



**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 Sue Vaterlaus  
Councilmember Deirdre Martin

**August 14, 2017 (MONDAY)**

**[www.cityofpacifica.org](http://www.cityofpacifica.org)**

Mayor Mike O'Neill called the meeting to order on August 14, 2017 at 7:11 PM

**5:30 PM CLOSED SESSION**

Mayor O'Neill called the meeting to order at 5:30 p.m., stating that all councilmembers were present and announced that the Council would meet in Closed Session. City Attorney Kenyon announced the business to be discussed.

1. PURSUANT TO GOVERNMENT CODE SECTION 54956.8 Conference with Real Property Negotiator. Discussion Concerns Price and Terms of Payment. Agency Negotiator: Keith Breskin, Interim City Manager; Tina Wehrmeister, Planning Director. Property: A Portion of 540 Crespi Drive, Pacifica, CA APN 022-162-420. City of Pacifica and Brendan Murphy.

2. PURSUANT TO GOVERNMENT CODE SECTION 54956.8 Conference with Real Property Negotiators. Property: 2212 Beach Blvd., Pacifica, CA Agency Negotiator: Keith Breskin, Interim City Manager; Michelle Marchetta Kenyon, City Attorney; Pat O'Keeffe, Consultant; Tina Wehrmeister, Planning Director. Negotiating Parties: City of Pacifica and Friend Development Group LLC, a Delaware Limited Liability Company. Under Negotiation: Instruction to Negotiators Regarding Price and Terms of Payment.

**7:00 PM OPEN SESSION**

Call to Order

Mayor O'Neill reconvened the meeting at 7:11 p.m.

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

Staff Present: Keith Breskin, Interim City Manager; Michelle Kenyon, City Attorney; Lorenzo Hines, Asst. City Manager; Van Ocampo, Public Works Director; Tina Wehrmeister, Planning Director; Christian Murdock, Assoc. Planner; Bonny O'Connor, Asst. Planner; Joe Spanheimer,

Police Captain; Luis Sun, Dep. Dir. WWTP; Mike Cully, Bldg. Official; Kathy O'Connell, City Clerk.

Salute to the Flag led by Councilmember Vaterlaus

Closed Session Report

City Attorney Kenyon stated that there was no reportable action.

## **SPECIAL PRESENTATIONS**

### **CONSENT CALENDAR**

Councilmember Vaterlaus stated that she would like to remove Item #4 from the consent calendar.

Mayor pro Tem Keener stated that he wanted to ask a few questions on Items #9 and #10.

Mayor O'Neill asked if they were lengthy questions or quick ones.

Mayor pro Tem Keener stated that they were real quick.

Mayor O'Neill stated that he can ask the questions and then they can do the public comments.

Mayor pro Tem Keener stated that, on Item #9, regarding the \$482,000 for construction work, that it was to replace pipes for wastewater.

PW Dir. Ocampo responded affirmatively.

Mayor pro Tem Keener stated that there were items for various pipe sizes.

PW Dir. Ocampo stated that the 30-inch pipes were those near the Linda Mar Pump Station.

Mayor pro Tem Keener asked when they became aware they needed to replace the pipes.

PW Dir. Ocampo stated that it was in the spring of 2016.

Mayor pro Tem Keener asked if the pipes around the Linda Mar Pump Station were on the side where the sewage comes from Linda Mar to the pump station or on the side that it was pumped to the wastewater treatment plant.

PW Dir. Ocampo stated that it was coming in from the Pedro Point area.

Mayor pro Tem Keener thanked him for the information. He then referred to Item #10, stating it was the power system generator for the Davis Lift Station.

PW Dir. Ocampo stated that it used to be the Brighton Pump Station.

Mayor pro Tem Keener read from the report on the project exclusions regarding the new generator being able to fit through the entry door which has not been confirmed, and they were assuming it will. He asked if it has been confirmed that it will fit through the door or if it was a major concern.

PW Dir. Ocampo stated that there will be modifications to the vents and the installer will be doing that as part of the work.

Mayor pro Tem Keener stated that he didn't follow that.

PW Dir. Ocampo stated that the company that will install the generator will have to make modifications to the door vents as part of their project.

Mayor pro Tem Keener assumed they were vents in the door.

PW Dir. Ocampo responded affirmatively.

Mayor pro Tem Keener thought either Dir. Ocampo or the contractor must have measured whether it will fit through the door.

PW Dir. Ocampo stated that it was just confirmed by Dep. Dir. Sun that it will fit.

Mayor pro Tem Keener stated that he was satisfied.

Councilmember Digre stated that she wanted to adjourn in honor of Thom Ball, former librarian, who passed away.

Mayor O'Neill acknowledged the request and stated that he needed a motion for the consent calendar minus Item #4.

#### Item #4

Councilmember Vaterlaus stated that, since she voted no for No. 4 in the regular meeting, she pulled it off. She stated it was redundant and counter to the state laws and she didn't think it was right so she pulled it off so she could vote no.

Mayor pro Tem Keener moved to adopt the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending the Title of Chapter 8 of Title 2 Regarding Elections and Adding Section 2-8.05 to Chapter 8 of Title 2 of the Pacifica Municipal Code Regarding Publication and Reporting of Campaign Contributions and Independent Expenditure Information"; seconded by Councilmember Martin.

4-1

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

1. Approval of Disbursements for 06/15/17 through 07/15/17.  
**PROPOSED ACTION:** Move to approve attached list of disbursements for 06/15/17 through 07/15/17.
2. Approval of Minutes

**PROPOSED ACTION:** Move to approve the minutes of the regular meeting held on July 24, 2017

3. Proclamation Confirming Existence of Local Emergency of the Pacifica Coastline from Westline Drive to the End of Beach Boulevard.  
**PROPOSED ACTION:** Accept current photos as of August 1, 2017 (Attachment 2) and move to continue proclamation confirming the existence of local emergency.
4. Adoption of an Ordinance Amending the Title of Chapter 8 of Title 2 Regarding Elections and Adding Section 2-8.05 to Chapter 8 of Title 2 of the Pacifica Municipal Code Regarding Publication and Reporting of Campaign Contributions and Independent Expenditure Information (Second Reading)  
**PROPOSED ACTION:** Move to adopt the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending the Title of Chapter 8 of Title 2 Regarding Elections and Adding Section 2-8.05 to Chapter 8 of Title 2 of the Pacifica Municipal Code Regarding Publication and Reporting of Campaign Contributions and Independent Expenditure Information"
5. Repeal and Rescind Ordinance No. 814 Following Referendum Petition (Second Reading)  
**PROPOSED ACTION:** Move to adopt the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Repealing and Rescinding Ordinance No. 814 An Interim Ordinance of the City Council of the City of Pacifica Establishing a Temporary Moratorium on Certain Residential Rent Increases in the City of Pacifica and Requiring Just Cause for Tenant Evictions Within the City"
6. Resolution of the City Council of the City of Pacifica Authorizing Staff to Negotiate and Execute a Contract with the County of San Mateo Human Services Agency to Provide Out-Of-School STEM Hands-On Learning for Elementary/Middle School Youth (Award of Funding in the Amount of \$34,976).  
**PROPOSED ACTION:** Move to approve a "Resolution of the City Council of the City of Pacifica authorizing staff to negotiate and execute a contract with the County of San Mateo Human Services Agency to provide Out-of-School STEM Hands-on Learning for Elementary/Middle School Youth."
7. Approval of Contracts with San Mateo County Office of Education for the Purpose of Providing State Preschool Classes for Fiscal Year 2017-2018 in the Amount of \$279,023.  
**PROPOSED ACTION:** Adopt the Resolution entitled "A Resolution of the City Council of the City of Pacifica Approving Agreement to This Transaction with the San Mateo County Superintendent of Schools for the Purpose of Providing Child Care and Development Services, Authorize the Designated Personnel to Sign Contract Documents and amendments for Fiscal Year 2017/18" and authorize staff to pursue future one-time only funds, State funds, QIRS Quality Improvement Grants or County support if they become available.
8. Approval of Job Description for Senior Planner  
**PROPOSED ACTION:** Move to adopt Resolution revising the job description for Senior

Planner

9. Award of Construction Contract to C2R Engineering, Inc. for the Collections System Project FY 2016-2017 C005D  
**PROPOSED ACTION:** Move to Award Construction Contract to C2R Engineering, Inc. (Attachment 1) for The Collections System Project FY 2016-2017 C005D in the amount of \$482,820; and Authorize the City Manager to execute all documents associated with the project
  
10. Approval of Purchase Order with Bay City Electric Works for an 80 KW Kohler Power System Generator Model: 80REZGD 208--600V and Transfer Switch, and Approval of Agreement Between the City of Pacifica and Calcon Systems, Inc. for the Installation of the 80 KW Kohler Power System Generator at the David Davis Lift Station  
**PROPOSED ACTION:** Move to approve the Purchase Order with Bay City Electric Works, in the Amount of \$24,694 (plus tax), for the supply of an 80 KW Kohler Power System Generator and Transfer Switch (Attachment 1); Approve the Agreement Between the City of Pacifica and Calcon Systems, Inc. for the Installation of the Generator in the amount of \$44,485 (plus contingency), at the David Davis Lift Station (Attachment 2); and authorize the City Manager to execute all documents associated with the project.
  
11. Second Amendment to Consultant Services Agreement for On-Call Planning and Related Services Between the City of Pacifica and Raney Planning & Management, Inc.  
**PROPOSED ACTION:** Approve a Second Amendment to the Agreement for Consultant Services between the City of Pacifica and Raney Planning & Management, Inc., to increase the contract budget by \$100,000 with the total contract amount not to exceed \$250,000 and, authorize the City Manager to execute the amendment.

### **ORAL COMMUNICATIONS**

**Dahlia Grabowski, Pacifica**, stated that she was a senior at Terra Nova and Wednesday will be her 16<sup>th</sup> anniversary with Pacifica. She stated that she has five dogs with her and her five siblings. She stated that they love taking them to the dog park. They were in school every day and do extra curricular activities and the easiest time to take them to the dog park on Saturdays and Sundays. She stated that the dog park is closed on Sunday. She thought working people share their concerns and she asked that they keep the dog park open that extra day a week. She also stated that she just passed her driving test and was driving around all day with her parents. She mentioned that she has heard from her parents and teachers, etc., about the condition of the roads but it wasn't until she drove down Linda Mar that she understood how back the roads are and she felt the roads need to be fixed. She stated that, when driving up Fassler, she sees police lights flash behind her. She stated that it was horrifying. She stated that it was coming from the speedometer on Fassler. She understood that they go off when people speed. She stated that it was horrifying at night and she asked if they could remove the police lights and keep the speedometer up, that would mean a lot to her. She stated that a lot of her friends who are new drivers feel the same about the lights.

**Tygarjas Bigstycck, Pacifica**, stated that, at the previous Council meeting, there were a few items on the agenda where the City Clerk has a lot more stuff to do. He was concerned as the night went on regarding someone having to work 50 hours a week for week after week, and it

takes a month where a month of work is not done. He thought about whether there was too much work for her to get done and they might need to hire a deputy city clerk or two, then thought about the cost to add staff. He thought about other ways to address it, and thought internships were an idea with political science majors in the local colleges. He thought it would also work well with other departments to provide non-paid internships and then they can move on to work in their fields.

**Anita Rees, Pacifica**, stated she had some updates regarding the Pacifica Resource Center. She stated that, through their Back to School program, they provided school supplies and backpacks to 154 youth. She thanked the Lion's Club for adding haircuts to their program for youth under 15 through Hair by the Sea. She also thanked the American Legion for providing space to do the backpack distribution as well as the volunteers who packed the backpacks. She thanked donors who gave them specific school supplies. She referred to their Palma-Palooza Event, thanking Recology of the Coast for their sponsorship to ensure that they have the garbage cans and how to throw away things for a waste zero event. She thanked the city for making the event possible, mentioning all the departments involved. She stated that they expected a sellout for the event and encouraged everyone to buy them. She thanked the Council for adjourning to honor Thom Ball, stating that he was a board member and would be missed. She stated that they are hiring and have a full time food program coordinator and a part time admin. person.

**Therese Dyer, Pacifica**, stated that she wanted to know how to stop false information from coming in our mail, mentioning the Fair Rents for Pacifica. She mentioned a person who was reporting on his high rent increases, and giving some general information as well as stating that he will have to leave the community. She stated that he mentioned supporting rent stabilization in Pacifica, which she thought most of us do, but she objected to his comment that this would be preserving the Pacifica community. She stated that, on June 16, she requested nine different government codes under the freedom of information act and she was told they didn't have them. She questioned how they can run a city without them. She stated that one employee on the first floor told her she could get them on line. She stated that a lot of seniors didn't have a computer or they weren't working. She stated that the employee could have gone on line and got them for her and she would have paid her 25 cents a page. She thought that person should be reprimanded. She stated that, if she doesn't get them in a week, she will file a complaint.

**Bridget Duffy, Pacifica**, stated that she had given them a book before, but she has edited it and now every time she comes to a meeting she will give them a book. She stated that this was what happened to artists when you put them under fluorescent lights, doing crazy things like writing books about democracy. She stated that it all started with the goal setting session. She stated that she also created a newsletter called "Eyes on Pacifica" which is her answer to coming to the meetings which is uncomfortable. She has decided to record what she sees at the meetings in the most objective way possible, adding that it wasn't that easy for her. She stated that she put one for each member and an extra copy for the office for the City Clerk who has to copy things. She stated that what was not on the agenda, and was mentioned at the previous meeting by Mayor pro Tem Keener, was that they don't know if the Tribune will be around by the time anyone has to declare how much they get from the real estate industry to run for office. Knowing this, she asked if it would be an amazing step for the city to claim eminent domain or purchase it and operate it as a publicly operated news source which a lot of cities are doing. She stated that it is a democracy and needs an engaged, informed electorate and a free press to see democracy restored in our city and country.

**Lynn Adams, Pacifica**, stated that, since 2014, the Pacifica Beach Coalition has recovered and recycled 333,000 cigarette butts, which is close to 500 pounds of filters and they were able to send them to Terra Cycle. She felt it was a major milestone that they don't have to send the butts into landfill where toxins accumulate. She stated that Terra Cycle takes out the toxins and creates products to sell to people. She stated that they were also hosting an educational event called whale town, dolphin city, mentioning that the previous year's event had about 450 people join them. She stated that they can't fit that many in the room and they were putting the event on Event Bright so they can sign up in advance and limit the attendance to 250. She mentioned that the date was August 25, with education booths and doors opened at 5:30. She stated that September 16 was going to be California Coastal Cleanup Day, and will be the biggest volunteer event in the world and coincides with International Coastal Cleanup Day, and they will be counting what they get so legislation can follow. She invited everyone to participate in a clean up at a beach, creek, street, parking lot, shopping center. She stated that they can get information at [pacificabeachcoalition.org](http://pacificabeachcoalition.org). She stated that they will follow that with a celebration at Linda Mar Beach in partnership with the Pacifica libraries for the popup library, which will include celebrating a new program called Rigid Plastic with pots to put cigarette butts in instead of on the ground. She stated that they were preparing for Fog Fest, with their theme and a parade, and also will have a booth for people to learn about dolphins, Beach Coalition, etc.

### **COUNCIL COMMUNICATIONS**

Mayor O'Neill stated that he had copies of infrastructure, habitat and species currently at risk, for councilmembers.

Councilmember Vaterlaus stated that she attended coffee with Kevin Mullin, two grand openings with Tripp Distillery and Curry and Kabobs. She felt it was great that we have more businesses coming to town. She attended the Council of Cities, mentioning an interesting discussion on fake news from one of the editors at the Chronicle. She also attended the Chili Cook-Off. She stated that the Library Advisory Committee continued discussing locations for the library and pros and cons of each location.

Councilmember Martin mentioned that Lynn Adams talking about whale town. She stated that she was recruiting for her dump site on Coastal Cleanup Day. She stated that, if anyone spots eyesores they want to sponsor, they will help them get volunteers. She was looking forward to Palma-Palooza, hoping to see people. She thought the Pedro Point Chili Cook-Off was amazing with record numbers. She stated that there was a lot of progress being made with the Library Advisory with an update for Council in September.

Mayor pro Tem Keener stated that he would like to agendize a sanctuary city ordinance at the next Council meeting on September 11.

Councilmember Martin asked if it was discussion or would there be an ordinance proposed.

Mayor pro Tem Keener stated that there will be an ordinance.

Councilmember Martin assumed that they will be considering it.

Mayor pro Tem Keener responded affirmatively.

Councilmember Digre stated that the Open Space meeting was the following Wednesday. She stated that she attended a Silicon Valley leadership conference on education. She thought it should be front page news and asked if they realized that there was a severe teacher shortage in every city. She stated that the top teachers missing were special ed, science and math. She stated that one of the moderators was a university physics teacher that he can only teach because four teachers live in one home. She encouraged people to ask who was in their classrooms, their qualifications and what the community will do about it. She stated that the airport information will be in Item #14.

Mayor O'Neill stated that they were all involved in interviews for commissions and they will be making appointments. She stated that they were also involved in city manager interviews. He stated that he was involved in the economic development committee meeting and all the councilmembers were at the Chili Cook-Off at Pedro Point, and there was chowder also. He stated that his son became an Eagle Scout and when Al Hale retired, he asked his son to take over. He added that it was also a barbecue to celebrate the 50<sup>th</sup> anniversary of the boy scout troop. He stated that St. Andrew Presbyterian was the sponsor at Terra Nova.

### **STAFF COMMUNICATIONS**

Interim City Manager stated that there was nothing to report.

### **PUBLIC HEARINGS**

12. Text Amendments TA-108-17 and TA-109-17, to Amend Various Sections of the Pacifica Municipal Code, to Establish Regulations and a Streamlined Permitting Process for Electric Vehicle Charging Spaces and Electric Vehicle Charging Stations.  
**PROPOSED ACTION:** 1) Move to introduce and waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending Article 28 of Chapter 4 (Off-Street Parking and Loading) of Title 9 of the Pacifica Municipal Code to Include Electric Vehicle Charging Station Regulations (Text Amendment TA-108-17)"; and 2) Move to introduce and waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Adding Section 8-7.04 To Chapter 7 (Green Building Code) of Title 8 of the Pacifica Municipal Code to Establish a Streamlined Permitting Process for Electric Vehicle Charging Stations (Text Amendment TA-109-17)."

Asst. Planner O'Connor presented the staff report. She concluded by stating that she was joined by Planning Director Wehrmeister and Bldg. Official Cully to help answer any questions.

Councilmember Vaterlaus asked how much a vehicle charging station cost.

Asst. Planner O'Connor stated that they range in price, but it was about \$1000 on the low end for a level 2 charger.

Councilmember Vaterlaus stated that she could see going to all electric cars in the future.

Mayor pro Tem Keener stated that he was interested in the design standards for private EV charging stations and asked if that would apply to those who bought an electric car and want to install a charging station in their garage.'

Asst. Planner O'Connor responded affirmatively.

Mayor pro Tem Keener asked what the standards were for private charging stations.

Asst. Planner O'Connor stated that they would be located in an area where the public would not be able to enter their property and use and a location does not create a visual nuisance to the neighbors, such as if placed on the exterior of the building, it would have to be placed on the side elevation rather than the front.

Mayor pro Tem Keener referred to information regarding homeowners with a charging station and making it available to anyone else via a phone app because there aren't enough public stations yet. He asked if that would impede that activity, adding that he thought if it was available to the homeowner, it would be available to others also.

Planning Director Wehrmeister thought, if it was an app to allow people to find a house where they can use their charging station for a fee, it would be considered a home-based business and would trigger the provisions in that code, but she didn't have the information memorized. She referred to the disruption to a neighborhood as the provisions that would be applicable.

Councilmember Martin assumed this applied to the malls and the hotels at Rockaway, and asked if the hotel had enough parking spots to accommodate that.

Asst. Planner O'Connor asked what hotel to which she was referring.

Councilmember Martin stated that the one on Francisco.

Planning Director Wehrmeister referred to any type of commercial operation that triggers the number of spaces needed.

Councilmember Martin thought they had a smaller amount of spots.

Planning Director Wehrmeister did not know how many parking spaces they have.

Mayor pro Tem Keener asked if the trigger was only on new construction.

Planning Director Wehrmeister thought it was hypothetical if it was new.

Councilmember Vaterlaus thought it would also refer to major alterations.

Councilmember Martin thought it depended on the definition of major alterations, but she asked if the old Denny's was covered with EV in the back.

Planning Director Wehrmeister stated that it was approved prior to this item going into place. She stated that she will discuss it with the City Attorney but she didn't believe they have the ability to retroactively place this requirement on them. She added that with Kimco being one of the city's largest shopping center owners is the stakeholder she reached out to for input on this ordinance. She stated that they have a favorable view of charging stations. She thought there was a possibility that they may voluntarily decide to put some in.

Councilmember Martin if there was any consideration given to the city's public lots.

Planning Director Wehrmeister stated that it was applicable to municipal lots under the same circumstances of new construction or major alteration.

Mayor O'Neill asked if there was a standardized plug in electric vehicles, with all the different vehicles having the same plug.

Bldg. Official Cully stated that there was a standard by U-all and there is a similar charging pistol for each of the types with the exception of Tesla which has a different style, so there are two on the market. He stated that they were getting it corralled in that direction.

Mayor O'Neill stated that he didn't want to put in something no one will be able to use later. He confirmed that he was for the ordinance, but he doesn't want to put a bunch of white elephants.

Asst. Planner O'Connor stated that the charges can come with multiple plugs.

Mayor pro Tem Keener assumed there was a universal plug except for Tesla that will plug into multiple different types of plugs on cars.

Bldg. Official Cully responded affirmatively.

Mayor O'Neill opened the public hearing.

**Bridget Duffy, Pacifica**, referred to the comment that Kimco was doing something for Pacifica. She thought they were not doing something for Pacifica, but very likely doing something for Kimco. She thought this was a great idea with the corporate money and will be going in the right direction toward sustain ability. She thought it was not a coincidence that it was coming up. She stated that Uber and General Motors were working a deal to release a fleet of self driving electric cars. She stated that anyone with a brain, knowing what is happening with the fossil fuel industry and planet earth, would make the small investment and have a home business. She stated that there was no reason to burn fossil fuels at all. She felt the government should take the subsidy money they put into the fossil fuel industry and help working people get rid of the old cars and get electric cars. She felt Pacifica should take a clue from Austin, Texas that went solar. She stated that not only do not have an electric bill but have accumulated \$500 million in revenue since they did it with their own buildings and property. She thought it was the wave of the future and was glad staff was bringing it to them and as a member of the public she approves.

**Tygarjas Bigstyk, Pacifica**, stated that he was also in favor of electric. He referred to the discussion of placing the charging stations on private residences, stating that one of his neighbors has one in the front of their house and he passes by on the way to work. He felt it was unobtrusive and in a place where it was not a visual sore spot. He was unaware of how other ones are in look and size. He thought, while it has a futuristic vibe, it was unobtrusive, and he suggested that they tread lightly when it comes time to the private element to ensure that, if unobtrusive, they don't make a big deal out of it.

Mayor O'Neill closed the public hearing.

Councilmember Digre 1) moved to introduce and waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending Article 28 of Chapter 4 (Off-Street Parking and Loading) of Title 9 of the Pacifica Municipal Code to include Electric Vehicle Charging Station Regulations (Text Amendment TA-108-17)", and 2) moved to introduce and

waive the first reading of the ordinance entitled “An Ordinance of the City Council of the City of Pacifica Adding Section 8-7.04 to Chapter 7 (Green Building Code) of Title 8 of the Pacifica Municipal Code to Establish a Streamlined Permitting Process for Electric Vehicle Charging Stations (Text Amendment TA-109-17)”; seconded by Mayor pro Tem Keener.

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

### **CONSIDERATION**

13. Consultant Services Agreement to Complete an Update to the Draft Local Coastal Plan. **PROPOSED ACTION:** Authorize the City Manager to execute a consultant services agreement, in a form substantially consistent with the City's standard consultant agreement and subject to City Attorney review, with Environmental Science Associates (ESA) to prepare an update to the Draft Local Coastal Plan for an amount not to exceed \$185,000.

Planning Director Wehrmeister presented the staff report.

Mayor O'Neill stated that she briefly touched on it, but he asked if she would go over it again so the audience and Council will understand exactly what the local Coastal Plan was and why they were present today.

Planning Director Wehrmeister stated that the local Coastal Plan is the blueprint for development along the city's coastline within the Coastal Zone and contains land use components as well as recreational components and the policies that will guide future development for Pacifica in the Coastal Zone.

Mayor O'Neill assumed it was all areas west of Highway 1.

Planning Director Wehrmeister stated he was correct, adding that there was a small notch in the Shelldance Nursery area but essentially it was everything west of Highway 1.

Mayor O'Neill concluded that it was a large portion of the city.

Planning Director Wehrmeister responded affirmatively.

Mayor pro Tem Keener asked that she list those who are on the ad hoc committee.

Planning Director Wehrmeister stated that the Council ad hoc committee was Mayor pro Tem Keener and Councilmember Vaterlaus. She asked if he was talking about the interview panel.

Mayor pro Tem Keener responded affirmatively.

Planning Director Wehrmeister stated that she was on the committee along with Asst. Planner O'Connor and PW Dir. Ocampo, Interim City Manager Breskin, Hillary Papindeck from the office of sustain ability.

Mayor O'Neill opened public comments.

**Lisa Villasenor-Velosing, Pacifica**, stated that she has been a resident for 11 years and a golfer, as well as a board member of the San Francisco Public Golf Alliance, Mayor's Women's Golf Council and Sharp Park Business Women's Golf Club. She stated that she cared deeply about Sharp Park, including the land and the people who live around it and the community that Sharp Park Golf Course serves who aren't golfers. She stated that they had a concern about the hiring of ESA and Robert Battalio. She stated that, if you want to know what he will say, you just have to look at his record. He was a driving force behind the opposition to keeping the golf course open. She stated that his record would say that he supports managed retreat and would basically flood the golf course which would then fail and close. She stated that it was ironic that he worked for Wildlife Equity was the force that sued San Francisco to close the golf course as they accused the golf course of taking the red-legged frog and the California garter snake. She stated that the golf course was a habitat for the two animals. She stated that, if they let the golf course flood which it will if we don't keep up the berm. She stated that you will be killing the very creatures that ESA and Robert Battalio were working to keep and there was a conflict there. She stated that they think the Revell Company was a better alternative. She reiterated that, if you want to know what ESA was going to say, look at the documents they prepared for Wildlife Equity in support of them. She stated that their conceptual eco-system restoration plan and feasibility assessment for Laguna Salada was prepared for Wildlife Equity Institute on February 9, 2011. She stated that they believe the spending of \$185,000 was a hard-worked for grant was better spent with a company that does not have this bias. She stated that, if you talk about the fox guarding the henhouse, you were not just inviting the fox to guard the henhouse but inviting him to come in and eat the hens and eggs and they asked that they not hire ESA.

**Mike Wallach, San Francisco**, stated that he was a San Franciscan and frequent patron of the Sharp Park Golf Course and a member of the San Francisco Public Golf Alliance. He stated that they were opposed to the appointment of ESA. He stated that they outlined it in their letter which he thought the Council had a chance to review. He stated that they opposed ESA in the process as stated in the letter. He stated that ESA has an interest in a competing plan for Sharp Park, the conceptual eco-system restoration plan which central to it was a managed retreat of the beach, allowing the seawall to erode and fail. He stated that, if they choose ESA, they will get that result. He stated that they can read all the documentation with the letter, but anyone who knows the area of Sharp Park knows what happens if the seawall erodes, with flooding in the residences, the golf course will be destroyed and the existing managed habitat for the California red-legged frog and the snakes that feed on them will have salt water intrusion and that habitat will be either seriously diminished or destroyed. He stated that it was in the ESA plan and the biological appendix outlines what happens when the seawall erodes. He stated that, from their report, the high storm surges in 1956 and 1983 caused levee overtopping and temporarily introduced sea water to the complex of Laguna Salada and the subsequent reinforcement in 1989 prevented subsequent intrusions. He stated that minimizing salt water intrusion was key to maintaining the fresh water managed habitat that will keep the California red-legged frog breeding there. He stated it was for those reasons that they opposed the selection of ESA.

**Linda Jonas, Pacifica**, stated that she was not privy to the reports they read, but she has heard about them. She was a lover of Pacifica and what we stand for, and she was against someone seemingly pushing their private agenda, even to the detriment of the majority of Pacificans. She also loved history and Sharp Park Golf Course is historical. She stated that they have been trying for many years to preserve it, and not let someone come in and destroy it. She stated that she didn't want them to hire this company with the record these people are

documenting. She wants to keep Sharp Park and West Sharp Park and all the homes from the ocean taking them over.

**Max Stillman, Pacifica**, stated that he agreed with the speakers, and disagree with hiring of ESA. He stated that he just played golf and the golf course was important to him, almost like his back yard. He fell in love with golf when introduce to it in high school. He stated that it has saved his life and he has done research. He was confused as to why he wants to ruin the wall, it would take out the red-legged frog and garter snake, which he thought was ironic as the construction of the golf course brought the animals to that region. He stated that it was a sea water marsh where they could not live and it was turned into a fresh water marsh where they could thrive. If the wall is taken down, they wouldn't able to survive. He stated that he understands how important seawalls are as he works at Nick's in Rockaway Beach, adding that the rock wall was very important, mentioning that the seawall knocked out Moonraker's window earlier in the year. He stated that, without the rock wall, he didn't think the two building would be there. He concluded that the wall at Sharp Park needs to remain. He also felt it was not fair to hire someone who was biased with a complete opposition to what we are trying to do with the Sharp Park Golf Course. He stated that, if they hire someone who was neutral, they can hear both sides and work with Pacifica to decide what they want to do.

**Jeff Volosing, Pacifica**, stated he has been a Pacifica resident since 1986. He asked that they not hire ESA as a consultant because, as stated, they are biased in wanting to close the golf course. He brought up the financial impact of closing the golf course, which employs 30-40 people and hosts not only daily golfers but charitable tournaments that raise money for Pacifica's churches, schools, local charities and organizations. He stated that the San Francisco Public Golf Alliance letter estimates the value of the golf course itself, etc., at a conservative \$50 million. He stated that was omitted in the sediment management plan study done by ESA. He felt that showed they have a plan to close the golf course. He stated that the Council has supported the golf course and this company wants to direct them to close it. He also asked that they look at the Ravel Corporation or someone who doesn't have "a dog in the fight" as a consultant as to whether to keep the golf course or go with managed retreat.

**Carlos Davidson, Pacifica**, stated that he was urging them to hire ESA. He stated that he was from the Pacifica climate committee when the golf course issue was big and it came before them. They didn't take a position because the committee was divided with mixed feeling about the future of the golf course. They agreed then and now that they need strong scientific evaluation of all the potential options in front of them, and not take options off the table ahead of time because some don't like them. They felt they needed to look at all of them and the cost and consequences of all the options are. They believe that ESA would do that work with an excellent reputation. He stated that the internal process picked them out. He felt they need all the information, but they aren't hiring ESA to make the policy decision but for Council and Pacificans. He referred to the idea that ESA were biased because one of their scientists took a public opinion on the golf course, and felt it was antiquated thinking on how science works. He stated that we now see around climate science and biological conservation the need for the scientists to do their work and speak out on policy. He was thankful that they are speaking out on what needs to be done, adding that they can still do their science. He concluded that they should hire ESA.

**Cynthia Kaufman, Pacifica**, thanked them for the grant to get this as Pacifica was a frontline community with climate change and sea level rise. She appreciated the process to find a good, scientifically credible consulting firm to look at it. She appreciated the input. She agreed with the previous speaker that ESA was not being hired as a policy organization but hired to be

scientists and talk about the options. She stated that there was a political process to decide what to do, and she didn't think ESA would be hired to say we should get rid of the burn, but point out the implications on each activity. She appreciated them to have the strength to hire a scientific firm to do the work.

**Victor Carmichael, Pacifica**, thanked Council for allowing him to speak. He stated that not a day goes by without more grim news pouring in about what was in store of us due to not having confronted climate change in the 1980s. He stated that now we are confronted and must manage and suffer its consequences. He referred to an article in the Washington Post on the west Antarctica ice sheet, with studies showing that the rate of ice loss is, in fact, increasing with disastrous projections of sea level rise of three feet increasing. He stated that we on the west coast are not at war with truth and ideologically and conveniently deny hard won science consensus. He felt it was imperative to use the best consulting firm to revise and update our city's local coastal plan. He felt that, with our coast line melting 2-3 feet a year and putting us in the national news for losing entire apartment buildings, we needed a local Coastal Plan update. He mentioned that local Coastal Plan are controversial because they are the basis of building decisions in the Coastal Zone as a large part of the city exists in the Coastal Zone. He felt ESA was the perfect choice to help the city do this, adding that one area they specialize in was federal and state environmental compliance. He stated that the revised LCP must be approved by the Coastal Commission. He felt they had a head start on knowing the geology in the area. He asked that they not accede to special interests in this important decision. He concluded that we deserve the best science, not cheap partisanship with options that may not be appealing as part of the process.

**Celeste Langelle, Pacifica**, thanked the Planning Department for their hard work. She felt going forward with ESA was the way to go. She excited about the LCP, mentioning that we needed this because of buildings falling into the ocean. She felt that anyone speaking against the selection of ESA which was the best firm for our city was asking the city to hire the second best. She stated that we need the best, and she felt ESA was the best firm. She has seen their reports for Bay Area cities and they do a good job. She stated that our coast was not just the golf course, but an additional six miles, adding that San Francisco owns the golf course and they will make their own planning decisions even though the LCP will cover it. She stated that one consultant is not a company and they have plenty of other consultants. She stated that the consultant the speakers objected to did not have a financial bias. She felt the city needs the best resources to produce an excellent draft LCP and ESA has that expertise and is known in the Bay Area. She stated that the city's LCP policies will depend on the city's decisions, not the consultant. She referred to the staff report which pointed out that ESA has the greatest capacity and expertise to complete the project on time. She urged them to hire ESA to protect Pacifica from coastal erosion and sea level rise.

**Robine Runneals, Pacifica**, stated that she was a 42 year resident of West Sharp Park and was advocating for her neighborhood. She was involved in the defense of Sharp Park Golf Course as they were being sued. She stated that they realized that they needed to defend the golf course which was the neighborhood. She stated that, because Mr. Battalio is associated with this firm and she has seen his speeches and practices, and she felt the trust in him to do right by the city with the LCP has been violated and she has no trust in him, and the firm as well. She asked that they not give this to ESA and give Pacifica what they need. She felt the contradictions she sees on the Council's agendas scares her to death. She stated that they are approving the improvement on Palmetto Avenue and supporting the businesses and feel positive about the neighborhood and then looking at someone who was looking at managed retreat which he was very involved in. She asked that they give residents something to trust as

we trust them. She stated that they have a seawall and she asked that they give us more of a seawall to take us into the future to protect our homes.

**Allan Eisenberg, San Francisco**, stated that he plays a lot of golf at Sharp Park and belongs to the golf club. He referred to the proposal, stating that when the initial draft was done with the California Coastal Commission they won the first event against the Biodiversity Institute. He stated that the draft proposal indicated by the Army Corp of Engineers that the berm is not to be removed and will be maintained and repaired. He stated he was in line with the Army Corp of Engineers.

**Lynn Adams, Pacifica**, stated that she was the moderator of the presentation that Bob Battalio gave and she had a completely different take than what the speakers are saying. She felt he didn't advocate for taking down the levee but discussed what would naturally have been there and how the waters come in to the lagoon area, flush out the toxins and create a safer habitat for the frogs and snakes. She stated that this ecosystem protects the houses from being flooded because it allows the water to retreat but now the water is held back with the levee. She was not advocating for or against the levee, for or against the golf course, but she was advocating for ESA because she felt he gave a terrific presentation and was one of the best authorities in the entire Bay Area or in all of California and it will be our say, not his say. She stated that we are asking the scientists to tell us what they consider the best plan or what do they see as our options, and that was what we need to look for. She thought people hear something and bells go off and it gets distorted from what it is, and she advocates for ESA. She enjoys the levee and it was not about taking down the levee but what is better for the health of the ecosystem we are in and we need to live in harmony and need science.

**Jim Kremer, Pacifica**, stated that he came to listen to this item which he was interested in, but he felt it was important to make comments. He stated that predictability could also be viewed as consistency and an evidence-based argument that leads to a certain conclusion is not necessarily biased. He stated that, if the arguments are made on the best science available and they go against some opinions, one could see it as a bias and another as a strong argument. He agreed with the comments that we are looking for a local Coastal Plan based on good policy for the entire coastline of Pacifica. He thought most comments against ESA were based on the golf course only, and this was about more than the golf course. He agreed with the previous speaker's comment that they don't know what the balance of arguments will be with respect to the berm. He felt there were a lot of complicated processes to be considered before they decide if the right thing to do was to let the berm disappear. He that the endangered species act says that there are requirements for preservation of endangered species. We have two endangered species and they require protection by law. He didn't think it was clear to him what the right balance would be in terms of maintaining the endangered species habitat in conflict with the engineering policies. He felt it was a complicated decision and we want a group of people doing the best science with the most experience in helping us in the process.

**Pete Shoemaker, Pacifica**, stated he lives in Vallemar and wanted to make three points. He was solicited for support by people on both sides of the issue who are intelligent and have the best interests of Pacifica, and he acknowledged that it was a tough decision and no matter what happens, some people will be angry with them. He hoped they react appropriately, understanding it was a difficult point to make. He stated that he has been golfing here for many years and he knows the course is a very important part of the city. He agreed that sea rise was a big threat but we have to live here and economically develop the city. He stated that Sharp Park is a magnet and draws people and there are plans to restore it to a gem. He stated that

they need to have these kinds of things to keep our city strong and live with it with regard to sea level. He realized that we have to have economic engines on our radar for this. He stated that he hasn't had a chance to study the issue closely but, if there is bias, it needs to be brought forward. He felt that was an important point that cannot be ignored.

**Mary Ann Nihart, Pacifica**, stated that she was present because she is sad, not about the golf course, although that is sad, but she is not a golfer. She thought it was evident who will get the contract and she wasn't here about that. She stated that it was not about science. She was firmly on the side of science compared to ideology. She was present because she was sad that Pacificans take up the same encampments as the rest of the country and have totally stopped listening to each other. She stated that they call any opinion not like our own as partisan and special interest and, under that definition, we are all special interests and have stopped listening. She was saddened that her neighborhood and the beach that she has cleaned and walked for more than 35 years has become crown zero for this great divide. She stated that, in 2009, she and Sue Digre spent a great deal of time with the Army Corp and learned of the planning grants for coastal erosion. Before they secured matching funds from the county, they learned of the literal cell project with San Francisco and she was thrilled, stating that we need planning along the coast. She stated that she has been worried about sea level rise but experts have told her that we have an erosion problem that we must deal with first. She stated that, after the storms of 1982 that eroded much of the beach in Sharp Park, destroyed homes and threatened many others, the City Council installed a temporary structure north of the pier and a permanent 20-foot deep serious seawall south of the pier. In 2011 and 2012, ESA and Mr. Battalio stood in the chamber and, when asked about the structures that currently existed, he stated it was too complex to include in the modeling. She agreed with strong science, but these structures were too complex so they bypassed the issue. She stated that they all got on board and how she ended up on ABAG. She stated that ABAG pulled out, the project died for a while and then became resurrected. She stated that this time, there is a slight nod to those protective structures but it was still not clearly included and unless they are clearly included, she concluded that we are not getting the total science of the area. She was frightened that they are using the pictures in the vulnerability assessment. She stated that we need open minds and transparency.

**Ron Maykel, Pacifica**, felt ESA was very suitable to do what we need to do, and he thought they were already in the draft stage. He agreed with a lot of the speakers on the value of the natural ecosystem in the golf course. He stated that there was some bad mouthing about the history of shutting down the golf course, but the initial reason was because in 2008 they had the mortgage meltdown and America lost about \$5, 6, 7 trillion worth of real estate market value and cities were going to broke, and when San Francisco redid their budget they realized they had two golf course on which they were losing money, Lincoln Park and Sharp Park. He stated that there was the idea that the National Park Service would take over the golf courses, mentioning that we had Sharp Park contiguous with National Park Mori Point and contiguous with Sweeney Ridge. He stated that the Sharp Park property was over 400 acres. He stated that was how that got started to liquidate the golf course. He stated that the golf course needs a lot of work and he thought the best way to take care of the situation was to bring it back to the way it used to be, a dynamic relationship between the ocean and the creek, with the watershed during the winter in the eastern part of the gold course by the archery range, and he stated that there were tons of water draining into that area. He thought, if they opened the levee so the creek can freely flow in and go to the ocean like it did for hundreds of years. He thought, until that was done, we will always have flood issue problems. He didn't think armoring the levee will help. He thought the big thing that was going to help was to get the water out from backing up, adding

that it was polluted now as the water in the summer gets stagnant and it develops duckweed. He asked them to consider the idea of opening up the levee.

**Bridget Duffy, Pacifica**, stated that Sharp Park was a special golf course, mentioning a friend stating that it was a premier golf course because it was designed by someone who was famous. She stated that it was a beautiful golf course. She stated that, when looking at the Coastal Plan, to allow a golf course into the discussion is a little myopic. She referred to the golfers who seem to be other than Pacificans. She stated that she attended a supervisor meeting and it was all about this. She interviewed the people in line and she got a lot of information about this situation with the golf course. She stated that those who have been golfing there forever love it, but there is the environmental issue. She believes that, if the public were involved in the process, there would be right/left coalition and we could go on as a united force. She stated that managed retreat does not mean taking down the levee and selling the golf course. She stated that it was rhetoric and untrue. She stated that the idea for changing the golf course includes land beyond the golf course now. She stated that she talked to a golfer who has been golfing there for 50 years and he doesn't want anything to change. She mentioned that, as a sportsman, wouldn't he want a change. She felt we need to look at the opportunities and stop looking at what we are losing. She stated that what we might lose, if we continue to hold onto what we had in the past, might be our future. She stated that we need to look to the future with new eyes and together.

**Paul Slavin, Pacifica**, stated he was with the Pacifica Historical Society. He mentioned that it was nice to see them at the Chili Cook-Off the previous day, adding that they appreciate how much the Pedro Point Firehouse contributes to the social fabric of Pacifica. He stated that the same can be said for the historic Sharp Park Golf Course which has been hosting our community on the course and the clubhouse for 85 years and would be hard to imagine Pacifica without either of them. He stated that the golf course has been under attack for almost ten years. He stated that Bob Battalio was the chief engineer of the Environmental Science Associates and has always had a vested interest in the fight to destroy Sharp Park. He stated that, as a paid consultant for the Wild Equity Institute, you might say that he wrote the battle plan. He stated that the Council was elected to protect and preserve our community, including the time honored establishments that have contributed generation after generation to making Pacifica the home we have today, adding that it includes insuring that all decisions concerning our historic institutions be made without bias, prejudice or personal financial interest. He stated that, in all fairness, that should eliminate Bob Battalio and ESA as a consultant to our local Coastal Plan. He felt his bias was well established for some years.

**Stan Zeavin, Pacifica**, stated that everywhere else in California, ESA gets hired and praised for providing consistent cutting edge sea level rise adaptation guidance but in Pacifica, they get pilloried. He stated that ESA has offices all over and very little work in Pacifica and it would be bizarre if they based their sea level rise science on a single golf course in Pacifica. He asked if the Golf Alliance also think that the Coastal Commission and Coastal Conservancy and Bay Conservation and Development Commission have a prejudice against golf because they use the same planning principles about sea level rise as ESA. He asked if any state resource agency or any credible science institution endorsed the Golf Alliance as policy of building bigger seawalls as the only response to sea level rise. He stated that ESA has a huge professional stake in their credibility of providing scientifically sound environmental planning, especially with coastal planning for sea level rise. He stated that their guidance won awards. He mentioned that ESA's Jeremy Lowell was co-awarded the Bay Area Institute hero for sea level rise adaptation work. He stated that ESA was in complete harmony with the policy perspectives of scientific institutions like SF Estuary Institute and state agencies like the Coastal Commission

and the Coastal Conservancy. He stated that the Golf Alliance has, by contrast, an overwhelming commitment to golf and no expertise in coastal planning or sea level rise. He stated that, by definition, is bias. Instead of the letter the Golf Alliance has been passing around Pacifica, he felt the real controversy is that the Gold Alliance doesn't like managed retreat, which was one of the standard choices of many choices in an SLR study, including the sediment study. He stated that, by definition, that is bias, mentioning it was the same story that, if you can't attack the science, you attack the messenger. He stated that ESA is being hired to do one thing, give Pacifica a pallet consisting of all the possible scenarios due to sea level rise along with all the possible solutions to those scenarios, and not being hired to tell Pacifica what to do, adding that they were being hired to inform Pacifica what the costs would be. He stated that, for this, ESA is eminently qualified.

**Margaret Goodale, Pacifica**, stated that they need Council to choose the best way for Pacifica to work our way through sea level rise and how it may affect all of us for next 20-30 years. She stated that their choice of the best contractor for the LCP or the second best contractor will have long term consequences that may affect us all for the next 20-30 years because no one can predict with 100% certainty what will happen over the next several years and we must plan for all different possibilities and look at what might happen and consider how we might respond and we need all our options. ESA has the expertise and resources to assess all of our vulnerabilities, look at all our choices and appropriate adaptations for our LCP. She felt their proposal will be thorough and detailed and far better than the second choice. She stated that the Golf Alliance has raised questions about ESA and a controversy over the Army Corp of Engineers local coastal sediment study which was part an ACE effort covering the entire West Coast. She stated that the controversy to which they refer was created entirely by the San Francisco Golf Alliance which attacked the study because they didn't like one of the four possibilities listed in the report through the golf course. She stated that our LCP was not about the golf course. She stated that this was our town with six miles of coastline and we need the very best information we can get for our entire six miles of coast, unbiased by special interests. She stated that we need to consider all the information and all the possibilities and only with the varying scenarios in the LCP can Pacifica realistically evaluated how we will respond to sea level rise as a community. She stated that we need ESA's expertise and scientifically based environmental planning as we face the future. She asked that they not be influenced or manipulated by innuendo or implied threats. She stated that Pacificans deserve the best for all of Pacifica and out of town interests should not dictate to Pacifica.

**Sue Beckmeyer, Pacifica**, stated that she has heard many present call upon the Council voting for the best science available to advise them and staff in preparing to decide policy for our city's local Coastal Plan. She thought the best science was related to where people stand politically. She asked that they consider all points of view and listen to the concerns of the citizens who elected them. She stated that they are calling for an unbiased consultant to work on our local Coastal Plan. She stated that she has heard that ESA was unbiased. She stated that her point of view was that Moffatt and Nichol were unbiased when they had a study done by them, but there were concerns raised about their bias as they aren't in Pacifica and did not have offices her. She stated that she was bringing this up to point out that point of view can color how one views the value of science as to whether it is the best science to advise us. She challenged the Council to take care of the city. They have polarization and their job is to help Pacifica find the common ground. She implored them to find someone else to hire who is equally scientifically thought of and find a middle ground for Pacifica.

**Victor Spano, Pacifica**, stated that he was president of the Pacifica Chamber of Commerce, member of the Fog Fest board and past president of the Pacifica Rotary Club. He stated that

he heard about this a couple of days ago and received information from the Golf Alliance but he didn't receive any information from advocates of managed retreat or specialists in sea level rise who might guide him through this. He would like to meet experts in sea level rise and ideas of managed retreat. He stated that he lives in Fairmont and he didn't go to any of the meetings that occurred in 2015. He received messages from concerned Chamber members and he wrote to Council saying that he was also concerned but he underlined that he didn't say he opposed the consultant selection but that the board has not taken a stand on it either way. He asked Council to put off making a decision at this time and have some community meetings so that the business community and residents on the coast and other Pacificans can hear the different views and philosophies of the two candidates for this project.

**David Revell** stated that he was the President and Chief Scientist of Revell Coastal, the Plan B in front of them. He wasn't present to advocate for their choice. He commented that he would like to work with Pacifica. He stated that he has been working on LCP updates up and down California and presently was finishing up his 9<sup>th</sup> LCP. He stated that the team he put forward has worked on 19 LCPs collectively and certified four of them. He stated that he has a Ph.D. in coastal geology, has studied some of the bluffs in Pacifica and was familiar with the situation. He stated that, in all the years he has worked in coastal processes and planning and management, he has never seen such controversy around the hiring of a contractor. He stated that LCP issues are very contentious when you get down to the nuts and bolts and he hoped that they would choose to look at it from all directions and he would put forward his best effort in trying to provide a balance to look at both managed retreat, armoring and holding the line and trying to strike a balance, providing the things they need to make good informed policy decisions. He stated that there is another option on the table and he would be happy to work with them. He reiterated that he has never seen this happen before in the selection of a contractor.

**Mark Steckbart, Pacifica**, stated that he was in favor of Revell, and not in favor of ESA or impressed with them. He stated that there has been a lot of discussion about who is best. He stated that Charles Lester, a long time employee of the California Coastal Commission and prior executive director was on Revell's team. He stated that there was no one in California who knows more about local coastal issues than Charles Lester, the quintessential environmental guardian of the coast side and representation that ESA was better than Charles Lester is wrong. He stated that they are in a position to keep faith or break faith with thousands of Pacifica home owners. He stated that he is not a golfer and he didn't think it was necessarily about the golf course but is about blowing holes through the coastline of this town and threatening thousands of houses, 100% of our hotels, millions of dollars of infrastructure, etc. He stated that they have a decision to hire the best person that will bring the best policy solutions to them who don't know anything about the biology of coastal rise and protect the town from getting cut in half or thirds. He stated that there will come a time in the next 30 years where Highway 1 will be jeopardized if the golf course goes, Fairway in jeopardy, South Palmetto is in trouble, new landscape is in trouble and that is not a good decision. He stated that they can keep faith with homeowners or break faith. He didn't care that Revell needs more staff time from the city because that was not what this is about. He stated that, if you hire ESA because it was easier on staff, that won't cut it for homeowners. He felt they should go with Revell and get this underway. He mentioned some discussion about the Army Corp littoral cell that ESA was on, but he didn't know if ESA was still on that project because it has been five years, it is still a draft and they are not done. They are trying to recover the report because of deficiencies and it has been five years.

Mayor O'Neill closed public comments.

Mayor pro Tem Keener stated that this item was about a contract to prepare and insert planning for sea level rise into the LCP update for all of Pacifica and funding by the California Coastal Commission, adding that it was overseen by our Planning Department and an ad hoc committee of which Councilmember Vaterlaus and he are a part, which recommended ESA. He stated that approval comes from the entire City Council for the contract and the result in the LCP. He commented that we haven't seen much sea level rise, the sea walls and bluff erosion have some climate change component, greater intensity and frequency of storms, and he thought we could lump our current efforts to deal with the bluff erosion and wave damage into sea level rise and can expect greater challenges ahead from true sea level rise, bluff erosion and wave damage. He concluded that we have to begin to plan for sea level rise and should include all possible scenarios and adaptations to each scenario. He stated that we may get funding to replace the sea wall or retaining wall north of the pier which will generate one set of options or we may not get sufficient funding to replace the sea wall and must consider a different set of options with golf course berm. He stated the two obvious scenarios are the berm gets reinforced which will cost or not reinforced and eventually breached. He asked if we protect the Clarendon Lakeview neighborhood if it is breached or the Fairway neighborhood. He thought most would want to protect the homes, and questions if they will need it and when. He thought this was where the expertise of the contractor comes in. He thought Linda Mar floods every time it rains hard and he asked if they will become more frequent or worse and asked how many homes are at risk there. He thought most of the homes on the flat part are at risk as they are only a few feet above sea level. He stated that all the houses on Esplanade are gone on the ocean side of the street and many of the apartment buildings. He stated that the city was trying to preserve the infrastructure under the street, and they know from experience that the bluff below Esplanade will erode. He questioned how much additional time armoring will buy them and what they will do if bluff erosion takes out the street. He stated that all the sewage pump stations are at risk from sea level except possibly Sky Ridge because they were naturally located at the lowest points of the system in order to pump sewage over the hills along the coast to the new wastewater treatment plant. He asked at what point they will have to move them and what will that cost. He stated that the question for everything was how much it will cost and who will pay for it. He stated that, to answer those questions, they need the best consultants possible to plan for the future. He didn't think they can exclude a firm because one group cries bias. He stated that there was no room for bias but hard options and science. He stated that they can pick A, B or C from a specific scenario, etc., and that was what they expect from the experts, not directives to do only one particular thing. He stated that ESA was the recommended choice of the ad hoc committee. He added that for him it wasn't close. He felt their experience with the data that already exists is superior because they formulated the data in other studies and the detail in their proposal outweighed the others. He mentioned that their subcontractor has also held successful forums in Pacifica on other studies. He stated that Charles Lester was also a subcontractor with ESA as well as Revell. He stated that they heard both sides, some wanting them to exclude the recommended contractor, ESA, because they claim they are biased against the golf course. He felt ESA and the Council will treat the golf course as fairly as any other parts of the city in the process and plan for various scenarios now and when they see which scenario occurs, they will choose from the options to adapt to that scenario. He emphasized how important this planning process is and how important this vote is. He felt they were fortunate to have a Coastal Commission grant to pay for this. He stated that, if they were ruled by a faction only interested in one part of the city, such as the golf course, they would let the rest of the city down. He will vote yes to approve the contract with ESA for sea level rise planning to be inserted in the LCP.

Councilmember Vaterlaus thought it was incredible to be starting the process with so much controversy. She stated that there appears to be bias. She stated that she saw on YouTube

videos about managed retreat where Bob Battalio was talking about letting go of all the sea walls and the golf course, and it was clearly on the video. She was on the ad hoc committee and she brought it up several times, talking to several staff members about the fact that there were issues and community issues around ESA. She asked about our investment, the life of the people, health of our people, the infrastructure we need to protect. She felt all of it was important, such as those in Fairway, Sharp Park, the hotels, businesses. She can see that the lawsuits could be astronomical. She felt we need to save our infrastructure, habitats of frogs and snakes that the golf course protects. She felt, if you let the golf course go, and people wander all over, they will kill the frogs and snakes. She stated that the golfers go around the frogs and snakes. She felt it was not just about the golf course but our whole city. She felt that they take the alternative recommendation and hire Revell.

Councilmember Martin stated that she will vote in favor of the recommended action. She respects all those on the ad hoc and subcommittee, mentioning that Hillary Packwineck with the office of sustain ability knows what she is doing. She didn't think there was any bias involved. She stated that she review proposals and hire contractors a lot. If she thought there was any bias, after reading their proposals, there was a clear cut leader for the project. She felt that was what it was about and she thought that was what it should be about for everyone. She addressed Mr. Revell, stating that he has never seen as much contention over picking a contractor, he has never been to one of Pacifica's meetings before. She didn't think choosing a consultant was breaking faith with the community but about our community. She felt they all have their best interests. She stated that as a Council if they don't know anything about biology, they better if they are going to be setting policy on it. They all fought over being on the committee and they care. She stated that she knows what's going on and it wasn't about the golf course but about Pacifica and our coastline. She felt everyone agrees with that. She felt that, when you look at a proposal, you look at what you are going to get for your money. She liked the idea of minimal staff time. She stated that, when push comes to shove at the end of the day, the Coastal Commission will be the one to look at all this and say aye or nay. She stated that they can settle on the policy they want, but when something happens they come in and make the final ruling. She stated that she will go with the recommended action and she thanked everyone for the time and work they spent on this.

Councilmember Digre commented that it was a lengthy document and the information sent by the Golf Course group was also very lengthy. She was happy that staff recognized that there were serious concerns about the trust value. She stated that it was very concerning, and she was sure that all five of them are listening to that and are very caring about the entire community when you have a trust factor issue. She stated that sea level rise is a complicated issue and they have no real ideas from what she has heard of when we will be in that type of a doomsday thing. She mentioned that, on Beach Boulevard, they have experienced rather startling things in the last ten years, as well as on Esplanade, mentioning six houses go down and three apartment buildings have to go down. She felt they were startling and scary but they are relevant because this is our city, our time when these are happening. She stated that they have experts like Hillary, county issues, agencies that have studied sea level rise and use data from the past, mentioning our competent staff for whom we want to show some trust, and she thought they were being straightforward and saying that they hear the trust factor issues but they have done due diligence in looking at expertise, longevity, relevance and compare it. She stated that they sent out for an RFP and only got three, ESA, Revell and one that was dismissed by staff and ad hoc committee. She asked if they needed to worry about a bias of anyone that they hire and stated that, being someone who was suspect, she would say definitely. She stated that the overseeing comes from five elected people, a very engaged community and she felt Council and staff recognizes that the community wants to be engaged, beyond the three minutes at the podium. They want to be engaged where they discuss, etc.,

She stated that was all in the ESA plan. She stated that ESA uses Kerns and West, a reputable company with expertise in community engagement. She stated that, in the ESA plan, there was a lot of information about the economy, reading some specific information. She concluded that staff, Council, and the community will address all the possibilities, ramifications, and consequences for each option in the various areas. She mentioned the concerns in the past about the future of the golf course, adding that we won't let that go because we have too much at stake and our sustain ability is west of the highway. She mentioned that the golf course was San Francisco property and she thought they must have something to say, although whether they will want to make the same decisions as Pacifica remains to be seen. She stated that the golf course has to remain recreational and if San Francisco determines it not recreational she thought it has to go back to the owners, although she didn't know if they were still alive, but they can do what they want. She stated that Pacifica has a lot of hard work, and they want to know as much about Mother Nature as possible and they recognize that this is our economy on the west of Highway 1. She felt they can rest comfortably that their decision to go to ESA was not going to kill Pacifica or put us in a bad situation or controversy. She thanks God for Pacifica being an engaged and active community. She stated that it isn't easy being on Council, and they all also agree that the present staff is awesome. She didn't think bias was in our genes. She felt that, with everyone monitoring all things and demanding all answers, they will avoid bias. She acknowledged that most people have their biases but our common goal was our economy and sustain ability, and we won't go wrong. She stated that there was a lot of work by everyone, and she felt ESA's reputation was at stake. She liked what she sees. She stated that she wanted staff to make sure sustain ability and economy was included and we monitor every suggestion from ESA.

Mayor O'Neill mentioned that they continually say they need the best scientific information to give the Council the correct information to make good decisions. He stated that his concern with ESA and Bob Battalio was the fact that there was different things labeled such as the pump stations, and he stated that there were pump stations in all the areas along the coast, and Bob Battalio put down that there were zero pump stations. He questions, if the data was wrong, whether that is the data he will use and will the information being used be correct. He referred to other lists of number of commercial areas, and he referred to mention that there will be flooding up to Francisco and that would put a lot more at risk in Sharp Park than zero residences. He was concerned about the data we use to make the study. He stated that, because you disagree with it, it does not mean you are 1940 science, but looking at a report that the author presented with wrong information in it. He didn't appreciate people saying he was a neanderthal from the 1940s and stupid. He stated that he was going to vote no and was concerned about the data they are going to use and since it was a planning document for Pacifica, they will be living with it for a while.

Councilmember Martin moved to authorize the City Manager to execute a consultant services agreement, in a form substantially consistent with the City's Standard consultant agreement and subject to City Attorney review, with Environmental Science Associates (ESA) to prepare an update to the Draft Local Coastal Plan for an amount not to exceed \$185,000; seconded by Mayor pro Tem Keener.

Mayor O'Neill called for a break, then resumed the meeting.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Deirdre Martin, Councilmember
<b>SECONDER:</b>	John Keener, Mayor Pro Tem
<b>AYES:</b>	Keener, Digre, Martin
<b>NAYS:</b>	O'Neill, Vaterlaus

14. Consideration of Potential Future Action Regarding the Issue of Noise Caused by Aircraft Flying into and from San Francisco International Airport  
**PROPOSED ACTION:** Take action as deemed appropriate by the members of the City Council.

Interim City Manager Breskin presented the staff report.

Councilmember Digre explained that this has been going on for some time. She stated that the San Francisco Airport Roundtable was voluntary but cities donate money and assign liaisons to the committee. She stated that, with NextGen, they were all expecting 21<sup>st</sup> century with everything quieter and going great, but instead, the neighborhood to the north of Fairmont has always been affected by airport noise. It got insulation a while back due to the San Francisco Airport Roundtable lobbying about 20 years ago, and now not only they get it but the entire city of Pacifica gets it. The noise is more intense with lower flights and is more than a nuisance but also a health issue affecting them neurologically and emotionally. She stated that NextGen has put more aircraft in the air, flying closer with more of them. She added that it does achieve efficiency. She mentioned a Congressional mandate to the FAA with noise involved, but now it isn't. She stated that Congress' mandate is safety and efficiency. Now, along with the Roundtable, she has been lobbying to push for a mandate in Congress for the FAA to have the mandate that safety and noise impacts are a higher priority than efficiency. She stated that they have been working on that with FAA involved, and it took forever to get to the nitty-gritty things and have been waiting. She felt they had waited long enough and she asked that this be on the agenda. She mentioned that the FAA did send some information to the Roundtable after she asked for this to be on the agenda. She stated that they had asked for the new standards and was asking Council to again send a letter so they don't think that they are accepting things. She recommended that they send the letter to the FAA and the Department of Transportation who are FAA's operational boss. She stated that it will take time to get Congress organized to request that the FAA have a mandate of these priorities above efficiency. She stated that, in the meantime, the FAA and other factors involved could do some operational changes to enable us to have some respite every day, particularly at night when people are trying to sleep. She recommended that they send the letter to both departments, as well as our Congressional members in D.C. She stated that she got a notice that there was a nationwide Facebook action where the public is trying to lobby 60 Minutes to investigate this noise across the nation and they might want to direct staff to do something about that, in addition to information to put on the city's website for individuals to do. She asked them to think about the city's primary importance of caring for Pacificans. She then referred to getting other grass-roots entities, such as other Roundtables, to go after their Congressional persons and they might get some movement soon. She stated that there was a reorganization of the FAA that was delayed but was scheduled to be on the table in September. She stated those were her suggestions for the first steps.

Councilmember Vaterlaus stated that the report said the Roundtable was established in 1981, and they have been suffering this all that time. She thought they need to be more forceful, adding that all the cities need to get together and do something. She stated that it was the same letter sent twice before with minor modifications, and she thought it needs to be more

tough. She stated that the biggest complaints she has heard besides the roads was the airport noise. She didn't know how to get the other cities to be more forceful but she thought we need to do something.

Councilmember Digre stated that the movement was starting.

Councilmember Vaterlaus stated that it was from 1981.

Councilmember Digre stated that in 1981, they got a change.

Councilmember Martin agreed with Councilmember Vaterlaus. She loved the letter, but she felt they need to be more specific about what they are asking for and be more forceful. She stated she would be glad to help re-write some of it. She stated that some things are missing. She mentioned the PB&R say that "parks make life better" and she thought they could add "aircraft noise ruins it all." She mentioned the various parks, and stated that they have been effected by both southern and northern routes. She stated she wasn't knowledgeable on how to say it, but she would add the component that when they fly over San Francisco, there was revenue given to San Francisco as that was the route they take.

Mayor O'Neill stated that the airport makes its money every time a plane lands there or takes off.

Councilmember Martin concluded that we don't get any of that money.

Mayor O'Neill stated that he wasn't defending it, but San Mateo gets 25,000 jobs plus the hotel tax, gas tax and sales tax out of SFO. He reiterated that he was not defending the airport, just stating the facts.

Councilmember Martin understood, but she stated they weren't seeing the money for flying over our city. She felt they need to be clear with bullet points. She thought, to get other cities on board, they could possibly cc those cities and ask them to write a similar letter. She reiterated that she would be willing to help with a revision of they are interested. She did support it.

Councilmember Digre asked if they had a letter dated in August 2016.

Mayor O'Neill stated that it was July 25, not an August letter.

Councilmember Martin stated that they have an email they have from today, but it doesn't have the original date. She stated that it was dated August 12 and was on page 3.

Councilmember Digre stated that her suggestion was to start with this and get to more specifics, adding that this was the first discussion.

Councilmember Martin understood, adding that she was in.

Mayor O'Neill stated that this was more questions for staff and Councilmember Digre and before deliberating they need public input.

Mayor O'Neill opened public comments.

**Bridget Duffy, Pacifica**, commended Councilmember Digre for her work. She stated that it was a right/left coalition. She loved the comment that airport noise makes everything worse.

She loved the tactic of going for a federal bill to mandate it, adding that she didn't know it used to be mandated. She stated that she discovered a group called "indivisible" which was a right/left coalition, and they have 3,500 chapters throughout the country. She stated that they are growing and it was a good way to organize around people's issues. They take the issues to senators and congresspersons. She stated that she will bring it back to her Indivisible group. She stated that they speak weekly with senators and congresspersons. She thanked her for her work.

**Ron Maykel, Pacifica**, stated that the residents of Rockaway had problems with the noise but he hasn't been involved in it or attended any Roundtable meetings. He stated that there were very active people on his street who do go. He thought it was complicated because of the airport's location and being surrounded by massive urban development and anyway they go they will be affecting some cities. He was curious to see what will be done. He stated that they had this issue many years ago in Fairmont where the residents got sound barrier windows. He thought they could use a system called a Quadrum system and they divide it like a pie in four pieces, and rotate so they wouldn't be flying over the city for stretches of time. He concluded that he didn't see how it could not affect someone somewhere. He agreed it was a problem in the parks and in places that are high it gets loud. He appreciated their work on this.

Mayor O'Neill closed public comments.

Mayor pro Tem Keener stated that he thought the two types of flights affecting us the most was the one mentioned by Mr. Maykel, taking off from SFO and fly straight over Fairmont and over the ocean with an altitude restriction of 3,000 feet. The second type which was most noticeable in NextGen were the ones that head south to the LA area, and make up a lot of the departures from SFO and they fly over our parks and open space because there are no houses and people won't complain. He stated that the FAA was the slowest bureaucracy in the federal government, as they were regulating people and didn't want to screw that up. He stated that the airport committee sent a detailed letter and the FAA was carefully vetted. He mentioned that now that they are over Pacifica, the letter can use editing to move the flights off shore.

Mayor O'Neill thought the Airport Roundtable was milquetoast. He stated that Pacifica was not notified that this was happening and he felt they didn't care what we are doing, but in looking at the letter, he notes it requests that they lessen the density and frequency of flights but he thought they need to request something that is possible. He stated that airport traffic was projected to grow over 25% and won't be able to lessen the density and frequency of flights. He referred to not allowing flights to intrude on sleeping hours, stating that they have that restriction in San Jose, voluntary, not mandated. He stated that the letter misses something called gap departures, which means SFO was not following their policies and rules. He stated that he was setting up a meeting with Jackie Speier's staff member, mentioning this issue to her, and he was told that it was acknowledged that they haven't looked at that. He stated that Councilmember Digre was going to get some data on this from SFO. He stated that he has discussed this with Seth Miller of the League of Cities. He also met with the lady who was the federal lobbyist for the League of Cities and he asked her about NextGen. She informed him that, while there were lawsuits in Phoenix, she hadn't heard from a single city in California that was having issues. He informed her that at least 20 cities in the Bay Area were having issues, and he asked why she can't lobby Congress for us. He mentioned that he had read that the select committee voted not in the best interests of Pacifica. He mentioned that, since we are paying to be a member of the League of Cities, we should demand service from the League of Cities at the federal level. He mentioned that you might get some action if you get some Republican congressional leaders from other states. He stated that he would like the letter to

be tougher, would like to see a resolution from every city and he would be happy to do that. He stated that every night at 11 pm he hears "big Bertha" flying over his house, which is probably flying south.

Councilmember Digre agreed with him, and she had said it will take all congressional leaders across the United States, but she didn't think California will get them to see our point of view by using that method. She stated that was why they were getting the grassroots to go to their local people and will be hearing from them as we are. Regarding his comment that the SF Roundtable is being milquetoast, she felt people need to attend to see what they do. She stated that Fairmont got the insulation because of Roundtable involvement, but the insulation has reached its limits. She stated that NextGen was expected by them to be quieter and we would not be having these issues, but it blew up. She stated that the cities worked together to be as picky as he was suggesting. She stated that was why she was bringing to them, to ensure that Pacifica's voice continues. She stated that they have done a lot. She stated that it does feel as if the FAA doesn't care, but their mandate was to do efficiency and safety, not noise and until someone with authority takes command and says change it, it wasn't going to happen. She stated that staff has to do what the Council majority says and they can't just change it. She stated that it makes their voice weak if one city pulls out. She mentioned that Daly City didn't want to pay the amount of money required by cities and pulled out. She stated that was a concern because they were not a concerted entity. She mentioned that there was a comparison that showed the southern select committee was stronger and better than SFO Roundtable. She stated that, if you participated in all issues, you would find that they weren't. She mentioned that the SF Roundtable considers flights from Oakland and San Jose, adding that she thinks they should be doing Half Moon Bay and San Carlos. She stated that the select committee did their work and ended and now there was a new committee starting in the south and the SFO Roundtable will be mentoring. She stated that there is a courtesy thing with legislators, and she questioned what "huffing and puffing" would gain you if you lose respect. She agreed that they need to be tough, and she stated that the letter was saying enough already on the studies and it was a people issue and we need relief now, meaning less than a year. She reiterated that safety and efficiency, i.e., saving profits or enabling bigger profits, was running the roost. She stated that if they cut down on time, it gives profit, and they were saying that it has to stop and whoever can do something locally should do it. She reiterated that they have to go across the nation to push the public to put pressure in their local areas and they will have more power than the Bay Area will have there. She reiterated that they need to get them higher. She stated the capacity act of 1990 would be helpful. She also mentioned that they all have to do something, stating that the letter from Half Moon Bay didn't say half as much as what Pacificans are saying. She mentioned that they can do the nitty gritty things in the second meeting, but she felt something needs to be done to get their voice heard so it doesn't look like they are accepting another wait for FAA. She mentioned that their letter should change it to a stronger word of "expects," because they are supporting their people in pain and asserting to the FAA that one of their jobs was to take care of the public and they expect their cooperation. She wasn't sure what he meant by saying it was not strong enough.

Mayor pro Tem Keener stated that his understanding of the gap was the one from the flight procedure that has the departures over Fairmont.

Mayor O'Neill stated that it was the 35-1 interchange.

Mayor pro Tem Keener agreed.

Mayor O'Neill stated that it wasn't addressed in the letter.

Councilmember Digre stated that it was addressed in the letter, but not specifically. She stated that the next point would be to go to the specifics, the stick, the whale point, the port change.

Mayor pro Tem Keener thought that was addressed in the fly higher and has the 3000 foot altitude restriction on it now. He thought, if they could get up higher it would reduce the somewhat although it won't take it away. He was intrigued by the comments about the League of Cities. He thought that anyone they can get on it with a broader reach would be fantastic.

Interim City Manager Breskin suggested that a two-person Council committee could work with the city manager in drafting letters pursuant to their discussion and direction for the mayor to sign on behalf of the city to send to the appropriate people mentioned at this time.

Mayor O'Neill stated that he would like to send one to Seth Miller at the League of Cities stating that this was a formal action of Pacifica and as a member they want something done.

Mayor pro Tem Keener asked if they have allies in Arizona, etc.

Mayor O'Neill responded affirmatively, explaining that every state has a League of Cities and they could potentially have 50 allies with residents in every single state going after their congressmen to get this changed. He found the reference were the select committee voted 8-4 and they were saying it would be 14-18 months from motion to implementation. He stated that, if they have Congress on the case it will be different. He reiterated that he would them to write a letter to the League of Cities to formally request. He stated that he would call the person in East Palo Alto to see if he can get their Council to do it, and he would call other Councils to see if they can do it to get stuff done.

Councilmember Digre asked why he couldn't go through the San Francisco Roundtable as all the cities are sitting there.

Mayor O'Neill stated that she could bring it up, but so far they have been flapping their jaw, milquetoast. He asserted that we still have the problem and issues, and he thought it was getting worse and not happening. He was happy to ask them, but he would like direction from Council to contact individual cities to see if they can shake more letters to the League of Cities asking them to take some action.

Councilmember Digre stated that she had no problem with that.

Mayor pro Tem Keener agreed also.

Councilmember Martin also did not have a problem with that. She thought they were all on the same page but she feels pressure. She didn't think they need to feel that way. Her recommendation was to shore up the letter, send it out and then additionally write several letters, to the League of Cities sharing what they sent and asking them to join us, and send this letter to all the cities in the Roundtable and say the same thing, i.e., do their best to get on board and do the same things Pacifica is doing. She thought they could also request help from the League of Cities. She concluded that the more demand you have, the more action you get.

Mayor O'Neill stated that one of the councilmembers in South San Francisco was on the board of directors of the statewide League of Cities.

Councilmember Martin reiterated that was her recommendation, although she wasn't sure where they go from that point in terms of action.

Mayor O'Neill thought they were giving direction to staff to basically write two letters, one to the FAA and one to the league of Cities on the issues they discussed, and ask Councilmember Digre to bring them to the Roundtable to share with them and see if they can get their support. He stated that he would contact individuals in other cities to see if they are willing to write to the League of Cities. He felt that was one of their best hopes to lobby this in Washington.

Interim City Manager Breskin acknowledged their thinking.

Councilmember Digre thought just sending to the FAA was not enough, as well as the SF Roundtable and legislative subcommittee as they have already agreed to go across the nation. She stated that the Roundtable technical meeting was the following day. She was hearing that they all think the San Francisco Roundtable has been milquetoast.

Councilmember Martin stated that she did not say that.

Mayor O'Neill stated that it was his opinion and no one else has said that.

Councilmember Digre stated that no one disagreed with that. She was concerned about that. She didn't want to delay anything that would bring them relief fast.

Mayor O'Neill asked if they were done with this and whether staff had direction.

Interim City Manager Breskin stated that they did.

<b>RESULT:</b>	<b>NO VOTE REQUIRED</b>
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15. Appointments to the Beautification Advisory Committee; Parks, Beaches & Recreation Commission; Open Space & Parkland Advisory Committee; Planning Commission.  
**PROPOSED ACTION:** Move to appoint one (1) applicant to the Beautification Advisory Committee; one (1) applicant to the Parks, Beaches & Recreation Commission; three (3) applicants to the Open Space & Parkland Advisory Committee; one (1) applicant to the Planning Commission.

Mayor O'Neill asked the City Clerk if she wanted them page by page or all at once.

City Clerk O'Connell stated that it was up to the Council.

Mayor pro Tem Keener stated that on the Beautification Committee and Open Space (OSPAC) they have the same number of applicants as they have openings. He stated that, in the past, they have done it by acclamation.

Mayor O'Neill opened public comments.

**Bridget Duffy, Pacifica**, stated there was probably a process to picking people to put on these committees and she stated that she was basically an average citizen who was trying to do her civic duty, and she asked how you get on one of these committees.

Mayor O'Neill stated that they publish the vacancy on a committee, it is published in the Tribune, posted on NextDoor and on the city website. He stated that you fill out the form, send it to the City Clerk who collects them all. The Council has interviews with all the applicants and then do the appointment.

Ms. Duffy concluded that basically you just have to read a few things and then you will find out that there is an opening.

Mayor O'Neill agreed, stating that they just had someone resign from the Planning Commission and Economic Development has expiring terms.

Ms. Duffy stated, as a member of the public, that both the Economic Development Committee and the Planning Committee have a serious lack of female representatives with the Planning Commission now all men, and only one woman on the Economic Development Committee. She stated that studies show that at least three women on a board or committee is actually how to get the female point of view more palatable because she thought there was a big communication gap. She understood it was a lot easier for men not to work around women because we communicate differently, but once you have three women the communication issues do diminish because of the amount of women. She wasn't admitting that women were hard to communicate with, but she asked for more women on more of the committees. She felt that there were female applicants, they should be given some priority.

Mayor O'Neill stated that the bad news was that there were eight applicants for Planning and they are all men.

Mayor pro Tem Keener stated that they specifically look for qualified applicants that are female for Planning in particular but haven't had much luck since Councilmember Vaterlaus decided she wanted to be on Council. He added that they have three women Councilmembers.

Mayor O'Neill closed public comments.

Mayor pro Tem Keener moved to appoint Melinda Moses to the Beautification Advisory Committee; Joanne Arnos, Julie Lancelle and Alison Sanders to the Open Space & Parkland Advisory Committee; seconded by Councilmember Vaterlaus.

Mayor O'Neill stated that they next have appointments to the Planning Commission and Parks, Beaches and Recreation.

City Clerk O'Connell stated that, for Parks, Beaches and Recreation, Cynthia Knowles received the most nominations and for the Planning Commission, Dan Stegink received the most nominations.

Mayor O'Neill asked if there were members of the public who wanted to speak.

City Clerk O'Connell stated that they already did public comment.

Mayor O'Neill stated that they didn't do it for these two.

City Attorney Kenyon stated that it was all one item.

Mayor pro Tem Keener asked if he had to make separate motions.

City Attorney Kenyon stated he did not.

Mayor O'Neill asked him to make separate motions.

Councilmember Digre stated that the City Attorney said they didn't have to.

Mayor O'Neill stated that he was requesting it.

Mayor pro Tem Keener stated that he was requesting it because he wants to vote differently. It is not a slam dunk.

Councilmember Digre understood.

Mayor pro Tem Keener moved that Cynthia Knowles be appointed to the Parks, Beaches and Recreation Commission; seconded by Councilmember Digre.

5-0

Mayor pro Tem Keener moved that Dan Stegink be appointed to the Planning Commission; seconded by Councilmember Martin.

3-2

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

16. Adopt Resolution Approving the City of Pacifica Investment Policy  
**PROPOSED ACTION:** Move to adopt resolution approving the City of Pacifica Investment Policy

Asst. City Manager Hines presented the staff report.

Mayor pro Tem Keener didn't think the city had a huge pool of money waiting to be invested. He did acknowledge that they could have something in a really liquid investment. He asked if the Asst. City Manager had a suggestion for that type of investment or was there one on the list.

Asst. City Manager Hines stated that there were, specifically the U.S. Treasury for three months, Bankers' Acceptances also for three months, and he mentioned that he would start in that realm and as they start to build the reserves, then he would go to six months, one year, etc.

Mayor pro Tem Keener asked if they could withdraw from those investments without penalty.

Asst. City Manager Hines responded that they could except for the CDs.

Mayor pro Tem Keener asked how much they had available to invest now.

Asst. City Manager Hines stated that he didn't know. They wanted to get this in place to start the process of isolating the surplus cash. He assured them that it would be laid out in the quarterly report.

Councilmember Vaterlaus asked what the highest amount was on the three-month term.

Asst. City Manager Hines thought it was probably the Bankers Acceptances at 1.25%, then added that he had Commercial Paper at 1.20% for 30 days. He stated that they would be looking at all of them. He felt that this group of investments represents a nice conservative group of instruments. He added that it runs parallel to the 1996 investment policy except for a couple of exceptions and he wasn't straying far from where they were. He was merely updating it and meeting current law, as well as adding a couple of instruments they didn't have access to in 1996.

Councilmember Martin stated that she had the glossary but asked if he could expand on a Repurchase Agreement.

Asst. City Manager Hines stated that they call them reposes. He described it saying, if you have a sum of money with a contact in the European market. He was looking for a market that opens up when ours shuts down. He proposed that, if Mayor O'Neill was a broker in the European market, you gather up all your cash and give it to Mayor O'Neill who invests it in his market, hopefully makes money on your investment, returns your principal and investment at the end of his trading day and gives it back to you. He mentioned that he worked with an investment firm many years ago in Virginia, and at the end of the day it was about making sure they could account for everything because the overnight repos was coming. He thought they invested funds in the Asian market and got a good return the next morning and they continued business as usual.

Mayor O'Neill thought the underlying investment was still bonds, or common stocks.

Asst. City Manager Hines thought it would be bonds because they were going to stay away from equities.

Mayor O'Neill concluded that everything was investment grade A or better.

Asst. City Manager Hines responded affirmatively.

Mayor O'Neill asked why they didn't collateralize the deposits, adding that banks are reluctant to do them.

Asst. Cit Manager Hines stated that there were a number of instruments on page 7 that intrigue him but, in the spirit of getting it revamped and operational, he would like to go with what they know. He added that, as time goes on, he may come back to them and mention that they were looking at the trends with these instruments and they think it is a good way to go.

Mayor O'Neill referred to the question by Councilmember Vaterlaus of what the highest yield was, and he quoted it as an annual yield and not just one month.

Mayor pro Tem Keener concluded that we won't get rich doing this.

Councilmember Vaterlaus moved to adopt resolution approving the City of Pacifica Investment Policy; seconded by Mayor pro Tem Keener.

Ms. Duffy asked if there was no public comment.

Mayor O'Neill apologized, stating it was getting late, then opened public comments.

**Bridget Duffy, Pacifica**, stated that this was the one she came for, acknowledging that it was late and everyone gets burned out. She stated that at 1.25% and 1.3%, she heard the retirement funds have not been doing that well either on Wall Street. She acknowledged that this would not stop anything at this time, but she wanted to mention that a lot of cities are taking their funds and instead of "playing" with them in the market hoping to get something back which doesn't seem to be working for anybody, they are taking the money and investing it in real investments within their city, mentioning a city in Texas who decided to take all city-owned buildings and put solar panels on them, and they have not paid an electric bill since and have generated a half million dollars in revenue only within the last couple of years. She referred to the potential to make a great deal of money if they invest in their city, referring to the housing crisis and rental crisis, a lot of green belt land, and there was talk of putting tiny houses on the green belt land and the city would become essentially a landlord and they know that is the best business to be in now, especially in Pacifica. She realized that these were out of the box ideas and seem really crazy now, but she wanted to put it out there as this was how cities were starting to make a come back. She thanked them for the effort, adding that she thought they were very efficient at what they doing.

Mayor O'Neill closed public comments.

Mayor pro Tem Keener stated he had seconded the motion but he added that he didn't want anyone to be misled as they don't have very many funds. He thought this was being put in place in the hope that someday they will, but now they don't have reserve funds. He stated that it was scary but they were working on that.

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

17. Introduction of an Ordinance to Amend in Its Entirety Chapter 5 of Title 7 of the Pacifica Municipal Code Regarding Flood Damage Prevention, and Finding Adoption of the Ordinance Exempt from the California Environmental Quality Act (CEQA)  
**PROPOSED ACTION:** Introduce, waive the first reading, and read by title only, the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending in its Entirety Chapter 5 of Title 7 of the Municipal Code of the City of Pacifica Relating to Flood Damage Prevention."

City Clerk O'Connell stated that it was almost 11:00 p.m. and she asked if they want to make a motion to go beyond 11:00.

Mayor O'Neill asked Assoc. Planner Murdock how long he will be.

Assoc. Planner Murdock stated that it would be 60 seconds.

Mayor O'Neill suggested that they go to 11:15.

City Clerk O'Connell stated that they had to vote on it.

Councilmember Keener moved to continue to 11:15 p.m.

Councilmember Digre seconded.

Mayor O'Neill stated that the motion to go to 11:15 passed 5-0.

Assoc. Planner Murdock presented the staff report.

Councilmember Vaterlaus referred to mention that it was amended in its entirety, and she asked if there were changes to the maps as she thought some of the areas were coming out of the flood zone.

Assoc. Planner Murdock stated that the ordinance does not directly affect the mapping process for the city, and thought PW Dir. Ocampo may be able to speak to the status of the larger effort by FEMA to update the maps.

PW Dir. Ocampo explained that what the Federal government was doing to FEMA was updating the map from the old cartoon version to the digitized one we have now. He stated that a few years ago when they started doing that, PW informed the property owners on the fringe of it that, while they digitize it, it becomes more accurate and you may or may not be included. He stated that they reviewed the maps which were very accurate and in line with what it was before.

Councilmember Vaterlaus stated that it also indicates erosion.

PW Dir. Ocampo stated that most of the mapping was based on flooding. He stated that, when she mentioned erosion on the hillside, that was not within the flood zones.

Assoc. Planner Murdock stated that there was one of the flood hazard area designations that talks about coastal flooding and erosion, and he conceived that as the east coast erosion they would experience through a hurricane and storm-induced swells they get and are more typical to that type of activity but not the type of flooding we experience along our coast.

Councilmember Vaterlaus stated that it did say flood related erosion.

Mayor pro Tem Keener commented that she might have been referring to stream bank erosion. He stated that he knows of someone who had some interest in that topic after the past winter. He wondered if that would be part of FEMA's designation.

PW Dir. Ocampo stated that FEMA's designation is based on elevation. He stated that, with the creeks we have, most of the flood zones are contained within the channel itself. If there was any expansion and someone's property gets eroded, the maps are at a scale which will not show if there is a foot or two that were eroded through the banks, but would indicate on the map whether the flood zone was contained within the channel itself.

Councilmember Digre referred to San Pedro Creek Highway 1 area, and stated that she thought we had alleviated the 100-year flood thing, and she asked if those people got off the flood zone.

PW Dir. Ocampo stated that, back in 2005, the city did a flood control project which was paid by the Army Corp of Engineers. He stated that, following completion of that, there was not much progress because of the bottle neck where the bridge is. He stated that, since they reconstructed the bridge on Highway 1, they also widened the creek at that location. He stated that the bridge project also redid some of the portions of the creek all the way to the mouth. He stated that a study has to be conducted by FEMA and the Army Corp in order to change the maps.

Councilmember Digre asked if they are going to do that in that area.

PW Dir. Ocampo stated that they are going to request that as soon as the project is completed, but it will take identifying the funds to invest and put into staffing to make the change.

Councilmember Digre asked if there were any reports of new flooding in East Rockaway, explaining that, after we finished the Pedro Creek area, she heard people in the east side of Rockaway by the VFW area say that there was flooding in that area.

PW Dir. Ocampo asked if she was talking about Calera Creek or Rockaway.

Councilmember Digre asked if the Calera Creek was across from Rockaway, not Vallemar.

PW Dir. Ocampo stated that was the Rockaway Creek by Buell and Donaldson. He stated that he was not aware of any flooding in that area.

Councilmember Digre thought maybe it was a one time thing.

There were no public comments.

Planning Dir. Wehrmeister clarified for transparency that FEMA adopts the maps and goes through a public input process for the mapping. If there are questions about the mapping, the Council was not adopting that, but the implementing ordinance. She wanted anyone watching who may have questions about the FEMA maps are clear that was not what the Council was acting on at this time.

Councilmember Martin moved to introduce, waive the first reading, and read by title only, the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending in its entirety Chapter 5 of Title 7 of the Municipal Code of the City of Pacifica Relating to Flood Damage Prevention"; seconded by Mayor pro Tem Keener.

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

## **ADJOURN**

Mayor O'Neill adjourned the meeting at 10:59 p.m., in memory of Thom Ball, a very nice person who served the citizens of Pacifica and a lot of kids knew him from story time, music and other times.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 9/11/17; 5-0

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Mike O'Neill, Mayor