



**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
Councilmember Deirdre Martin
Councilmember Sue Vaterlaus

**January 23, 2017 (MONDAY)
www.cityofpacifica.org**

Mayor Mike O'Neill called the meeting to order on January 23, 2017 at 7:00 PM

CLOSED SESSION - NONE.

7:00 PM OPEN SESSION

Call to Order

Mayor O'Neill called the meeting to order at 7:00 p.m.

Attendee Name	Title	Status	Arrived
Mike O'Neill	Mayor	Present	
John Keener	Mayor Pro Tem	Present	
Sue Digre	Councilmember	Present	
Deirdre Martin	Councilmember	Present	
Sue Vaterlaus	Councilmember	Present	

Staff Present: Lorie Tinfow, City Manager; Nira Doherty, Asst. City Attorney; Lorenzo Hines, Asst. City Manager; Van Ocampo, Public Works Director; Tina Wehrmeister, Planning Director; Christian Murdock, Assoc. Planner; Dan Steidle, Police Chief; Mike Perez, PB&R Director; Ed Vandehey, MIS Mgr.; Kathy O'Connell, City Clerk.

Salute to the Flag led by Mayor Pro Tem Keener

Closed Session Report

None.

SPECIAL PRESENTATIONS

SamTrans/FlexTrans

Seamus Murphy, SamTrans Chief Communications Officer, thanked Council for the opportunity to make a presentation and start a dialogue for improvement or change. He stated that they make adjustments three times a year. He briefly explained the process and pointed out the present routes, such as the Flex route. He stated that they were looking at efforts that could result in adjustments to Pacifica's service, with the express bus study being the most

significant. He mentioned some of the possibilities, such as resuming the express service to BART or downtown San Francisco that was eliminated in 2009. They were looking at possible transit services to employment centers. They were also looking at how to capture more of the youth ridership market and senior mobility, which they considered core markets and which have been successful in other cities. They also have inservice for special events and promote it aggressively in the social media. He mentioned that the fixed routes presently in place were very productive and they thought it might be negatively affected if they switched to a flex route system. They thought the resumption of the express service to BART and downtown could provide a significant ridership market and they thought there was a good case to be made for reestablishing that service, mentioning possible plans for a transit oriented development at the park and ride facility at Colma that would eliminate most of the parking. He mentioned that they were looking for opportunities to put dense housing next to transit. They will be surveying the parkers to see if the express service was something they would consider an acceptable alternative. He stated that he was happy to address any questions or comments.

Mayor pro Tem Keener referred to the express buses and stated that we have pullouts on Highway 1 on the freeway, and he asked if they were planning on using those.

Mr. Murphy stated that the route planning would occur after they determined the viability of adding the service, and he was sure they would look at every opportunity including existing facilities to ensure that the routes operated efficiently.

Councilmember Digre stated that they have been discussing the bus situation for a while and she thought this sounded good. She thought one weakness from the past, which he alluded to, was marketing. She thought they all needed to spend time on a better way of marketing, mentioning that when something was about to start, a significant number of people don't know about it. She thought we had a hard time on the coast with ridership and she thought that could be a part of the problem. She added that, if it was not convenient and thorough, it was hard to get ridership because we are isolated. She felt marketing the surveys, as well as letting everyone know when they get the service, was important.

Mr. Murphy agreed, stating that they have evolved in how they market their services, having a two pronged approach, such as marketing the services differently, and they concluded that a more targeted effort tends to work better, mentioning a few ideas, such as teaching them how to use the service by demystifying it and providing better services that are marketable.

Councilmember Martin thanked him for the presentation and hearing the community's concerns. She asked if the employment center and youth mobility study would be coming out at the same time as their late spring/early summer express bus survey study.

Mr. Murphy stated that the youth mobility study will be out earlier than that, in a March time frame, and they were still developing the scope of the employment center survey, which he thought will be a fall time frame.

Councilmember Martin stated that she was unclear about the Colma parking lot going away and she asked confirmation that they were marketing a plan for people using the bus to the BART station when the parking goes away.

Mr. Murphy agreed that they would like to provide more opportunity for them to use transit, whether it would be an express bus to Colma that doesn't exist now, or an express bus to San Francisco could also be reestablished to replace their drive/BART trip to San Francisco. He

stated that they want to ask people if they are willing to use those options because the parking lot will be going away.

Councilmember Martin thought he said they would be taking a survey of those who use the lot. She stated that she would want to be sure that those who use the lot take the survey and they will get an express bus.

Mr. Murphy stated, for anyone present who uses the lot, that they will know that the machines in the lot are dated to pay for their daily parking permit and they also plan to establish a renewable electronic monthly permit to buy online and receive by mail to park in the lot which will be more convenient than the present machines. He stated that when they start putting flyers on vehicles to let them know what is coming and how to purchase the monthly permit, they will also be communicating with the survey.

Councilmember Martin thought it would be great to know when the survey goes out so they can post it on the city website. She asked if the study mentioned bike lockers at the Linda Mar park and ride.

Mr. Murphy stated that he had not heard of that request, adding that they haven't looked at expanding what was there now. He stated that they would be happy to look at the usage and get back to them.

Councilmember Martin stated that it would be good to have somewhere to lock their bike.

Mr. Murphy then stated that he did remember a request to look at that but he wasn't aware of the result and would have to check.

Councilmember Martin asked if there was any work toward smart technology, stating that she didn't think it existed yet. She mentioned being able to order an Uber and find out where the vehicle is, and she asked if there was anything similar coming up. She mentioned that, when the landslide happened, she saw a bunch of kids waiting at the bus stop and she told them that the bus probably wouldn't get there anytime soon.

Mr. Murphy stated that they were looking at two options and will probably explore both, one was the SamTrans where's my bus functionality, going to their website on the mobile phone or computer to see where a bus is with predicted arrival time, based on GPS technology on the bus. He stated that it was not perfect as the boxes on the bus have a 2-minute lag time, and they were seeing where the bus was two minutes before and if it says it will be there in a minute, there was a chance that it already passed, so it was not perfect. He stated that the other option was proud source. He stated that, for anyone who used Ways, a mobile app that gives you the best route when driving, this one will be like that for transit with predicted arrival information as long as someone on the bus is using the app. He stated that it has to be popular with a lot of users to work. He stated that they will try to get the word out to their riders about that technology and build a good user base. He stated that there was a great user base in San Francisco, but SamTrans doesn't have that kind of transit user density, however, they were going to try.

Councilmember Martin thanked him, adding that marketing was probably key for that too.

Councilmember Vaterlaus stated that the main thing she has heard on line was about the express bus to downtown. She hoped those on line, such as NextDoor, are able to give their ideas on that to get it moving forward.

Mayor pro Tem Keener referred to an express bus to BART at Colma, and stated that it would be good to have it timed to the BART trains, at least those coming out of the city and riders wanting to hop on the bus and go south. He also would like to have it run as late as BART runs. He stated that, if a person gets stranded on the last BART run, they will be less likely to take the bus the next time.

Councilmember Digre stated that he mentioned three times during the year and she asked him to repeat the times.

Mr. Murphy stated that they were January, June and August.

Mayor O'Neill asked what the estimated frequency for the buses to Colma would be.

Mr. Murphy asked if he meant a new service to Colma.

Mayor O'Neill responded affirmatively.

Mr. Murphy stated that they didn't know that yet. He stated that the frequency and connections to BART times and how late the service will operate were all considerations that would come after a recommendation was made to establish the service itself with an operations planning effort dedicated to all those details. He stated that they will be driven by ridership. He stated that it was possible that they will roll it out, try it and see how it works and adjust times, frequency, etc., based on the ridership.

Mayor O'Neill concluded that they were at the beginning of the study at this point.

Mr. Murphy stated that the studies started and will be wrapping up during the late spring or early summer.

Mayor O'Neill asked if they have any idea when it will continue and not have to be stopped like the last time.

Mr. Murphy stated that, if the recommendation was to move forward and establish an express bus service, he wasn't sure about the time frame and wouldn't want to make promises before they have buses operating on the route, but he thought the details would be worked out. He stated that, once the recommendation was made to establish the route, they expect that the route will be created.

Mayor O'Neill asked if there was a thought of an express bus south of the Tom Lantos Tunnel, adding that it contributes to the traffic in Pacifica.

Mr. Murphy stated that they haven't looked at that, and he hasn't heard from Planning or Operations that they would look at that. He thought it was mostly because of the density of potential riders that are in the south. He stated that going over the hill was a different story. He stated that, if they find with the employment survey that there are a good density of Pacifica residents going to the same employment over the hill, they could have the same sort of service

as to BART or San Francisco that would be established connecting Pacificans to the employment center.

Mayor O'Neill referred to the marketing issue and the possibility of starting the express bus to Colma, and he asked if it would be possible to do marketing to push the park and ride in Linda Mar as a pickup point for those coming from the south.

Mr. Murphy agreed that they would.

Mayor O'Neill asked specifically if they would advertise in Montara, El Granada, etc.

Mr. Murphy stated that they would make every effort to encourage as big a market as they can to use that service.

Insync Traffic Technology - Jesse Manning

CONSENT CALENDAR

RESULT:	ADOPTED [UNANIMOUS]
SECONDER:	John Keener, Mayor Pro Tem
AYES:	O'Neill, Keener, Digre, Martin

1. Approval of Disbursements for 12/16/16 through 12/31/16
PROPOSED ACTION: Move to approve attached list of disbursements for 12/16/16 through 12/31/16.
2. Approval of Minutes
PROPOSED ACTION: Move to approve the minutes of the regular City Council meeting held on January 9, 2017.
3. Amendment No. 2 to the Consultant Services Agreement Between the City of Pacifica and Terraphase Engineering in the Amount of \$19,933 to Perform Further Environmental Impact Evaluation to Complete the Environmental Phase of the Wet Weather Equalization Basin Project
PROPOSED ACTION: Move to Approve Amendment No. 2 to the Consultant Services Agreement between the City of Pacifica and Terraphase Engineering in the amount of \$19,933 to perform further environmental impact evaluation to complete the environmental phase of the Wet Weather Equalization Basin Project.
4. Senior Services San Mateo County RFP 2017-2021
PROPOSED ACTION: Move to authorize the City Manager to sign a letter to the San Mateo County Aging and Adult Services Department indicating our intent to respond to their Request for Proposals (RFPs) for Senior Services Transportation, Congregate Nutrition and Home Delivered Meals/Supplemental Home Delivered Meals (non-seniors) programs for fiscal periods 2017-2021. Move to authorize City staff to subsequently prepare and submit the proposal to San Mateo County Aging and Adult Services Department.

ORAL COMMUNICATIONS

Paul Jones, Pacifica, stated that on the previous Wednesday he decided to end his membership on the Open Space and Parkland Advisory Committee, in part out of protest and in part to distance himself from the Golden Gate National Recreation area. He stated that they were subject to a freedom of information act request and a review of the documents was very disturbing, stating that Congresswoman Jackie Speier issued a press release in which she was asking for an inspector general independent audit of all the dog management procedures that have taken place by GGNRA over the years. He stated that he was on the GGNRA Advisory Committee for the city previous to OSPAC and on the negotiating rule making committee for GGNRA prior to that and on the Citizens Advisory Commission, and he couldn't be more deeply disturbed by what he has seen. He stated that it was insulting as some documents revealed that private citizens were colluding with high level officials from GGNRA to offer them one-third of an acre at Mori Point and a strip of beach which would somehow placate concerns for dog management on GGNRA. He stated that it was absurd and completely unfounded. He stated that he would be sending them a copy of his letter to the superintendent that he wrote. He stated that, if they go to Congresswoman Speier's website, you can read her press release. He stated that it was amazing and they should be going forward with their eyes wide open about what they have done. He thought they should demand a truth and reconciliation process as he felt it was fraud.

Anna Carias, Pacifica, stated that she was concerned about when Linda Mar Boulevard is going to be fixed. She stated that the roads are atrocious, are getting so bad that in certain areas you have to go to the right side to avoid pot holes. She stated that Fassler was also starting to deteriorate from all the trucks involved in building those homes. She was concerned about when they will be fixing their roads. She stated that she has never seen it in such disarray. She asked who was responsible for getting these things done.

Mayor O'Neill suggested she contact the City Manager as they were not allowed to enter into a dialogue because she was not agendized.

Ms. Carias asked if he said the City Manager.

Mayor O'Neill stated that she was waving her hand.

Ms. Carias asked her name.

Mayor O'Neill stated that she should just go see her and she will give her card with contact information.

Shaunda Scruggs, Director of Tobacco Prevention for San Mateo County Health System, stated that she noticed the agenda included the commercial aspects of marijuana and she offered their assistance in dealing with the second hand smoke exposures that may result from any changes they may make relating to the commercial and retail guidelines regarding marijuana. She stated that she can provide her information to the City Clerk and followup the next day to address second hand smoke exposure.

Rudy Paquette, Pacifica, stated that he wanted to talk about the gridlock on January 3. He felt they have to have an escape route other than the highway. He stated that he has a proposal to put before them and hoped they take it into consideration as he thought it would take about 500 to 1,000 cars off Highway 1. He stated that he would like an escape route in the back of Linda

Mar from Adobe to Skyline. He stated that there was a two mile area, and if they can get an escape route for anything that happens, such as an ambulance. He stated that, if they have another such gridlock and someone needs an emergency, a helicopter will not help them. He stated that we have to have an escape route, i.e, another way out of here. He would like to bring it to Council and have them look into it and see what it will cost. He understood there was Prop. M money for the widening of the highways which he thought would not help but a two-lane road from the end of Adobe to Skyline would relieve from 500-1,000 cars using the highway.

Lynn Adams, Pacifica, stated that, on the previous weekend, Pacificans not only had a woman's march, but the Beach Coalition hosted the Martin Luther King Day of service. They were proud to have 110 people come to the cleanup, including six different high schools from the Bay Area, including Terra Nova High School. She mentioned collecting 340 pounds trash and 75 pounds of recycling, from Pedro Point Shopping Center to the top of the switchbacks to Rockaway. She stated that, following the clean up, they went to the bike path between the restrooms and Crespi and planted over 700 plants, including willow plants to extend the willow in the wetland area along the highway to stop the sand from going on to the highway. She stated that was the area where giveback corporations have been coming in and removing the CalTrans buckwheat and they were able to plant native plants in that area. They also removed more CalTrans buckwheat and oxalis from the area so the natives can grow and thrive. She stated that they were proud of the work and she thanked all the volunteers and the Pacifica Beach Coalition and particularly Mary Patrelli, Cathy Kellerman and Melanie Heisler, adding that Melanie, Shirley Suare and Mary Patrelli started the first planting 20 years ago. She also invited the public to the earth day fundraiser on April 22. She stated that they have a surf movie on February 24, "Women and the Waves Too", adding that some of the professional surfers will be present. She hoped they can join them.

COUNCIL COMMUNICATIONS

Councilmember Martin referred to the Beach Coalition update, stating that they won the sustainable San Mateo Award this year, a very prestigious award paying tribute to those working to make our region truly sustainable. She stated that Lynn Adams, as President, was the recipient along with the Pacifica Beach Coalition. She stated that the award ceremony will be April 6, and she asked that everyone take a moment to think about all the wonderful things the Pacifica Beach Coalition does for Pacifica. She stated that she attended her first emergency preparedness commission on a very rainy night. They did some goal setting. She stated that, when they had the landside, there were 25 certified emergency volunteers ready to go which she thought was cool for Pacifica. She stated that there were a lot of nurses on that commission and a note was made that they get a flu shot. She stated that there are higher ER visits and Stanford set a tent up to cover flu patients. She stated that Pacifica got a new CERT trailer command station which has pop up tents for an emergency. She stated that the library Advisory Committee reviewed the results of the website and feedback and talked in detail about that. She stated that it was her first meeting and she was working through how it happens and comes back. She stated that the committees were dedicated to keep working on building a new modern library, to make it a key goal for 2017 and make sure Council was on board with that. She stated that she attended the Build the Beloved Community event which was a group getting together to talk about progressive issues and their dreams for peaceful progress. She stated that they shared their dreams and tried to work on how to get there.

Mayor pro Tem Keener stated that he was driving by on Highway 1 during the women's march on Saturday. He stated that the report said about 1,000 people. He stated that it was the most people he has seen in one place in Pacifica. He referred to the fact that the marches happened

all over the country, and it made him proud to be a Pacifican and American. He stated that the sewer overflows in lower Linda Mar came as a result of two separate storms. He stated that they know the sewers have problems and the equalization basin was supposed to be part of the solution, but we don't have the equalization basin yet, so we deal with the overflows. He mentioned the citizens' homes that are flooded by sewage, and it was worse than previous sewage flooding events. He stated that there was toilet paper that identified it as concentrated sewage. He thought the citizens were owed a detailed explanation of how that happened and what they were doing to mitigate it. He referred to recent power outages due to the storms, and it has been ridiculous. He stated that the same thing applies to that as the sewage spills, specifically how the power outages happen and was there something PG&E needs to do to prevent them from happening in the future. He stated that he understood one or two power outages with high winds, but it has been more than that. He felt that, once we dry out, he would like to hear some answers on those two topics.

Councilmember Vaterlaus stated that she attended the CCAG meeting and they explained all the extensive projects in which they are involved. She also attended the Library Advisory, and agreed with Councilmember Martin that they want to go forward with a new modern library. She stated that she attended the League of Cities with the City Manager and the Mayor which was for new Council and Mayors, Tuesday through Friday, with extensive training for a new Council person. She stated that it was a lot of information and well received.

Councilmember Digre stated that they had the January 12 San Francisco Airport Roundtable and there were two positive things, and two members of the FAA in operations and radar seemed to be willing to be advocates for us to the FAA administrators, however, they pointed out that whatever they encouraged would be circumscribed by what the administrator says. She stated that the FAA has to report to the SFO Roundtable on February 1, in the Checuetti Room across from the Millbrae Library. She stated that the Roundtable and each city will have an idea of what type of things they may need to do as a Roundtable legislative committee or as a particular city to advocate for relief for their constituents, adding that it was an important meeting. She then stated that there was a 250-year anniversary of the Portola Expedition, reviewing the native American history and Pacificans were making sure that our history will be prominent in that celebration in 2019. They hope that the commercial aspect will provide income from it and it was involving the Development Committee, the Chamber and businesses, as well as the county, and they will be meeting February 2 in the County office. She stated that anyone who wants to get involved locally can contact her or Mike Perez. She added that they were also working on the trails. She reminded everyone of the goal setting meetings on February 3 and 4, and asked for input. She commented on past outages by PG&E in Burlingame where they were able to get changes. She heard on the news that PG&E must be monitored and administrators have to do community service.

Mayor O'Neill stated that he attended a finance session in Sacramento with the City Manager and Councilmember Vaterlaus, mentioning that they also had ethics training, social meetings, and they had a rally regarding the governor's budget including \$6 billion to cover fixing cities' streets and encouraging that it be passed. He thought we needed \$19 million in Pacifica. He thanked staff for their work regarding the tree that fell on a house, the landslide on Highway 1, trees in Vallemar and the sewage spills in Linda Mar. He mentioned the sewage problem was because there was too much stuff going into the sewer pipes. He attended the CCAG meeting which was basically an orientation for new members which included both him and Councilmember Vaterlaus. He invited the public to the goal setting sessions on February 3 and 4. He stated that, if Council is in agreement, he would like to adjourn the meeting in honor of

Elizabeth DeJarnatt for all the public service her family has done, explaining that Pete DeJarnatt served on Council and his sister was on the water board.

STAFF COMMUNICATIONS

City Manager Tinfow stated that she has received questions regarding what is going on with PG&E. She stated that she was going to reach out to their government affairs person, Scott Hart, to have him come to a future meeting and provide information. She stated that the only information she has gotten was that there seemed to be a problem with the substation. She referred to the goal setting session, stating that on the 3rd, they will gather with a hard start at 12:30 through dinner. On Saturday, they will have a hard start at 9:30, typically no later than 5:00. She stated that there will be an opportunity for public comment as in the past. She stated that she and the City Clerk were working on the agenda to get it out early.

PUBLIC HEARINGS

CONSIDERATION

5. Installation of In-Sync Adaptive System by Rhythm Engineering for the Intersections of Highway 1 and Reina Del Mar Avenue and Highway 1 and Fassler Avenue.

PROPOSED ACTION: Move to authorize staff to formally submit a request to the San Mateo County Transportation Authority to repurpose approximately \$250,000 of Measure A funds currently programmed for the design phase of the Calera Parkway Project and proceed with the project upon approval of funding request.

Public Works Dir. Ocampo stated he would begin the staff report, followed by an In-Sync Rhythm Engineering representative to give a detailed talk on what it is all about, and he would follow to talk about how they can fund the project. He then explained what the subject was about and then turned over the mike to Jesse Manning.

Mr. Manning then introduced his company and goals and presented the report.

Public Works Dir. Ocampo then completed the staff report with the information on what it will cost, the funding source and the next steps.

Mayor pro Tem Keener asked if CalTrans or our Public Works Department would handle or oversee the programming of the units.

Public Works Dir. Ocampo stated that CalTrans would oversee the installation of the device, and the control of the cabinets would remain with CalTrans. He explained that staff would be there through the entire process to represent the city.

Mayor pro Tem Keener asked who has control of the lights after they are through with the process.

Public Works Dir. Ocampo stated that the control of the lights will remain with CalTrans as owner and operator of the intersections.

Mayor pro Tem Keener then asked Mr. Manning how the system deals with situations like darkness or fog.

Mr. Manning stated that cameras will work fine at night, having both day and night mode. Night mode looks for headlights rather than pixelization during the day. He explained that, if fog rolls in, the program would operate on past activities of a specific day, such as what happened the four past Mondays of the week, and if nothing was happening previously to a specific direction, it would serve it for a minimal amount of time. He stated that it was the next best thing to real time operation, adding that most video detection systems don't have that historical data built in.

Mayor pro Tem Keener asked if the system was set up to allow for emergency overrides, mentioning the previous landslide, when they might want to stop everybody at the Reina del Mar light and have it flash red.

Mr. Manning stated that there were a number of ways that could be handled. He stated that the system could be accessed remotely, by section or as a whole, and they can set up flashing emergency operations remotely. He stated that you can also have event triggers and if there is a back up because of a major event, In-Sync can be programmed to recognize that and will be able to respond differently.

Public Works Dir. Ocampo mentioned that CalTrans will be able to respond to whatever incident happens on the highway.

Councilmember Digre was happy to have this report. She referred to CalTrans owning all the boxes in California, and she asked if she was accurate to say that it was working fine.

Mr. Manning stated that they have incidents where other municipalities have done similar arrangements to this where CalTrans retained ultimate control of the intersections and they have had no problems. He stated that they have been installed in San Ramon for 6-7 years and CalTrans has had no issues with those intersections.

Councilmember Digre asked how many areas in the CalTrans district are doing this intelligent traffic stuff.

Mr. Manning stated that they were San Ramon and Mountain View in the Bay Area. They both have CalTrans intersections, mentioning the specific locations.

Councilmember Martin asked Public Works Dir. Ocampo if he talked to anyone from cities using this system and got references.

Public Works Dir. Ocampo stated that he didn't but he did contact CalTrans and they were very positive with the effects of the operation of the signal.

Councilmember Martin reiterated that her thought was whether he talked to someone in his position in another city that was using the system, and got their thoughts.

Public Works Dir. Ocampo reiterated that they had talked to CalTrans staff and Mr. Manning mentioned a project in San Jose and they reached out to that.

Councilmember Martin referred to mention of disaster recovery type situations with historical data, and referred to mention that the system would use data from the same day of the previous week. She assumed that no one has to sit in front of a camera and make that decision.

Mr. Manning stated that someone from CalTrans would have the ability to log into the cameras and see, but no one is watching most of their deployments most of the time. He stated that they would normally access the cameras for quick visibility of the operation but they don't manage anything themselves.

Councilmember Martin stated that she grew up ten miles from the Upper Merion Township and thought the traffic was very bad but was also very good because it was managed properly. She was confused about the control. She referred to a possible landslide and need to go into emergency mode, and asked if Pacifica manages it or would they have to call CalTrans.

Public Works Dir. Ocampo stated that CalTrans would be notified and be the ones to handle it. He stated that their command center in Oakland was managed 24/7 and they have the ability to see what was going on and properly dispatch the right response team for whatever accident is occurring on the highway.

Councilmember Martin asked if there was respond time data on that, such as staff calling CalTrans to fix our In-Sync system.

Public Works Dir. Ocampo stated that, if there is any issue with the In-Sync technology, the default is for CalTrans to switch back to normal operation, bypassing this particular system.

Councilmember Martin thought there was no baseline, but it just gets hooked up and it starts doing data analysis on the first car that goes through.

Mr. Manning stated that, after the cameras are installed, they start collecting a lot of data before the adaptive operation is activated. He stated that they can get up to date data on how things are currently running before they switch to that adaptive operation. He stated that was what Rhythm does before and after study. He referred to Public Works Dir. Ocampo using another consultant to do that.

Public Works Dir. Ocampo explained that part of the project was to hire a traffic engineering consultant that will actively measure the travel time and set that as the baseline for them. Once the system is installed and functioning, they will run it again and see the difference in terms of shaving the travel time.

Councilmember Martin assumed that the consultant would provide matrix that we were trying to hit.

Public Works Dir. Ocampo stated that they did a "back of the envelope" type thing before they approached Council, and in order to come up with the recommendation to Council, he asked the consultant to measure the cost of installation of \$150,000 and stated that they have to see an improvement of more than six seconds in order for the city to recover our investment within one year. He stated that, if they wanted to recover the investment in two years, an improvement of 3.5 to 4 seconds, they were already there.

Councilmember Martin referred to Mr. Manning stating that this would not solve our peak traffic issue, but she did like the numbers she saw. She stated that she would be interested in hearing from directors in other cities in the area that have good positive experiences. She noted that they have two locations slotted for this, but she then asked about Crespi and Linda Mar intersections at Highway 1. She stated that those two intersections could give more data and possibly get better numbers.

Councilmember Vaterlaus also referred to the peak congestion, and concluded that the system will help but won't alleviate the peak congestion.

Mr. Manning stated that they call that taking time off the shoulders. He explained that, on looking at a graph, you build up to the peak period and then down to when there was not as much traffic, and he felt they can shave time off the shoulders at the peak. He stated that it turns into a capacity issue when you have more volume than there is capacity to hold that volume, and you turn into a congested situation. He stated that they could talk to Mountain View about that, as they do reach congested saturation conditions on Shoreline. He stated that other references were installations outside of Disney World in Florida and outside of the Daytona Speedway. He stated that the shoulders of the peak hour were where they were able to impact the off peak. He stated that, overall, there was tremendous efficiency through the system and they still reach that saturated condition once a day.

Councilmember Vaterlaus asked Public Works Dir. Ocampo the likelihood that they will get the money from the TA to cover the cost.

Public Works Dir. Ocampo felt there was a big possibility for that because, prior to appearing before the Council, they took a lot of time talking to the state and the Transportation Authority about the logistics on how they were going to fund this. He stated that it was the recommendation of their staff that they make a formal request, and that was the reason for their request to Council. He stated that, in defining the shoulders, it was the period before and after the peak hour.

Mayor O'Neill mentioned that, at the corner of Fassler and Highway 1, many times in the morning, there was no one coming out of Rockaway, and he thought their system would skip that light and let more go on Highway 1 or Fassler.

Mr. Manning stated that, if there was no demand there, they are able to skip it, but if there was one car there, they may have to serve it for a minimal amount of time to get that car through. He agreed that the overall goal was the most efficient use possible of the green time available within the time it takes to serve all of those approaches.

Mayor O'Neill stated that he didn't know how familiar he was with that intersection, but he stated that you have a hill that goes up and the "rock" and you have Highway 1 traffic coming in. He asked where the camera would be placed, or asked if there were multiple cameras on two main roads or would they put one higher on Fassler, as it could be backed up beyond Robert's Road.

Mr. Manning stated that they put one camera per approach, totaling four at each intersection, looking at each direction of traffic. He stated that he didn't remember the geometry in that intersection, but they did a pretty in depth analysis with Rhythm technicians and CalTrans looking at locations for installation. He stated that they didn't see anything out of the ordinary as far as their deployments go. He stated that, if they have backup that goes beyond what the camera was able to see, they can solve that one or two ways with a second camera further back to be able to take in additional queue or tell the program that, if the camera view is completely full, assume there are so many vehicles. He stated that the engineers during the deployment will assess what was best.

Mayor O'Neill stated that there would be a certain percentage of improvement. He asked how they measure the starting point of the current traffic and how would they measure the difference after three months.

Mr. Manning stated that they can do it after three months which was the period of the guarantee but he stated that they would measure long before that three months. He stated that it was mentioned that there would be a consultant to do an independent study and he thought that was a good idea. He stated that Rhythm does its own before and after study. They have the data through the cameras before and after and can measure that, but their engineers also have a travel time device in their cars and do a travel time run to see how long it takes to get from point A to point B, and they will do that in an after scenario also. He stated that the independent consultant would be evaluating against the same matrix.

Mayor O'Neill concluded that it would establish the baseline for current traffic as well as the measurement for improvement. He then referred to the annual cost, and asked who pays for the annual cost. He asked if they have any idea of how much that is.

Public Works Dir. Ocampo explained that, once the product was installed, they will have to set aside money as CalTrans was going to include that in their cooperative agreement to which they will enter. He stated that they were not looking at \$150,000 a year. He stated that there were certain labor costs to install that were included in that. He stated that, when they approach the Council to approve the agreement, assuming that Council will direct staff to proceed with the project, they will have the cost down inclusive of the labor or maintenance costs.

Mr. Manning stated that, regarding the product, In-Sync comes with a two-year warranty which covers hardware. They would receive any software upgrades and 24/7 maintenance and support. He stated that, any time CalTrans would need their assistance, they can call the home office and they help remotely with the help desk. He stated that, for year 3 and beyond, it was \$750 per intersection per year, and they will try to keep the maintenance cost as low as possible.

Mayor O'Neill asked, if someone ran in and took out the box at Rockaway, if they would be there to support CalTrans to replace and repair it.

Mr. Manning responded affirmatively.

Mayor O'Neill referred to weekend traffic, and stated that, especially when the weather is nice, weekend traffic has gotten just as bad, and he assumed it would run during weekends, stating that most of traffic was on Highway 1, not Fassler or Rockaway.

Mr. Manning responded affirmatively.

Mayor O'Neill asked, if CalTrans' truck drivers see a landside, whether they can override In-Sync.

Mr. Manning responded affirmatively.

Mayor O'Neill stated that he mentioned three different time periods, installation, time for data collection and then they turn it on. He asked, if it was approved, what the time frame would be for installation, data collection and turning on In-Sync.

Mr. Manning stated that they can typically have the product ordered and delivered within two weeks, typically a week, but sometimes two weeks. He stated that the product can be delivered very quickly and the installation would be done through a local contractor with their technicians supervising. He stated that the technicians were very available and could be present within a very short period of time. He stated that, after the installation of the cameras, they like at least two weeks for data collection, adding that if they can go longer it was great, but they look at least at a two-week minimum, following up with an engineer to do what they call the adaptive turn on process. He stated that they would spend roughly a week on site, doing the adaptive turn on where they change everything into the artificial intelligence mode and then basically spend the week analyzing, driving the corridor, collecting more data and fine tuning the system to make sure all the parameters are operating correctly.

Mayor pro Tem Keener asked what sort of resolution the cameras have, such as can they read license plates.

Mr. Manning stated that they don't have resolution that was quite that clear. He stated that they have a separate product that does license plate reading, but only for travel times where it actually encrypts the license plates and that was not what these cameras do.

Mayor pro Tem Keener referred to mention of references, and he recalled talking to the city traffic engineer of San Ramon after the workshop, and it was a glowing report. He then referred to the weekend traffic, stating that it ties in with Councilmember Martin's idea of adding a couple of intersections, Crespi and Linda Mar on Highway 1. He stated that it backs up behind Crespi when going south and he thought they should consider looking at that.

Mayor O'Neill stated that the biggest advantage of getting it at Linda Mar would be to get a count on how many people come from south of the slide as that would impact SamTrans and the Flex buses for marketing. He referred to mention of being able to track by encrypted license plates where they are from or how long, but he concluded that they wouldn't be able to do that unless they took a picture.

Mr. Manning stated that it was a completely separate camera and not part of the In-Sync system. He stated that they do get traffic counts and they would be able to see how many vehicles pass through and which direction they are going.

Mayor O'Neill stated that, from the slide, it would be all of Linda Mar Blvd.

Public Works Dir. Ocampo added that, if they were to add more intersections to this and it goes beyond the project limit for the Calera Parkway project, they would have to consult with the Transportation Authority regarding funding.

Councilmember Digre stated that she was curious why more intersections were not included. She asked if it would go beyond the \$8 million.

Public Works Dir. Ocampo stated that it was more what the project limits are for that particular project. He stated that was why they were able to bring this project to be funded out of that. He stated that the Calera Parkway was supposed to cover intersections of Reina del Mar and Fassler Avenue. If they go beyond that, it was no longer covered by that, and he felt that funding was the issue they have. He stated that he wasn't saying no, but that they have to approach the Transportation Authority and ask.

Councilmember Digre asked if they have any more information about fog and how it affects deterioration. She asked if we were the first coastal area.

Mr. Manning stated that we weren't the first coastal area. He stated that, in Texas and Florida, they encounter similar issues, adding that the cameras probably need to be cleaned twice a year, which was very common with any video detection. They spray water on the lens and make sure it is clean. He stated that they will get alerts if the camera cannot see, and if it can't see for an extended period of time, CalTrans would be alerted to that and take care of it very quickly. He stated that the historical data in the processor was meant to make sure that, if the time period that a camera can't see was a couple of minutes or a longer period, the traffic was still being served appropriately.

Councilmember Digre assumed it would know if it was a fog issue causing the vision problem.

Mr. Manning stated that, if they see an alert that the camera was not able to see, they can log in from their cell phone if they have the network access to do so, and they can see if it was a fog event or something different.

Mayor O'Neill opened public comments.

Mark Stechbart, Pacifica, stated that he thought it was a bad idea. He stated that there was some difficulty with no source, no bid contract. He stated that there was Mission Creek but the underlying issue is that it was a blessing in disguise because this was code for whether they widen Highway 1 and nothing else to do with anything but code talk. He stated that this company says it will not help commute and the real issue was whether they go through this drill for non-commute times when not necessary and the city doesn't have the money to pay for it. He stated that, in terms of commute issues and the widening debate, he felt widening wins because this won't work, commute won't be faster or safer and nobody takes the bus. He stated that In-Sync people say light timing will work during the day and when traffic is lightest and it was really not necessary and he asked why they waste the money. He stated that the \$4 million the city wants to get its hands on was dedicated to Highway 1 design, which is the legislative and vote at the Transportation Authority and not new project construction, particularly on non-approved projects unrelated to widening that are not needed and won't work. He didn't think the TA would approve this, as the other cities in the county are not going to let them treat this \$4 million as funny money to spend on other stuff that has not been in the queue for years. He stated that, in addition to the Mission Creek that was way out of the project footprint, he questioned putting it at Rt 35 and Hickey or Crespi. He asked that the city spend its own money for its own issues that are outside the scope of this project. He stated that he was involved in the Transportation Authority re-authorization of the sales tax in 2004, and it passed in Pacifica at 75%. He stated that the voters did not support transportation funding in 2004 with their tax dollars thrown around on unneeded and ineffectual programs. He stated that, if they break faith with voters on spending this money, even if they talk the TA into it, and it doesn't work, it will be on the Council. He stated that it was a no source bid, independent traffic consultants for the city have not dealt with it, there is not an RFP, and it was really clear they are not transportation familiar and he has not come up with a plan that anyone has vetted on two intersections. He stated that he talks globally about all the stuff in the United States, and we have two intersections. He felt there were other solutions, and he didn't think the TA was going to pay for this and even asking for the money will be slightly embarrassing as it was way out of the purview on how that works and how the other cities look at this town. He felt it comes down to foot dragging on the Highway 1 decision.

Stan Zeavin, Pacifica, offered his thanks to the city for putting the smart light study on the agenda. He also reminded everyone why so many Pacificans are against the Calera Parkway plan and in favor of multiple alternatives. He stated that the CPP simply will not solve the problem. He stated that CalTrans has concluded that only 1.6 minutes would be saved during peak traffic hours in the morning after the widening, and as the city adds homes and businesses, this meager improvement will disappear as more cars are added during peak hours. He stated that, as long as there is a bottle neck at each end of the widening, three lanes merging into two, there will always be traffic slowdowns at peak hours. He stated that it wouldn't matter if they had four lanes in each direction. He urged the city that all the lights from Linda Mar to Reina del Mar be included in the study in order to maximize the smart light effect. He stated that smart lights have been shown to be a valuable tool, but isolating smart light study without studying complimentary alternatives at the same time probably won't solve the traffic problem in Pacifica. He stated that there were many possible alternatives that could work in tandem such as an over or under pass at Reina del Mar, developing a plan to lower the number of single driver cars, school buses and many others. He urged the city to hire a consultant to study which of the many possible alternatives would best work together. He stated that, over the years, PH1A members have both met with and exchanged emails with CalTrans, the TA and various reps from traffic analysis companies. He quoted from one rep from Rhythm traffic talking about Pacifica, which basically said they have saturated conditions which signal optimization alone will not solve but can limit the time the corridor is in saturation and the multifaceted approach will be the most beneficial. He asked Mr. Manning if it would be advantageous to do four lights instead of the two on Highway 1 and asked him to comment on Mr. Tomasi's statement, paying attention to the multifaceted approach which is called multiple alternatives.

Chaya Gordon, Pacifica, stated that an intelligent traffic signal program was an excellent idea for Highway 1 in Pacifica. She stated that numerous studies show that widening Highway 1 does not relieve the problem of traffic congestion, having seen it in Santa Cruz and other places. She stated that those communities have stated that they have more problems since Highway 1 was widened in their communities than they did before. She stated that widening was also very destructive to our scenic coast, quality of life and wildlife. She stated that a smart light study should include all lights on Highway 1 in Pacifica. She thought it couldn't be much more than a mile from Fassler to Crespi and she thought we needed as much information as we can get for this system to work optimally. She stated that the Council and city has a rare opportunity to do something innovative and good. She urged them to grab the opportunity and take hold of it and have a good planning process. She suggested they hire an independent consultant, get both feedback and a lot of participation from the community, considering that we will need more than one alternative to widening the highway to achieve the community's goals. She mentioned that the community made many suggestions about alternatives to widening the highway. She wasn't going to read it all, but mentioned such things as overpasses, underpasses, working with the schools, better public transportation. She urged them to partner with the school district with the goal of finding a solution, as she thought the school at Reina del Mar was obviously a huge contributor to the traffic congestion problem. She felt, if no change was made, they will miss out on a big chunk of the problem. She liked the wildlife crossing idea because she would not like to see more animals killed because we drive in cars. She asked that they focus on the common good.

Cynthia Kaufman, Pacifica, stated that she appreciated the staff and Council for considering this. She stated that she works with Pacificans for Highway 1 Alternatives and they have been talking for years about how ridiculous the Calera Parkway project was and she felt they have been stuck in this where CalTrans wanted a project that they all knew was ridiculous in many

ways. She stated that starting to move forward was great. She felt this was a wonderful thing. She stated that one reason that In-Sync was wonderful was in terms of the greenhouse gas emissions reduction. She felt that was important. She commented on many of the times when you are sitting at the light and its not moving, adding that this will make the peak traffic not as bad. She stated that PH1A always thought they needed to throw a bunch of different things at this problem. She hoped Council will consider In-Sync but also look for an independent and intelligent traffic study where someone could say what was the multiplicity of things they can put into the problem to solve it. She stated that others have said that In-Sync timing was what they have been talking about the most. She was so happy to hear Seamus say that it looks like we are going to get our express bus back. She thought the city could work on a carpool app shared among the cities, with one carpool app that everyone uses. She stated that one reason we have so much traffic is that almost everyone who goes through the highway at the peak time is one person per car. She felt, if they promote carpooling, and put all those things together, they could solve the traffic problems. She thanked them for considering this.

Gil Anda, Burlingame, stated that he is currently living in Burlingame. He stated that he, his brother and sister and all their children own a piece of land that would have been bought out had the widening project gone forward. He thought the most compelling concern the city should have on what they do on the highway was addressing that, when something disruptive like an accident happens, it can become a choke point. The main concern was if emergency vehicles are struck in that traffic. He asked if this was intended to be a permanent solution or a temporary solution and, if so, how temporary.

Hal Bohner, Pacifica, thanked Councilmember Digre, stating that this was the meeting that she has been wanting to happen for years as she has been pushing and asking for it for a very long time. He hoped everyone appreciated that it was her efforts that made this happen. He stated that it sounds like a great thing to him, and he hoped Council approved it. He also hoped Council adds more possible solutions to the consideration that the traffic consultant will give. He thought it sounded as though they already have a consultant, but if not, they will have one soon. He asked that they have that person look at more than just this one solution but other things that Pacificans for Highway 1 Alternatives have been promoting for a long time. He referred to the Calera Parkway project, stating that he was glad that Mr. Stechbart said what he did, because it shows that the Calera Parkway project should be dead. He stated that it was not a good solution. He stated that the In-Sync solution sounded like a much better idea. He stated that Mr. Stechbart implied that the TA would not approve the funding for the In-Sync project. He thought that was absurd because it sounded like Public Works Dir. Ocampo has already talked to the TA and they already seem interested, and he wonders why Mr. Stechbart would say they are not going to approve it. He questioned how he even knows they aren't going to approve it. He thought they should at least be asked, asking how that would hurt anything. He stated that he seems to imply that the Calera Parkway project would be 100% solution to the traffic problems, but he felt it wouldn't. He mentioned that Mr. Zeavin said that the EIR said there was a 1.6 minute reduction in delay in the AM peak, not a complete solution. He stated that the new general plan says that adding the 1000 housing units planned there will be no traffic improvement by building the Calera Parkway. He stated that the Calera Parkway should be dead.

Susanne Jonas, Pacifica, thanked them for having this discussion. She referred to the first speaker asking why they were wasting our time with this discussion of alternatives. She felt the reason was that the voters indicated in two elections that the impact of the widening would make the problem of traffic worse, including other effects. She stated that looking at the alternatives was a way of not going through years of traffic hell coming from the south up to the

north and return. She stated that was the reason for a constant search for alternatives. She felt this was a good beginning to that. She stated that going the direction of hiring an independent expert to do a real consideration of other alternatives that can be added to that would make it a much more complete discussion. She thought they should look at this as the beginning of the discussion and not the end of it.

Morgan Underhill, Pacifica, stated he was just another voice in the chorus. He was in support of the adaptive lighting. He thought they should definitely look into putting it in all intersections on Highway 1, not just those two, as they might prove insufficient in the long term. He also felt they should continue looking into other solutions as there was no single solution that will solve this particular problem. He referred to a gentleman during Oral Communications who suggested a route to Skyline from the back of the valley, and he thought if that was feasible environmentally and financially, we should probably look into something to that effect.

Leo Leon, Pacifica, thanked them for having this item. He stated that he was going to give them some hard data, mentioning that he works for the US Census field operations manager after he retired from other service and was quite familiar with census data. He gave 2000 and 2010 census data of 24,500 single occupant drivers from Half Moon Bay and Pacifica, with Pacifica at 15,600 and 40% of them coming from south of Pacifica. He stated that they need to be in partnership with Half Moon Bay and San Mateo County in doing what we are doing. He felt, until we treat the root cause of congestion, they are going to be throwing solutions at congestion and treating the symptoms. He loved the project and was a proponent of intelligent transportation systems and adaptive symptoms and we need to do it, but he felt they needed to do the big picture, long term also. He stated that expanding the data collection to Linda Mar will give them the data of the riders coming up and ties in with what the mayor was talking about with SamTrans. We need to offer the express buses and rapid multiple transportation solutions south of here, not stopping at the Park and Ride. He stated that the numbers he gave were eye popping numbers, and it averages about 73-74% of all drivers single occupant. He didn't want them to think badly of people who live on the coast who drive because nationally, the numbers are about the same. As we know, we live in a corridor highway and our options and reality was different. He thought it would be great if they could capture even 20% of the drivers and questioned what that would do to our traffic. He stated that we need data to drive the partnership. He asked that they think regionally and act locally to do the right thing and tackle transportation congestion intelligently.

Dan Stegink, Pacifica, stated that he hates going after Leo Leon as he makes you feel unprepared no matter what you bring to the table. He mentioned a traffic incident on August 3, 2015 that was the worst they had ever seen in Pacifica. He stated that main solution was police eliminating left turns north and south. He then referred to Mr. Manning who said that the primary concerns were through movements and left turns. He stated that, by eliminating those left turns during accident situations, every movement is a through movement. He stated that if they turn traffic at Manor and Linda Mar and send southbound drivers to Linda Mar and back up north and take a right on Reina del Mar, there were a lot of potential solutions in a crisis situation or evacuation scenario. He stated that two lanes north and two lanes south are 4 lanes. In a landside situation that completely blocked off the highway, they could have four lanes north above the incident and four lanes south below the incident. He stated that if the Half Moon Bay route got closed off, they could immediately switch to four lanes north there also. He stated that he spoke to an officer with a lot of experience and he asked, if money was no object, what he would do to solve the Highway 1 problem. He said the first thing he would do would be to spend \$60,000 and buy a laser accident mapping system which would solve the problem they had with the death of Bruce Berm when he was hit by a drunk wrong way driver by Sea Bowl,

and it essentially lets police officers map accidents much quicker and get them out of the road in a situation like that. That was one solution, with In-Sync rhythm another solution. He stated that there was not one solution to the problem, but he appreciated some of the solutions by In-Sync. He didn't think it had to be 33% to get a benefit, and with a 5% benefit Pacifica will see real improvement.

Peter Loeb, Pacifica, thanked them for this agenda item. He agreed with Susanne Jonas that this should be the beginning of a discussion, not the end. He understood from the presentation that this system would not eliminate the congestion problem, but it would result in improvements, especially on the shoulders of that curve. He stated that the Calera Parkway proposal would not solve the congestion problem either, and that was the point already made by several people. He stated that it seems like for the amount of money involved, if we got some improvement, this was worth doing. He was a member of Pacificans for Highway 1 Alternatives. He stated that the Coastal Commission's comments in the Calera Parkway EIR said that the EIR should address combinations of alternatives and CalTrans didn't do that, and didn't respond to that comment or look at any combinations of alternatives. He stated that what was being presented now was one potentially very useful system but he wanted it to be looked at in the context of other things that can be done, several of which have already been mentioned. He mentioned that they had been told, until recently, that SamTrans would not schedule routes to match school opening and closing times, but that they have done that recently for at least two communities on the Peninsula. He stated that SamTrans can do it and have scheduled bus routes to coordinate with schools opening and closing times. He felt that was an alternative that would have a real impact when you combine it with other alternatives like the In-Sync system. He liked the 1920s cop as his favorite alternative if you could sit in Oakland and look at these video images and a person could operate the lights from there.

Deni Asnis, Pacifica, stated that she lives at Rockaway and has spent lots of time at the Rockaway intersection analyzing the traffic flow and traffic lights, although at a slightly more analogue speed than the new system will hopefully do. She appreciated staff and Council for looking more deeply into the issue of developing alternatives to the very misguided idea of widening Highway 1. She has stated her objections to the widening plan many times, such as the cost and destruction of Pacifica's environment, views and communities, as well as the fact that it won't solve traffic issues. She stated that, if the city does a smart light study to investigate alternative, it should include all the Pacifica lights on Highway 1, not just at Fassler and Reina del Mar. She reiterated that she has spent a lot of time analyzing traffic patterns at the Crespi and Linda Mar intersections also. She added that smart lights won't work alone as mentioned, and other appropriate alternatives need to be studied and adopted at the same time. She felt Pacifica should hire a consultant to evaluate other alternatives in addition to the smart light study. She thanked them for giving attention to a variety of alternatives and thanked the residents of Pacifica who have spent so much time investigating this and trying to come up with alternatives for the city and looking at things regionally. She felt we need to recognize that we are not alone in solving any of the problems.

Yvonne Duncan, Pacifica, stated that she lives at Rockaway. She stated that she was a pedestrian most of the time, and the lights already skip pedestrians constantly. She wondered if this setup is going to make it skip pedestrians more. She understands that the traffic problem is bad, but she already can't cross the street because the lights do not time up to it. She asked what they will do after the two-year warranty is up and the stuff starts failing and breaking. She asked if they will repurchase more new stuff from them as they are offering a two-year warranty on a lifetime problem.

Tygarjas Bigstycck, Pacifica, stated that he had a technical question. As set up, there were triggers under certain parts where they stop, with the light knowing they stopped because of the trigger. He referred to mention of fog blocking the eyes of the system and the memory kicks in, and he compared it to a blind person with other senses. He wondered if, in terms of that metaphor of the triggers underneath the top layers of the concrete that normally indicate that there is a car waiting to turn, those get incorporated into the system also or if the system does not incorporate that. He then stated that he liked the idea of trying a solution that does not involve creating a much bigger traffic mess over the course of construction, which widening the highway would inevitably do. He liked the idea of trying first something that will not potentially create years of a bigger traffic situation than we are already experiencing to alleviate the problem by a minute and a half.

Mayor O'Neill closed public comments.

Councilmember Martin stated that she liked what Yvonne Duncan said about pedestrians at Rockaway. She stated that it was a dangerous intersection and she would like a comment on that.

Mr. Manning apologized for not having that in the presentation. He stated that pedestrians are incorporated into the In-Sync algorithm and one of the rules that In-Sync governs itself with was that any occupied approach or phase of traffic is not skipped if there is demand and pedestrians are considered in the same way. He stated that, if a pedestrian call is made and the button is pushed and someone is there waiting, they will not be skipped. He stated that there are rules that govern how much time pedestrians receive, usually seven seconds of the little walk symbol and an appropriate amount of time for someone to cross past that time. He stated that In-Sync incorporates that into its algorithm and respects it every time.

Mayor pro Tem Keener acknowledged the car pool app mentioned by one speaker. He thought staff could look into her suggestion to designate one app that Pacifica will use and publicize that. He suggested that they continue this item because he would like to direct staff to add Crespi and Linda Mar to the intersections served, which Public Works Dir. Ocampo said would require further discussions with the TA and possibly CalTrans to determine how much it will cost and whether they will pay for it. He would also like to direct staff to communicate to CalTrans and the TA that the city wants other alternatives. He favored pedestrian bridges. He realized they were not cheap but were cheaper than widening the highway. He felt they needed them at Vallemar, Fassler and Crespi at a minimum, mentioning that all the people live on the inland side of the highway and a lot of them want to get to the ocean side to jog, surf, etc. He stated that it would be a usable solution to prevent time being taken for pedestrians to cross the highway and a lot safer for them. He thought CalTrans has a responsibility for pedestrians to cross the highway safely. He stated that, where Highway 1 becomes a freeway, they have several pedestrian crossings only and underpasses and overpasses for cars and pedestrians, but from Vallemar south, pedestrians are subject to being hit by a car. He would favor an alternate of a four-foot shoulder on the northbound side to allow emergency vehicles space to get by backed up traffic. He stated that, no matter how much they do, there will be times when the traffic is backed up. He knows the public wants various options considered. He again would like staff to communicate with CalTrans and the TA. He thought the City Attorney should draw up an ordinance to insert in the city municipal code that basically states that additional through lanes on Highway 1 shall require approval by a majority of Pacifica voters.

Mayor O'Neill stated that was not on the agenda. The agenda was only whether they do In-Sync.

Mayor pro Tem Keener felt this was part of the agenda and he would like to propose that as a continuing motion for the next meeting, i.e., adding Crespi and Linda Mar to the In-Sync intersections, communicating to CalTrans and TA that they want pedestrian bridges, a four-foot shoulder and possibly other alternatives and the ordinance.

Asst. City Attorney Doherty stated that the best way to proceed with that was to make a motion to continue the agenda item before them and request approval to add a new agenda item to a future meeting that includes the additional items he just stated.

Mayor pro Tem Keener asked which additional items.

Asst. City Attorney Doherty stated it would be the two extra intersections, direction to the City Attorney to return with an ordinance regarding crossings of intersections on Highway 1.

Mayor pro Tem Keener thought the two intersections were within the purview of this item or he thought they would have to vote this down to get those.

Asst. City Attorney Doherty stated that the agenda item as written describes the two intersections that are contemplated in this particular agenda item and she believes that, if he wanted to add new intersections, he would need to agendize that to inform the public properly that those intersections are being included.

Mayor pro Tem Keener concluded that he would have to have all three items agendized.

Asst. City Attorney Doherty responded affirmatively.

Mayor pro Tem Keener stated that he was proposing that they agendize that. He thought three councilmembers can vote to require that those items be agendized.

City Manager Tinfow stated that he was correct, and a vote from three of them would definitely bring it back to them. She stated that they can also collect information to help the cost of adding the two intersections. She was sure Council would be interested in that along with other helpful information.

Mayor O'Neill stated that his concern was that he was starting to go off into deliberation about stuff that was not agendized. He stated that adding an item to a future agenda was no problem.

Mayor pro Tem Keener didn't think he was deliberating but he thought they have come to a reasonable solution.

Councilmember Digre stated that her concerns were, by doing that, how long will they have to wait to get that agendized and do they put themselves at risk on what they were going to vote on at this meeting.

City Manager Tinfow stated that she was not sure about bringing it back. She stated that she will need to talk to staff to figure out how much time they will need to collect the information. She understood the sense of urgency but, as of this time, she wasn't sure when they could bring it back to them.

Councilmember Digre asked if In-Sync would be leaving the city.

Public Works Dir. Ocampo stated that time was also involved in monitoring the improvements that they will achieve. He stated that, with school about to close, they want to make sure they do the monitoring of installation or monitoring of the improvements during the time that school is in session. He stated that, if they go towards May, June or July, it will be summer time and they will not see the benefits of it. He stated that they have to do it before school ends or in September when school comes back.

City Manager Tinfow stated that he was talking about the data collection and he was concerned about it not being as accurate if collected when school is out, which was why he was talking about it being done in the spring or the fall.

Councilmember Martin agreed that adding Crespi and Linda Mar were part of the discussion because, while it was not actually a part of the physical width and it was not part of the plan that the funds were allocated for, it was totally part of it. She stated that they all agree that the traffic was coming from the south and north and those other areas need to be considered as well. She agreed that it was a lot but it was only two more lights and she thought it was worth exploring. She stated that they have waited this long and they might as well do it right. While she understood that school will be out soon but. If they are going to do it, they owe it to themselves to do it right. She also thought it touches upon what he said which was the rejection of the CalTrans plan and calling for a formal kickoff to seek a multifaceted approach to the widening of the highway. She supports agendizing it and she felt they were alternatives and she thought there were a lot of people who were happy about that. She thought the voters have already spoken, and she suggested that they try to get them on the agenda. She supported agendizing that, and making it a priority for the upcoming months. She didn't think In-Sync was going anywhere as they are out to make money, but she understood that time was of the essence with school.

Commissioner Vaterlaus didn't think this was a Highway 1 discussion. It was a discussion about light timing, and not agendized as a Highway 1 discussion. She thought it was all about the light timing of two lights for which they have the funds directed. She stated that they don't know how much it would cost to do Crespi and Linda Mar and she was surprised it got into a Highway 1 widening discussion.

Councilmember Digre stated that she has some concerns about Council discussion and her question for the attorney was why they can't move forward for this, mentioning that Mr. Bohner noted that the first time she asked for this was four years ago. She felt they were at a good place and the relationships are going on. She stated that TA has already been approached and they appeared malleable to funding this, specifically was that the funding was earmarked for this. She would like to jump on the earmarked funding for these two lights to get going and asked if they could, at the same time, use some language to put an agenda for the other alternative possibilities, or moving into the majority of Highway 1. She was trying to not lose the moment for the timing and funding for at least this amount of help, and include the range discussed. She asked if there was a legal way of doing that.

Asst. City Attorney Doherty stated that they could move forward with the action that was in front of them now, and subject to funding opportunities that Public Works Dir. Ocampo can describe, they can agendize for a later date some of the topics that the councilmembers have raised.

City Manager Tinfow stated that, during their goal setting, they will be talking about their work plan. She stated that Item 15 on the work plan was to engage the community around Highway 1 and it could be an opportunity to have a broader conversation about what they would like to accomplish and perhaps that changes. She stated that it was a near term opportunity to talk more about this and it would fit. Alternatively, if they would like to have something come back on a future agenda that was more action oriented and, if the majority of them would like that, they can make that happen.

Councilmember Digre thought that was a good point because February goal setting session was close and they want public input. She stated that she follows the intelligence stuff closely, and there was federal funding. She stated that, when talking to Dept. Of Transportation Dir. Malcolm Dougherty, he advised that they get their foot in the door or queue because the funding is going to be there, but there is not enough funding to go to every city in California. She was anxious to move forward with this and at the same time saying that they go for all the extra alternatives in the next agenda in tandem.

Mayor O'Neill stated that he wanted to clarify things. He stated that he has no problem with voting and moving forward with this agenda item at this time. He also had no problem with Mayor pro Tem Keener's suggestions for future agenda items. He explained that his reason for moving forward with this was that they have an option, with a shot at getting the money. He stated that this money was coming out of the Calera Creek Parkway planning, but Linda Mar and Crespi are not part of the Calera Creek Parkway and this would be a separate endeavor trying to get money out of the TA to do this. He stated that they may have to have a discussion about spending the city's money on those intersections. He felt that discussion was worth having but he would prefer to move forward with this item today. He stated that they can see if there is a second for his motion.

Mayor pro Tem Keener thought that the funding from the TA will probably include all of the lights on Highway 1, but he didn't know. He stated that staff will have to investigate that. He asked Mr. Manning how realistic it was to do two installations, Reina del Mar and Fassler now and Crespi and Linda Mar later and would that cost them very much more.

Mr. Manning stated that the additional cost would not be more, but equivalent to what they spend on the first two to add the second two. He stated that it wasn't only possible but very common. He mentioned San Diego earlier with a very busy corridor, Mira Mesa Blvd., and they have been deploying that in four different segments. He reiterated that it was entirely possible, and in some cases recommended that, if you start with a smaller segment, you see the benefit there and it was easier to spread to the next portion.

Mayor pro Tem Keener then stated that they can go ahead with the two intersections and try to pass a motion that has the three items that he mentioned as well.

Mayor O'Neill asked confirmation that he was withdrawing his motion to continue the item on the agenda.

Mayor pro Tem Keener responded affirmatively.

Councilmember Martin thanked Councilmember Digre for making her think a little bit differently about this. She has listened to everyone, and as long as they make sure they keep it on their radar and communicate to CalTrans about the alternatives, with this as the first step, and then if

the public shows up and communicates and participates in surveys to make that a priority for the community, she was in favor of this.

Councilmember Digre moved to authorize staff to formally submit a request to the San Mateo County Transportation Authority to repurpose approximately \$250,000 of Measure A funds currently programmed for the design phase of the Calera Parkway project and proceed with the project upon approval of funding request; seconded by Mayor pro Tem Keener.

5-0

Mayor pro Tem Keener moved to direct staff to add Crespi and Linda Mar intersections to the intersections approved to be served by In-Sync and to communicate to CalTrans and the TA that the city wants pedestrian bridges at Reina del Mar, Fassler and Crespi, a four-foot shoulder on northbound Highway 1 and possibly other alternatives from the public, and to direct the City Attorney to draw up an ordinance to insert into the city municipal code to the effect that additional through lanes on Highway 1 shall require approval by a majority of Pacifica voters.

City Manager Tinfow asked clarification that they want that to come back on a future agenda for more discussion, not vote on it tonight.

Mayor pro Tem Keener stated that they can vote on wanting to have it come back to be agendized in the future.

City Manager Tinfow agreed.

Mayor pro Tem Keener asked that it be the nearest future possible.

Mayor O'Neill mentioned that he wanted to have a discussion with just In-Sync, and he would prefer that it come back as an RFP to see other companies that do this rather than state one particular company.

Mayor pro Tem Keener stated that he would prefer that it was just In-Sync. He stated that he didn't think there was an RFP this time for these two intersections.

Mayor O'Neill stated that the RFP would be with the TA to do that because they were writing the check. He stated that, if they go to Crespi and Linda Mar, Pacifica would be writing the check.

City Manager Tinfow stated that what they were doing was to vote to put it on a future agenda, and they will have a chance to work out all of these things that they are talking about at that time. She stated that they will do some data collection to help with the conversation.

Mayor pro Tem Keener stated that they could hopefully get the TA to pay for Crespi and Linda Mar as well.

Councilmember Martin seconded the motion.

5-0

Mayor O'Neill called a five-minute break then resumed the meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Digre, Councilmember
SECONDER:	John Keener, Mayor Pro Tem
AYES:	O'Neill, Keener, Digre, Martin, Vaterlaus

6. Report on Legislation Regarding Marijuana Businesses and Request for Council Direction on Next Steps
PROPOSED ACTION: Accept report and provide direction to staff regarding marijuana businesses

Police Chief Steidle stated that this will be a complicated staff report and they have broken it down into several sections, beginning with the history of marijuana law, Proposition 64, known as the adult use of marijuana act, personal possession and cultivation, commercial marijuana businesses, marijuana deliveries, taxes, state standards affecting all cities, considerations for local regulations, public input, current marijuana businesses in Pacifica and City Council direction. He then proceeded to present the staff report.

Councilmember Martin referred to medical marijuana business versus non-medical marijuana business, and asked if it was true that medical marijuana businesses do not get taxed but the recreational use or dispensary would be taxed.

Police Chief Steidle stated that someone purchasing medical marijuana with a valid state identification card would not have to pay the taxes on the marijuana whereas someone without that card or someone going in and purchasing non-medical marijuana would be subject to tax.

Councilmember Martin referred to Prop. 64 and stated there was no difference between a recreational business and a medical business other than someone has a card that allows them to not have to pay taxes, and she asked if that was true.

Asst. City Attorney Doherty stated that existing marijuana laws, for the most part, are not preempted by Prop. 64. She stated medical marijuana dispensaries operate on a not for profit basis and under Prop. 64 non-medical businesses may operate for profit.

Mayor pro Tem Keener referred to the distinction between recreational and medical, and he asked if a place that was licensed to sell recreational marijuana sells medical marijuana also.

Asst. City Attorney Doherty responded affirmatively.

Mayor pro Tem Keener asked someone to enlighten him on the distinction between collective versus dispensary.

Asst. City Attorney Doherty asked if he was asking for the distinction between a collective and a dispensary.

Mayor pro Tem Keener responded affirmatively.

Asst. City Attorney Doherty stated that part of the existing medical marijuana laws when passed in 2003 allowed the collective cultivation dispensation of marijuana and, in turn, ultimately led to

the creation of dispensaries and some California court of appeals decisions that allowed store front dispensaries, who were persons in need of medical marijuana coming together to collectively cultivate, dispense and share marijuana with other medical marijuana patients.

Mayor pro Tem Keener asked confirmation that she described a collective.

Asst. City Attorney Doherty stated that it would be a collective under the medical marijuana laws.

Mayor pro Tem Keener stated that a dispensary was just a store.

Asst. City Attorney Doherty stated that the dispensary would be the store front establishment where people could come in and maintain membership in that collective in order to buy from that dispensary.

Mayor pro Tem Keener asked if a dispensary has to be a collective.

Asst. City Attorney Doherty stated that a dispensary has to be a collective, but a collective does not have to be a dispensary, because you can have a collective of persons operating out of a home.

Councilmember Vaterlaus asked if there was a difference between medical marijuana and recreational marijuana as far as what was sold, such as whether one is more potent than the other.

Asst. City Attorney Doherty stated that the answer was no, as certified testing was now required of marijuana under Prop. 64's new laws to ensure that certain hazardous substances do not make it past a certain content level into recreational marijuana sold at commercial establishments but they don't exactly know what that will look like.

Mayor O'Neill asked who gets the 15% excise tax.

Police Chief Steidle stated that it goes to numerous agencies, some to the state for the administration of the program, some to universities for studies, California Highway Patrol, etc., studying the effects of marijuana with alcohol. He stated that they have a set standard for DUI and marijuana didn't have set standards but they were trying to develop that. He stated that some funds will go to education regarding marijuana.

Mayor O'Neill asked if the city was able to not allow edible marijuana.

Asst. City Attorney Doherty responded affirmatively.

Mayor O'Neill concluded they could outlaw brownies and other items. He asked that once 1/1/18 comes around, and they have a problem establishment, can they set a policy for that establishment and would the state license be revoked.

Asst. City Attorney Doherty stated that the state has a thorough set of procedures for revoking a state license, one being failure to comply with local ordinances and laws with respect to regulation of the business.

Mayor O'Neill concluded that, if they violate the city's code, the state could go through the procedure to revoke their license.

Asst. City Attorney Doherty agreed, stating that the bureau would be required to go through the procedures and the city would not be the entity that has authority over insuring that the state does what was in the code.

Mayor O'Neill concluded that they don't have to come up with every scenario if something develops, and they can do it in 2018.

Asst. City Attorney Doherty stated that she didn't follow the question.

Mayor O'Neill thought that they don't have to come through with every idea now, but if something comes up that was an issue, they could pass an ordinance that would get it pulled in 2018 and close it if they need to.

Asst. City Attorney Doherty stated that, without restating the policies she anticipates staff will encourage, from a legal perspective, it was advisable that, if the City Council wishes to permit non-medical marijuana businesses, as well as medical marijuana businesses, the city would adopt an ordinance regulating and creating some sort of permitting scheme for the businesses. She stated that having the businesses fall under the retail categories of use or an agricultural use was not going to sufficiently cover the unique issues that marijuana sales entail.

Mayor O'Neill thought he read that, if the city wanted to charge a sales tax on it, that would be 50% if a general tax and two-thirds if it was a specific tax, such as for enforcement or for the streets. He asked if that would not happen until 2018 when they have a governor's election.

Asst. City Attorney Doherty stated that some cities have already approved taxes on non-medical marijuana on November 2016 ballot, along with measures that allowed for non-medical marijuana businesses.

Mayor O'Neill stated that they missed that boat.

Asst. City Attorney Doherty deferred to the City Clerk, but she thought you have to put it on a ballot.

Mayor O'Neill stated that the next one was 2018.

City Manager Tinfow stated that was what the clerk was saying.

Mayor O'Neill asked why the existing dispensaries or collectors have no business license. He asked if they didn't have a category for that or are they a flower shop.

Police Chief Steidle recalled that they did close one down that was a flower shop. He stated that the existing businesses did not have a business license, because of our permissive zoning works in Pacifica, they were not legal, which was probably why they don't have business licenses and are not applying for business licenses. He stated that, in terms of why they have been allowed to continue to operate, even though they have known of their existence and they have known over the last several years that they have been operating without creating a lot of problems for the city and they knew that MRSA was going to be coming into play. He stated that, in the interim, if they had moved forward to close down the businesses, based on the

permissive zoning, they would probably have been involved in a legal battle. He stated that, as they saw the different propositions in the legislation coming up and now that they had it settled, now was the appropriate time to finally bring it forward to get the matter settled once and for all.

Mayor O'Neill asked if they could close the barn door now if they want to regulate with Prop. 64.

Asst. City Attorney Doherty thought it would be a defensible position.

Mayor O'Neill stated that one of the things he read was that it was 1/1/18 and there was some provision that chain stores are not going to be able to get them.

Asst. City Attorney Doherty asked if he said chain stores.

Mayor O'Neill stated that large retailers would not be able to start selling marijuana until a certain date, and he asked what date that was.

Asst. City Attorney Doherty stated that licenses cannot be obtained through the state Bureau of Marijuana Affairs until 1/1/18. She stated that large retailers are not going to be permitted to sell marijuana.

Mayor O'Neill asked if the definition of a large retailer was like Safeway which are all owned by Safeway or a 7-Eleven which is a separate franchisee for each store. He asked if 7-Eleven would be a large retail chain or would the franchisee be able to apply.

Asst. City Attorney Doherty thought the language prohibits the sale of non-medical marijuana by businesses that are engaged in the sale of other general items, adding that she can look it up. She stated that existing retail establishments that sell groceries or other retail goods would not be permitted to obtain a state license. It has to be a special stand alone. She stated that she wasn't sure about the precise language in the state laws, but she can find it.

Mayor O'Neill stated that he was asking.

Assoc. City Planner Murdock added that the state law also prohibits the sale of marijuana at any establishment licensed to sell tobacco or alcohol and that would rule out most convenient stores that sell cigarettes or other tobacco products and large stores that sell alcohol would be prohibited from selling marijuana.

Mayor O'Neill stated that there was a big problem in Colorado because the banks were federally insured and it was against federal law that they could not deposit the cash, and there were some problems. He asked if it was true and it has been worked around in Colorado so they don't have up to \$200,000 in cash sitting in a safe.

Police Chief Steidle stated that the short answer was that it was not resolved. He stated that banks are a federal business, federally insured and banks tend to not want to do business with marijuana businesses regardless of the fact that it was legal to conduct the business in several states. He stated that was one of the concerns they have as they may have large sums of money sitting around which could create a security concern and people trying to run an honest business in California are made a target for armed robberies.

Mayor O'Neill stated that it could be a potential risk to the residents around there. He stated that he wasn't talking about the customers but the large amounts of cash.

Police Chief Steidle agreed that they would be the target and that would be a problem.

Mayor O'Neill stated that, being that it was retail, he imagined the zoning would be C1 or C3.

Assoc. City Planner Murdock stated that it was ultimately a question for Council, and as stated in the staff report, if the Council chose not to act, soon non-medical marijuana businesses would be considered retail businesses and they could operate in C1, C2, C3 zones, otherwise the Council could choose to regulate and allow them within certain zoning districts, such as C1 or C2 or C3 or prohibit them altogether.

Mayor O'Neill asked if it would be worth it for them to create C4 or something like that.

Planning Director Wehrmeister stated that they can adopt regulations that are even more restrictive, in terms of location requirements, and it doesn't have to be C1 anywhere. It could be C1 and not within 1,000 feet of a school and not within a park or whatever regulations the Council feels appropriate. She stated that there are a lot of different options and they weren't prepared to talk about that at this time, but if they would like to go in that direction, they would start the process of examining all the different options and make a recommendation. She stated that the land use portion would need Planning Commission recommendation to Council as a zoning ordinance amendment with another opportunity for public input and comment for that portion of this topic.

Mayor pro Tem Keener referred to taxing the sale of marijuana, and asked how they could get 10% tax if they allowed marijuana stores in Pacifica.

Asst. City Attorney Doherty stated that it would be a tax put to the voter, created as a general tax or special tax.

Mayor pro Tem Keener asked what the distinction was.

Asst. City Attorney Doherty stated that the revenue from a general tax can go to any purpose the city deems appropriate, but the revenue generated from a special tax is allocated to a specific portion of the budget, specified in the ballot language.

Mayor pro Tem Keener asked what percentage vote was required for passage.

Asst. City Attorney Doherty stated that a general tax was 50% plus 1, and a special tax is two-thirds, which would be sales tax on the retail sales of non-medical marijuana.

Mayor pro Tem Keener assumed that distinction was in both cases.

Asst. City Attorney Doherty responded affirmatively.

Mayor pro Tem Keener assumed that they could charge any amount, even 100% if they wanted to, adding that it might be diminishing returns as pointed out in the staff report. He thought 10% would be reasonable.

Asst. City Attorney Doherty commented, unofficially, that it varies among California cities between 8% and 22%. She thought Santa Barbara just passed a 20% or 22% sales tax.

City Manager Tinfow clarified that this meeting was expected to be their first discussion with Council to get their feedback on some of these issues. She stated that they can do more research and come back to them with whatever information they would like to have.

Councilmember Martin asked, if they agree to grant dispensary business permits, whether Council would only grant three. She stated that Pacifica only allows three surf camps in Pacifica with certain restrictions. She asked if they would be able to do something like that in Pacifica, adding that there is such a thing as market saturation.

Planning Director Wehrmeister responded affirmatively, adding that the method could be a lottery and they can bring back possible options.

Mayor O'Neill stated that they now do sting operations by having someone going to a liquor store to see if they will sell to someone under 21, and he understood you can't sell marijuana to anyone under 21 under Prop. 64.

Police Chief Steidle responded affirmatively.

Mayor O'Neill stated that most of the enforcement was done by grants, and he asked if they would see grants coming where they could do the same thing.

Police Chief Steidle stated that, if it was possible that such a specific grant came down the road, there will be grant funding for law enforcement activities, but they haven't been given a list of what it would entail. He stated that, if they allow establishments to occur, they wouldn't have that many marijuana businesses, and even without grant funding they could take a proactive approach to ensure compliance.

Mayor O'Neill asked confirmation that they can go from outright ban to allowing as the market dictated.

Police Chief Steidle stated that he was correct.

Mayor O'Neill stated that, when he was in Sacramento, he asked several councilmembers what they did, and they said they banned it in the town but allowed delivery to the town, adding that they were towns in the middle of nowhere, versus towns such as Daly City, San Bruno and South San Francisco.

Mayor O'Neill asked staff if they want Council to give them broad strokes now as to where they want to go.

City Manager Tinfow stated that they posed those questions in the staff report and she asked that they put it back on the screen and walk Council through them for a framework for feedback. She mentioned that they did it with the sea level rise report and it worked well. She stated that, with the answers, it would give them great direction to come back to them.

Councilmember Digre stated that there were two ways of extracting THC, one is volatile and the other non-volatile, and she asked if they need to know any further information about that.

Police Chief Steidle understood that, in terms of extracting THC, there were several methods to do it. He stated that the volatile methods often involve flammable materials such as butane and people have accidents with that, so anything causing fires and explosions was volatile.

Councilmember Digre questioned why anyone would want to do it if it was volatile, and she was of a mind to say no to that. She asked if he had any information that would make her want to change her mind.

Police Chief Steidle stated that they also have concerns about that.

Mayor pro Tem Keener thought they said that they had no problems with the three existing businesses or very few problems.

Police Chief Steidle stated that they received very few complaints, but did occasionally receive complaints about the business in Rockaway with people smoking marijuana outside of the business which was prohibited. He stated that the majority of the calls were anonymous from citizens asking if the police knew they were operating and if they were legal.

Mayor O'Neill opened public comments.

Jesus Sahagun, Pacifica, stated that he has lived on the coast most of his life and was a student, full-time employment and advocate medicinal cannabis. He thought it was important to educate the community on the benefits of safe use and consumption of cannabis and believes there should be a service providing a safe environment for patients obtaining their medicine without worrying about being sold products that are unsafe, and knowledgeable staff to help each patient with their concerns. He was a member of Emerald Fog and the community, and he felt they could bring the right education to the people and break the negative stigma around cannabis. He stated that cannabis was more than THC and was an intricate structure of cannabinoids that aid in place of endocannabinoid system found in our bodies. He stated that TNC binds receptors in our brain called CB1, while cannabinoid CBD binds to our body receptors CB2, which are only two of 85 that have been documented as medicinal value. He mentioned several others that allow them to enjoy the benefits of cannabis without psychoactive effects. He mentioned some of the positive benefits from patients. He then read some positive reviews about Emerald Fog.

Cheryl B., San Mateo, stated that she had a short testimony on cannabis. She stated that she was a first responder as a nurse on 9/11, and mentioned all the medical problems she has now and explained that she detoxed off all the drugs she was prescribed as a result and began her health journey with Emerald Fog. She stated that, with their help, she has found the dose to function and cannabis has improved her life. She no longer has panic attacks and does not rely on "big pharma."

Joe Kerr, Pacifica, stated he is the CEO of Emerald Fog, Inc. He stated that there were 1,100 members in San Mateo County, with the average member 42 years of age, and they have over 200 members at 60+. He stated that he founded this company because of wanting to know what was in his medicine. He commented that, because of the lack of regulation and professionalism in the industry, he wanted organic clean cannabis. He stated that they welcome regulation. He stated that his second goal was to create a professional and informed atmosphere for their members. He stated that they were fully trained as to the effects of the medicine they deliver, explaining the standards they have for all their products and mentioning the positive results he has seen in their patients. He thanked his community for helping him experience the relief they deliver in accomplishing their goals along the coast and stated that bright research groups report conclusions about positive social norms on marijuana are

commonplace in California. He concluded by stating that this community supports cannabis and they need to be able to continue providing access to patients locally.

Mayor O'Neill stated that Council needs to vote to extend the meeting beyond 11:00 p.m., and thought they can set it at 12:00 midnight to adjourn the meeting.

City Clerk O'Connell asked that they get a motion.

Mayor pro Tem Keener moved that they extend their deliberations until 12:00; seconded by Councilmember Vaterlaus.

5-0

Celia Alcantara, Montara, stated that she understood the business Mr. Kerr and associates will have on their hands in 2018 with recreational marijuana, but she wanted to discuss that she has suffered with epilepsy and back pain and delivery was essential to her, as she did not want to stand in line outside of the facilities and be known that her personal medication is cannabis, as it was no one else's business but hers. She felt a delivery service by educated professionals was essential. She was off medications that are killing people across our country because of overdoses through addictive drugs such as was prescribed to her for a back problem. Now, with a service dog and cannabis medication, she was seizure free for over a year. She thanked Emerald Fog for making cannabis available to her and delivered to her in the privacy of her home, and she also thanked Pacifica for allowing that to happen.

Ian Butler, Pacifica, stated that if they had this meeting ten years ago, the majority of people would be speaking against this, but public attitude has changed a lot. He did some searching on how the state voted for Prop. 64, with California at 56%, San Mateo about 60% and Pacifica voted 67.4% in favor of Prop. 64. He stated that, if it was a library bond, it would have passed, adding that was how popular legal marijuana was for adults in Pacifica. He stated that some want it legalized, but don't want dispensaries in their neighborhood. He felt that was a concern but he stated that the county health plan did a study and the majority of Pacificans said they would have no problem with dispensaries in their neighborhood. He concluded that Pacificans have spoken and they are ready for it. He felt it was now basically how they come up with the framework that best honors the will of the people. He suspected that they would want to have liberal and progressive rules for this. He acknowledged that it was a complicated issue and he thought there will be a process involved. He thought that the communities that work quickly on this will get the benefits and the extra 10% tax. He hoped that Pacifica can be such a community. He felt it makes sense financially and honors the will of the people, and it was the right thing to do. He added that it was also about personal freedom. He stated that he would be happy to serve on a task force if the Council decides on doing that.

Mary Bier, Pacifica, stated that she was the director for the Pacifica Prevention Partnership. She thanked them for bringing up this conversation. She stated that she was not speaking about medical marijuana but commercial and recreational marijuana. She stated that their group's main focus was to keep drugs out of the hands of the youth and reduce youth use of drugs and alcohol and reduce access. She stated that their data was given to Council in their packets. She stated that they surveyed over 5,000 residents across the county, which she thought was the survey to which the previous speaker was referring. She stated that it was important to assess the community and listen to what they want. She stated that they were not

arguing about that. They did the survey to see what Pacificans really wanted. She stated that they care about youth and the high concentration of TAC and the edible products has been a problem for high school students. She has relationships with people in the audience and felt they all want the same thing, that is a healthy and free community and what was best for our kids. She was there to speak for the kids, and they don't want these issues going on in high school, but rather give their brains a chance to develop and they can make the decisions based on the information that they have. She stated that the education component was really important. She stated that they were concerned about proximity to school and buildings that house their recovery community. She stated that there are a lot of things they can work on together and she was offering a collaborative approach to how they create their community around this and plan this in the most thoughtful way they can. She thought a study session might be a good way to go and they will welcome that and collaborate with everyone.

Mark Caver, Pacifica, stated that he was a resident of Pacifica and an Emerald Fog collective member. He stated that he wanted to read reviews he found on line from Weed maps and Yelp. He started with his own review on Emerald Fog, basically stating that this group is superior to all other similar companies and then read other positive reviews on Emerald Fog. He thanked Council for listening him.

Holly Smallie, Pacifica, stated that she was speaking in honor of her grandmother who died of cancer the previous year. She was encouraging Council to continue to allow the community to have local access to medical marijuana. She explained what her grandmother experienced going through the process of drugs and the various side effects. They explored cannabis and got a card for her. She mentioned the various forms of cannabis available for treatment. She added that her mother, who has migraines, uses one of the sprays, and she also uses some of the products. She suggested that they offer those various items to those who are extremely sick with serious medical conditions. She felt having local access was valuable and important to the community. She stated that, while she does not smoke pot, she believes in this medicine which has very few side effects and it was not about getting high but about feeling well.

Cheryl King, Pacifica, stated that she was asked to come and speak. She stated that, while her home is in Pacifica, she has worked in East Palo Alto. She stated that she was a psychotherapy intern and worked as a mental health case manager in East Palo Alto for ten years. She stated that East Palo Alto does not allow any marijuana dispensaries, and those who need medical cannabis must get it on the streets from disreputable drug dealers and gang members. She stated that she works with the physically frail, with people with mental illness, as well as the San Quentin parolees with mental illness, medical issues and legal problems. She stated that some physicians are recommending medical cannabis, but the residents in EPA cannot legally buy any in the city. She stated that, of the two pain management centers in the area, Stanford allows opioids only for cancer patients, telling all others to try over-the-counter meds such as Tylenol and Advil. She stated that scientists have proven that Tylenol provides no relief for arthritis and Advil can cause strokes and heart attacks. She stated that many clients in East Palo Alto turn to gang members and street dealers to get the relief that cannabis can offer, and they lace the cannabis with meth to get them addicted. She stated that they also provide cannabis on credit and strong arm customers for money. She stated that a street dealer broke a Telecare client's shoulder because he did not make a payment on time. She stated that she works for Telecare Behavioral Health and she personally has osteoarthritis of the hip, with both hips replaced, and she has rheumatoid arthritis of the hands and mechanical arthritis of the fingers. She stated that this was caused by typing progress notes and driving her car all day, working with the individuals who are ill. She stated that she cannot use a mind altering version of cannabis as she must be very alert when dealing with certain individuals in East Palo Alto's

community. She stated that Telecare's physically fragile population, including women and seniors, should have safe access to the benefits of legal cannabis in East Palo Alto. She asked that they be compassionate in dealing with the needs of Pacificans, and her goal was to become a life coach in Pacifica.

Pilar Rodriguez, Half Moon Bay, stated that she was a patent paralegal and the past year she went on disability having been diagnosed with cancer. She stated that she was a recreational marijuana user for many years, since the 70s when it was illegal. She stated that for the past year she has counted on medical marijuana for relief. She stated that Emerald Fog was one of the main reasons that she was able to fight the disease with the aggressive treatment she received. She stated that she lives in La Honda and no one gets delivery there but every neighbor probably grows it. She stated that it was not the same quality as what Emerald Fog provided her. She stated that all her doctors know that she chooses medical marijuana over pharmaceutical drugs which gave her symptoms that were hard to live with, but medical marijuana has provided her so much relief and everyone in Emerald Fog has been like a family to her. She expressed all the positive aspects of using medical marijuana in terms of preventing depression and pain caused by chemotherapy and radiation. She counts on Emerald Fog.

Brett Chapman, Pacifica, stated that he was a resident of Pacifica for almost 40 years. He believes that cannabis should be licensed, regulated and taxed in Pacifica. He thought a ban on cannabis would prevent the city from benefitting from a lucrative market. He stated that medical dispensaries in a small town had a lot of potential for resources associated with tax revenue. He thought the money could be used for schools, roads and other public services. He was positive that there was a need for competition in the marketplace, stating that patients need access to inexpensive, affordable medicine approved by the state legislation. He stated that there were more than three dispensaries operating in Pacifica, adding that the medicine provides relief for many medical conditions without the need for dangerous pharmaceuticals. He stated that, on going to pubmed.com, they will see 28,000 archives on the study of cannabis. He stated that dispensaries are heavily regulated and require ID. He stated that, on looking at the Colorado model, they were concerned that under age users would get easier access and recreational usage would increase, but none of that ended up materializing. He stated that what did materialize was a lot of tax revenue. He stated that in neighboring regions that allow cannabis dispensaries, crime has gone down and cleanliness has gone up due to dispensaries tidying up the surrounding neighborhood. He concluded that cannabis was beneficial to the community and people's health and placement of dispensaries within the city limits makes easier access for people, instead of driving to San Francisco or Oakland for medicine and he thought there should be a licensing fee and cannabis should be taxed and regulated.

Brad Dean, Half Moon Bay, stated that he has had two back surgeries. He stated that there was a lot of money in the business, revenue, etc. He was speaking on the altruistic effects he has had with Emerald Fog. He stated that he gets a sting on the back of his legs from two back surgeries, and the products they carry allow him to use topicals that aren't available. He stated that a primary lawyer for Normal stated that this company had a topical that was used primarily for menstrual cramps and they want to get to the point where it doesn't show any THC in the body but will relieve pain in 15 seconds. He stated that these happen when you step outside the box. He stated that the big pharms are not going to give these things to patient's who need this. He mentioned that his mother has dumping syndrome and he has an intense desire for them to develop the product, even if it was a loss to them. He stated that this was a delivery service. If they deliver a pizza, they get maybe a thanks, but they were altruistic and care about their patients and go into their medical needs, and are over the board as far as their knowledge,

but they have a lot of members and great reviews. He stated that their list shows only three vendors and these are the guys to go to the playoff because they care about the person. He stated that, if they go through ten vendors, they should give these guys a shot as they have spent two years doing a good job for the average person.

Anthony Williams, Pacifica, stated that he and his wife moved to Pacifica eight years ago. They own a vintage store in Rockaway. He stated that they have owned several other businesses such as restaurants and a production company in San Francisco. He stated that his primary background has been in corporate America in technology. He stated he worked for over 20 years in helping tech companies to increase revenue by securing accounts over \$1 million. He stated that his purpose was to see them see this opportunity to bring revenue to Pacifica. He stated that the city needs the funds, and he didn't think there were any other things on the ballot that mentioned bringing in additional revenue outside of the library and the quarry, which didn't pass. He stated that this was an excellent opportunity for needed money. He stated that they can all talk about the great needs of marijuana in the community, adding that he was epileptic and uses marijuana every day. He encouraged the city, stating that it comes down to taking time to look at this opportunity and something that has already been in place. He stated that the three businesses operating in Pacifica have been here for years without any problems, and he felt that it says the businesses have been managed well and they can be productive people in the community. He stated that this was an opportunity to get tax revenue.

Eliot Durham, Pacifica, stated that he was only 26 years old and never had much of an appetite and at 18 he was recommended to get a prescription and try it. He was then able to gain weight and was now an avid kayaker and fisherman. He felt this has helped him. He stated that, in December 2015, he was hit by a car and broke his shoulder, fractured his neck and multiple bones in his face. He used to walk to a dispensary but he could barely go to the bathroom then, and he was lucky to find Emerald Fog who were able to bring him medicine. He stated that they were compassionate and helped him in a way no one else was about to help. He stated that there was no other alternative. He stated that coastside patients' only other option will be to spend their money somewhere else. He felt Pacifica could benefit.

Dan Stegink, Pacifica, stated that, for anyone not registered to vote, they can register on line. He stated that Prop. 34 was approved by 56% of the state, 63% of San Mateo County and 67% of Pacificans. He stated that was a lot of money they are losing. He stated that this was a revenue stream Pacifica needs to allow and tax. He stated that, since they tax hotels at 12%, he suggest that they tax marijuana services across the board. He stated that they should allow cultivation at 12% as well as dispensaries. He stated that it wasn't clear if they can tax medical but Placentia, California, was taxing it. He stated that it was easy money for Pacifica and he suggested that Pacifica put a general obligation bond on the ballot as soon as possible to tax it. He felt these were businesses they were losing on revenue now as they don't exist on the balance sheet and he suggested they tax it and make money for Pacifica.

Yvonne Duncan, Pacifica, stated that she started very young as an addict and marijuana dealer and spent a lot of her time locked up in jails and institutions because of selling marijuana. She stated that, if it weren't for medical marijuana, she would probably have spent the rest of her life in prison because she had to go to the street and hang out with gangs and thugs and rotten people to access her medicine. She stated that she is now a full time employee in Pacifica and lives a good life. She pays her taxes and was more than willing to pay more taxes through purchasing her marijuana. She believes the taxes would help rebuild the roads, better computers in schools, etc. She stated that, without Emerald Fog, they would have no access,

and she described the very professional approach. She asked that Council be open-minded and understand that they want to feel good and be healthy without big drugs.

Gail Brown-McDonald, Pacifica, stated that she was 63 and a CPA. She stated that she had knee replacement surgery. Before that, she had pain and her medical prescription no longer worked. Her choice was to go to the opioids and she refused. She approached marijuana skeptically and hadn't used it since the 1970s. She didn't think it would work, but it saved her sanity before her operation and now she uses it for arthritis. She agreed with the other speakers who say to regulate it, tax it and make it available. She stated she will get her medicine and, if she gets it in San Francisco, Pacifica will lose the tax base. She stated that she doesn't smoke it, and when they talk about not allowing edibles, they were cutting her off. She stated that she doesn't smoke it because she doesn't want to cough, but she wants her medicine. She asked them to be open minded and not over regulate.

Zachary Vigil, Pacifica, asked, if they don't allow marijuana businesses to operate in Pacifica, whether they support the fact that many residents will be forced to go out of town to get medicine that helps them in their day to day life. He stated that many of them may not be able to make trips out of town and that will put them in a situation where they are without their medicine daily and may face serious health issues depending on their conditions. He stated that he has several family members who suffer from disabilities and use marijuana as medication and depend on in town dispensaries and would be put in an unfortunate situation if they choose to not allow them. He asked that they think for themselves as well as others and he hoped they make the proper decision.

Tina Palmer, San Bruno, stated that she was so grateful that marijuana has become legal because it was the only thing she can take that helps with her anxiety and depression. She was on prescription medicine from her regular doctor but there were days when her anxiety was so overwhelming that the only thing that helped was marijuana. She searched and was frustrated trying to find a dispensary that treated her like a patient. She stated that Joe came along and she was surprised at how open, friendly and knowledgeable they were. She stated that, when she didn't have money for it, he said to catch him the next time. She stated that there were times when her anxiety was so bad she couldn't go outside. She was grateful there was a dispensary. She has visited the one in Rockaway and, when she was in a good mood, she came with her dogs, picked up her medication and hang out at the beach. She feels so comfortable with a dispensary that knows what they are doing and what she was talking about and treats them like a human being. She stated that she has gone to other places and stopped because of how they handled it. She felt regulation works because they will find someone like Emerald Fog and pick out all the bad parts and keep the good. She stated that Emerald Fog and the one in Rockaway were of the highest quality dispensaries ever. She asked that they consider keeping them and looking into having dispensaries as they are tax revenues. She stated she didn't mind spending her money in another city if it was for a great product and company.

Tygerjas Bigstyk, Pacifica, stated that he had a conversation with a friend who decided, against better judgment, that he wanted to get off his Xanax cold turkey after two years of usage, and to take the edge off as he went through the process that he knew would be painful, he was allowing himself marijuana usage. He added that it was not harming the process and helping him as he was going through the pain. He has another friend who, prior to marijuana usage, was a fervent user of tobacco and alcohol. He stated that, to the extent that he had COPD and still smoking cigarettes, through his usage of marijuana he was able to get himself off his alcoholism and tobacco. He stated that, with COPD, you don't want to make the lung

problem worse and edibles came in handy. He stated that, as he hears about people with pain such as back surgery, he thought delivery was a no brainer. He stated that, after seeing so many signs this past election cycle about fixing the roads, he thought this was an ideal opportunity to have a good tax stream coming through Pacifica. He stated that one of the decisions was whether to have public input, and he thought it was a no brainer as the public should have input. He loves Pacifica and the Councils because they were receptive to the public and act in the public's interest and in alignment with what they were trying to accomplish. He stated that people should be allowed to cultivate as they can as some don't want to work with false lights and pesticides but grow it outdoors for medical usage. He stated that he grew up with a lot of recreational marijuana usage, and some people you depend on to save lives every day, they go home and get stoned to deal with the stress. He stated that the difference between his smoking in high school was the education of his parents, and he went to a top university. He stated that it was good to see a time when people can come out of the shadows and be human.

Mayor O'Neill closed public comments.

Mayor O'Neill stated that, before they did each question one at a time, responding with their comments, and he asked if that was agreeable to everyone.

Councilmember Martin asked confirmation that they weren't making decisions.

Chief Steidle stated that they were just giving guidance to staff. He asked if Council wanted to allow medical marijuana distribution businesses storefront to operate in Pacifica.

All councilmembers responded affirmatively.

Police Chief Steidle asked if Council desired to allow non-medical marijuana distribution businesses storefront to operate in Pacifica.

All councilmembers responded affirmatively, adding with taxes.

Police Chief Steidle O'Neill thought it would also be with some restrictions with more discussion about that, adding that he didn't have a problem with it. He asked Council if they desired to allow commercial marijuana cultivation to occur in Pacifica. He asked confirmation that this was outside, as he thought they were told that inside could not be stopped.

Police Chief Steidle clarified that he was correct, but they were talking about commercial cultivation, not personal cultivation. He stated that they cannot prohibit personal cultivation indoors, but can prohibit personal cultivation outdoors. He stated that they are talking about commercial, with businesses coming and having cultivation, either inside or outside.

Mayor O'Neill thought it meant if the greenhouses on Linda Mar went to marijuana.

Police Chief Steidle responded affirmatively.

Councilmember Digre asked if zoning was involved in this.

Councilmember Martin stated that she needed more information.

Mayor O'Neill stated that it was like agricultural, and they have parts of Pacifica that are zoned agricultural, such as Linda Mar School, Pilar Fire Church, and he thought there were others. He thought they needed more clarification on it. He asked if that was the consensus.

All councilmembers responded affirmatively.

City Manager Tinfow asked if they be specific on information they would like.

Councilmember Martin thought someone can grow it in their back yard if there was more than six.

Police Chief Steidle stated that they could not.

Councilmember Martin asked if they could grow less than six outside.

Police Chief Steidle stated they could if Council does not prohibit it.

Councilmember Martin thought that was why they needed to study it a little bit more in terms of the different variations of what outside means.

Mayor pro Tem Keener stated that this was large operations and would probably be in greenhouses in Pacifica.

Asst. City Attorney Doherty added clarification that Prop. 64 sets forth 20 different state licenses that can be issued. She stated that, of those, more than half were cultivation related. Those licenses vary in outdoor small groves to outdoor large groves, indoor small groves to indoor large groves. She stated that staff needs to do research on which were feasible, given Pacifica's existing zoning regulations. She thought staff would like direction on whether Council wanted to pursue any of those potential cultivation licenses.

Mayor O'Neill stated that he personally would want some restrictions such as zoning and locations, as well as size. He thought it could become an enforcement problem.

Mayor pro Tem Keener stated that he was leaning toward no. He stated that Half Moon Bay, with all their greenhouse infrastructure, was the obvious place for that.

Councilmember Digre asked if they were going into those specifics.

Mayor pro Tem Keener stated that they just want general guidance for cultivation.

Councilmember Digre stated that it was somewhat new to her, and she would like to know more details. She stated that she has heard from the public that there was a component of regulation, such as what they are talking about and how it can be regulated.

Mayor O'Neill stated that they were talking about commercial cultivation.

Councilmember Digre stated she was also talking about commercial also.

Councilmember Vaterlaus thought cultivation can cause a lot of issues, enforcement wise, such as burglaries, and she was leaning towards no, but she would like information on what small and large cultivation is.

City Manager Tinfow asked if she was hearing maybe and bring it back after more research.

Councilmember Martin stated that she didn't say yes or no. She asked what role the Planning Commission played on that piece.

Planning Director Wehrmeister stated that they would be involved regarding any zoning regulations adopted related to commercial marijuana growing, such as location and distance from sensitive uses, etc.

Councilmember Digre asked where a study session and public input would come in, adding that she didn't want to put the cart before the horse.

Mayor O'Neill asked if that was one of the items they wanted to discuss on how to get more public input.

Police Chief Steidle responded affirmatively.

City Manager Tinfow also responded affirmatively.

Mayor O'Neill stated that it was a little bit down the road.

Councilmember Digre asked if that would involve all of this.

Mayor O'Neill agreed, but added that they were giving guidance on what they wanted staff to come back with, so they have an idea where to go.

City Manager Tinfow stated that it was helpful for the items they don't want to consider as they can then prepare the ordinance. On the things they want to consider, they need to spend more time on that. She stated that they have no idea how the community and Council feels about these items, which was why it was rudimentary.

Councilmember Martin thought there was some information on the cultivation piece from the city which indicated some interest and was divided.

Mayor pro Tem Keener thought it was for personal six plants.

Councilmember Martin asked if that was not for commercial.

Mayor pro Tem Keener didn't think so.

Councilmember Martin thought it was worth getting more information. She thought they could all think about what part of the commercial piece they want to think about and communicate that.

Police Chief Steidle thought they were all over on that one. He asked if Council desired to prohibit personal cultivation of marijuana outdoors, adding that indoor cultivation of six plants or less cannot be prohibited. He stated that someone called saying that their neighbor's entire yard is marijuana and were quite upset about cars driving up and problems they have had.

Councilmember Digre stated that, if it was regulated the way she understands the volumes read, that would not be allowed.

Mayor O'Neill asked if a whole Linda Mar rancher had marijuana on it.

Councilmember Digre stated that you would not be allowed to have that.

Mayor O'Neill stated that they could if Council allowed it.

Councilmember Vaterlaus stated that Council makes the determination if they can grow it outdoors, adding that you can't regulate it if they grow six plants indoors.

Councilmember Digre thought that was a plus to regulate.

Asst. City Attorney Doherty stated that the city may allow personal cultivation of six plants or less outdoors, but they may not prohibit personal cultivation of six plants or less indoors.

Councilmember Digre stated that it was six plants outdoors, not a whole yard.

Asst. City Attorney Doherty agreed, stating that there was a bit of ambiguity in Prop. 64 and a complete analysis has not been done. It was unclear whether a city may permit in excess of six plants based on medical marijuana laws. They know that, under Prop. 64, no more than six plants may be permitted for non-medical personal cultivation.

Mayor pro Tem Keener stated that he favored permitting personal cultivation outdoors, and he would put it on the yes list.

Mayor O'Neill wanted more information as to how they could regulate it, such as a specified amount of complaints from neighbors.

Councilmember Vaterlaus asked what a plant was, indicating how big a plant could be. She thought they may need to regulate size.

Asst. City Attorney Doherty stated that they cannot regulate size.

Councilmember Vaterlaus asked if they can just regulate a number or outdoors or indoors.

Asst. City Attorney Doherty stated that it was in terms of six plants or less.

Police Chief Steidle stated that they were just trying to grapple with something that was pretty big and they were asking questions. He asked if they chimed in on No. 4. He asked if Council desired to allow marijuana delivery services to operate in Pacifica.

All councilmembers responded affirmatively.

Police Chief Steidle asked if Council desired to engage in public outreach regarding allowing or disallowing marijuana businesses in Pacifica, adding what form they want to take.

City Manager Tinfow stated that they put forth the idea of using City Hall Listens because it allows those sitting at home to have an opinion. She stated that would be an easy thing to do.

She stated that a study session was another mechanism they could request, and they could set that up to allow a less formal way of discussing marijuana.

Mayor O'Neill asked if they would be open to the idea they did on sea level rise.

Councilmember Digre responded affirmatively to a public forum.

Councilmember Vaterlaus stated that she agreed with City Hall Listens as well as the study session.

Mayor pro Tem Keener thought City Hall Listens was appropriate in this case, adding that they have had a lot of input at this meeting.

City Manager Tinfow agreed that they have.

Mayor pro Tem Keener stated that almost all of it has been of one sort, people using medical marijuana with various testimonies about how wonderful it is. He thought they would get more of the same in a study session or any session where they consider what they are going to do.

Mayor O'Neill thought, if they had it like the sea level rise forum or a study session, they would get specifics to some of the other questions, such as limiting outdoor or indoor, and get specifics to tailor it.

Councilmember Digre thought in a public forum, if advertised correctly, they would get a conversation from people all over the city and they get face to face and talk things out. She stated that the media options are single persons sending information. She wasn't against it, but she didn't think it was holistic enough.

City Manager Tinfow stated that they would probably hear them tell them that multiple ways of getting information was the best. She stated that they have heard about the voting results and testimony and they have talked to people they know. She stated that they might want to set up the study session differently. She stated that the sea level rise forum was staff intensive, adding that during the winter staff resources are different. She stated that setting up a special time that they have done on a lot of other topics to focus only on this item and hear from the public would be easy to do. If interested, they can schedule that.

All councilmembers responded affirmatively.

Mayor O'Neill asked how Council would like to proceed related to the three marijuana businesses in the city which were currently operating.

Councilmember Digre thought that was a tough one, adding that she would want to know specifics. She stated that, in a way, they were condoning not abiding by the law and she didn't want to set that precedent. She felt they needed to tread very thoroughly on this and individualize each business and scrutinize them. She stated that when you let people do things, you are encouraging it, and she thought they need to take fault for that.

Mayor O'Neill asked Police Chief Steidle if the reason they didn't have a business license was that our present municipal code does not allow it. He asked if he said they were illegal.

Police Chief Steidle stated that it was because they have permissive zoning.

Mayor O'Neill asked if it was a "don't ask, don't tell" type of thing.

Police Chief Steidle stated that, if he was asking in terms of allowing them to continue operating, the answer was yes in slang terms.

Mayor O'Neill stated that he has no problem with them operating since they have not encountered any police problems or neighbor problems or big complaints.

Police Chief Steidle stated that he was correct.

Mayor O'Neill added that he would like to put them under some mantle where they have some regulation and at least business licenses. He would like to let them continue operating but look at some regulations and how they can deal with that.

Councilmember Vaterlaus stated that other points are how many, how close to schools, etc.

Mayor O'Neill stated that they were talking about only the existing three.

Councilmember Vaterlaus stated that, if you let those, you have to open to everybody else.

City Manager Tinfow stated that you allow them to continue to operate until they have the ordinance and standards in place and then make sure that they comply with the standards as set down.

Mayor O'Neill felt they could have a grace period. He stated that, if they pass it, then they get 30 or 60 day to come into compliance.

Councilmember Martin agreed, but one thing she heard was that there were more than three that they don't know about. She didn't know if that was true or not. She had that suspicion before coming to the meeting, and she didn't know how to approach it. She thought they might need to limit it, and if they do a grace period, they have to allow them the band width to be able to have a license which means that the city has to allow that under some naming convention. She didn't understand all of it, but right now one was operating as a wellness center. She understood that two of them had their state licensing and county and she thought that should count for something. She thought they were in some compliance. She would go with option B and let them operate until they can get a better understanding about what the community wants.

Councilmember Digre thought one was denied a license and she asked if that was followed through as to why that was. She asked how significant it was that they were denied.

Police Chief Steidle stated that, if she was talking about the one in 2011, that came before the Council after they appealed the denial of the business license which was denied because of the permissive zoning.

Councilmember Digre asked if that was still here or gone.

Police Chief Steidle thought it was still here.

Mayor O'Neill stated that he went to mail order.

Mayor pro Tem Keener thought there was one potential business that has applied for a license, found out that there wasn't any city license and was sort of treading water waiting to see what Council will do.

Councilmember Martin thought they were told that there was no way for them to get a license here and it sounds like they are trying to be legal.

Mayor pro Tem Keener stated that, eventually they have to either make it legal for the existing businesses to get a license or outlaw them. He stated that they have to do it by January 1, 2018.

Mayor O'Neill asked if staff had the guidance they wanted.

City Manager Tinfow believed they have.

Mayor pro Tem Keener stated that one more thing was tax, which was mentioned.

City Manager Tinfow stated that they will bring back some more information to get specific direction from Council. She stated that it was helpful that they were interested in a tax.

Councilmember Digre stated that they said they couldn't talk about banks and cash, but she asked if that was relevant. She stated that businesses were going to make money and one said they did credit cards but she thought they weren't allowed to do credit cards. She asked how the transaction of business was supposed to go and she asked what she was missing.

City Manager Tinfow thought they will be getting some information. She stated that they learned that the firm the city contracts with for sales tax information analysis was going in this direction in terms of consulting services, and they have an avenue to get more information about this. She stated that, in a preliminary phone call, they shared that there are some credit unions that are starting to consider handling the money and there may be some other openings they learn about that may be a mechanism to handle this.

Mayor O'Neill mentioned buying private insurance and they wouldn't have the provision, stating that he can think of two now.

Councilmember Digre stated that they were talking about taking taxes, but if they are only able to have cash, she thought they better have some way of dealing with that. She stated that they talked about testing products, and she thought they would all agree that they would want to make sure products were tested well.

Mayor pro Tem Keener thought they should leave that to the state.

Mayor O'Neill agreed that the state will test. He was concerned that they said they would end at 12:00 and they have one more item on the agenda. As they will be coming back at another time, he asked if they can table the rest of the discussions on this items.

RESULT:	NO VOTE REQUIRED
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7. 2017 City Council Liaison and Committee Assignments
PROPOSED ACTION: Move to amend the 2017 City Council Liaison and Committee Assignments List to include the Pacifica Beach Coalition and select related primary and alternate representatives. Move to select an alternate for the Emergency Services

Council of San Mateo County.

City Clerk O'Connell stated that, at the January 9 Council meeting, revisions were made to the draft 2017 City Council liaison and committee assignments. She stated that Councilmember Martin requested that Council discuss the idea of having an official relationship with the Pacifica Beach Coalition. She stated that Council receives reports from the Pacifica Beach Coalition and they have a working relationship with the city and Public Works department. She stated that the Emergency Services Council of San Mateo that was on the list did not receive an alternate at that meeting.

City Clerk O'Connell stated that group requires an alternate and she asked if they could make that determination at this time.

Mayor pro Tem Keener stated that, on the lifesaving one, Councilmember Digre was the primary and he was the alternate and he thought they should switch those because it was on Wednesday night when she has the OSPAC.

City Clerk O'Connell asked if he could say which committee it was.

Mayor pro Tem Keener stated it was Emergency Services, SMC JPA Advanced Life Support.

Councilmember Digre thought it was quarterly.

City Clerk O'Connell concluded that he will be the main and Councilmember Digre will be the alternate.

Mayor pro Tem Keener stated that they would just trade.

City Clerk O'Connell stated that they also need an alternate to the San Mateo County Emergency Services Council.

Councilmember Martin asked which night that was.

Councilmember Digre stated that it was Thursdays, usually at 5:30.

Councilmember Martin asked which Thursday.

Councilmember Digre stated that it was at the County Courthouse.

Councilmember Martin asked if it was quarterly or monthly.

City Clerk O'Connell thought it was three times a year.

Mayor O'Neill stated that they met in Redwood City.

Councilmember Digre stated that it starts at 5:30.

Councilmember Vaterlaus stated that she can be the alternate for that.

Councilmember Martin moved to amend the 2017 City Council liaison committee assignment list to include the Pacific Beach Coalition, select related primary and alternative representatives as her for the primary and Mayor pro Tem Keener for the alternate, and select Councilmember Vaterlaus for the alternate for the Emergency Services Council, SMC; seconded by Mayor pro Tem Keener.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Deirdre Martin, Councilmember
SECONDER:	John Keener, Mayor Pro Tem
AYES:	O'Neill, Keener, Digre, Martin, Vaterlaus

ADJOURN

Mayor O'Neill adjourned the meeting at 12:00 a.m. in honor of Elizabeth DeJarnatt.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 5-0; 2/13/17

Mike O'Neill, Mayor