



**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

November 27, 2017 (MONDAY)

www.cityofpacifica.org

Mayor Mike O'Neill called the meeting to order on November 27, 2017 at 7:05 PM

CLOSED SESSION - NONE.

7:00 PM OPEN SESSION

Call to Order

Mayor O'Neill called the meeting to order at 7:05 p.m.

Attendee Name	Title	Status	Arrived
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: Kevin Woodhouse, City Manager; Michelle Kenyon, City Attorney; Lorenzo Hines, Asst. City Manager; Van Ocampo, Public Works Director; Luis Sun, Deputy Dir. Of Public Works; Tina Wehrmeister, Planning Director; Bonny O'Connor, Asst. Planner; Dan Steidle, Police Chief; Chris Clements, Police Captain; Mike Perez, PB&R Director; Kathy O'Connell, City Clerk.

Salute to the Flag led by Councilmember Vaterlaus

Closed Session Report

None.

SPECIAL PRESENTATIONS

Proclamation - Veteran of the Year

State Senator Jerry Hill started by acknowledging the City Council and compliment them on their efforts over the past years, including addressing the winter storms, and working with three different city manager and he also congratulated Kevin Woodhouse as Pacifica's new city manager and stated that they looked forward to continuing to work with him as they have in the

past as he assumed his responsibilities. He stated that he was happy to celebrate with him the past summer at the groundbreaking ceremony for the Palmetto streetscape project, an important step in the path of bringing to fruition Pacifica's vision for a true main street. He mentioned that Mike O'Neill will be handing over the gavel soon but he will continue to be an active member of the City Council and he was looking forward to continue to work with him and the Council on behalf of Pacifica as they move forward. He stated that, as a state senator, he has the opportunity and one of his favorite parts of his job to recognize exceptional people in the district he represents for their contributions to the community. He was pleased to recognize an exceptional and extraordinary individual who will be the 13th Senate district veteran of the year in San Mateo County for 2017, Allan Hale. He stated that they received nominations all over the district for this recognition. He recognized and acknowledged Councilmember Sue Digre who brought Allan Hale's good works to their attention and highlighted the great work he has done in the community. He stated that he was an exceptional person. He commented that he saw active duty with the Coast Guard during the Korean War and following the war he and his wife moved to Pacifica where he has been a leader in the community ever since, as a scoutmaster for over 45 years, active member of St. Andrew's Presbyterian Church, contributing in binding some of the wounds created by the Vietnam War, was a docent for the wall that heals at the Golden Gate National Cemetery. He explained that the wall was a replica of the Vietnam Veteran's Memorial in Washington, D.C. It was designed to travel to communities throughout the United States and allows souls enshrined in the memorial to exist once more among family and friends in the peace and comfort of familiar surroundings. He referred to Allan's love of softball, sponsoring and organizing adult softball leagues with Pacifica's Parks and Red Dept and leading into his induction to Pacifica's Sports Hall of Fame in 2011. He was active in the community as an adjutant for Pacifica's American Legion Post 238, Vice President of the Lion's Club and commander of Pacifica's VFW Post 10245, having been reelected nine years running. He stated he was a special individual serving our nation and our community with dedication and selflessness. He stated that it was an honor to recognize Allan as a 13th Senate District Veteran of the Year for San Mateo County. He thought everyone present recognizes and understands why is so deserving for this reward. He then presented him with his award, thanking him for his contributions.

Mayor O'Neill stated that they would take a picture

Councilmember Digre asked him to bring up his family.

Mayor O'Neill then read Pacifica's proclamation honoring Allan Hale.

Mr. Hale quoted John F. Kennedy, "it is not what your country can do for you, it's what you can do for your country."

Mayor O'Neill stated that he will go first, mentioning that Allan has been part of his family's life for over 20 years because his son went through Boy Scouts and made Eagle Scouts with Al's help, adding that he was legendary in the camping trips as it rained every time. He stated his wife was very active in the Girl Scouts. He stated that his son still has the quilt that Mrs. Hale made for every scout in the troop.

Councilmember Digre stated that his military record speaks for itself, as well as everything mentioned in the proclamations. She pointed out that he does the oratory contest every year and he does everything possible to fix anything that is not going right, mentioning that she was there when he does activities for other nonprofits in Pacifica. She felt it was refreshing to have someone ready to find a way.

Mayor pro Tem Keener stated that he knows him from the Pacifica Resource Center good bank at the American Legion Hall, always outside the hall after the patrons have picked up canned goods and pick up a box of vegetables. He felt that, just in that interaction, he can tell that the other vets who turn up to help respect him.

Councilmember Vaterlaus stated that her son was an Eagle Scout but in a different troop, but she felt he was legendary and everyone knew about him. She stated that she attended one giveaway and he was busy doing everything. She stated that being involved in that food bank was a moving thing to do.

Councilmember Martin stated that she only met him once at the Rockaway Tree Lighting but she hears nothing but wonderful things about him, and she thanked him for his service and congratulated him as Veteran of the Year.

Mayor O'Neill mentioned the first meeting for the boy and Al will tell the boy that he must call him Mr. Hale but when he makes Eagle he can call him Allan. He stated that teenagers always called him Mr. Hale. He stated that his son is 27 but they all still call him Mr. Hale.

Mayor O'Neill stated that Pacifica lost an employee suddenly in early November and they would like to adjourn the meeting for Christine Gendreau, stating that she only worked for Pacifica for 14 months but she had a big impact as the head of personnel for Pacifica and the employees felt a loss as they saw her every day. He stated that she also served on committees such as the Ambassador's fund which planned different employee recognition events and on the 60th anniversary committee the previous weekend. He stated that her professionalism and dedication were respected and was admired by employees and colleagues. She set a standard for commitment to public service throughout her career by her leadership talents and volunteer work. He stated that Pacifica extended their sincere sympathies on her passing and they will be adjourning the meeting in her honor.

Special Needs Registry - Police Chief Steidle

Police Chief Steidle stated that he was accompanied by Police Captain Clements, commander of their patrol division, the uniformed officers. They were present to give a short presentation on a new program in Pacifica called the Special Needs Registry. He stated that Captain Clements was the person who brought it together, did the research and will be in charge of the program for the present time as they are trying to bridge the gap between law enforcement and people in the community with special needs. He hoped this program will help to bridge that gap. He then turned the reporting to Captain Clements.

Police Captain Clements stated that he wanted to recognize Mayor O'Neill who brought this program to their attention, having heard of the Santa Clarita Special Program, of which he was not aware. He spoke with one of the people who put the program together in Santa Clarita, and she saw ways for police to interact with those on the autism spectrum but other needs. He gave specifics of what the program will provide for citizens with various conditions, such as Alzheimer's, dementia, etc. He mentioned that the reason they used the Santa Clarita program as a model was because they had received a lot of accolades, mentioning specific awards. He gave the specifics of how to register and how the program will be kept updated. He stated that they were looking to go live with the program by early January.

Mayor O'Neill thanked him for getting this done. He stated that he had worked with the handicapped and knew there was a need for this, mentioning a couple of examples locally where this program would be helpful.

Councilmember Digre referred to his comment about obsolete information, and she asked for an explanation.

Captain Clements stated that they want to be sure the information is current and those in the database who are residents, and not continue maintaining information on people who have moved out or no longer work here.

Councilmember Digre asked if they had a mechanism to reach out and make sure people are gone.

Captain Clements stated that he was sure there will be something to incorporate that.

Councilmember Digre stated that sometimes when people sign up, they assume it is still there. She thanked him for this great idea.

Police Chief Steidle stated that they will be notified that they have to update the information every two years and they will have it as part of their database so they can auto-generate letters with the information and if they don't hear back, they will assume they are no longer interested or still here.

Councilmember Martin thanked them and asked if he could read the qualifications.

Captain Clements stated that he named a few conditions, such as Alzheimer's, dementia, etc., but it wasn't all inclusive.

Councilmember Martin asked if being registered in the program was an alert to the authorities that when they receive a call the person has a special need. She asked if the intention was to treat them differently.

Captain Clements stated that any time they are dealing with a situation or individual, the more information they have to help them recognize the situation and know the tools to diffuse the situation or aid that person, they will welcome that. He stated that it sometimes comes an officer's first hand knowledge because they have dealt with them in the past. The registry will allow people in the community to give them information before the incident.

Councilmember Martin concluded it was for informational purposes but how they will be treated or handled.

Captain Clements stated that it would not.

Councilmember Vaterlaus thanked them for doing this as she thought it could prevent some issues in the future as happened in the past. She thought if people were made aware of a person's inability it could solve a lot of problems.

Mayor O'Neill thanked them for the information and hoped they will be out there for the public to register.

CONSENT CALENDAR

Councilmember Martin stated she had a comment on one item.

Councilmember Vaterlaus stated that she would like to move an item but she didn't think this was the time to do that. She would like to move Item 11 to Item 10 and move Item 10 to Item 11.

Councilmember Digre stated that she would second the motion.

Councilmember Martin referred to Item 4, pedestrian/bicycle advisory committee of CCAG, and thanked Public Works Director Ocampo and his staff for their hard work on writing the information for the grant and Pacifica was allotted those funds.

City Attorney Kenyon stated that, for clarification, the motion on the consent calendar is a single motion, separate and apart.

Mayor O'Neill concluded that they would then do the change in the agenda after that.

City Attorney Kenyon stated that they should do the consent calendar first.

Councilmember Vaterlaus moved to approve the consent calendar; seconded by Councilmember Digre.

Councilmember Vaterlaus made the motion to move Item 11 to Item 10 on Consideration and item 10 to Item 11; seconded by Councilmember Digre.

5-0

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

1. Approval of Disbursements for 10/01/17 through 10/31/17.
PROPOSED ACTION: Move to approve attached list of disbursements for 10/01/17 through 10/31/17.

2. Approval of Minutes
PROPOSED ACTION: Move to approve the minutes of the regular meeting held on October 23, 2017.

3. Adopt Ordinance Amending Chapter 9 of Title 6 of the Pacifica Municipal Code Deleting Section 6-9.02 Regarding Wastewater Side Sewer Maintenance (Second Reading)
PROPOSED ACTION: Move to adopt the Ordinance entitled An Ordinance of the City Council of the City of Pacifica Amending Chapter 9 of Title 6 of the Pacifica Municipal Code By Deleting Section 6-9.02 Regarding Wastewater Side Sewer Maintenance.

4. Adoption of Resolution to Request to the Metropolitan Transportation Commission the Allocation of Fiscal Year 2017-18 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding for the Development of the City of Pacifica Comprehensive Pedestrian/Bicycle Plan
PROPOSED ACTION: Adopt the resolution next in order, "A Resolution by the City Council of the City of Pacifica to request to the Metropolitan Transportation Commission the allocation of Fiscal Year 2017-18 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding" for the development of the City of Pacifica Comprehensive Pedestrian/Bicycle Plan; committing up to \$55,000 of Measure A funds for the required matching funds; and authorizing the City Manager to execute any documents required for the grant.

5. Approval of Consultant Services Contract with Cotton Shires & Associates for the 400 Esplanade Infrastructure Preservation Project
PROPOSED ACTION: Move to Approve the Consultant Services Contract with Cotton Shires & Associates in the amount of \$54,000 (Attachment 1) for the 400 Esplanade Infrastructure Preservation Project.

6. Approval of Consultant Agreement Between the City of Pacifica and TESCO Controls, Inc., in the Amount of \$162,744, for the Sharp Park and Linda Mar Lift Station PLC and Communication System Upgrade
PROPOSED ACTION: Move to approve Consultant Agreement Between the City of Pacifica and TESCO Controls, Inc., in the amount of \$162,744.00, for the upgrading of the Sharp Park and Linda Mar Lift Stations Programmable Logic Controllers (PLC) and communication systems; approve a total budget of \$162,744.00 (\$147,943.96 sole source proposal + \$14,800 10% contingency); and authorize the City Manager to execute all necessary documents.

7. Part-Time Salary Schedule Update 01-01-2018
PROPOSED ACTION: Move to adopt a Resolution to revise the City's Part-Time Salary Schedule.

ORAL COMMUNICATIONS

Bridgett Duffy, Pacifica, stated that it was good to be here with other Pacificans and watch democracy at work even though what happened in November was disappointing. She stated that she was raised in this country and his father was in Korea, was in WW II, built bridges, etc., as a young man in Oregon in CC camps. She stated that two of her cousins died in Vietnam for our country and the country was important to her. She was raised to believe we have a democracy and the government of the US was formed in order to ensure the rights of its citizens, such as life, liberty and pursuit of happiness. She thought we could agree that those rights have to be undeniably indistinguishable from having a place to live. She stated that there are law abiding American citizens working, paying taxes, who are living in their cars and sleeping under bushes because of unreasonable, unjustifiable and inhumane rent expectations. She stated that she watched two Councilmembers oppose our only chance of regulating rents in Pacifica and she didn't hear much from anyone else. She added that they opposed it even though they agreed to make rent stabilization the top priority of Pacifica last year. She thought privately people were supporting it but all she heard the blatant lies, fraud and liable that was provable in a court of law being told by the opposition to rent stabilization including two people

on the Council. She felt this was a legal matter, and the people of Pacifica have a complaint because they were frightened unnecessarily, confused and lied to.

Anita Rees, Pacifica, stated that they have started Dignity on Wheels on October 23, which will offer showers, laundry and restrooms to homeless people every Monday through April 15 from 8:00 a.m. until 11:00 a.m. She mentioned that they couldn't do it this Monday because of construction on the street but they have approval to use Monday mornings in front of the office. She stated that it was an opportunity to build trust with those who aren't coming to PRC because they don't require or need to have a case plan with them. She stated it was a great opportunity to bring those in who have never come to the Resource Center and try to connect them to services and get housed and connect them to their resources at their office. She stated that inclement weather started on November 15 and this was a county program during bad weather, lows of 38 and less than 50% chance of rain or overnight lows of 42 and more than 50% chances of rain or significant weather as determined by the county. She stated that when that happens, they will add additional beds at the shelter so people do not have to sleep outside during significant weather issues. She stated that the need to go to the Resource Center and they can connect them to a shelter or motel stays. She stated that they completed the Thanksgiving program, providing gift cards and food to 193 families in Pacifica with 522 people in town. She stated that they were enrolling for adopt a family, mentioning that they currently have 85 families with 173 children who were being matched with generous donors. She stated that they were still enrolling but the closer to the holidays, the harder to find people who will shop for them. She stated that they won't turn anyone away and, will at least provide gift cards. She stated they were recruiting for tax preparation volunteers. She stated that PRC sent out a city wide mailing and a few people will have a golden ticket for a prize sponsored by the Sam Mazza Foundation. She encouraged them to check their mail to see if they are one of the lucky finders of the golden tickets.

Kathy Moresco, Pacifica, stated that on behalf of the stop the hidden tax no on Measure C committee, her husband, Roy and Nancy Stotts, she thanked Mayor O'Neill and Councilmember Vaterlaus for speaking out and standing up against the Measure C. She stated that, at a vote of 61% against Measure C, she hoped all the Councilmembers will hear the will of the people and not bring rent control back to Pacifica as an option. She thought, at this point, it was urgent that they work together and owners and tenants should not be pitted against each other but working together to look for options to help with the housing crisis in Pacifica. She stated that she was at two meetings, one at the Resource Center and one at the library, talking about housing in Pacifica. She thought the turnouts were quite low. She thought, if this is a crisis and people want to help, these are the places people should be to talk about how to help and what to do. She stated that, if it is subsidies for low income people to help them pay rents or mortgages, they should work on sooner rather than later and also low income housing. She stated that she was pleased that they defeated rent control, and she thanked Mayor O'Neill and Councilmember Vaterlaus.

Tygarjas Bigstyck, Pacifica, stated that, regarding rent control, he cannot imagine watching a more heartbreaking process on the local governmental level. He recommended that our leadership lead us on a path to healing where they have needlessly and destructively experienced a year of great divides. He stated that the rent advisory task force was a group of citizens who came to the table with different perspectives and spent the little time they had engaging in respectful and constructive discourse to find recommendations to issues of renting in Pacifica that would circumvent this sort of bitterness and contention they have seen over the course of the year. He recommended that they reinstating the group and widening it in the interest of beginning the healing process. He recommended that two or four new members join

the established group in balanced numbers who are active realtors and active members of Fair Rents 4 Pacifica. He thought that would ensure that all spectrum of views are brought to the table and citizens can rehash it out and try to come to a consensus before Council makes any decisions about which direction to pursue next. He then stated that anyone on Council who voiced loudly either for or against rent control, he would take the same action. He stated that he would figure out which landlords unceremoniously raised rents on those who were renting previously below market rates and plea to them to show mercy for those whose rents were raised and remember their humanity going into the holiday season. He didn't believe that fear was a good reason to make decisions but he felt that feeling threatened caused these landlords acted as though they were protecting themselves. He stated that the threat has passed and, while maybe some of them are as greedy as the broad brush strokes some have painted them, the threat to their property has passed and they have the opportunity to relinquish control back to whatever higher reasoning they possess. He believes that, if given the opportunity to do the right thing, seeing no reason not to, generally people say yes. He stated that, if even one landlord reduces rent to where it was or gives the gift of a month to a tenant so they can catch up on their finances, it was worth the governing body that collectively demonstrated a threat to humble themselves so the citizenry who were supposed to be protected or possibly given a chance to regain what has been lost. He stated that the ball needs to start rolling on affordable housing. He stated that it will be a complicated years long process and they have already lost one of the years. He felt it was time that Council as a body show the courage to tackle a sustainable solution together.

Marty Anaya, Pacifica, stated that he invited everyone to their PCT auction they are having the coming Saturday and Sunday to raise money for the station so they can do things like upgrade, as they went completely HD everywhere but Comcast who were still broadcasting in standard definition. He stated that the internal upgrades have been made to the station and are all HD. He stated that these fundraisers are not only a good time but supports a TV station that was 40 years old as a non-profit. He stated that, unless they use sight of the reason for community media, it was people to have discourse as they presently have and will have later in the meeting to have their voices heard. He felt that was important to an interconnected democracy. He stated that he only comes up twice a year to proselytize and he would love anyone who wants to come in and participate as an auctioneer. He stated that they are continuing upgrades and the next is radio.

COUNCIL COMMUNICATIONS

Mayor O'Neill asked the City Manager, if the Council agrees, if they could bring the rent control advisory board back and ask staff to see if those appointed would be interested.

City Attorney Kenyon stated that they can bring that back on a future agenda for discussion.

Mayor O'Neill understood, adding that he wanted to see if there was support to bring it back on the agenda.

City Attorney Kenyon stated that they can't deliberate on whether or not there is support.

Mayor O'Neill asked if they could put it on the agenda and ask staff to see if those appointed have an interest in continuing. Mayor O'Neill stated that he was asked and agreed to be the head of the delegation to China for business development for San Mateo County. He stated that he was there for about a week and they visited three different cities, gave 8-9 speeches.

He stated that, as a region, they had interest from different cities, and one called about doing some investment in San Mateo County.

Councilmember Vaterlaus stated that she attended CCAG and they discussed the Highway 101 express lane which should take some traffic off Highway 101 because now it was in horrible shape and also the pedestrian/bicycle pass to the various cities. She stated that Highway 1 has been cleaned up to prevent future sliding at the Vallemar cut. She tried to contact Caltrans several times. They didn't respond, but she thought they responded to the city manager and Van Ocampo and they came out prior to the storms to get some of that cleaned up. She attended the Council of Cities at YouTube which was interested to learn about how cities can use YouTube for promotion. She enjoyed the 60th anniversary with Council and found out a lot of Pacifica history. She reminded people to attend the Rockaway Tree lighting on December 3 from 4-8 p.m. She stated that they will have Santa, pony rides and interesting things in food trucks. She attended the home for all which was an interactive meeting at the library. She stated that there was a lot of conversation on what communities can do to help alleviate the housing crisis and look towards having affordable housing. She attended the Library Advisory Committee and they will be presented their new proposal in December or January.

Councilmember Martin thanked Councilmember Vaterlaus for covering the Library Advisory Committee as she was in the hospital having a baby. She appreciated everyone's patience with her return of emails. She thanked Public Works Director Ocampo for the \$55,000 they got from the Bicycle/Pedestrian Advisory Committee from ABAG to do a comprehensive bike and pedestrian plan. She stated that PB&R Commission acts as the committee now. She stated that, if anyone had ideas they would like studied, now was a good time to reach out. She stated that the congestion management environmental quality committee was also a group with CCAG from which they had applied for a grant for the Cabrillo School Pedestrian Crossing Improvement project and got that money. She thanked community members who brought that to the city's attention as they got about \$157,000 for that. She reminded everyone that PB&R tree lighting was Friday at the Community Center and the elf market following that, with the Santa arts and crafts the next day.

Councilmember Digre stated that she attended the Commute.org meeting. She would like to have them put on the agenda to present all the different ways to get people out of single cars. She stated the lime bikes were fascinating and now bicycles have a motor and she thought some could now get up Sharp Park or Highway 1. She stated that SCOOP was not possible for Pacifica when it first started as they needed industrial sized workplaces but now that wasn't true. She would like to have them present that to Pacificans and people might find it helpful. She attended a housing meeting where the League of Cities presented some new laws. She was concerned because Sacramento doesn't always give local jurisdictions much time to think or agree or disagree. She sent out a message to the City Manager right away. They have to have some things in place by January 1 or "too bad." She was concerned that there was only this and one other Council meeting. She stated that staff was moving ahead and she thought they have it all covered. She stated that the "diamond" birthday was great. She stated there was a lot of hard work from many people. She hoped that Shirley Gibbs was doing okay as she was sick and the Historical Society always puts in more than average participation and work. She stated that we have a lot of history and she thought it could be a lure for foot traffic in Pacifica and use to help hotels and retail. She would like to see them putting history, nature and culture together to get feet on the ground and not wait for things to be built in years. She would like to see the housing element come back as they were very low on affordable housing. She stated that they sometimes read the report when it was late at night and she would like to have it brought back at an earlier hour to digest it. She suggested that they have the

transportation information also and see both of them on the calendar. She was for peace and not pointing fingers and moving forward. She stated that once they put Measure C on the ballot they weren't allow to speak from the dias, and she would like to ask the City Attorney for the record whether there was a tax in Measure C.

City Attorney Kenyon stated that the ordinance that was placed on the ballot contained a regulatory fee for landlords who were participating in the regulatory program.

Councilmember Digre asked if that was a tax.

City Attorney Kenyon stated that it was not a task.

Councilmember Digre stated that in order to go forward and be honest about things, they have to be honest. She stated that to have full engagement from everyone, they have to be honest to the public.

STAFF COMMUNICATIONS

City Manager Woodhouse stated that the 60th anniversary events were mentioned and he thought that the open house that was held at the Community Center was a huge success with incredible participation with dozens of community organizations represented and as a new city manager the four hours went by incredibly fast as he was engaged in conversations with representatives from all those organizations and members of the public, adding that the dinners and lunches held on that weekend were a big success.

PUBLIC HEARINGS

8. Introduction of an Ordinance to Establish Zoning Regulations to Limit the Number of Alternative Financial Services (AFS) Businesses and to Establish a Use Permit Requirement for Operation of an AFS Business (Text Amendment TA-110-17), and Finding Adoption of the Ordinance Exempt from the California Environmental Quality Act (CEQA); the Planning Commission Recommended Approval of the Ordinance by a Vote of 4-2 on November 6, 2017.

PROPOSED ACTION: Introduce, waive the first reading, and read by title only, the ordinance related to Alternative Financial Services (AFS) regulations.

Planning Director Wehrmeister presented the staff report.

Councilmember Martin asked if the City Attorney could comment on the transfer of business licenses, referring to a clarifying email that was sent out.

City Attorney Kenyon stated that the ordinance would not permit the transfer of business licenses under our code currently. She stated that AFS businesses would not be allowed to transfer business licenses either but the ability to acquire business licenses would not be prohibited and a new owner of an AFS business would not be prohibited from acquiring a business license as they are non-discretionary permits issued by the city. She stated that the ordinance cannot prohibit was the transfer of the business to another entity and it would be allowed.

Councilmember Martin asked if she could give her an example.

City Attorney Kenyon stated that, if an AFS business were to sell their company to another owner, the city could not prohibit that.

Councilmember Martin stated that there was a note that the ordinance cannot prohibit the transfer of existing AFS businesses in existing locations.

City Attorney Kenyon agreed, clarifying that, if an owner of an AFS business were to sell his business to another AFS business that was going to operate in the same location under the same terms without expanding and without moving to a different location, that transfer of ownership would be allowed. An owner would not be allowed to transfer his business to a different location and sell that business to another owner.

Councilmember Martin asked if that was because of the grand fathering clause.

City Attorney Kenyon responded affirmatively, clarifying that we have both state preemption problems with doing that, as well as the fact that a use that is permitted, even if non-conforming, they have vested rights that the city is not allowed to prohibit.

Councilmember Digre asked if the 12-month issue have anything to do with what she was talking about. She stated that she understood what they were talking about, but she was asking, if a business was not able to be open for 12 months, whether that was a factor or relate to what she was talking about.

City Attorney Kenyon responded that it did not, adding that it relates to the issue of a business which is currently non-conforming. She stated that we currently have three AFS businesses that are essentially operating. Once the ordinance takes effect, only one of those businesses would be allowed under the cap. She stated that, if any of those three businesses were to cease conducting their business for a year, under the ordinance, they would no longer be considered to be a nonconforming use, meaning that their use would terminate and would not be able to further operate.

Councilmember Digre added "or sell."

City Attorney Kenyon agreed.

Mayor O'Neill referred to Councilmember Digre's question, and concluded that if they ceased to operate as a business for one year, they would forfeit the license. He asked if that was specifically in the ordinance or common for any non-conforming use.

City Attorney Kenyon stated that it was common for any non-conforming use and is not specifically in this ordinance.

Planning Director Wehrmeister added that it was already in the municipal code under non-conforming provisions and would apply to non-conforming uses if this ordinance creates them as non-conforming uses.

Mayor O'Neill concluded that if a liquor store or marijuana dispensary did not operate for a year, they lose their license.

City Attorney Kenyon stated only if they were a non-conforming use.

Mayor O'Neill opened the public hearing.

Dan Evenhouse, Pacifica, thanked Council for taking up this critical issue. He encouraged Councilmembers to support and pass the ordinance as a way to regulate these organizations which, if unregulated, can take advantage of people who can least afford those kinds of services. He stated that others will have more specifics to say about that. He wanted to go on record that he was for this kind of regulation.

Sebastian Strauser, Pacifica, stated he was a sophomore at Oceana High School doing work with the Youth Institute and he stated that it has been a campaign of his and his partners at wild life to push for this ordinance as it has been a slogan in his campaign, "get paid, not played" which essentially means that they want Pacificans to keep more of their paychecks which would be more of an effect as opposed to if the ordinance were not to be based because of the predatory debt cycle that is associated with these institutions. He iterated that it has not been a part of their campaign to eliminate the existing jobs or access to loans that consumers get from these institutions because they see an existing need for the institutions but they would not want to see a proliferation of people losing more of their paychecks. He urged them to pass the ordinance as they want more Pacificans to keep more of their paychecks.

Liana Molina of California Reinvestment Coalition, stated that CRC was a statewide membership organization of 300 nonprofits and public agencies who advocate for fair and affordable access to credit for low income communities and communities of color. She reported that, since 2002, they have been involved in efforts to tighten regulations of high cost financial services, specifically payday lenders, at the state and federal level, as well as local communities such as Pacifica. She conveyed their support for the proposed ordinance as the city would be taking an important step in joining hundreds of jurisdictions in Santa Clara and San Mateo counties, across California and around the country in implementing these types of policies geared toward curtailing the negative impacts of payday and card title lending on communities. She stated that many Bay Area cities, such as San Francisco, etc., have passed similar ordinances to impede the proliferation of the businesses in recognition of the harmful impact on neighborhoods. She stated that the ordinance will insure that alternative financial services industry won't grow in Pacifica and will send a message to Pacificans that the city was willing to take measures to enhance the quality of life and protect community and consumer interests. She stated that it would not adversely affect existing store fronts but would help contain the spread of high cost lending and others that charge borrowers outrageously high interest and fees that exceed 100-400% and trap people in long term debt. She mentioned that they are not able to regulate the lending practices of the entities, they can use their land use authority to make the products less easily accessible. She stated that voting in favor of the ordinance demonstrates sound leadership and good public policy and sending a message that they were willing to stand up against economic injustice and ensure that Pacifica will never have an over concentration of fringe financial service businesses and they commend Council.

Deni Asnis, Pacifica, stated that she was speaking in favor of Council passing the payday lending ordinance as proposed by the Youth Leadership Institute. She stated that by limiting the growth of the lenders, Pacifica will take a necessary step in supporting low income people. She mentioned that payday tactics and interest rates create problems for people who end up in ever increasing debt. She heard a first person account of a young man speaking about how he ended up deep in debt by using payday loans and was part of the statistic put out by the charitable trust that 3/5 borrowers end up paying more in fee expenses than the total loan amount owed. She stated that the magnitude of debt and feeling that there is no way out

causes a huge spike in stress and anxiety. She stated that health studies show higher stress leads to greater health problems and can lead to more economic insecurity and the vicious cycle of impoverishment worsens. She stated that Pacifica has a chance to take a small but significant step in supporting the youth who have done a tremendous job in researching and analyzing the situation and helped create the proposed ordinance. She thought that those in our community who work hard should have the right to be paid not played. She urged Council to pass the ordinance.

Chaya Gordon, Pacifica, stated she was a member of Pacifica Social Justice. She stated that payday loans are targeted at poor and low income people with low paying jobs and struggle paycheck to paycheck. She stated that, if you had money, you would never go to a payday loaner because you would have better options. She stated that the high cost of the loans to the person who needs one often results in a vicious cycle of debt. She felt it was unfair and why it is called predatory lending. She stated that, in a democracy, there are laws that set boundaries for behavior but there are other ethical and moral boundaries. She concluded it was legal to charge someone an exorbitant amount of interest on a loan but she didn't think it was the way we want to do business in Pacifica for a more equitable society. She supported the payday lending ordinance and she thanked the Youth Leadership Institute for its work on this in their get paid not played campaign and applauded that they and others put out information to help people get out of this cycle of debt and have better lives. She stated that zoning limitations on payday lenders was one thing we can do to make changes in this situation and is the right thing to do.

Bruce Rucker, Pacifica, stated that he was a payday loan customer for a while and he never had himself in a situation that he was struggling. He was struggling more when he was trying to get legit loans through banks and was turned down. He asked that, when it comes to food on the table and health issues, what else can you do. He stated that it has been working out fine for him and was a lifesaver. He commented on the line when rent is raised 50% of paying the rent or being out on the street. He stated that now this institution was keeping him from being homeless when he needs the extra money.

John-Paul Mason, Pacifica, stated that many of them were there as they did not support high interest payday loans and he gets it, but he stated that there are a few times when they find themselves in a financial bind and some of them live paycheck to paycheck and a \$45 fee is nothing compared to the \$35 bank charges for numerous over drafts. He stated that the payday loan was groceries, gas and maybe a treat for his family. He stated that, by taking away payday loans, he would have to find another source of income to fill the gaps until his next paycheck. He stated that the \$45 fee for a payday loan assures that his family will not have to stress and he appreciated check cashing and loans on Manor in Pacifica, adding that he would not know what to do if they weren't there for him.

Bridgett Duffy, Pacifica, thanked the youth for bringing it the Council. She stated that this was the fourth time she saw them. She stated that it was a real testimony when someone brings something to Council and it was heard and dealt with and she thanked Council and the youth, as well as the city staff for working on it. She thought that what they need is affordable housing and livable wages. She thought it seems too far out of the box but she thought the predatory loans are filling a gap, as mentioned by the speakers, but giving that much of their money in interest was illegal to charge more than 10% interest. She didn't know how they were getting away with it and she was looking into it, but she thought there were some out of the box solutions like creating a lending company that didn't have outrageous prices, adding that it would take an effort on people's part with an investment as a private sector situation. She

stated that, if people wanted to, we could create something like that which would be a real answer to the problem such as a post office becoming a non-profit institution.

Praneeta Sharma, Pacifica, stated she was the owner of Check Cashing and Loans in Pacifica. She stated that they have been in business in Pacifica since May 2008. She stated that, if the proposed ordinance is imposed, it will impact them. She stated that, if she cannot sell or relocate, her business and family would suffer and her livelihood would be put in jeopardy. She stated that her rent for the business was increased to \$6,125.40 in May 2017 with a 5% cap when her lease expired. She stated that her husband is unemployed since January 2013 due to a car accident which was not his fault. It has left him with a stroke and other medical difficulties. She stated that loss of income would have a negative impact on her present living conditions regarding medical bills, mortgage, etc. She stated that her business supports and provides for her entire family, etc. She stated that her business serves the needs of many customers with economic stress and these services help those who rely on small funds to help them get by. She stated that customers have alternatives but often choose the small businesses as the best and most efficient financial option. She stated what she provides was beneficial, safe and convenient for citizens but is not an option given by the banks. She urged Council to reconsider this ordinance and provide proof which support the statements inscribed in the ordinance.

Monica Sosa, Pacifica, stated she was a long time member of the Youth Leadership Institute. She stated that in 2014 the Institute went to South San Francisco High School and introduced what was a payday loan. As a student, she had never been introduced to the youth formally, she believed them and worked hard to help these things come to pass and were successful in passing an ordinance in South San Francisco and Daly City. When she needed work, she found work at Check Cashing and Loans in Pacifica. She realized that despite all of these facts that she was being fed by the Youth Leadership Institute, they were assumptions and on her first day working there, she was expecting people to be sad and trying to get out of where they were due to desperation but she thought that was not the case. She was faced with the reality that people were looking for small time loans in order to help them continue living the way they were to help themselves, and she realized that they were just assumptions and weren't reality. She stated that she realized that it wasn't easy to get a payday loan. You have to bring proper paperwork as set by the government. They would look to see if they could afford it and they would work with them and figure out what they qualified for. She urged them to reconsider this ordinance and listen to the customers and put their needs first, giving them the freedom of choice and realize that assumptions are not reality.

Eduardo Gonzalez, Daly City, read the conclusions of a study by Peers Charitable Trust already mentioned which highlights the concerns and negative impacts these institutions have on people. He asked that they protect Pacificans from these predatory financial services.

Montzerrat Garcia, Pacifica, stated that she works with the Youth Leadership Institute and was in support of the ordinance. She presented some statistics such that the annual percentage rate for payday loans averages 400 or higher and users are more likely than those without payday loans to file bankruptcy. She stated that, although 15% of the borrowers repay loans without borrowing in the 14-day period allowed, 80% roll over or renew. She stated that this provides an opportunity to build a culture to encourage residents to look for healthier financial services and helps people build credit instead of spiraling into a debt cycle. She stated that this should not be an opportunity for profit earnings. She stated that for the entire county and beyond, it was making sure the economic security of people are put first. She thanked Council for considering it.

Florence Chang, Pacifica, stated she was a student at Oceana High School and a member of the Youth Leadership Institute. She recapped some statistics they presented in July, specifically, 80% of people surveyed supported a policy change on payday lending and 87% believed that chronic debt and payday loans could lead to suicide. She stated that it was a grim outlook for a service that supposedly claims to help people. She stated that perhaps people need the services but it doesn't mean it was healthy, adding that they need to look for healthier options that don't prey on debt. She stated that the city should not be investing in predatory financial services that harm the community. She hoped they take everything said into consideration.

Victoria Becker, Pacifica, stated she was from Pacifica Social Justice who support Youth Leadership Institute's campaign to get this regulator ordinance passed to prevent proliferation of payday lenders in Pacifica. She thought Pacifica should look at ways to support organizations that fight the inequities in our society. She thought more needs to be done to support the Pacifica Resource Center. She mentioned that these predatory lenders aren't actually helping anyone.

Deeg Gold, Pacifica, stated she was with Pacifica Social Justice and was supporting the Youth Leadership Institute's proposal to regulate payday lenders to the extent the city can. She thought it was interesting coming up when they saw Wall Street take over the Consumer Financial Protection by an appointment of President Trump. She stated that Pacifica is a small city faced with trying to operate within the limitations that are set by our federal and state governments and they should be regulating this industry for the benefit of people. She stated that when her parents were young, credit unions were started so that people could go to credit unions and get short term loans for low interest but they have been subsumed by the banks and we are stuck. She stated that we can take a stand and say they are only going to have one payday lender. No one will be put out of business or lose it but won't be able to set up another one. She felt this was a small step to take and send a message to state legislators and the federal government that says we don't think this is okay when a homeowner can borrow money for 30-40 years at less than 5%. She stated that her credit cards only charge 20% and we are letting people be charged 400%. She stated that we need to put a stop to it and vote for the zoning ordinance.

Karina Gamez, Pacifica, stated she was a student at Oceana High School and a member of the Youth Leadership Institute. She was present to show her support for the ordinance. She was going to give a personal statement from her sister, Marlene. She stated that she could not be here but she believed her statement embodies all the reasons why these places can be so bad. She then gave the story of her sister getting a loan, being unable to pay it off and having to get another one and it became a vicious cycle and got to the point where most of her paycheck was going to paying off the loans. She stated that they claim they help people and it felt that way in the beginning but it puts them in a deeper situation where you cannot get out. She asked that they pass the ordinance and limit the businesses from taking further advantage of people in need of money and are in a vicious cycle that no one deserves to be in that situation. She feels strongly about it, not because an organization told here they are bad but she has seen the effects in her own family. She asked Council to help her protect them and the rest of her community.

Thomas Leonard, Sacramento, stated he was the executive director of California Financial Service Providers Association in Sacramento. He thanked them for the opportunity to address this. He mentioned that they heard a lot of statement with a great many of them inaccurate. He

stated that there is no proliferation of sites and, in California, there has been a decrease of about 25% in sites over the last three years. He doubt if there has been an application in Pacifica for the last several years. He stated that consumer group statements about going around to all the different cities was extremely accurate and are really involved to abolish credit as they don't see any need for access. He enjoyed Mr. Hale's presentation regarding freedom. He stated that this is freedom of access and choice and he thought the Council should consider. He applauded the fact that schools are teaching the leadership groups but he didn't like that they didn't complete the job and never came into the site, talked to the owners, sought out the industry and he wasn't sure they took a look at the research that was available that would have given them a different perspective. He mentioned a statement made that the next loan was rolled over and it has been illegal in California for 20 years. He stated that the fees have been exactly the same as they were 20 years ago. He thought they would pass the ordinance and he asked the Council to strip out the language whereas and clarify the other instances.

Mayor O'Neill closed the public hearing.

Councilmember Martin stated that she introduced this and she thanked the community for their involvement to encourage this. She stated that the reason she pushed for it was because they had active engagement from the youth and she felt it was important as it was our future. She stated that the statistics that hit home for her was the health effects on the community. She mentioned a study done by a local woman doing her clinicals and studying the health effects of financial stressors. She stated that, in recent years, one of the leading causes of death in Pacifica was heart related which can be directly or indirectly related to financial stressors. She mentioned the statistic that one of the reasons for people to take out payday loans was to cover their rent. She thought there was a better way. She was committed to figure out healthier ways for the community to get the money they need or to not be in these situations. She was committed to working with the Youth Leadership Institute on some of the applications they have going on with the youth. She also mentioned that it went through the Planning Commission and was passed on a vote of 4-2. She stated that no one was taking away the existing institutions which are grandfathered in. If one of those closes, there will not be another opening up. She supported the ordinance and thanked everyone who came out in support of it.

Mayor pro Tem Keener stated that he supports the ordinance also. He asked the Planning Director or City Attorney about the last speaker suggesting stripping out the negative impacts listed in the first whereas. He also asked the question of whether there was sound support for the statements and she assured him that there was. He stated that, as mentioned by Councilmember Martin, the ordinance will grandfather in the three businesses in town but they won't be able to move because they wouldn't be able to get another non-conforming use in another location and he supported this.

Councilmember Digre agreed that they were limiting the number of alternative financial services and establishing a use permit for the operation of AFS businesses. She thought it has been a learning experience and she thought about how they could be better at making sure all residents know about that. She stated that they took the time to help people look at their finances and determine how to save, set up and move their own lives to create better finances for themselves. She felt that was a huge asset to have and it was a learning experience. She was definitely in favor of limiting the number and establishing a use permit requirement.

Councilmember Vaterlaus thought it was very hard as she can see that there are people who need these loans. She stated that, if you have to get by for a short time, you may need to borrow this money. She referred to the comment that \$45 was well worth it. She also can see

the issues of paying 417% interest. She stated that she had a friend who used payday lenders and she went back every other week to get another one, not on top of each other but every time she got a paycheck. She was in the habit of going She stated that the only issue she has is that they have three and what if they are forced to move and they don't have a choice and then you are out of business and she thought that was a dilemma people fact in these times where the businesses have to move because of the shopping center or a tripling of rent. She felt that was going to be a problem for the other two who don't have the opportunity to move.

Mayor O'Neill stated that Mr Leonard called him and he had a conversation with him. He asked the Chief of Police about what police issues have come up from the payday lenders in town.

Police Chief Steidle stated that there are no issues with the payday lenders in Pacifica in terms of law enforcement or crime. He reviewed their records regarding the three businesses currently in town and the calls for service are negligible and only one armed robbery in 2014 which you would expect such an occasional armed robbery at any bank. He stated that a higher number occur at banks. He concluded that they are not a draw on law enforcement resources at all.

Mayor O'Neill asked if he has had any complaints from adjoining businesses because of these businesses.

Police Chief Steidle stated they did not have any to his knowledge.

Mayor O'Neill stated he would like to look at amending the ordinance to strike out that part. He stated that he didn't think there was a negative impact on land values and tax base. He referred to decreased health outcomes and stated he didn't know how that was measured.

City Attorney Kenyon stated that for the Council to adopt this ordinance, it does not need legislative findings. She stated that, if you read what the actual recital says, it says that academic studies and research by nonprofit organizations have suggested that alternative financial services businesses such as check cashing and auto title lendings have negative secondary impacts. She stated that it was not saying they create the impacts but suggesting that the studies state that. She wanted to be clear for the record that the recital in the whereas clause is accurate but, if the Council chose to strike that language because legislative findings of this nature are not necessary. She wanted to make that clear for the record.

Mayor O'Neill asked if the Council was interested in deleting those comments from the ordinance.

Mayor pro Tem Keener stated that he was not.

Mayor O'Neill stated that he has worked in banks for many years and there does need to be an escape valve for people who do not qualify for a conventional loan. He did agree that 400% was pretty bad, adding that credit cards are 20%. He felt that a good point was brought up in the fact that, by decreasing the numbers each time, they were decreasing competition. He would like to have some discussion on whether they want to do that. He stated that, if the one in Linda Mar closes, it will be there too. He hate to see the competition disappear because the competition should help them stay more competitive.

Councilmember Martin stated that she was unclear as to what he is suggesting.

Mayor O'Neill stated that the ordinance has the 3, 2, 1 and he asked if they did that.

City Attorney Kenyon stated that two of the three are nonconforming uses, but all of them are nonconforming uses now because they are over the cap.

Mayor O'Neill stated that he was concerned about eliminating the competition and the choices. He stated that maybe the customer gets along better with A versus B.

Councilmember Martin stated that she was not sure what he was saying. She asked if he was suggesting something.

Mayor O'Neill asked if they want to keep lowering the numbering available.

Councilmember Martin stated that she was happy with the size it is and that was what they originally discussed.

Mayor pro Tem Keener stated that it was his understanding that 400% a year is the statutory limit. He stated that there was a limit and he didn't think that competition among the different payday lenders is getting a customer a better deal.

Councilmember Martin moved to introduce and waive the first reading and read by title only, the ordinance entitled an ordinance of the City Council of the City of Pacifica adding sections 9-4.205.1 and 9-4.208.1 and 9-4.239-1 relating to the Alternative Financial Services (AFS) regulations and amending Article 2 of Chapter 4 of the Title 9 of the Pacifica Municipal Code and adding Sections 9-4.2317 to Article 23 of Chapter 4 of the title of 9 of the Pacifica Municipal Code to regulate Alternative Financial Services text amendment TA-110-17 and finding adoption of the ordinance exempt from the California Environmental Quality Act; seconded by Mayor pro Tem Keener.

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

9. Amendment No. 2 of Use Permit (UP-080-16) and Site Development Permit (PSD-816-16) Related to the Construction of a 2.1-Million-Gallon Capacity Equalization (EQ) Basin and Associated Structures at 540 Crespi Drive in Pacifica.

PROPOSED ACTION: Move to approve Amendment No. 2 of Use Permit (UP-080-16) and Site Development Permit (PSD-816-16) and approve Addendum No. 2 to the Wet Weather Flow Equalization Basin Project Final Mitigated Negative Declaration/Initial Study by adopting the attached resolution, including the Addendum provided in Exhibit A, and Condition of Approval provided in Exhibit B to the resolution; and, incorporate all maps and testimony into the record by reference.

Asst. Planner O'Connor presented the staff report.

Councilmember Digre stated that maybe she missed asking a question the first time. She asked if they were contaminating Brisbane in any way. She asked why they were going in two directions. She stated that she learned from airport noise that when averaging they miss the point of the single events, and she asked how bad are the single events and how many of those are there.

Gene Barry, construction manager with Four Leaf, stated that it will not contaminate Brisbane because the soil is not contaminated. He stated that the change in the route was to allow the contractor flexibility in which sites to which they take the soil, and it will help to keep them on schedule in case a landfill is down for maintenance or unable to accept soil at a particular time.

Councilmember Vaterlaus wondered if it will help speed up the project by allowing the dirt to go in different directions.

Mr. Barry stated that it will keep them on schedule. He stated that they will be hauling to one particular landfill at a time based on availability. He was not aware that they will be going to two different directions at the same time.

Mayor O'Neill opened the public hearing, and seeing no one, closed the public hearing.

Councilmember Digre referred to queuing of trucks and asked how they were planning to control it should it get out of hand.

Mr. Barry stated that the queuing of trucks was addressed in the traffic control plan submitted and approved by the city. He stated that they used various techniques and they have timing of when they are allowed to arrive at the site in the morning. He stated that, from the process, they will use what is known as a radio boss where they are allowed or they will queue the trucks to line up off site to be sure they don't line up on Crespi Drive. He stated that they will also manage the truck flow traffic through flaggers located off the project site itself.

Mayor pro Tem Keener moved to approve Amendment No. 2 of Use Permit (UP-080-16) and Site Development Permit (PSD-816-16) and approve Addendum No. 2 to the Wet Weather Flow Equalization Basin Project Final Mitigated Negative Declaration/Initial Study by adopting the attached resolution, including the Addendum provided in Exhibit A and Condition of approval provided in Exhibit B to the resolution; and incorporate all maps and testimony into the record by reference; seconded by Councilmember Vaterlaus.

Mayor O'Neill called a break and then reconvened.

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

CONSIDERATION

- 10. Letter Regarding Investigations of the President of the United States
PROPOSED ACTION: Take action as deemed appropriate by the members of the City Council

Item #11, formerly Item #10

City Manager Woodhouse presented the staff report.

Mayor pro Tem Keener stated that he likes the longer letter. He usually favors conciseness but the shorter letter almost sounds like they are asking Jackie Speier to root out voter fraud in Pacifica whereas the longer version details some of the alleged offenses of President Trump and he would support that.

Mayor O'Neill apologized that he started deliberation before public comment.

Mayor O'Neill opened public comments.

Tygarjas Bigstyk, Pacifica, stated he was surprised there were not more people to discuss this. He understood the letter was supposed to be representative of all 39,000 Pacificans, but he was certain that any letter they send couldn't possibly represent all Pacificans but would be as close as possible. He was present as a citizen who is concerned that the current president of the United States, along with questions of whether he was duly elected, they have the emoluments clause in the Constitution that you cannot receive money from foreign agencies and because of the business setup he had before he took the presidency and maintained as he has his presidency when he took the oath to uphold the Constitution he was apparently lying as he did nothing to resolve the problems of taking the oath and then breaking it in perpetuity. He was annoyed when they claim multiple proofs exist without citing a single one. He stated that one example of him taking money from foreign governments was his hotels, citing examples such as people from other countries and governments staying there, where he is taking money. He stated that he has a Chinese bank in one of his establishments which he didn't think mattered until the lease comes up. He stated that the first letter doesn't seem like much but the second letter goes into detail and he didn't see a reason to send the first draft but the second one addresses all the concerns Pacificans have regarding to the president and why Pacificans were concerned with investigating and he recommended sending the second version.

Bridget Duffy, Pacifica, commented that she appreciated the former speaker's participation. She has been noticing about this meeting, Measure C and Trump, but she felt it was not about Trump. She was glad they were writing a letter but she thought it was silly that they were concentrating on Trump because what was at stake was democracy itself. She felt we were watching the demise of what made America great. She stated that citizens are doing other things rather than getting to the root of the problem, our entire 2016 elections as we know they were tampered with by a foreign hostile nation and she felt it was an alarming fact and should have had our elections do over immediately. She mentioned that it happened in South Korea and in Africa. She stated that the people would not stop protesting until there was a new election and both of those countries, that are not the United States of America, supposedly the inventors of democracy but little countries and they had new elections and have a president that they like now. She stated that we could have Bernie Sanders as president. She stated that he is a socialist from Vermont and the entire country was behind him putting there money into his campaign. She stated that we are supposed to believe there is a two-thirds majority of "conservatives". She reminded everyone that conservative means keeping things the same. She stated that these people are making radical unprecedented changes in the way our country runs and they are not conservatives. She stated that they didn't achieve a two-thirds majority without Russian hacking and we should be very upset. She didn't think it should be letters. She stated that Councilmember Digre was right that the way our government is set up is the Congress and Senate are supposed to put stuff like this in check and are not doing it. She felt there were a lot of people not doing their job. She stated that the US government was formed to ensure the rights of its citizens and she didn't see that happening.

Frank Vella, Pacifica, stated that, whether you are a Trump supporter or a resistance

movement person, it was ridiculous that Pacifica was taking up this letter. He felt we should be taking care of city business in Pacifica. He felt it was a waste of time. He thought this was the third City Council meeting where they have had this subject and he thought it wasn't doing Pacifica any good. He asked that they move on and take care of the things that Pacifica needs.

Mayor O'Neill closed the Public Hearing.

Councilmember Digre stated that she has a problem not going after Congress to do its job, and she had composed a draft letter, mainly referring to numerous ways to work together for the benefit of all citizens, stopping finger pointing, name calling, not bothering to check the president in his disrespectfulness and investigate the various things that are pretty blatant. She felt just going after his impeachment was condoning the behavior of Congress which she stated that with all their experience they should be behaving better. She stated that, if you get rid of the president, they would still be there. She stated that she composed checks and balances. She stated that it was tough as far as the impeachment goes and refers to all of them making sure they are part of the checks and balances and they make sure all power cannot reside in one branch. She thought they were experienced and know what that means. She stated that they were also asking them to be protective of the public as a nation divided will fail. They want the interaction between both houses to be alert and dedicated to protecting the well being of our nation because being united we will stand and being divided as we are is not good. She stated that finger pointing between parties in Congress was not helpful. She mentioned everyone having relatives and friends of varying political parties and their personal views and passions should not lead anyone to disrespect another. She stated that our serious concerns need to be discussed and honored and they need to work together to find a common ground. She stated that "united we stand and divided we fall." We need to be a united country in spite of our differences and be careful to respect the different opinions. She stated that, on behalf of the residents of Pacifica, they thank them and look forward to working together for residents so we experience a nation that is a community and not a collection of closed minded sections. She thought it states why she has a problem with the longer letter and the smaller letter didn't say that much.

Councilmember Vaterlaus stated that this letter sounds better to her. She thought the other letter was very pointed. She agreed with Frank Vella that we could get back to doing city business instead of doing things. She stated that the government doesn't care what Pacifica things but we care about what we think and about our town. She suggested we get back to our town and stay out of the federal issues.

Councilmember Martin disagrees, as she thinks this is city business. She stated that we all lead by example and we should encourage our president to do the same thing. She reiterated that this is our business. She thought it was a nice letter that Councilmember Digre composed but she thinks it states a lot of facts about how government should be run and how we would like it to be run and does not say about the original agenda item was. She supported the longer letter.

Councilmember Digre disagrees that this is not within our purview which she felt was definitely within our purview as we are also governed by the federal government. She stated that the proper functioning of the three branches was essential. She felt it was strong enough but could be enhanced to be stronger. She felt the other letter lets the three branches, Congress in particular, off the hook and she has a problem with that.

Mayor pro Tem Keener moved that Council adopted the longer of the two letters in the staff report.

Councilmember Digre asked if he would be willing to add something to include Congress rather than just him.

Mayor pro Tem Keener stated that he would rather keep it as is.

Councilmember Martin seconded the motion.

Councilmember Digre stated that she was voting no for a specific reason, because she believes it gets Congress off the hook and they are responsible for keeping the checks and balances.

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

- 11. Resolution Regarding Sharp Park Golf Course Facility Berm Improvements, Maintenance, and Repairs

PROPOSED ACTION: Move to adopt a resolution of the City Council of the City of Pacifica calling upon the City and County of San Francisco to commit to actively engage with the City of Pacifica regarding berm improvements, maintenance, and repairs and to incorporate flood mitigation improvements into future plans for the Sharp Park Golf Course facility.

Item #10, formerly Item 11

City Manager Woodhouse presented the staff report.

Councilmember Digre stated she wanted to be sure she had the supplemental.

Mayor O'Neill thought it was handed to them, in addition to an email.

Councilmember Martin wanted to confirm that she had captured the differences from the original agenda packet and the present one. She stated that the adjusted resolution has quotes in it from Coastal Commission members and direct quotes from a letter that was sent. She asked if there was anything else.

Mayor O'Neill responded that there was not.

Mayor O'Neill opened public comments.

MaryAnn Nihart, Pacifica, stated that they will hear some of the detail of the Coastal Commission hearing which was pretty powerful. She stated that when she was watching the hearing on November 7, she was struck that even staunch advocates for coastal protection and opponents of any coastal revetments or armory who were on the Commission were able to immediately grasp the impact and the gravity of not maintaining the berm along Sharp Park Golf Course to Sharp Park itself and Fairway Park neighborhoods. She stated that, when Coastal Commission staff was asked what would happen to the neighborhoods, the reply was

destruction. She stated that the advocates immediately changed their votes to protect our neighborhoods. She mentioned that for 12 years with multiple Councilmembers they have worked with and supported San Francisco's efforts to properly care for the drainage in Sharp Park, the levee and sea wall that protects the neighborhoods of Sharp Park and Fairway Park. She stated that they were often caught in some golf course discussion but she felt it was the neighborhoods that they are obligated, as Councilmembers, to protect. She was shocked and indignant that after 12 years of multiple Council involvement and testimony that we would want to delay long awaited and much needed repairs and maintenance to Sharp Park levee. She stated that San Francisco needs to move forward quickly and we should support their urge and urge them to immediately take action. She stated that the CDP was clear in requiring San Francisco to work with Pacifica. She didn't think they needed to act as if they have not. They have, but they need to move it forward with haste before the winter storms, adding that the neighborhoods have been forced to rely on the clear understanding and good will of strangers for far too long. She stated that in the 80s, Pacifica decided to protect Sharp Park and Fairway Park and the current Council needs to move swiftly to save their homes.

Larry Bothen, Pacifica, thanked Mayor O'Neill and City Manager Woodhouse for the resolution to urge the City of San Francisco to begin the work quickly on the Sharp Park berm. He asked the Council to vote for the O'Neill resolution for all the reasons outlined earlier. He stated that the winter storms are in their doorsteps and they can't allow San Francisco to delay any longer, adding that they have orders from the Coastal Commission to get this done. He thought, if applying pressure from both ends, maybe we will get something done quickly. He asked the Council to support, encourage, urge and cajole San Francisco to move quickly to repair and maintain the berm before a storm surge or tsunami does irreversible damage to homes, businesses, infrastructure and the golf course.

Paul Slavin, Pacifica, stated he is a resident of Fairway Park. He was concerned with the original resolution on the agenda regarding the Sharp Park seawall as it did not reflect the urgency of the situation and seemed to invite delay. He stated that actively engaging with San Francisco could easily turn into a leisurely contemplation of available options. He asked how long they thought it would take to incorporate flood mitigation improvements in the future plans, which could be months or years. He stated that it has already started raining. He was pleased that the supplement to the resolution issued at the instigation of Mayor O'Neill addresses these concerns and requests that all necessary maintenance proceeds without delay. He stated that this version recognizes the danger the failure of the berm would pose to the community, homes and businesses. He stated that the CDP permit that San Francisco received earlier in November obligates them to maintain the berm under exacting conditions and anything we can do to facilitate that work would be in our best interests and anything to delay it would be suicidal. He urged the Council to approve the revised resolution and encourage San Francisco to move as quickly as possible as winter is here.

Chaya Gordon, Pacifica, stated that she has a different version of history and what has happened. She stated that San Francisco played Pacifica with its past actions about the Sharp Park berm, never asked the Commission for a Coastal Development Permit and did whatever it wanted to with the berm, and did not work with Pacifica as far as she was aware and did not ask for Pacifica to collaborate, consult or have any other involvement and continued to do whatever they wanted to. She stated that, at the recent Coastal Commission meeting, San Francisco falsely represented what the issue was by framing it that removing the berm would result in the Sharp Park neighborhoods being flooded, but she stated that no one was talking about removing the berm. She stated that it was hardly surprising that San Francisco got the Commission to approve the after the fact permit. She stated that there was something to be

learned and she hoped the Council does not miss the point. She stated that the issue of continuing to armor the berm is going to result in the loss of the beach and not in 100 years but in our lifetimes. She stated that it has been documented by excellent scientific evidence. She stated that now that San Francisco got the Coastal Commission to let them do what they wanted, the question for Pacifica should be what was best for Pacifica to protect this asset and the scientific evaluation of all of the options of what should be done at the beach, the neighborhoods, what should our next steps be and how can we change the power dynamics so Pacifica has some power in this process. She felt it was a complex question and clearly involves Pacifica Local Coastal Land Use Plan update which is in progress. She asked the Council if Pacifica was going forward with the thoughtful process that it seems to now have in place to determine our goals and next steps or continue to take a back seat to whatever San Francisco wants to do and not try and do what Pacifica wants to do. She believed sending any letter to San Francisco is premature until they make progress on the Coastal Land Use Plan and identify the next steps. She will do whatever she can to help Pacifica fight for agency in this issue to protect our environment and our city. She urged Council to continue to work on the land use plan, hold off on contacting San Francisco and develop a strategy to determine our goals and how to achieve them.

Richard Harris, San Francisco, stated he was a San Francisco resident, and grew up in San Mateo County and has played golf at Sharp Park since the late 50s. He stated that his San Francisco Public Golf Alliance has been involved and interested in matters at Sharp Park for several years. He stated that the Coastal Commission decision earlier in November found that they have original permitting jurisdiction. He stated that there was a finding that he cited in a letter his group has provided to Pacifica. He stated San Francisco is not only authorized but directed to maintain the sea wall. He stated that this was after five years of delay while the Commission considered San Francisco's application to maintain the sea wall. He stated the last time San Francisco did that was in 2013. It has been five years and the storms are coming and he stated that the sea wall needs to be maintained and the Coastal Commission has ordered San Francisco to do that maintenance. He stated that there is a built in delay in the process as he pointed out in his letter and for any work to be done this year it needs to move quickly without delay. He stated that Pacifica's residents and property are being defended as well as the golf course, frogs, snakes, coastal trail, and Pacifica has an interest in requesting San Francisco move as quickly as possible to get the work done.

Michael Wallach, San Francisco, stated he is a resident of San Francisco and a frequent patron of Sharp Park. He was present to support the O'Neill resolution to urge San Francisco to begin the long deferred work on maintaining the berm at Sharp Park. He stated that he attended the Coastal Commission hearing on November 9 as did many Pacificans he saw at this meeting. He stated that the Coastal Commission had a simple choice, either permit maintaining the berm or continue to play Russian roulette every winter waiting for an El Nino bullet to flood Pacifica neighborhoods, flood Highway 1, salt poison Laguna Salada and destroy the habitat for the endangered California red leg frog and the San Francisco garter snake and flood the recreational resource of the Sharp Park Golf Course. He stated that the Coastal Commission made the right decision to go ahead with that permit. He stated that they now need San Francisco Rec & Park to start the work. He stated that the consequences of a breach at the Sharp Park sea wall would be devastating to the community, endangered species in Pacifica. He stated winter is coming. He stated that they were lucky last year but the Pacifica storm bullets are loaded in the chamber and the cylinder is spinning. He stated that, before old man winter pulls the trigger, it was time to get started defending and building the deferred maintenance at the course. He stated that Council should send a strong, clear message to San Francisco stressing the importance and urgency of maintaining the berm now. He stated that

the O'Neill resolution does exactly that, adding that it was not a hypothetical concern and they know what happens if the sea wall is breached because it happened before, mentioning what happened in the 1982-83 storms. He stated that they need to maintain the sea wall to protect the course, habitat and neighborhoods, and done sooner than later.

Lisa Villasenor Volosing, Pacifica, stated that she is involved in Sharp Park and the San Francisco Public Golf Alliance. She stated that it was easy to support Mayor O'Neill's resolution and the supplement to work on this berm immediately. She added that she finds herself in the interesting position of asking them to pass the resolution for a species so small and up to the human species. She stated that playing at Sharp Park has meant seeing gophers, squirrels and knows the frogs and snakes although she doesn't see them. She stated that these are the species that need us to protect that berm, keep it in place and maintain it immediately. She mentioned the humans and those who come to Pacifica and enjoy that berm while they are playing, as well as those who walk with their dogs. She felt that they need to think about the economic impact to the city and its businesses and rental properties. She stated that they need to do this immediately for many purposes. She referred to a previous speaker, and stated that we don't have time to wait to look at it further and have a study, etc. She stated that Pacifica has the power and they need to tell San Francisco to do the work now.

Stan Zeavin, Pacifica, stated that the San Francisco after the fact permit accepts the fact that, if the berm is armored, Pacifica will lose Sharp Park Beach. He asked if Pacifica accepts that. He suggests that the Council table the resolution until Pacifica has gathered enough information to actively protect our interests. He stated that Pacifica's LCP study should be concluded without possible prejudice which is more important than when San Francisco receives our missive. He stated that there are two other studies that San Francisco and the CCC did not access for their permit reports. He stated that the ESAPWA study of the Sharp Park wetlands and the ACE sponsored California sediment study for the San Francisco Litoral Cell which includes Pacifica. He stated that both reports offer alternatives, one example being that an alternative in the ESAPWA study proposes a much lower berm at a much lower cost that can be erected in front of the at risk homes. He stated that wetlands are capable of absorbing much of the force of a major storm and without the present berm, this would allow the Laguna Salada wetlands to absorb much of the storm's fury while the smaller berm will protect the homes from whatever runoff occurs. He added that, with the beach now free to move as sea level rises, Sharp Park Beach, that the sediment study says has the potential to last the longest, will do so. He stated that currently the Sharp Park berm is not protecting the at risk homes in Pacifica as claimed. He stated that the Beach Boulevard seawall, according to San Francisco's own permit is 3.6 feet lower than the Sharp Park berm and any over topping or flooding will occur from Clarendon, adding that they can observe it. He stated that any resolution given to San Francisco should include a statement that all alternatives that Pacifica deems beneficial to our city should be considered in the future. He stated that perhaps its best location would be in resolution No. 2 or even get its own paragraph. He did not know what the hurry is as the stuff has just been passed and it is a ten-year process, although a lot of it will be going on during that time. He thought Pacifica needs to understand what the choices are and they can protect the houses and save the beaches at the same time. He did not think there was any hurry. He thought the biggest issues now was rain fall and water running from underground which causes a lot of the flooding.

Rafel Cons, Pacifica, stated he didn't know why this was an issue. He asked why they didn't just proceed with it and keep the berm, maintain it and repair it. He stated that he has used the berm many times as a walkway for hiking and enjoying the scenery. He stated that it was a

beautiful place and he has seen hundreds of people use it. He stated that the last thing he wants to hear or see is Lake Sharp Park and he would rather see Sharp Park Golf Course.

Frank Vella, Pacifica, stated he is a lifetime resident and life time hacker at Sharp Park Golf Course. He stated that it was critical that Pacifica supports the California Coastal Commission's decision that the berm protecting the Sharp Park Golf Course and the surrounding homes and community is immediately maintained. He stated that, if not, there was 100% chance, according to the Coastal Commission report, that flooding will destroy the community. He asked that they not waste time or money, fees or taxes, with the homes, property and livelihoods of fellow Pacificans. He asked that they do everything in their power to immediately maintain the berm protecting Sharp Park.

Stephanie Robbins, Pacifica, stated that she was excited to be a part of democracy in process. She was a resident in Sharp Park, stating that she spends almost all of the outdoor time on that sea berm and she urged Council to urge the supplemental resolution of Mayor O'Neill's resolution. She felt there were so many factors involved besides quality of life. She stated that there was also protection of the homes, and Council was a representative of all of the citizens of Pacifica and she urged them to protect those in Pacifica who live here and own or rent homes. She stated that there was a lot of building, a lot of families and if their homes are going to be destroyed, she asked Pacifica's plan and the cost of recovery for that and to protect versus to repair. She stated that there were a lot of economic costs and it was one of the larger tourist areas. She believed the Coastal Commission does have the reports that the previous gentleman had noted and they have been studying this for quite a long time. She thought the Coastal Commission stance in urging San Francisco was important. She mentioned that Councilmember Martin was very active doing cleanup on the beach, and she knows the rest of them are invested in Pacifica.

Bridget Duffy, Pacifica, stated that this was the problem with lying which was illegal. She stated that it undermines trust and society is built on trust. She stated that when people lie it undermines trust. She stated that she has seen people lie publicly. She thanked Councilmember Digre for making it clear that there was lying going on from people we are supposed to trust. She heard a lot of people who want to protect the golf course and think they know how to do it. She stated that they are bullying Pacifica into doing it their way. She stated that the fact is that the ocean was not coming in on any neighborhood this winter any more than it would go in on Clarendon. She stated that she loves that wall and walks on it daily and she did not know what the environmental science associates are going to come up with but they hired a company to do some scientific investigation as to how our city should proceed in regard to sea level rise. She stated that now we have a group of people trying to bully us into doing something drastic now or Sharp Park is going to be destroyed. She stated that this is the same tactic people have used for everything, lie and make everybody afraid. She loved the golf course and hoped they can save it and the berm, but she stated that if we are paying a lot of money for a consultant company to point us in the right direction scientifically as to how we should proceed, she asked why we would sabotage it because golfers from San Francisco feel like they know the best solution to the problem. She supports them in whatever they do. She doesn't hate anyone but she thinks we need to come up with the solutions together and then we would have an amazing solution.

Margaret Goodale, Pacifica, asked that they reconsider the timing of the resolution and the supplementary resolution so everyone can take a look at it, not just those who have advocated for it. She stated that for years San Francisco has ignored the effect of armoring on the beach north of Mori Point and now the Coastal Commission staff has calculated that in another 20

years we will likely have lost 12 acres of beach west of the golf course, the equivalent of nine football fields and includes 8 acres lost to date to the berm and the 5 acres or three football fields that scientists predict will be lost over the next 20 years due to sea level rise and the wave action against the berm. She asked if some remember walking from Mussel Rock to Mori Point on the beach. She stated that no one has done it recently. She stated that they have watched the beach vanish as apartments and homes had to be demolished after rock revetments proved insufficient against the ocean. She stated that Pacifica's history with the ocean was not reassuring and home owners along the coast are worried but if they choose to exclude possibilities out of fear they jeopardize the city's future. She felt they need to assess how the ban best protects the coastal residents and what alternatives will do the best job for our residents. She stated that with work now being done on the Local Coastal Plan, they will soon be in the position of being able to look realistically at our future. She stated that the LCP will offer options and possibilities that will allow us to make informed decisions. The Coastal Commission approved the Sharp Park berm for the next ten years and during that time more will be learned about sea level rise and we can use that time to look seriously at our choices. She asked why rush the resolution and wait until they have more information from their LCP vulnerability investigations. She felt we need to approach this particular section of the coast from a position of strength and knowledge as we negotiate cooperation with San Francisco in the future. She felt they can both protect the citizens and the beach north of Mori Point. She asked that they not rush and think about it.

Robin Runneals, Pacifica, stated that she sent a letter to Council dated November 18 and it didn't make it into the Council packet and she stated she would like to read it. Her letter asked that Council move quickly to perform needed maintenance on the Sharp Park sea wall as approved and ordered by the California Coastal Commission. She has lived in the West Sharp Park neighborhood since the mid-1970s and over the years has asked Council to advocate for the neighborhood, particularly maintaining the sea walls that protect her and the neighbors from the ocean. She also attended the Coast Commission's public hearing to speak in favor of San Francisco's application for a coastal development permit to approve repair and maintain Sharp Park sea wall or levee. She stated that the Commission approved the application by a 9-3 vote subject to conditions and ordered San Francisco to maintain the existing sea wall. She thanked City Manager Woodhouse for his letter to the commission emphasizing that the Sharp Park sea wall protects West Sharp Park and Fairway Park neighborhoods from ocean flooding. She stated that she has also written a letter to San Francisco's major and the Rec & Park director requesting that San Francisco move without delay in performing maintenance and work on the sea wall before the onslaught of this year's upcoming winter storm season. She implored the Council to represent the Pacifica to join in her request for San Francisco to take fast action so needed repairs and maintenance can be done before the 2017-18 winter storms hit Pacifica shore line. She stated that she is not a golfer but has walked her dogs and has been cleaning the beaches. She implored Council to send the letter to ask San Francisco to move on it quickly for us. She stated there was no panic but if they flood like we did in 1983, in her neighborhood you could have come to the base of her house in a kayak from the flooding of the golf course and they don't need that again.

Susan Getchell-Wallce, Pacifica, stated that like Robin Runneals, she was living here in 1983, as well as 1953. She stated that she has experienced Linda Mar Shopping Center flooded, Highway 1, lower Sharp Park a couple of times. She believes that the berm has protected them all these years. She stated that it was not only protected but an asset to our community. She urged Council, in light of what happened last winter with the storms, to move forward. She stated that repairs haven't been done for five years and it needs to be taken care of. She was speaking for the homeowners in lower Sharp Park.

Mayor O'Neill closed public comments.

Councilmember Vaterlaus stated that she didn't know how the Council can deny this. She stated that we are approaching winter and this is not just property but lives, businesses and this was an order from the Coastal Commission. She stated that one of the commissioners who was normally against sea walls said 100% that we need this to be done and it will involve Pacifica as it was in the mandate. She stated that they have been working on it for 10 or 12 years. She stated that Julie Lancelle has spent countless times going back and forth with San Francisco. They agree that we need to keep the golf course and keep this berm. She stated that it impacts Pacificans, not just the golfers. She didn't see how they can deny this letter being sent now to move forward.

Mayor pro Tem Keener stated that the Coastal Commission has made the decision to protect the berm which is a given. He stated that there are two issues that merit a letter to San Francisco. He stated that, in the future, they should notice Pacifica of any actions regarding the berm or any other activity at the golf course or archery range and it is mentioned in the amended resolution and by speakers regarding the timing of the repairs to the berm. He would advocate putting them into a letter to go to various San Francisco politicians and bureaucrats. He was not sure how much effect the letter will have, but he believed a letter was more likely to get their attention than the resolution. He stated that he would address the letter to Mayor Ed Lee, the head of Parks & Rec, Board of Supervisors and the California Coastal Commission. He mentioned that we weren't informed of the lack of notice until very late in the process about the Coastal Development permit for the berm. He stated that it was not good generally. He stated that a city that owns property in another city should inform that other city about what they are doing and they didn't. He stated that the Coastal Commission should have informed us and they didn't. He stated it was not good specifically because they have two separate neighborhoods that may depend on the berm to stay dry. He felt that was the most important reason why they should be informed as to activities on the berm. He stated that one point to request in the letter is that in the future we will be informed of any studies, hearings or decisions in a timely manner. He stated that, in an application for an amendment to the CDP, the Coastal Development Permit or a new one, it will require an analysis of flooding impacts to surrounding residential areas, specifically Sharp Park and Fairway Park. He stated that is at least ten years distant in time from them at this point. He stated that they would like to collaborate on such an analysis. He agreed with Mayor O'Neill's resolution that we need to request that, if possible, any structural repairs planned for the berm be undertaken before this winter's storms. He reiterated that he favor a letter to the Mayor, etc., rather than the resolution.

Councilmember Digre stated that when she first saw the request for a letter to the Coastal Commission on November 7, she thought they were having a real emergency and she didn't look at the title that indicated that it was an after the fact thing. She started asking questions and thinking about it. She stated that whenever you want something before the Coastal Commission, if it was an emergency, she assumed they would have contacted everyone. She was alarmed that they weren't contacted for any of this but she remembered that anything on the Coastal Commission takes time to go through the process and you have to wait. She decided to look up on line what was going on. She stated that the request was filed in August 2017 and she would like to know who requested it. She stated that it sounds like it might have come from the Coastal Commission itself. She read the document and a description of the request was for after the fact authorization of already constructed shoreline armoring adjacent to the sea wall of the Sharp Park Golf Course consisting of an earthen berm approximately 3,200 feet in length, two sections of the rock riprap fronting the berm approximately 1,425 feet in total.

She stated that the proposed project includes previous un-permitted expansion. She was surprised considering that Julie Lancelle and she went with the City Manager several times and talked to the Parks & Recreation. She stated that she made a huge deal about that whatever they do, they have a duty to Pacifica not to let the neighborhoods flood. She stated that they didn't seem to have a problem with that. She stated that they listed a couple of other dates from the past, when they were talking about improving it but nothing was done. She stated that it was without CDPs and as a result they expanded an augmented berm as a replacement rather than maintenance and repair of existing permitted development. She stated that they go on through mitigated, conditions of approval. She mentioned other issues, etc. with San Francisco Recreation & Parks assuming all risks. She stated that it continues to go on and on such as public access, various requirements, etc. She stated that she would like to know who brought it on in the first place. She stated that they seem to have the conversation before, and she didn't see an emergency here but a continuing concern and she was very happy that the Coastal Commission is getting on San Francisco's case. She agreed that they should contact both the city and Coastal Commission because they did not include Pacifica. She stated that it has to be done by 2019, but she thinks if there was an emergency the Coastal Commission would not have picked 2019 Memorial Day. She didn't have any problem with the city checking out the berm to make sure that it was in good condition. She thought what was being pushed was more than that and she thought that needs the creation of sea level rise plan and studies and research done on that. She stated that her favorite was ample public forums. She didn't see an emergency and didn't think staff has had adequate time to look at the permit. She would prefer to put this off until January so staff has a bigger opportunity to look at all aspects of it. She thought they had this conversation when choosing to do their sea level rise plan, local coastal plan, which they have started. She stated that they had a huge audience when they chose the consultant and they talked about the fact that the public would definitely have ample opportunity to weigh in and she felt they must be committed to that. She didn't see any problem with writing a letter from the Council to the San Francisco and Coastal Commission to be better neighbors and involve Pacifica before things get put on their agendas and the city has to report to the Coastal Commission regular reporting things about the berm that Pacifica should also be included. She reiterated that she did not see it as an emergency for something at this meeting and she felt they would be sliding all the public forums that could be had and studies already in process for the whole area. She was pleased that the Coastal Commission was getting after them for non-compliance.

Councilmember Martin stated that when this agenda item came up on Wednesday it caught her off guard in terms of it being a last minute agenda item added to the agenda and she took issue with that. She referred to Councilmember Digre's suggestion that they wait until January to write a resolution or letter and she thought that was still preliminary. She stated that earlier in the year, she made a statement that she didn't want to be put in a situation where they need to make decisions in emergency situations and have to apply for permits after the fact. She stated that someone is planning something wonderful for the berm, but Pacifica was also planning something in Pacifica with the support of the Coastal Commission, which is the Local Coastal Plan. She stated that they asked for it and want a voice in it. She stated that, without that, they don't have enough information to write a resolution or letter that would include everything she would like to be included that supports our community involvement and Council's involvement. She thought a letter or resolution was preliminary at this juncture, and they were still putting together the community focus groups. She stated that they waited this long. She stated that they LCP was supposed to be done at the end of next year and she asked what was another 12 months. She thought the community needs to have a say and everyone would probably agree with that. She stated that this was not about the golf course and she thought everyone should take that out. She reiterated that this was not about the golf course or protecting the

neighborhoods but about what they started, a plan to consult, and they were not being told what to do with our coast. She agrees that Pacifica needs power. She stated that someone asked what the plan was for our neighborhoods and we were working on it now. She stated that we need to be a part of that. She stated that all alternatives need to be considered. She stated that she was cleaning the beaches, as well as pharmaceuticals are helping to clean our beaches and enjoy the berm and beach. She stated that all alternatives need to be considered and included when they are talking about the LCP in a letter or resolution. She thinks this is completely preliminary and it should wait until they have at least a preliminary LCP to consult and say they are the points they would like the Mayor and Parks and Rec in San Francisco to know how Pacifica wants to interact with them. She stated that the original version only said that San Francisco had to communicate with Pacifica but she thought they have to work with Pacifica actively. She stated that they have an LCP that San Francisco needs to consult and it was not ready yet.

Mayor O'Neill stated that he disagreed with the last two Councilmembers because he felt it was a lot of rhetoric and obfuscation as the question before them was not the Local Coastal Plan but as it is a public forum, the question before them was whether or not they want to send a resolution to San Francisco to do what the Coastal Commission ordered them to do which is to maintain the berm. He stated that the Local Coastal Plan and speeches and the discredited report from ESA is just chafe. He thinks they need to send the resolution to San Francisco asking them to do what the Coastal Commission asked them to do. They didn't mention a Local Coastal Plan. It is to please do what the Coastal Commission asked them to do. He agreed that they should ask them to keep Pacifica on notice.

Councilmember Vaterlaus referred to the people who lived in the Esplanade apartments before their apartments went down, asking did they say that they should wait 12 months and see what happens to the apartments. Let's look and see what happens to this coast as it erodes away. She stated that the people who spoke against the library were so concerned that we were going to have sea level rise up to the library which was 50 feet away and these people are right on the coast and she didn't see how you can say to wait.

Councilmember Digre asked if he said obfuscation.

Mayor O'Neill responded affirmatively.

Councilmember Digre asked if he went on line and read the entire Local Coastal Plan.

Mayor O'Neill stated that she read it to him.

Councilmember Digre stated that she read excerpts which was not enough. She thinks this is premature. She stated that she wasn't at the Commission meeting and she didn't know if everyone at the Commission actually read all the parts that were there. She stated that this was the Coastal Commission report. She was not saying anything against saving the berm. She was saying that she didn't see this as an emergency situation. She stated that the report on line from that meeting does not say it is an emergency situation. The Coastal Commission told them nicely San Francisco has not been doing what they were supposed to be doing. Get going and if you don't get it done by Memorial Day 2019, you will get consequences. She stated that it was on the Coastal Commission's radar screen but not an emergency. It was also on Pacifica's radar screen and they have already started this discussion. They have pledged that they will enable, allow numerous public forums on data that is researched and given. She asked if she had a problem with the fact that this was set up in August and they heard nothing

about it or that it was placed on the agenda in November and they heard nothing about it. She stated no, then asked if they should have a letter from Council stating to both of those entities that we heard about this on our own and we want a better working relationship to work with them to determine a better working relationship so they can work on this together. She did not find that obfuscation and she will hold her tongue as long as she can.

Mayor pro Tem Keener stated that the Coastal Commission has already made the decision to protect the berm and a large part of this permit that they approved was past development, but there was some future maintenance that was envisioned. He asked if they pressure San Francisco will they notice. He didn't think so, but it was worth a try and he stated that they are going to maintain that berm somewhere in the next ten years. He stated that it was within our right to urge them to maintain it sooner rather than later. He would like to incorporate some of what is written in the resolution into a letter put together by the City Manager and signed by the Mayor. He previously stated the two main points that should be in the letter, that Pacifica wants notice of future actions and repairs to the berm, if possible, should be initiated before the storm season.

Mayor O'Neill thought he heard a majority of Council say they would like to send a letter to San Francisco and he assumes the Coastal Commission stating that Pacifica would like to be noticed when Pacifica comes up on their agenda.

Councilmember Digre stated that they would like to determine how we can have an ongoing better communication on all issues. She stated that there should be a mechanism determined by Pacifica that will work. She thought part of this might be bureaucracy. She stated that they had a very good conversation with the mayor regarding the flooding issue when City Manager Tinfow was here.

Mayor O'Neill was trying to get at something they all agree on and the first step to move along.

Councilmember Digre was asking them to agree on the two of them with Pacifica determining a process, mechanism, so that our communications will always be happening, not just so-called needs. She was not against the things he said, but she would like it a little stronger and the three of them determine how it is going to go so they have some verification that it is going to happen. She asked what the process was.

Mayor pro Tem Keener stated that he would request that, in the future, Pacifica be informed of any studies, hearings, and decisions.

Mayor O'Neill clarified that they be copied.

Mayor pro Tem Keener agreed.

Councilmember Martin did not support a letter at this time. She felt, if they are going to send a letter now, that they can do the work now, as they have been dropping rocks for years and she has been watching them do it for years. She didn't support a letter at this time and if they decide to send the letter if they have a majority, she suggested that they write something in there that says that when they get their LCP we want them to consult that as well and she suggests that they write another one at that time and include all the items from the LCP.

Mayor O'Neill asked if he was hearing her say that she was against sending a letter asking Pacifica to be informed or copied.

Councilmember Martin was against sending a letter or resolution at this time. Mayor O'Neill asked if she meant any letter.

Councilmember Martin responded affirmatively, unless it includes what she wants it to say but they don't have the information.

Mayor O'Neill asked if anyone wants to make a motion.

Councilmember Digre stated that they keep mentioning ten years, but she didn't recall hearing ten years and she asked when that came in.

Councilmember Martin stated that the original permit request was for 20 years and they adjusted it to ten years after public comments and they talked about sea level rise. She stated that, for the record, she called the Coastal Commission when she found out this was on the agenda, and let them know that she was upset with the fact that Pacifica was not consulted.

Mayor O'Neill thought it was subject to review in five years.

Mayor O'Neill asked if someone wanted to make a motion to run it up the flag pole and see what happens.

Mayor pro Tem Keener stated he was not making a motion yet as there has to be so much detail about the letter in it, or maybe not. He thought maybe his two main points taken from his resolution are good enough which would be notice of any actions, etc., and prompt repairs to the berm if possible.

Mayor O'Neill thought they were talking about two different letters.

Councilmember Vaterlaus asked if there were things in the whereases that he didn't want in there.

Mayor pro Tem Keener stated that all of the whereases are basically beating a dead horse. He felt the letter should be to the point that Pacifica should be informed of any studies, hearings, etc., or copied and that the structural repairs planned for the berm should be undertaken, if at all possible, before this winter's storms.

Councilmember Vaterlaus stated that on the back page it says to act without further delay to take all necessary measures to perform maintenance and repairs of the Sharp Park berm and its armoring before the winter storms under the approved conditions of the Coastal Commission.

Mayor pro Tem Keener stated that was the now therefore, and that was the grit of it. He stated that he supports that.

Mayor O'Neill stated that he wanted to be sure he understands. He stated that he supports a letter to the San Francisco government collectively and the Coastal Commission asking that they be included in any decision making and copied on any reports they have.

Mayor pro Tem Keener stated not necessarily included in the decision making but informed at the very least and given an option to make our point of view available to them.

Mayor O'Neill asked if he opposes a resolution.

Mayor pro Tem Keener agreed that he opposes a resolution because he thinks a resolution is for us and not for them. They would have to read it. A letter is going to them and he felt a letter was the way to go.

Mayor O'Neill stated that Councilmember Martin is no letter at all, Mayor pro Tem Keener is partial, and he wants the resolution adopted in entirety and he thought Councilmember Vaterlaus agrees with him and he didn't know where Councilmember Digre was.

Councilmember Digre asked where is the one he was talking about.

Mayor O'Neill pointed out the one Mayor pro Tem Keener was referring to, "now therefore ..."

Councilmember Digre asked if he knows what that means.

Mayor pro Tem Keener asks what she refers to.

Councilmember Digre referred to repairs and armoring.

Mayor pro Tem Keener stated that Pacifica doesn't know that it is broken or that it actually needs maintenance now.

Mayor O'Neill thinks it needs ongoing maintenance, but if it needs a major fix they do not know.

Councilmember Digre stated that they were complaining that they didn't do it. She stated that she would like to see any letter before she signs it.

Mayor pro Tem Keener stated that San Francisco is going to do whatever they please without our permission.

Mayor O'Neill added per the order of the Coastal Commission.

Mayor pro Tem Keener agreed.

Mayor O'Neill asked if they should try for a tax bill through Congress. He asked if anyone was willing to make a motion to see how it shakes out.

Mayor pro Tem Keener stated he would give it a try.

Mayor pro Tem Keener moved that the City Council authorize the City Manager to compose a letter to the San Francisco government and the Coastal Commission about the berm encompassing two facts 1) that we would request that in the future, we are informed of or copied on any studies, hearing and decisions in a more timely manner and 2) that if possible any structural repairs planned to the berm be undertaken before this winter's storms.

Mayor O'Neill asked the City Attorney about a procedural question.

City Attorney Kenyon stated that there needs to be a second.

Councilmember Digre stated that he changed the language a little bit.

Mayor O'Neill stated that they need a second before they can proceed.

Seconded by Mayor O'Neill.

Mayor O'Neill stated that a resolution was for Pacifica and is direction to the City Manager. He stated that he has seen resolutions and signed them where they send them to the entity involved.

City Attorney Kenyon stated that they can craft a resolution at their discretion. She stated that there was nothing legally that prevents them from sending a resolution to the City and County of San Francisco. She stated that the resolution was a resolution of the City Council of the City of Pacifica.

Councilmember Digre stated that Mayor pro Tem Keener changed his wording a little bit.

Mayor pro Tem Keener stated that he made his wording whatever he said in the motion.

City Attorney Kenyon stated that, if she would like to make a request of the maker of the motion to amend the motion, she can do that.

Councilmember Digre stated that the motion that he just made she was more willing to accept. Since he doesn't remember what it was, she didn't have the exact wording.

City Clerk O'Connell asked if they want her to read it back.

Mayor O'Neill stated he was going to say that was her job.

City Clerk O'Connell read the resolution, "authorize the City Manager to compose a letter to San Francisco and the California Coastal Commission about the berm encompassing two facts, 1) request in the future that Pacifica be copied on any studies, hearings, decisions in a timely manner and 2) that structural repairs be taken before the winter storm season."

Councilmember Digre stated that was what she heard.

Councilmember Vaterlaus stated that the rest of it was supporting facts to what he just said.

Mayor pro Tem Keener responded affirmatively.

Councilmember Vaterlaus thought they would want to see the supporting facts that go along with what he is saying in the letter.

Mayor O'Neill asked if he would be willing to amend the letter that says whereas and add something to the effect per the Coastal Commission's resolution and findings of November 7, 2017, we ask you to proceed quickly.

Mayor pro Tem Keener agreed, and added that he would put something in there that, if the berm is breached, Pacifica neighborhoods are at risk of flooding because that is the one fact that is sort of necessary to understand why we want the berm protected.

Mayor O'Neill stated that the second paragraph says Chairman Dana Bochco submitted the matter, advised the commissioner to move the Sharp Park berm and coastal armory would put

Pacifica neighborhoods at risk of flooding, including the Sharp Park and Fairway neighborhoods. He asked if they could put that in the letter also.

Mayor pro Tem Keener agreed.

Mayor O'Neill stated something to the effect that the Coastal Commission Chairperson Dana Bochco of the California Coastal Commission stated that, if the berm is breached, it would put Pacifica neighborhoods at risk of flooding, including the Sharp Park and Fairway neighborhoods and these neighborhoods contain homes, businesses and infrastructure that are extremely important to the community.

Councilmember Vaterlaus stated that was just the #2 whereas.

Mayor pro Tem Keener stated that he would like it to be a little bit more succinct but they were getting down to words now.

City Attorney Kenyon asked if the maker of the motion was amending the motion.

Mayor pro Tem Keener responded affirmatively.

City Attorney Kenyon added to reflect the comments stated by Mayor O'Neill.

Mayor pro Tem Keener agreed, adding Councilmember Vaterlaus as well.

Mayor O'Neill seconded the motion and he agreed with what he just said.

City Attorney Kenyon asked the City Clerk if she understood the amendment to the motion.

City Clerk O'Connell responded affirmatively.

City Clerk O'Connell stated that they also added, per the Coastal Commission's resolution and findings of November 7, to proceed quickly as if the berm is breached Pacifica neighborhoods are at risk of flooding and they also discussed the Coastal Commission Chair Dana Bochco stated in her comments that the berm could be breached.

City Attorney Kenyon added that it would put Pacifica neighborhoods at risk of flooding.

Mayor O'Neill asked if he would be willing to add director of the Commission Central North Coast Vision stated that flooding the residential neighborhoods would be a 100% certainty as well.

Mayor pro Tem Keener stated that he would not.

Councilmember Vaterlaus stated that it was whereas #1, whereas #2, therefore and adding that they contact us.

Mayor pro Tem Keener responded affirmatively.

Mayor O'Neill stated that there was a motion on the floor and everyone has heard the letter per the City Clerk.

Mayor pro Tem Keener asked if the City Manager confident that he has the gist of what they want in the letter.

City Manager Woodhouse responded affirmatively.

Councilmember Digre asked if the letter was being composed by the City Manager and sent out or is it coming back to the Council to look at.

City Attorney Kenyon stated that, according to the motion, it is going to be sent out and not being returned to the Council.

Councilmember Digre asked who in the city has looked at the total package of the Coastal Commission action.

Mayor pro Tem Keener stated that he has.

Councilmember Digre asked if it was also the ones that she quoted.

Mayor pro Tem Keener responded affirmatively.

City Manager Woodhouse stated that Planning Director Wehrmeister has also begun review of that package.

Councilmember Digre asked if the findings are all delineated in that. If she looks for the findings, she asked if they can give her a copy of the findings of the Coastal Commission.

City Attorney Kenyon responded affirmatively.

Councilmember Digre stated that she would like to see all of those.

Mayor O'Neill asked if she meant at a later date or now.

Councilmember Digre stated that she didn't expect to see them now, which she would have appreciated.

Mayor O'Neill asked that they vote.

Councilmember Digre asked the City Attorney when she gets to say why she is voting no.

City Attorney Kenyon stated that she can do that now.

Councilmember Digre stated that she was voting no against it because she feels pressured to do it and she was very concerned that the public forums that they promised are being compromised by this. She did not see that this was determined to be an emergency by the Coastal Commission and, if she was wrong, she would like to know that, and she would also like to see the findings. It was for those reasons that she was voting no.

Mayor pro tem Keener stated that the Coastal Commission has made the decision to protect the berm and it was already done. He stated that the sea level rise portion of the local coastal plan is just beginning and what he has been advocating for was an approach that for each reach of coast, in this case Sharp Park, you identify the condition now and all the possible things that

could happen to change that condition. He stated that you then enumerate the adaptations to each condition. He stated that, if the berm stays in place, we would have one set of adaptations to sea level rise but if it is breached, we would have another set of adaptations. He stated that what does not change is that the Coastal Commission has made the decision to protect the berm for the next ten years at least.

Councilmember Digre stated that the Coastal Commission was complaining that they did not follow through and did not ask for permits and this was the first permit and they want it in place by Memorial Day, 2019.

Councilmember Martin echoed Councilmember Digre's no vote and she understands clearly that the Coastal Commission decided to protect the berm, but she also understood that there will probably be some sort of consultation on all existing permits when they are doing the LCP. She believes that when their consultant comes in and looks at all the permits along the coast, most of them emergency or after the fact, that there is going to be some sort of recommended action at that time also.

3-2 Digre, Martin

Mayor O'Neill asked them if they wanted to vote to go later.

Councilmember Vaterlaus stated 11:30 would be fine as they have two items left and one is short.

Mayor pro Tem Keener suggested 12 midnight.

Mayor O'Neill reminded them that they don't have to stay that late.

Mayor pro Tem Keener moved that Council stay until 12 midnight; seconded by Councilmember Vaterlaus

5-0

RESULT:	ADOPTED [3 TO 2]
MOVER:	John Keener, Mayor Pro Tem
SECONDER:	Mike O'Neill, Mayor
AYES:	O'Neill, Keener, Vaterlaus
NAYS:	Digre, Martin

12. Consideration of Amending Article 8 of Chapter 2 of Title 2 of the Pacifica Municipal Code Relating to Increasing the Membership of the Emergency Preparedness and Safety Commission

PROPOSED ACTION: Introduce and waive first reading of an ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending Section 2-2.801 of Article 8 of Chapter 2 of Title 2 of the Pacifica Municipal Code to Increase the Number of Regular Members on the Emergency Preparedness and Safety Commission

Police Chief Steidle presented the staff report.

Mayor pro Tem Keener stated that this would be the first reading and he asked if the second reading would come on December 11.

Police Chief Steidle agreed that they could do it on December 11 but they believed they were instructed to keep that meeting light as possible.

Mayor pro Tem Keener stated that the second reading will be on consent. He just wondered about the reasoning.

City Attorney Kenyon stated that the thought was that at the same meeting they adopted the ordinance they would also appoint new members to take effect.

Mayor pro Tem Keener didn't think that was going to happen.

City Attorney Kenyon stated that it won't happen in December but will continue to January.

Councilmember Martin asked if they have to re-interview.

City Clerk O'Connell stated that they had five applications for the one vacancy and they could draw from those applicants.

Councilmember Martin asked what happened to the existing commissioner's term and whether that person stays on the Commission until further announced.

Police Chief Steidle stated that it was his understanding that they would stay on there until replaced.

Councilmember Digre asked if that meant a rotation for them like everyone else. She wasn't sure what was just said. She thought it sounded as though they don't have a term when everyone else does.

City Attorney Kenyon stated that they serve until they are replaced. Even if their term ends, they serve until their replacement is picked or if the Council wants to remove them, but they serve until their replacement in place.

Councilmember Digre asked if that was a four-year term.

City Clerk O'Connell agreed, explaining that the one commissioner's term expired and that would be a new four-year term.

Councilmember Digre didn't know if this was the time to do it, but she asked if they were just discussing extension.

City Attorney Kenyon stated that they were not discussing extension but only discussing whether they want to increase the number of members from 7 to 9.

Councilmember Digre stated she was going to ask about their duties but if not appropriate now it was fine.

City Attorney Kenyon stated that she can ask about their duties.

Councilmember Digre stated that the duties did not indicate what members would be or could be doing when catastrophe happens. She assumed they talk about that all the time.

Captain Clements stated that the commissioners didn't have any role during a disaster. In relationship to an emergency, it was primarily pre disaster and the code lists all those duties.

Councilmember Digre stated that one reason she wanted to increase it was because she was thinking they would want to have a role during the crisis but it can be a later conversation.

Mayor O'Neill stated that he had no problem and they had excellent applicants and he would like to do it. He asked if they would want them to draw lots for terms.

City Attorney Kenyon stated that they can discuss that when they appoint.

Councilmember Vaterlaus moved that they introduce and wave the first reading of an ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending section 2-2.801 of Article 8 of Chapter 2 of Title 2 of the Pacifica Municipal Code to increase the number of regular members on the Emergency Preparedness and Safety Commission; seconded by Councilmember Digre.

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

13. Quarterly Investment Report, Dated 09/30/2017
PROPOSED ACTION: Review and Accept the Quarterly Investment Report dated 09/30/2017

Asst. City Manager Hines presented the staff report.

Mayor pro Tem Keener asked what the interest rate was on the wastewater bonds and whether it was finally settled.

Asst. City Manager Hines stated that there were several yields in that issuance. He didn't have all those yields but he could get them. He stated that they were a number of bonds at thousand dollar increments and sometimes lumped together and issued at 4 or issued at 3 or issued at 3.5, but he would have to get that schedule.

Mayor O'Neill asked, regarding the local agency investment fund, how often then can pull it out of that. He assumed it was a day's notice.

Asst. City Manager Hines responded affirmatively.

Mayor O'Neill asked, if they were collateralized at the U.S. Bank money market fund, how often can they pull it out of that. He thought it was a day's notice.

Asst. City Manager Hines responded affirmatively.

Mayor O'Neill asked if they were collateralized at the U.S. Bank money market fund. He stated that, when he worked in banking, anything over \$100,000 had to be collateralized and we have \$26 million in there.

Asst. City Manager Hines stated that U.S. Bank was the trustee that helped them with the bond transaction.

Mayor O'Neill concluded they were the trustee and the money has to stay with them.

Asst. City Manager Hines stated that it wasn't necessary but it was a convenient place to leave it for now. He stated that as they do work and bill for work on the EQ basin, they submit an invoice to U.S. Bank and they transfer the funds so they can pay the bills.

Mayor O'Neill stated that he was looking at the yields, which was 13 basis points and he thought it was nice for them to get more.

Asst. City Manager Hines stated that he was right and before they see the report again, he has to start to look at other instruments that give a better interest rate and better yields. She stated that was what the charge was for him.

Mayor O'Neill opened public comments.

Bridget Duffy, Pacifica, stated that the money part was so important because it was taxpayer money and it is dead last every time. She stated that, when they are dealing with millions of dollars and call ourself a progressive community, a sanctuary city and save the frogs, but she asks what we are doing with our money. She asked if we have divested from the fossil fuel industry. She stated that she was advocating for a lot of good evidence, not a hippie thing or crazy. She stated that this is good business to divest from the fossil fuel industry and from what has been in the past sure fire investments. She stated that San Francisco recently did it recently and she was in line with the three girls who brought it to the city. She stated that it doesn't take a lot of people to show up and say, if you care about the earth and sea level rise, we need to address the elephant in the room on planet earth and that was taking more fossil fuels out of the ground and using our money to speak to the fossil fuel industry is an important measure to take as human beings on planet earth. She stated that it was not bad business but good business, adding that city are making a lot of money putting their money into renewables. She stated that it was the next big thing. She thought our investments would go further, the planet would be better and when we take our money, she asked what they are doing with the money and who do they support. She felt it was important and we need to make sure people are making good money being employed with good jobs and getting medical benefits, to be conscientious about what we are putting our investments in. She stated that it seems like a wacky, crazy, hippy kind of thing to do but it was a very good business man thing to do.

Mayor O'Neill closed public comments.

Councilmember Digre stated that it looks like their investments were all on the conservative side because of low interest.

Asst. City Manager Hines responded affirmatively.

Councilmember Digre asked if she heard him say he was going to look into the next bracket of at least moderate risk.

Asst. City Manager Hines responded affirmatively.

Councilmember Digre stated that they did that at the transportationcommute.org, looking at the three and went into the moderate which was very helpful.

Councilmember Martin asked if there was any interest in looking at renewables for investment or has it come up.

Asst. City Manager Hines stated that it has not come up. He stated that typically with the instruments we have with U.S. Bank we leave money on deposit with them and they invest it, most likely in index funds and various safe equity-based things. He stated that, as far as getting into what funds they are investing and what particular stocks was something they usually do not get into.

Mayor O'Neill asked if everyone was done he needs a motion.

Councilmember Martin moved to review and accept the Quarterly Investment Report; seconded by Mayor pro Tem Keener.

Councilmember Digre asked if they need Council direction to look into going beyond conservative investment.

Asst. City Manager Hines responded that they don't and he stated that they passed the administrative policy earlier in the year where there is a grid of potential investments and when they passed that policy they gave him the green light to go forth and do good things.

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

ADJOURN

Mayor O'Neill adjourned the meeting at 11:25 p.m., reminding everyone that they were adjourning the meeting in memory of Christine Gendreau and were going to be adjourning in memory of Jean Johnson, a former PB&R Commissioner who was one of a kind individual. Councilmember Digre added Emil Columbo of Columbo's for over 40 years here.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 5-0; 12/11/17

Mike O'Neill, Mayor