asst. City Mgr. Hines responded affirmatively.

Councilmember Nihart stated that she had seen many things in the report in the past that needed to be rectified, but she has never seen them point this issue out.

Asst. City Mgr. Hines stated that it has never been pointed out. He referred to mention of co-mingling, and stated that co-mingling was putting \$9,000 in a \$10 million fund and not knowing where the \$9,000 is. He explained that, if they put \$9,000 fees in Fund 34, it will be in an account and they will be able to track that account every year. He concluded that, in his mind, there was no co-mingling. He explained that, if a representative from the state or federal government comes to inquire about a specific account, he can go to the fund, find the account and give them all the information they need, concluding that, if you were co-mingling, you would not be able to do that.

Councilmember Nihart referred to the sheets, and knowing the fees brought in and what they are related to, so she agreed with Councilmember Ervin that it is now clear as laid out exactly where the development fees go. She did mention that making \$8,000 a year was not going to allow them to do much with Highway 1 improvements and they were looking at funds in addition to those, to use to make improvements.

Asst. City Mgr. Hines stated that you have to look at the cost benefit associated here. He stated that they already have 26 funds, and he referred to adding 7-8 funds to track maybe \$58,000 between them, concluding that it takes a lot of time, including the financial services manager's

time and staff time, and he felt there has to be a lot of benefit for that cost. He sees the city's practice of being able to account for those funds within other funds for similar purposes.

Councilmember Nihart assumed that there are control points within the funds.

Asst. City Mgr. Hines responded affirmatively.

Councilmember Nihart concluded that was standard accounting practices for federal and government agencies. She stated that she oversees many control points, and they all come from the federal government and she gets that. It was one big fund, tax dollars.

Councilmember Keener stated that he was talking about transparency, explaining that you should be able to look at the sheet at any time and find out what the impact fee balance is. He stated that you can't now and you couldn't in the past. He stated that was his issue and that was what he was going to vote on.

Mayor Digre asked that they keep it as short as possible.

Asst. City Mgr. Hines stated he will keep it short but he has to respond. He stated that the present report was a new format, and as the years go by, it will continue to morph and grow, explaining that they will take comments like Councilmember Keener's into consideration when they do the next iteration of this report.

Councilmember Keener understood.

Councilmember Nihart moved to adopt a resolution entitled "A Resolution of the City Council of the City of Pacifica Approving 2015-2016 Mitigation Fee Act Annual Report of Development Fees June 30, 2016 and Make Findings Regarding Unspent Fees in the Manor Drive/Palmetto Avenue/Oceana Boulevard Intersection Improvement Fund, otherwise known as Fund 14; seconded by Councilmember Ervin.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Mary Ann Nihart, Councilmember
<b>SECONDER:</b>	Karen Ervin, Councilmember
<b>AYES:</b>	O'Neill, Digre, Nihart, Ervin
<b>NAYS:</b>	Keener

10. Appointments to be Considered by the City Selection Committee and by the San Mateo County Council of Cities  
**PROPOSED ACTION:** Provide input to the Mayor as the voting delegate to represent the Council's interests in casting Pacifica's votes related to filling vacant seats through the San Mateo County City Selection Committee.

Mayor Digre asked for this item as she wanted input from Council.

Councilmember Nihart stated that her name had been referenced in the letter and, at the time, Wayne Lee has been the alternate for ABAG and has kept up with what was going on. She then stated that the issues before ABAG in the years ahead will be all about housing and she thought Carlos Romero would be much more attuned to the housing issues.

Mayor Digre stated that was item #3. She asked for further comment.

Councilmember Keener commented that, at the time of this city selection meeting, there will be a new mayor. He then stated that he would take Councilmember Nihart's suggestion although he didn't know Carlos Romero. He thought Wayne Lee or Rick Bonilla would also be good. He stated that, on #4, Bay Area Quality Management District, he would favor Pradeep Gupta.

Councilmember Ervin seconded that.

Mayor pro Tem O'Neill stated that Doug Kim is an engineer, adding that he didn't Pradeep Gupta was an engineer. He stated that he was on several different committees and he thought it was good to have someone like Doug and he also thought it was good to spread it around to different cities rather than everything in So. San Francisco, adding that this was nothing against Pradeep who was a nice guy.

Councilmember Nihart commented that they had made this the mayor's prerogative to ask for Council input. She thought it didn't make any difference who the mayor was as this will probably go to a second vote. When it goes to the second vote, it was only who was in the room, and that would be the mayor. She thanked her for asking.

Councilmember Ervin appreciated her asking for input.

Mayor Digre stated that, although she will not be the mayor at that time, she put this on the agenda and they didn't refuse, so she asked what they thought about #8.

Councilmember Nihart stated that Maureen has done a fine job on the TA.

Mayor pro Tem O'Neill stated he would support Maureen because he didn't know who Sam Hindy was.

Councilmember Nihart stated he was relatively new.

Mayor Digre stated that he was a nice guy and they were looking for someone who was not nice.

Mayor pro Tem O'Neill stated that the TA turned down funding when they went to San Carlos for the Highway 1 Manor Drive. He asked her if she would support it, and she said all she could say was that she would be happy to listen to him. He mentioned that Sam Hindy has not made any attempt to talk to anyone. So he supports anyone who was willing to listen to him about Highway 1 and Milagra.

Councilmember Nihart stated that transportation funding was complex and Maureen got her feet wet with just a year under her belt and has been doing a fine job.

Mayor Digre added that she has reached out to Pacifica before.

Councilmember Keener stated, on looking like a "suckup", he referred to #12, Vice Chairman and he couldn't imagine a better person than Mike O'Neill.

Mayor Digre stated that Carlos Romero has gone to ABAG meetings and been very active and she would support him for #3.

Councilmember Keener stated that he was going to throw his hat in the ring for the water committee.

Mayor pro Tem O'Neill stated that it was not on the list.

Councilmember Keener agreed that it was not, adding that you have to apply to CCAG for that.

Councilmember Ervin stated it was the same with the legislative committee and BPAC.

Mayor Digre thought it was interesting that there was nothing for #5 and #6.

Mayor pro Tem O'Neill stated that she won't be in the room so he will nominate her.

Mayor Digre stated that she will be in the room, then stated that she forgot she would not be allowed in the room.

<b>RESULT:</b> <b>NO VOTE REQUIRED</b>
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**ADJOURN**

Mayor Digre adjourned the meeting at 10:53 p.m.

Transcribed by Barbara Medina, public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 3-0;    1/09/17;            (Martin and Vaterlaus abstained)

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Mike O'Neill, Mayor