



**CITY OF PACIFICA  
CITY COUNCIL MINUTES**

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

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

**March 26, 2018 (MONDAY)**

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

Mayor John Keener called the meeting to order on March 26, 2018 at 7:11 PM

**6:30 P.M. CLOSED SESSION**

Mayor Keener called the meeting to order at 6:30 p.m., stating that all councilmembers were present and announced that the Council would meet in Closed Session. City Attorney Kenyon announced the business to be discussed.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: (one case)

**7:00 PM OPEN SESSION**

Call to Order

Mayor Keener reconvened the meeting at 7:11 p.m.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
John Keener	Mayor	Present	
Sue Vaterlaus	Mayor Pro Tem	Present	
Sue Digre	Councilmember	Present	
Mike O'Neill	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; Tina Wehrmeister, Planning Director; Dan Steidle, Police Chief; Mike Perez, PB&R Director; Bonnie O'Connor, Asst. Planner; Kathy O'Connell, City Clerk.

Salute to the Flag led by Mayor Keener

Closed Session Report

City Attorney Kenyon stated there was no reportable action.

## **SPECIAL PRESENTATIONS**

Jeff Weiss - Caltrans Update on Hwy 1 Paving Project and San Jose Ave. Pedestrian Overcrossing Project

**Robert Haus, Caltrans**, stated that Jeff Weiss was not able to make it and he was taking over for him. He stated Caltrans staff were going to brief the Council on two projects, pedestrian overcrossing on San Jose Avenue and a resurfacing project, starting off with Mr. Suleiman.

**Mohammad Suleiman, Project Manager**, stated he will give the project overview for the San Jose Avenue pedestrian crossing. He pointed out the present damage to the bridge, etc., and Caltrans felt there was a need to replace the entire structure as well as upgrade the ADA requirements. He stated that it was 100% funded by the state mentioning the cost at \$4.5 million. He gave a brief summary of the process which started in 2013 and he estimated that they will start the work sometime in June of this year and will take about 6-8 months depending on the contractor's schedule. He stated that once the work is completed, they will have one year to complete landscaping, as well as minor work on the frontage roads on both east and west. He gave them a brief description of the three different stages in the process.

Mayor Keener asked if they should be looking at the bottom picture of the slide.

Mr. Suleiman stated that there were two concepts similar and they were showing them how they like it to look but the design has similar features but not exactly as they see them on the structure as they are wider on the plans. He stated that at the end, the structure will have three shades of blue. He showed the handling of traffic management which will include some closures of the freeway with detours. He mentioned that, when the bridge is not in service, the contractor will furnish shuttle service for pedestrians until they finish the construction. He mentioned that they will have weekly construction meetings, and they welcomed city staff's attendance so they know the schedule. He also pointed out that they had a chain of command and they will make an effort to stick to protocol. He stated that he is ready to answer any questions or they can listen to the next powerpoint presentation for the paving project.

Councilmember Digre referred to dates, mentioning that they were having an international commemoration of the Ohlone Portola Heritage Trail and they had discussed with Caltrans about having Highway 1 ready for that in November 2019. She didn't know if this schedule would affect that.

Mr. Suleiman asked if that was November 2019. He thought it would be done by then.

**Nandini Shridhar, Project Manager**, for the Highway 1 resurfacing project, pointed out that it was a ten-mile segment of Highway 1 that Caltrans intends to pave. She stated that it was funded through their Capital Preventive Maintenance section of State Highway Operations Protection Program. She mentioned that most of Highway 1 was in the city of Pacifica except for the small sections in the northern and southern ends in Daly City and unincorporated areas of San Mateo County. She explained that it would start in the south, north of Grey Whale Cove and extends to the junction of Highway 1 and Interstate 280. She explained that the project was to preserve and extend the life of the existing pavement and improve safety and quality, with the need to perform this upgrade established through pavement condition surveys. She detailed that they begin with spot pavement repairs and progress to resurfacing existing asphalt paving. She mentioned that they will upgrade curbs to current ADA standards at Crespi, Fassler, Rockaway, Reina del Mar and Mori Point. They will also install accessible pedestrian

push buttons with countdown timers at those same intersections. They will also upgrade the metal beam guardrail within the segment of Highway 1. She then gave the construction contract details and the cost of \$12.6 million, with a start of May 2018 and completion date of November 2018. She stated that Marcus Washington, Construction Resident Engineer was part of her team. Jeff Weiss was the Caltrans Public Information Officer, was the first point of contact for any information requested. She mentioned that lane closure charts would specify how detours would be laid out, mentioning that work on mainline lanes would be done primarily at night, between 7:00 p.m. to 7:00 a.m., and other work during the off peak daytime hours. She stated that the Caltrans team and contractor will meet on a weekly basis with any stakeholders invited to attend and they will also be provided construction schedules. She concluded her presentation and stated that they were ready to answer any questions.

Mayor pro Tem Vaterlaus referred to the Vallemar cut where there was no detour, and asked what plan they had.

Ms. Shridhar stated that the specifications call for reverse lanes with flaggers who allow lane closures and allow them to maneuver and get around the paving area.

Mayor pro Tem Vaterlaus assumed that one lane will still be constantly going in each direction.

Ms. Shridhar confirmed that it would be a two-way road with one lane in each direction with flaggers stopping traffic and they would go around the segment being paved.

Councilmember Martin she asked if she had stated that the on and off ramp closures where the detours were would only be at night.

Ms. Shridhar stated that they would be primarily at night but a few ramps might have daytime closures.

Councilmember Martin asked if the high traffic ones would only be at night.

Ms. Shridhar stated that she would check with Robert Camargo.

**Robert Camargo, Design Manager**, stated that the higher traffic ramps have more restricted hours and some ramps allow closures anytime during the day but only closed for one shift of eight hours within 24 hours.

Councilmember Martin stated that there was a pedestrian crosswalk between Sharp Park Road and Reina del Mar, called the Fairway section. She stated that it was a dangerous intersection for any pedestrian.

Mr. Camargo asked if she meant Westport.

Councilmember Martin confirmed that was the street, and she asked if they were paving it in the same manner as presently with no changes.

Mr. Camargo confirmed that there were no changes for that.

Councilmember Martin concluded that there will still be a pedestrian crosswalk there.

Mr. Camargo agreed, adding that he didn't think it was a good place to cross but it wasn't up to Caltrans to take out the crosswalks.

Ms. Shridhar stated that they didn't intent to take out any of the existing amenities but just trying to improve the existing condition of the pavement.

Councilmember Martin thought they have a walking person or not-walking person and they will get a countdown timer at those locations.

Mr. Camargo stated that there will be a number of how many seconds left.

Mayor Keener referred to the Fairway or Westport crosswalk, and asked if they were planning to install flashing lights when that crosswalk is in use.

Ms. Shridhar asked if he was talking about a flashing beacon on the surface of the road.

Mayor Keener responded affirmatively.

Mr. Camargo stated that there was talk of that, but it was another project and wasn't included in this project.

Mayor Keener understood and thought it was good that there was talk about that.

Mr. Camargo stated that they may request them to do that, but traffic would determine if it was warranted or not.

Mayor Keener stated that there wasn't much pedestrian traffic now because everybody looks at the traffic and thinks - no way. He referred to the detour plans for the off and on ramps, stating that Sharp Park Road was by far the busiest exit in Pacifica and asked how they plan to do that and would it be one of the night times. While he was looking up the information, he asked if they plan to pave the tunnels. He stated that they are new and it doesn't seem like they will need it.

Ms. Shridhar stated that less than a mile north and south of the tunnel where it has been paved, they would leave that out and restriping with the new six-inch standard striping they put in all their projects.

Mr. Camargo stated that they have a detour plan for closing the northbound on ramp from Sharp Park Road. He stated that, depending on the direction the people are going, on Francisco all the way to Paloma and north to Oceana.

Mayor Keener asked if that will happen at night.

Ms. Shridhar stated that there was a detailed letter the city staff wrote to Caltrans and there were similar questions and they did provide responses in writing. She stated that rather than take up too much of their time, they can get the correct answer and get back to them on that. She mentioned that the specifications have 32 lane closure charts and she was sure one of them addresses this question.

Mayor Keener was sure it did but he wanted to know. He referred to the 7:00 p.m. to 7:00 a.m. time and he thought there was a problem in the mornings from 6:00 to 7:00 a.m. with lane closures because of the traffic picks up around 6:00 a.m.

Ms. Shridhar stated that was the window, but the durations in their specifications were anywhere from 8-11 hours. She stated that they will take a closer look at the ones up to 12 hours.

Mr. Camargo stated that some pickups are as late as 7:00 a.m. for certain areas.

Mayor Keener thought the 7:00 a.m. ones could be a problem.

Ms. Shridhar thought there must be low volume on ramps at the 7:00 a.m. pickup.

Mr. Camargo stated that some allow closures 24 hours, meaning there would be a work shift within the 24 hours that they would be closed.

Ms. Shridhar stated that the RE has the discretion to change the closure windows and they can work with the contractor and manipulate the closure times.

Mr. Haus stated that he thought she was saying the total window for the entire job, not necessarily the main line as they are generally off the main line roadway by 5:30 in the morning. He stated that some of the closures on the on ramps may last longer but not the main line.

Councilmember O'Neill stated that it was just a thought, but he didn't know if they could do it or if it made any sense. He stated that the pedestrian crossing at Westport really is a dangerous intersection as it is so wide. He stated that, if they go down maybe half a block, at the Sharp Park Golf Course there was a crossing underneath the highway. He wondered if it was possible to put a sign at Westport saying that the crossing was dangerous and not advisable and mentioning to go down with an arrow pointing to that under crossing.

Mr. Camargo thought the residents are aware of how dangerous that is.

Councilmember O'Neill stated that he was talking about someone hiking on Mori Point and they decide they want to go to Sweeny Ridge and they would be crossing Highway 1 to do that. He again stated that he didn't know if it was possible to do it or not.

Ms. Shridhar stated that they could look into but almost becomes a separate project because it deals with pedestrian safety. She stated that crossing locations are determined by the traffic safety staff and they need to look at everything at the current and new location, analyze and then determine if it was appropriate to relocate that crossing but it cannot just be taken out and relocated. She stated that putting up a sign saying it is hazardous to cross doesn't address the issue because you have the crossing.

Councilmember O'Neill stated that he didn't know what the sign would cost but if it saves one person he thought it was worth it.

Mr. Camargo stated that he commented that they should take that crosswalk out as it was too hazardous and their traffic people stated that it was up to the city to decide if there is a crosswalk and he thought the sign would also have to come from the city asking for the sign.

City Manager Woodhouse thanked Caltrans for coming for the presentation and for the two projects which will be a great benefit for the city when done. He referred to the two projects, stating that they were overlapping time wise and he asked if they will be coordinated.

Ms. Shridhar responded affirmatively, stating that the pedestrian overcrossing was within the limits of the paving project and the timing also works. She stated that they were both going into construction at the same time.

**Jose David, Construction Resident Engineer**, stated that he and Marcus will be in the same unit of construction and will be coordinating the lane closures and everything else so they won't be a crazy situation with both contractors working. He stated that there will be a system in place and the district office check on the lane closures to see if they are in conflict with each other. He stated that they consider all the rush hour traffic when they want to close it. He stated that, if they have an unavoidable late closure, they will give everyone advance notice so they will be prepared for a late closure and they will assess damages for that.

Councilmember O'Neill asked about when they went to the Planning Commission for the permit, stating that they mentioned something about a contractor issue in terms when they opened up the contract and then another contractor protested.

Ms. Shridhar stated that it was on the POC.

Councilmember O'Neill thought it was on the over crossing.

Mr. Suleiman stated that the second contractor was protesting the first contractor and the third one protesting both of them. He stated that they do that because they want to make sure they get the job because the first one was the lowest bidder. He stated that their Sacramento legal office work through the issues. He stated that there is a protest for this one regarding the DB participation. They hope by mid April they resolve the issue. He stated that, if there is an issue with the first bidder, they go to the second bidder.

Councilmember O'Neill concluded that it was squared away for them to adhere to the time line they posted.

Mr. Suleiman agreed, explaining that the last three dates given were estimated because, as of now, it is not awarded.

Mr. Haus stated that they had a problem this morning with a signal light that the timing went haywire. He commented that the city sent an email to the district director and he didn't know if any of them heard that their district director, Mr. Sardebe, was retiring at the end of the month. He stated that, with him gone, he stated that they can feel free to contact Mr. Weiss or him and they will do their best to help the city out. He added that yesterday was five years since the day they opened up the Devil's Slide Tunnel and they thanked everyone on the Council and city staff and Pacifican residents for their assistance to help Caltrans get the two tunnels open.

Mayor Keener asked him for their contact information.

Mr. Haus stated his number was 510-286-5576.

## **CONSENT CALENDAR**

Mayor Keener stated that he has cards for two items, 3 and 5, and he has a comment on Item 7. He then referred to #7, approval of funding for safe routes to school and green street infrastructure pilot program scheduled to go in at Cabrillo School. He thanked Councilmember Martin for her advocacy on that project as well as staff. He stated that they would go for a motion now.

Mayor pro Tem Vaterlaus moved to approve the consent calendar but leaving Items 3 and 5 out; seconded by Councilmember Martin.

5-0

Mayor Keener opened public comment on Item #3.

**Tygarjas Bigstyk, Pacifica**, stated that he was in Sacramento when the Federal Government's bureau of energy management was in town giving their pitch for offshore drilling and he was a part of the protest to the idea of doing any offshore drilling. He stated that the environmental advocacy groups endorsed the idea of municipalities having resolutions opposing offshore drilling. He stated that fundamentally he was for it and he thanks Councilmember Martin for making sure it is being addressed. He added that, while he was there, he had a wrestling match in his head when he thinks he knows what an answer is. He thought it would be awesome if Pacifica did a resolution and he added that we also need a sea wall, and he thought the sea wall was supposed to be funding in large measure by the federal government and given the quality of personality we currently have in the White House, he asked if putting this resolution through would cause the city getting a sea wall which is needed to preserve our town. He would love to hear a discussion on it or at least a pep speech to allay his fears. He also mentioned two bills, AB1775 and Senate Bill 834, which would make it difficult to transport anything dredged up by drilling offshore, because if we can't stop the drilling out into the waters but we can keep them from transporting it once they have it and giving them substantial reason not to drill in the first place, suggesting a city resolution supporting AB1775 and or SB834.

Mayor Keener asked if the City Manager has any comments on the speaker's question as to whether the resolution opposing offshore oil drilling will have an impact on whether we get funding for the sea wall.

City Manager Woodhouse stated that he did not have a comment.

Councilmember Martin thought it was a separate but related issue. She appreciated bringing it up, but she thought if we get nailed, it will be a bunch of things and not just this one, such as sanctuary cities. She thought we should go for it. She stated that she was at a meeting with Jackie Speier and Councilmember O'Neill was present also. She stated that other cities in the county have put in the same resolutions, encouraged by Jackie Speier who is holding a listening session and you can dial in and listen to her thoughts on the subject which she stated would be in support of the cities putting in resolutions.

Councilmember O'Neill stated that he was going to say the same thing. He didn't think this will be the issue as there are a lot of California cities on the coast doing the same thing.

Mayor pro Tem Vaterlaus stated that she had the same concern and voted against the sanctuary city for that very reason and Jackie Speier did say that she didn't think the city should

vote for sanctuary city because of that issue but since she is in favor of this one, she tends to go on her side.

Mayor Keener opened public comments on Item #5

**Ron Maykel, Pacifica**, stated he saw this on the agenda and wanted to add his support for the Pacifica Land Trust. He appreciated their work. He mentioned that Catherine Kellerman was the vegetation manager for the land trust and did a great presentation at the Open Space Committee meeting, regarding all the great work they are doing on the trails. He mentioned that it was very important to get that vital link to the coastal trail on Pedro Point Headlands. He hoped the city does all it can to get that vital link in. He appreciated the wonderful job the Land Trust has done there.

**Sam Casillas, Pacifica**, thanked Ron Maykel for his words of appreciation. He stated that they were finishing the decommissioning and build out of the new trails. He stated that they were also putting in a lot of natural vegetation and taking out the invasive species. He encouraged everyone to go up there. He stated that the current situation was that the old agreement was covering the decommission and build out of the new trails and this item was for the continued maintenance and that will continue until the ownership of the land goes somewhere else. He stated that they take great responsibility to work with Pacifica as well as the Coastal Conservancy, mentioning the grants they have as well.

Councilmember Digre thanked him for the state Coastal Conservancy, the Pacifica Land Trust and the city for doing this.

Mayor Keener asked for a motion for approval of Items 3 and 5.

Councilmember O'Neill moved to approve Consent Items 3 and 5; seconded by Councilmember Digre.

5-0

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

1. Approval of Disbursements for 02/16/18 through 02/28/18.  
**PROPOSED ACTION:** Move to approve attached list of disbursements for 02/16/18 through 02/28/18.
2. Approval of Minutes  
**PROPOSED ACTION:** Move to approve the minutes of the regular meeting held on March 12, 2018.
3. Adoption of Resolution Opposing New Offshore Oil and Gas Drilling  
**PROPOSED ACTION:** Adopt the resolution entitled "A Resolution of the City Council of the City of Pacifica Opposing New Offshore Oil and Gas Drilling".

4. Authorize the City Manager to execute Task Order B, associated with the Master Agreement for Consultant Services between the City of Pacifica and Group 4 for conceptual design of a large branch library at the existing Sharp Park Library location and possible renovation/expansion of the existing Sanchez Library as a small branch.  
**PROPOSED ACTION:** Move to authorize the City Manager to execute Task Order B associated with the Master Agreement for Consultant Services between the City of Pacifica and Group 4, with a not to exceed amount of \$256,522.
  
5. Approval of Agreement between the City of Pacifica & Pacifica Land Trust for the Pedro Point Headlands  
**PROPOSED ACTION:** Approve termination of the 2001 Headlands Access Agreement (Attachment 2) and Approve agreement between the City of Pacifica & Pacifica Land Trust (Attachment 1) to allow Pacifica Land Trust to access, maintain, and act as stewards to five City owned Parcels in the Pedro Point Headlands; and authorize the City Manager to execute both the termination of the old agreement (Attachment 2) and the authorization of the new agreement (Attachment 1).
  
6. Increasing the Time Base of the Human Resources Manager  
**PROPOSED ACTION:** Move to authorize increasing the time base of the Human Resources Manager
  
7. Approval of the Funding Agreement between City/County Association of Governments and the City of Pacifica for the Safe Routes to School and Green Streets Infrastructure Pilot Program  
**PROPOSED ACTION:** Move to approve the Funding Agreement between City/County Association of Governments and the City of Pacifica for the Safe Routes to School and Green Streets Infrastructure Pilot Program; approve budget authority in the amount of \$39,400 from the NPDES Stormwater Fund 16; and authorize City Manager to execute agreement.
  
8. Approval of the Funding Agreement between City/County Association of Governments and the City of Pacifica for the San Mateo County Energy Watch Municipal Energy Efficiency Program  
**PROPOSED ACTION:** Move to Approve the Funding Agreement between City/County Association of Governments and the City of Pacifica for the San Mateo County Energy Watch Municipal Energy Efficiency Program and authorize City Manager to execute the agreement.

## **ORAL COMMUNICATIONS**

**Ron Maykel, Pacifica**, stated that he has some handouts, one for the City Manager. He stated that he considered the Council and City Manager as a team and he provides the same material for both. He stated that the handout was regarding the storms in January 1982, and it reminded him of the sea level rise issues. He thought the information might be interesting for them to read, mentioning that there were several letters and one mentioned the heavy rainfall that year, with the city's record high 45 inches of rain. He pointed out the information on the geotechnical engineer they hired to do research on the potential landslides.

**Carolyn Jaramillo, Pacifica**, stated that she is a homeowner and member of several progressive groups in Pacifica, but at this time, she was not speaking as a representative of any of the groups but as a longtime community member. She wants to raise awareness and ask a few questions about the fraudulent activity that occurred several months ago in the city, specifically that the San Mateo District Attorney is filing multiple felony charges against two residents of Utah who participated in a petition drive in Pacifica that made the temporary moratorium on rent increases passed by City Council null and void. She asked if any city leaders are planning a statement that would express outrage that this fraudulent activity occurred in Pacifica and caused a great deal of division and hurt. She asked if there would be any compensation for the renters who lost protection for seven months from rent increases. She stated that many of them lost thousands of dollars, many forced to leave Pacifica. She asked if anyone other than the two residents of Utah would be held accountable. She asked if the real estate industry that spent \$500,000 to defeat Measure C will be held accountable for bringing in and paying for the consulting company that vetted, hired and trained these signature gatherers. She asked if there were any plans being made to prevent this type of fraud in future elections. She stated that she would appreciate any answers they can give.

**Bridget Duffy, Pacifica**, thanked the previous speaker, stating that this needs attention. She stated that it was like the illegitimate election of the person in the White House. She asked how much damage we need to see and how much proof do we need that our elections have been tampered with and corrupted by the influence of money. She then mentioned that she attended the Library Advisory Committee meeting, stating that they were about to put out another survey, adding that it would be on the taxpayer's dime. She insists, as a citizen, that any surveys that go out have questions like do you want to spend \$30 million and if so, on a library, the Oceanic Discovery Center or our crumbling infrastructure. She stated that, if another survey goes out with one question as to whether people want a new library or not, it was a leading question without giving people all the information. She was appalled that they would use taxpayer dollars to propagate what looks like the city's plan, yet the city doesn't seem to want to support the Oceanic Discovery Center. She added that \$53 million of our money goes to the US Bank every year to invest and she was wondering about what US Bank is doing. She stated that she saw that US Bank is the primary funder for the North Dakota Access Pipeline which because of the recent change in the White House was down to Louisiana where it was threatening impoverished, sick, African American people and she didn't think our money should be used in that way, adding that a lot of people would agree with that. She hoped they look into it and change that. She stated that a new newsletter is one for each Councilmember and one for the City Clerk's office.

**Laura Martorana, Pacifica**, stated that she is from the back of the valley. She wanted to talk about fire safety, primarily through Linda Mar and the back of the valley. She stated that they have a lot of dead plants and trees in areas near Frontierland Park. Her concern was with the weather change, they seem to get less fog and the back of the valley during the summer was hot. She stated that, with all the dead vegetation, it was a big fire hazard specifically during the 4<sup>th</sup> of July when there was stuff going off with so much dead brush and hills and mountains that could go in a moment. She wasn't going to deal with fireworks as that was a dead thing as it was very political and they don't want to give up the fireworks because of the money made by non-profits until something bad really happens. She referred to the cul-de-sacs in the back of the valley and asked them to think about how people would escape if there was a fire like the one in Santa Rosa. She stated that, besides losing their homes, there would be many lives lost, explaining that in the cul-de-sacs there was no way to get out. She stated that she was present to bring it up but also ask the question of what we can do about it. She pointed out that some of the land was county land, water district or the city of Pacifica. She referred to a lot that

needed to have waste cleared out, and she thought they need to think about it and she asked for guidelines as to who to approach and how they get the dry brush cleared out with some kind of safety plan if there was a fire in the back of the valley with people trying to escape. She felt Pacifica needed to think about that.

**Amy Caplan, Pacifica**, stated she lives on Manor between Monterey and Cragmont. She stated that her back yard faces Milagra Ridge and her house was 10 feet from the canyon. She stated that over the 18 years she has lived there, there has been lots of strong storms, etc., and her retaining wall was moving and falling apart. She stated that it was true for many of her neighbors in the community of Pacifica. She stated that climate change brought more humidity, water in the atmosphere, etc., with houses on the hills at risk for erosion. She stated, as the city considers adaptation or mitigation versus managed retreat for property close to the shore, we have to remember that Pacifica has even more homes on the hills that are subject to erosion and landslides and she asked, if there was funding available for mitigation at the shore, who will be funding and protecting the hillsides homes as well. She empathized with the homeowners along the coast who were fighting to protect their homes from sea level rise, but she felt they have to remember all the houses on the hill that are also at risk. She referred to PG&E grants for climate change and she suggested that Pacifica apply to get some PG&E grant money to build a cooling center for additional heat wakes as it was really hot the previous year and they had no where to go.

### **COUNCIL COMMUNICATIONS**

Councilmember O'Neill suggested to Laura and Amy that they send him an email with their contact information and he will be happy to get back to them. He also suggested that they might like to have the City Manager agendaize it, mentioning that he brought this up at the goal setting meeting regarding the city's involvement in various associated projects and they could have a report from the fire department on options or the emergency preparedness committee. He stated that he attended LAFCO for the city, as well as Pacifica Democrats where they had the candidates for sheriff and Supt. of Schools. He also toured the Half Moon Bay Library and suggested people see what a modern library looks like and the services they can offer the community which was not just books.

Councilmember Martin agreed with Councilmember O'Neill's comments regarding the disaster preparedness, adding that it did come up on goal setting and they requested a more marketable disaster evacuation planning. She stated that the fire chief said there was one but for every area it was different and they were going to work together once they finalize Council goals later in April to figure out what the plan will look like. She suggested that they plan the emergency preparedness committee meetings to talk during oral communications about their concerns. She stated Earth Day was coming up on April 21 and she suggested that people sign up as there are plenty of sites that still need help. She gave some of the statistics so far by the Beach Coalition. She then reported that the Bicycle/Pedestrian Advisory Committee decided that they were going to put off the call for projects until next year because they were going to wait for the fund to build up for projects. She stated that San Mateo County issued a biking in San Mateo County safety brochure, adding that she will make sure the city gets them and that they will be available at EcoFest.

Mayor pro Tem Vaterlaus stated that she was at the Library Advisory Committee and someone suggested that their topic should be "you spoke, we listened" and she felt that was important as the Library Advisory Committee would have more information about keeping the Sanchez Library and hopefully opening a new library on Palmetto. She also mentioned the library in Half

Moon Bay which was semi-complete, being a 22,000 sq. foot structure built entirely to not obstruct the neighborhood and was mostly one level, adding that it is two-story but you can barely tell that it is two-story in parts. She felt it was amazing what they offered in the 22,000 sq. feet. She was envious, stating that it was built at a cost of \$22 million. She also attended the Democrats meeting and also went to a home for all convening where people from the county talked about framing conversations on allowing affordable housing and getting people to understand how important affordable housing was and explain it so that people don't say they don't want it in their backyard. She attended the Council of Cities dinner with other councilmembers and they heard Supervisor Phil Ting speak about housing. She stated that she drove up Palmetto and the new bike lane painting was going in, adding that it was a bright green that everyone can see and will know there are bike lanes.

Councilmember Digre stated the Commute.org website has all types of options for transit to get you out of your car but get you where you need. She stated that a new option was scoop and she asked the public to let her know how that was going, adding that it was working well for businesses in San Carlos so they are starting it in other cities. She stated that there were bicycle agencies, such as lime green, which stands out, as well as motorized bikes. She referred to the concerns about weed control but stated that the JPA doesn't do weed control. She has found that concerning and she was happy to see everyone focusing in on weed control. She felt a fire trained person should evaluate the combustible issues going on because of drier and hotter weather. She stated that she learned that there are three ocean sanctuary areas in our area but none by the shore of Pacifica and she would like to see that agendized as to when it would be appropriate and how they try to get water off the shores of Pacifica. She stated that San Francisco once threw their sewage too close to the ocean and now it comes to Pacifica. She added that the old wastewater sewage plant used to have the sewage going into the ocean and she concluded that they didn't have an argument then, but both of the situations have changed and she thought they should look into having sanctuary waters off Pacifica's shores also.

Mayor Keener referred to scoop and stated that, if you use the scoop ride share service, the county will give them and the driver a \$2.00 discount on the ride. The rides that qualify for that either start or end in San Mateo County. He stated that, if interested in ride sharing, you can check their website, CCAG's website or commute.org websites. He referred to "clouds" and stated it was a talk by Gavin Pretor-Pinney who was from Britain and the president of the Cloud Appreciation Society on April 10 at the Community Center and was told he was the world expert on clouds. He attended March for our Lives on Saturday, stating there were about 400-500 Pacificans who marched from Linda Mar Beach to Rockaway and back in support of the recent victims of school shootings. He stated that the march was organized by three Terra Nova high school students. He had a ride-along with Meals on Wheels along with the City Manager and he commented that the recipients of the lunch were so glad to see someone every day. He stated that it was often the only contact so the Senior Center uses that as an excuse to check on them to be sure they are okay and take other measures if they can't contact them.

## **STAFF COMMUNICATIONS**

City Manager Woodhouse stated that he had a few updates, a couple already mentioned. He stated that he attended the Meals on Wheels program and felt it was a great experience and referred to the number of volunteers who have delivered meals for years. He stated that he tried to send the picture to Councilmembers but it didn't go through. He explained that Pacifica made the New York Times with a snapshot of Pacifica's march in the Sunday edition. He stated that the Palmetto bike lane was being completed in phases, and they thought with the dryer

weather the drying of the paint should occur more quickly and less of a challenge for Palmetto Avenue. He stated that all the businesses have been notified about the phasing of the painting. He mentioned the issue of the adaptive management system on Highway 1 at the two intersections, stating that there was a snafu beginning Thursday and they worked with Caltrans to figure out why it happened. He stated that one cameras had tilted over from strong winds and wasn't working to measure the traffic. He stated that there were two aspects and it was complicated. He stated that the adaptive part of the cameras was not turning on until the following day, but he stated that the camera still observes and controls traffic in the data gathering phase. The defective camera put the light into a different trigger mode. He stated that it was corrected and the adaptive system should be effective the following day. He added that it won't solve the traffic problems at those intersections but will hopefully help and actively monitored by Caltrans and adjusted as they gather the data.

## **PUBLIC HEARINGS**

### **CONSIDERATION**

9. An Ordinance of the City Council of the City of Pacifica Amending Chapter 28, Within Title Five of the Pacifica Municipal Code, Relating to Unruly Gatherings and Social Host Liability to Add Marijuana and Controlled Substances  
**PROPOSED ACTION:** Move to waive the first reading and introduce by title an Ordinance of the City Council of the City of Pacifica amending Chapter 28, within Title Five of the Pacifica Municipal Code, relating to unruly gatherings and social host liability to add marijuana and controlled substances.

Police Chief Steidle presented the staff report.

Councilmember O'Neill thanked him for putting this together. He then asked if he was aware of any shoulder tap like they do for alcohol, explaining where a youth will ask an adult in line at the store to buy him alcohol, and if there will be funds available for that.

Police Chief Steidle stated that some of the grant money for enforcement strategies will be from the excise tax going to the state but they weren't sure where it will be going or whether Pacifica will be able to use money for that. He stated that, even if the state doesn't give them money, he can budget for it at a relatively reasonable cost, adding that he has every intention of conducting operations to deal with the shoulder tap as well as minor decoys to make sure that the businesses aren't selling to minors or people who should not have the product.

Councilmember O'Neill referred to his time on the school board when the police had expulsion hearings, and he asked if there is a situation when the youth is drunk from liquor or high are the parents notified by the school.

Police Chief Steidle responded affirmatively.

Councilmember O'Neill stated that in most cases the kids had access to the parents liquor and he asked if there was possible to have an ordinance that warns the parents and hits them in the pocketbook.

Police Chief Steidle stated that he discussed that with the City Attorney and individuals from other jurisdictions that already have ordinances like the presently proposed ordinance, and they

all thought that would be very difficult to enforce. He explained a situation such as a junior at Terra Nova who passes out the edibles in school that they took from the parents because the parents left it out and explained that to enforce that, they would have to get the child to make statements against their parents and will be problematic. He stated that when responding to a residence on a social host ordinance, it was easier for them to pinpoint what was going on because they are within a confined area and there was a responsible person present and that is an expectation that care should have been taken. He stated that if a 4-year-old were to get a hold of a marijuana product from the parents who were careless and the child is sick, they will have Child Protective Services involved in that and the parents could face child endangerment charges. He stated that they would need that put in the ordinance as they would be talking about a criminal violation.

Councilmember O'Neill referred to the problems in schools regarding use of opioids and asked whether this would cover that.

Police Chief Steidle stated that, regarding what is going on at the residences, it covers substances 1 through 5 which is about everything.

Councilmember O'Neill concluded that common substances like oxycodone are covered.

Police Chief Steidle stated that it was all covered.

Councilmember O'Neill stated that he didn't know what 1-5 was.

Police Chief Steidle reiterated that it covers all of those.

Mayor pro Tem Vaterlaus thanked him for doing this as she felt it was important for Pacifica.

Mayor Keener asked about the response in charging that to the person who gets the administrative fine. He asked if they have done that in the past five years for the alcohol ordinance.

Police Chief Steidle asked if he was talking about billing for the response costs.

Mayor Keener responded affirmatively.

Police Chief Steidle stated that he could not find anything to show that. He stated that he cannot remember the last time they had to do that. He stated that the reason it was put in place was because the history of the parties when they were dealing with them years ago was you have 4-5 officers between late swing shift and early graveyard tied up for the call and there was 20-40 kids who have been drinking, and they could be there for a couple of hours getting in contact with parents, and the cost rises rapidly compared to them going out there for 15-20 minutes for which they don't usually bill.

Mayor Keener concluded that the main penalty now was the administrative fine.

Police Chief Steidle responded affirmatively.

Mayor Keener assumed that, under controlled substances, methamphetamines are included.

Police Chief Steidle responded affirmatively.

Mayor Keener referred to packet page 164, under loud and unruly gatherings, it mentions consumption of alcoholic beverages or marijuana but not controlled substances, and he asked if that was an oversight or if there was some reason for it.

Police Chief Steidle stated that it seems to be covered under the next one, No. 5.

City Attorney Kenyon explained that they wanted to make the distinction for the issue of controlled substances to apply to underage as opposed to all adults.

Mayor Keener stated that they seemed to have replaced emergency service personnel with emergency service providers and he asked why.

Police Chief Steidle stated that was the city attorney's preference in the name.

City Attorney Kenyon explained that they thought that was more precise.

Councilmember O'Neill stated that, because he was on the Fireworks Task Force, he asked if it was conceivable that they could issue \$1000 fine for illegal fireworks and also issue another \$1000 fine for kids drunk or under the influence.

Police Chief Steidle responded that they could because it was a separate violation.

Councilmember O'Neill asked if they could do one for drunk and then under the influence of marijuana.

Police Chief Steidle explained, if they find at the gathering that one person is under the influence of marijuana and someone else under the influence of alcohol, that would be a single violation as it is encompassed under the same section.

Councilmember O'Neill appreciated the explanation, adding that he did a good job and he thanked him for getting it done.

Mayor Keener asked if they anticipate having to determine whether a person is under the influence of marijuana or trying to determine that they have illegal possession of marijuana.

Police Chief Steidle stated that he didn't understand the question.

Mayor Keener asked if they want to determine whether a juvenile was under the influence of marijuana which was possibly difficult to do or that they have illegal possession of marijuana.

Police Chief Steidle stated, if he understands his question correctly, when they are at the scene, the first clue will be that they smell the odor or they will see the consumption when the doors open. He stated that, from that point, they look at who they are looking at and they will be checking for possession. He stated that they don't necessarily need them to be under the influence but simply that they consumed it would be enough. If they aren't able to control themselves because of being under the influence, they look for that because then it goes to the safety of the individual and what they have to do at that point.

Councilmember O'Neill asked if they have done it in the past under the social host ordinance or would do it now to refer them to child protective services because of their young age.

Police Chief Steidle didn't recall if they have ever done that in any of the social host ordinance violations, but he recalls occasions when they did that prior to the social host and it had to do with the attitude of the responsible person on the scene when there were children intoxicated under the influence of alcohol and drunk and the prevailing attitude among the parents was that it was okay being in their own home doing it rather than out where they are not aware of what they were doing. He stated that they have referred cases like that to child protective services.

Mayor Keener stated that they had a card from Tygarjas Bigstyk, then acknowledged that he passed.

Councilmember Martin stated that she was ready to make a motion.

Councilmember Martin moved to waive the first reading and introduce by title an Ordinance of the City Council of the City of Pacifica amending Chapter 28, within Title Five of the Pacifica Municipal Code, relating to unruly gatherings and social host liability to add marijuana and controlled substances; seconded by Mayor pro Tem Vaterlaus.

Councilmember O'Neill thanked the police chief and the city attorney.

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

10. Approve goals for the Draft Local Coastal Land Use Plan Update and Adaptation Planning project, receive report on expansion of the project's community engagement plan, and authorize use of existing Planning Department budget to expand the contract scope and budget in the amount of \$41,000 with Environmental Science Associates and their subconsultants to conduct expanded community engagement.

**PROPOSED ACTION:**

1. Move to approve and formalize goals, as described in the staff report and summarized in Attachment A, for the Draft Local Coastal Land Use Plan Update and Adaptation Planning project; and
2. Move to receive and file report on expansion of the project's community engagement plan; and
3. Authorize use of existing Planning Department budget to expand the contract scope and budget in the amount of \$41,000 with Environmental Science Associates and their subconsultants to conduct expanded community engagement as described in this staff report.

City Manager Woodhouse stated he would like to make an introductory comment which he thought was important in the Council's consideration of this item which was the distinction between establishing a goal for a project and the actual project approval which comes later in the process. He stated that it is done for numerous policy issues which the Council takes up, explaining that the Council is considering clarifying goals related to sea level rise in the Local Coastal Plan update. He stated that, through the complex project, the different phases and all of the public input later in the schedule for the project, the Planning Commission will be hearing all the data presented and making decisions about it as well as City Council. He was drawing

the distinction between establishing a goal for a project up front before all the detailed information was in front of them as opposed to the actual project decisions down the line.

Planning Director Wehrmeister presented the staff report.

Mayor Keener opened public comments.

**Sam Casillas, Pacifica**, stated that, as a member of the Pacifica Sea Level Rise Work Group, he appreciated the level of civic engagement and communication that Council, staff and planning consultants have done with working with the public for this plan to ultimately enhance the General Plan update. He felt that the SLR planning process has been very transparent. He understands that there has been requests for additional data information but the flexibility of city staff to expand the public input process was recognized. He also realizes the difficulty in the process because the decisions are ultimately tied to people's homes and making it a personal and emotional driver for many in the community. He stated that, when misinformation is out there, it was not helpful to the process. He stated that people making statements about people in the flood zone not being allowed to put a roof on was disingenuous and would not help. He felt that needed to stop. He stated that a sound plan should consider all scenarios where only data is taken into account for the process. He agreed with the goals that preserving existing neighborhoods and infrastructure should be their most important over arching goal as it was talking about homes, adding that they also have to understand how that goal will impact the vitality of their local economy as it pertains to the city's recreational assets like the beaches and was the main driver for the future economic vitality of Pacifica. He stated that every economic development study conducted for Pacifica has stated that the future economic viability of the city depends on our recreational assets being developed to drive the tax base with tourism. He stated that, if the beaches are decimated, this economic driver will also be decimated. He also mentioned that stating that the goal will protect existing development and retreat strategies will not be considered for areas of existing development could be counter productive, such as south of the pier where there was an agreement that the first line of defense was fortifying the beach as much as possible and creating a buffer between the newly fortified sea wall. He asked what happens if that fails and they have to go to the next one. He stated that, if the sea wall gets breached, it didn't make sense to build additional berms on the south and north side of the golf course because what is important is that is essentially managed retreat. He stated that it was important and critical for them to separate existing infrastructure and housing from what has not been developed yet. He stated that they need to consider open space that could be considered as buffers for mitigating sea level rise.

**Jim Kremer, Pacifica**, stated that he was a resident of Sharp Park and a member of the community working group. He stated that he was surprised with some the text in the staff report at the end of packet page 191, specifically that the adaptation plan will protect existing development and retreat strategies will not be considered for areas of existing developments. He felt that was ill advised as it violates the charge they accepted in the grant from the Coastal Commission where it states the city will evaluate new accommodation protection and retreat strategies and will include an in depth assessment of the cost and benefits of implementing each strategy, and it weakens the relevance of the whole process. He stated that the goal of the state mandate charge was long term planning for a broad range of contingencies in the amount and rate of sea level rise over time. He stated that the value to the city was to identify extreme scenarios that may be unpleasant even though very unlikely. He stated that the grant also specifies that three sea level rise scenarios will be studied, including no sea level rise. He explained that, while they have contracted to consider extreme scenarios, they should also consider the lowest risk baseline case of sea level rise of zero. He stated that the draft

vulnerability assessment mentions the case on page 27, but the result does not seem to be in the report. He stated that it gives them balance and should be in there. He understood that it was new language from the goal setting meeting and Council still needs to determine if this language and direction was acceptable. He stated that he was concerned that changing policy, in addition to contradicting both the letter and intent of the contract was under the radar for most of the interested community and for the CWG. He then referred to the wording of “areas of existing development” was so imprecise as to be nearly meaningless, as development could apply to the entire coastal zone or something else. He then referred to the pressure from a few vocal critics to do this, and stated that he understood the pressure but stressed that it is only a few when considering all the residents and stakeholders on whose behalf this process was being done and who will pay for whatever they do. He worried that the critics goal seems to be to sow fear and impede the process rather than to improve it. He hoped they can convince the majority of Pacificans that the process was sensible, appropriate and consistent with the Coastal Act and authority of the Coastal Commission. He asked that they stick to the plan and do a good job. He referred to Item 3, preserving existing coastal neighborhoods and item 4 preserving and enhancing public coastal access. He stated that prevailing science says that these as written are mutually exclusive. He stated armor the beach, lose the beach, concluding you can’t do both in the long term.

**Hal Bohner, Pacifica**, stated he was speaking on one point. He agreed with the prior speakers concerning managed retreat. He stated that it was disappointing to see that some people are applying pressure to the Council to rule out a discussion of managed retreat. He thought that was ridiculous, asking why they would rule out a possible option at this stage of the process as they haven’t completed the technical analysis. He felt they should at least leave the option of managed retreat on the table for consideration as it could be ruled out later. He didn’t think anyone had a clear definition of managed retreat and felt ruling it out was a very bad thing. He also felt the matter of cost was not even beginning to be addressed, questioning what it would cost the city to not do managed retreat in terms of what Pacificans will have to bear to not do managed retreat and put up giant sea walls or other options instead. He hoped they do the right thing and leave the question of managed retreat on the table until they come to a place where they have technical guidance.

**Richard Harris, San Francisco Public Golf Alliance**, stated that they gave them a short letter which he hoped was passed to them that summarizes their points. He stated that they support staff’s proposed language in the goals statement that retreat strategies will not be considered for areas of existing development. They felt that was consistent with what the Coastal Commission itself did the previous November in its decision on the Sharp Park sea wall as they were presented with evidence that the sea wall was protecting homes, businesses, the golf course, etc., and were very clear that the sea wall was now being maintained. He stated that there was an item omitted between the current goals set forth on the website and the draft goals, specifically the environmental justice point which they think is an important point. He stated that there was a lot of affordable and low cost housing in the West Sharp Park district. He felt that the environmental justice point was an issue set out as one of their goals in their Coastal Commission application and has been omitted in this. He stated they felt there was an easy way to do it, explaining that he gave them a draft attachment which takes the staff’s proposal and adds an environmental justice reference. They also thought the mailing should include notice to people in the at risk areas that their properties are within the at risk areas. He stated they gave them a short letter that sets that out, asking them to look at their exhibit 1.

**Stan Zeavin, Pacifica**, stated that eliminating managed retreat was a very bad and potentially costly idea. He felt it was another scare tactic to derail their LCP process by SAMCAR and a

few locals who do their bidding. He stated that they feed false information to the understandable fearful people in the at risk areas and now this “monkey wrench” is dropped into the mix. He stated that the LCP decision should be based on what is best for the common good of Pacifica. He stated that, given the scope of the LCP, it was probably the single most important document the city will write into the foreseeable future, driven by sea level rise. He stated that the information they will use was collected from the latest scientific data including a cost benefit analysis. He stated that the more choices Pacifica has the better its decisions will be. He stated that the decisions need to be based only on the science and available funds and not political agendas. He stated that, given the monetary state of the city and number of coastal and bay communities across the U.S. who will be asked for a piece of the pie and the sheer quantity of at risk areas in Pacifica, to expect to have the funding to be able to protect all of the vulnerable spots indefinitely, including the infrastructure, was folly, and he thought it would probably lock the city into a position which could lead to bankruptcy. He stated that the county was using managed retreat and all the cities on the coast of California are incorporating some form of managed retreat into their LCPs except Del Mar which was small, very rich and 50% of its property in the coastal zone, stating that Pacifica was approximately 15%. He asked what SAMCAR know about managed retreat that no other county or the CCC seems to have figured out. He asked that they not corrupt the process by refusing to include alternatives which will eventually be faced by every single at risk neighborhood. He felt that, at this point, no one knows the time line and the need to all the information, adding that this information was already paid for by the CCC and he asked why they should pay for it again down the road. He was most concerned that the city was making a policy decision before the adaptation step was even close to being completed. He thought, in the future, Pacifica may need to float a bond for adaptations. He stated that, to vote yes, the 88% of the citizens not in a vulnerable area will need to know that all choices were examined and the choice made was the fairest for the entire city. He asked that they not bend to the fears of a small group of misinformed people.

**Margaret Goodale, Pacifica**, thanked Council and staff for emphasizing transparency as they work together to enhance their adaptive capacity, adding that this new proposal saying they should not consider retreat was the opposite of transparency. She stated that the LCP funded by the Coastal Commission offers them a choice to consider all the options currently available and be prepared. She thought it was unlikely that the CCC will fund Pacifica to do this assessment again in 20 years if they fail to keep the contract and use the grant wisely. She stated that they should make the most of the funding now and find out everything they can. She stated that they can prepare to be prepared. She stated that, while they have no control over sea level rise, it was in the interest of all Pacificans that they manage our response to sea level rise to avoid potential future liability and irreparable harm to our community. She stated that, to do that, they need information. She stated that, if they turn a blind eye now, they reduce options and flexibility for the next 20 years. She thought we may not like what was happening but were irresponsible not to look clearly at all the possibilities. She stated that we were not a sitcom and refuse information we do not want to hear. She stated that, at this time, only the north dunes, Mori Point and Rockaway Headlands were truly undeveloped and, if they choose to remove retreat from consideration every where else, they choose to commit the people of Pacifica to do battle against the ocean along most of our coast for next 20-40 years. She stated that, if they choose to deny them full disclosure of vital information, they put Pacifica at a financial risk and she asked who will pay. She concluded that she wants her taxes to work toward a sustainable future that will keep Pacifica alive as a city for as long as possible. She stated that the city was not “them” but all of us from the coast to Skyline. She asked that they not deny us the right to all data and commit Pacifica to bear the potential financial burden without understanding all the possible ways to respond to the risks ahead. She asked that they keep transparency and withdraw this terrible proposal.

**Cynthia Kaufman, Pacifica**, thanked them for an amazing process. She was very impressed with the public meeting, documents prepared by staff and she also was upset when she heard about the sentence added that took managed retreat off the table. She stated that they have to do the science and then do the policy. She stated that what was powerful about the process as laid out was that they will get all the information and then have policy alternatives and make some hard choices with practically no money. She stated that they all know the power of the real estate industry in Pacifica which spent \$500,000 spreading lies about the ballot initiative and they were also spreading misinformation about what managed retreat means and what the city's intentions were in sowing fear among those who live on the coast. She thought that was upsetting, adding that one of the goals of the industry was to shift the cost of sea level rise from private landowners to the public. She stated that they don't want the city to be obligated to pay for the protection of property they can't afford to pay. She felt they needed to think systematically and holistically and decide where they are going to have to put their very scarce resources. She hoped that sentence gets taken out or modified and they work together for a process that was smart and the best strategies. She stated that they can't allow for private gain at public expense. She concluded that we have to be vigilant in this process and she appreciated Council being vigilant and paying attention to the details. She stated that she was a member of the Pacifica Progressive Alliance and at their next meeting on April 17 they will be showing a film called "Facing the Surge" and they will talk about sea level rise.

**Amy Caplan, Pacifica**, stated she was from the landslide zone. She stated that Florida was ground zero for sea level rise and Florida's Governor Rick Scott has been relentlessly mocked when he was banning discussion of climate change in his state. She stated that the United States, California, the County and the city will have very limited funding to adopt or mitigate for sea level rise. She stated that Pacifica was one of the least economically productive cities in the county, and nationwide, limited funding will be prioritized for major infrastructure, such as airports, harbors, roads, etc. She felt not considering discussion of managed retreat was unrealistic, absurd and dangerous because it dismisses the reality of critical national, state, county and city priorities. She stated that we are not Florida and we need to be realistic about Pacifica's ranking in the national state and county's economic priorities and support discussion of retreat strategies.

**Cindy Abbott, Pacifica**, stated she was a resident of West Sharp Park and a member of the community working group on sea level rise. She thanked Council for listening to members of the working group and community for the opportunity for stakeholder engagement. She was concerned about changes proposed to some of the goals, specifically goal #1 and added language to address public safety efforts in response to a catastrophic event, and goal #3's added wording that retreat strategies will not be considered for areas of existing development. She mentioned a transcript from a piece from WGBH in Boston beginning on the beach below Manor Drive and reflects a conversation between a reporter and a local geological oceanographer who has worked for various agencies on coastal projects in our area, and read the version addressing previous attempts to protect the cliffs and delay erosion, mentioning sheets stapled to the front doors stating the obvious of being unsafe for human occupancy, then on Pacifica State Beach where nearby houses were pummeled during storms and the state decided to retreat from publicly owned part of the beach and asked nearby homes and businesses to do the same. She stated that the whole project took out a lot of development on the beach and then the waves had somewhere to go with many homes saved along with infrastructure. She was now asking Council to lead by bringing people together and allowing them to wrestle with the complex issue of sea level rise unrestrained by limitations of options, mentioning the CCC funding they might not have gotten if all strategies weren't on the table.

She asked that they take on the challenge and not be satisfied with a one dimensional fix which can often result with unintended consequences. She stated the conclusion of WGBH stated that the damage has taught California officials a valuable lesson that it was easier and cheaper to prepare rather than react to the incoming seas. She asked that they develop the right plan for Pacifica.

**Robine Runneals, Pacifica**, stated she was a member of the community work group. She thanked staff for their willingness and response to public input on the process. She agreed with the suggested changes, adding she hoped letters to the public would include letters to property owners and residents within the specified zones, as well as commercial properties. She agreed with the definition to protect existing development but added that it also includes other locations in the city and coastal zone that have been developed such as trails, etc. She thanked them for adding meetings, but she felt the GIS is a very complicated piece of technology and she appreciated the city or ESA doing a demonstration at one of the public meetings with the life GIS and explanations of the areas, etc., with trial runs to show how data is located and what it means. She stated she had concerns about enhancing environmental justice removed from the goals as it was a fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with development, implementation and enforcement of environmental laws, regulations and policies and questioned taking that out of the process as a goal. She referred to comments regarding removing the option of managed retreat, and she felt they should be planning to preserve the city we have and keep is viable, mentioning the Coastal Commission voted 9-2 to save the neighborhoods by supporting the maintenance of the golf course berm.

**Ron Maykel, Pacifica**, stated he supported the managed retreat option, adding that he is on the sea level rise working group. He referred to city exercising the managed retreat on the state beach, mentioning some of the specifics. He thought there was ambiguity about what managed retreat was specifically, adding that it might be worthwhile to provide examples of where and how managed retreat has been used. He stated that, as mentioned by other speakers, this early in the game he didn't think they want to fast track this as it was complicated and expensive with a lot of concern from the community. He referred to sea water undercutting the bluffs by Esplanade as well as wind and rain, etc. He concluded that they should maintain the managed retreat option.

Mayor Keener closed public comments and called for a short break then reconvened the meeting.

Councilmember Digre felt they spent a lot of time in deep and thorough discussions and she was concerned that they were trying to go away from that. She believes that each of them are intent on protecting the feasibility of the city which would include infrastructure, residents, commercial areas and our economy. She didn't think they have expressed any thoughts against that, and were clear about spending time on all possibilities. She was concerned that, if they move away from that, they have robbed themselves of a total picture. She would like to know if they were cutting anything because of the amount of money, she would like to know that. She was talking about expansive knowledge and research based on reputable people and data and she would not want to see the words managed retreat taken because this Council has not accepted a specific definition of what managed retreat was and using other terminologies about managed retreat such as what was done at Linda Mar Beach. She then referred to estuary and wanted to take a moment to read it, briefly mentioning that it was talking about living shore lines and was greener and sometimes cheaper and more reliable than hard infrastructure which marks thousands of miles and was embraced as an alternative to concrete

sea walls and bulkheads in many east coast cities and states and more recently the concept has gained momentum along the west coast, particularly in California. She referred to living shore lines which was a nature based shore line protection, man made coastal infrastructure and landscape design that offers a range of benefits for both physical erosion, flood control, ecological and best defined by not sea walls, bulk heads, riprap, which use concrete. She stated that more places are saved while reducing optimized coastal erosion processes and protecting inland development from floodings, storm surges and sea level rise. She stated the same thing was done in 2010 when they had Linda Mar flooding despite the use of stabilizing structures in the San Pedro Creek has been a recurring problem and they worked towards a managed retreat strategy that reduces flooding and erosion threats and restored the habitat and provided a buffer system, but the city remained at risk from flooding, erosions, etc. She then asked why she would want to take away a potential way of protecting infrastructure, homes, businesses, etc., and the ability to be a coastal city. She felt it was too early to cut that off without any data and she was eager to see more public input and discussion and work together to find solutions that will fit the city. She stated that they would want to know all the possibilities, the consequences for each one of them or not and the cost of both. She felt they needed to have that information.

Councilmember Martin thanked the community working group who showed up and expressed their comments. She was concerned with the community's perceived definition of the words managed retreat, often perceived as bad words. She stated that Sloat Boulevard and Ocean Beach were also good examples of managed retreat, and she didn't think they could know the meaning of managed retreat in each of our sections of the city without listening to the data and figuring out what it means for each area. She liked Robine Runneals' suggestion of not only alerting property owners but residents and commercial business owners during the marketing campaign. She thought the GIS trial runs were a good idea and a demo from the experts would be helpful. She also thought Robine Runneals' comment about being clearer about what infrastructure means would also be helpful.

Mayor pro Tem Vaterlaus stated that when the City Manager first spoke he said they wanted to establish a goal, and we are not making project decisions. She referred to comments that there was no managed retreat, and she referred to managed retreat that happened at Linda Mar when they bought the homes on the beach and removed them. She questioned buying one of the houses on Beach Boulevard, stating that the city doesn't have the money for that. She thought they need to study everything but it was a goal to keep Pacifica as Pacifica. She stated that, if you don't live on the beach or Sharp Park, you might not care what happens to those who live there, but it matters to them, and it affects a lot of people.

Mayor Keener stated he would like a definition of existing development as he thought the adaptation plan would be to protect existing development and he thought the first thing he thinks of was protecting houses, then businesses and infrastructure. He asked if that was everything or was there more.

Planning Director Wehrmeister thought he covered it but it would also include more passive uses, such as developed trails, parks, etc.

Mayor Keener concluded that retreat strategies won't be considered for those areas and he thought managed retreat or retreat strategies suggest that they plan in advance to back off and let nature take its course.

Planning Director Wehrmeister responded affirmatively.

Councilmember Digre asked if that was a definition of managed retreat.

Mayor Keener stated that it was sort of a definition.

Councilmember Digre asked that he repeat the question so she was sure what she heard.

Mayor Keener stated that it sounded like managed retreat and he thought of it as retreat from the ocean that was planned in advance.

Planning Director Wehrmeister responded affirmatively.

Mayor Keener stated that there was another kind of retreat which would be forced retreat which was what they had with the apartment buildings on Esplanade.

Planning Director Wehrmeister stated that it wasn't necessarily managed ahead of time.

Mayor Keener stated that he thought that it was the houses on Esplanade and the buildings hanging over the edge further down on Palmetto that were examples of forced retreat but he thought the idea was to draw a distinction between managed retreat and something else that they have as a consequence of not taking on managed retreat but are forced into it by actions of the ocean or lack of funds to further protect homes, businesses and infrastructure. He assumed retreat strategies do not include forced retreat because there was nothing they could do about that.

Planning Director Wehrmeister thought the goal would be to manage them ahead of time.

Councilmember O'Neill stated that he read the information from the Golf Alliance and he liked some of the additions he wants to put on there, environmental justice, single family and multifamily residential and rental properties, and the adaption plan will be to protect these assets and existing development in retreat strategies. He thought they have to protect by law public property and public infrastructure, and by protecting public infrastructure they would be protecting private property or other things. He thought adding the fact that it could be \$8 or \$9 million to remove the pump station from the present building and how much to build the green shoreline. He read the residential guidelines of the Coastal Commission and what their definition of what managed retreat is, stating that removal was required pursuant to LCP policies for sea level rise adaption planning and in the next section it mentions removing some existing shoreline protective devices that are no longer allowed or needed in remediation of the site. He thought the change was consistent with the Coastal Act which already incorporates managed retreat and the action plan will be to protect existing development and was standard, adding that most people would want as a lot of those who spoke were south of Fairway Park. He asked if they were willing to drive over 92 to go to San Mateo and we let Highway 1 go. He thought they have to have a statement that they will make every effort to protect current homeowners and infrastructure for Pacifica. He stated that, if they can't financially, to alleviate the fears of West Sharp Park, Fairway Park, parts of Linda Mar and Pedro Point, they need to look at that.

Mayor Keener agreed with his last statement that they need to state the intent of their adaptation plan will be to protect existing houses, businesses and infrastructure but the other component was where they get the money and will it be enough. If not, and they only get enough for one project, it could be a problem. He would like to ask if it is consistent with the Coastal Act to say the intent of their adaptation plan will be to protect existing homes, businesses and infrastructure.

Planning Director Wehrmeister stated that one goal of the Coastal Act or a charter of the Coastal Commission was to protect existing development and she would say it would be consistent.

Mayor Keener stated that someone said the Coastal Act may sometimes require removal of coastal armoring.

Councilmember Martin stated that there was mention if they would be asked to consider more updated or more recent adaptations.

Planning Director Wehrmeister asked if Councilmember O'Neill could confirm it was from the draft residential adaptation policy guidelines.

Councilmember O'Neill responded affirmatively.

Planning Director Wehrmeister stated that they were guidelines. She read from the document on how to use it, stating that it was an interpretive guideline with examples to modify and not all policies are applicable in every jurisdiction. She stated that the document was policy options for consideration, and not all the content will be applicable to jurisdictions as the jurisdictions should consider the policy options relevant to their specific situation rather than view the option as a check list of requirements. She stated that it was careful to say the document was not regulations but guidelines and suggestions to jurisdictions for different adaptation policies they can consider.

City Attorney Kenyon clarified that when the goal refers to the Coastal Act, it was not referring to the guidelines she just mentioned.

Planning Director Wehrmeister responded affirmatively.

Councilmember O'Neill stated that the Coastal Act was adopted and was the policy in law and the guidelines are the published guidelines for public comment and at some point will be voted on by the Coastal Commission.

Planning Director Wehrmeister clarified that it would be as guidelines, not as law.

Councilmember O'Neill stated that it would not be as policy.

Planning Director Wehrmeister stated that they would be voted on as a final guideline document.

City Attorney Kenyon stated that it would not be technically part of the act.

Councilmember O'Neill understood but asked what it would be the same as.

Planning Director Wehrmeister asked if he meant design guidelines.

Councilmember O'Neill agreed.

Planning Director Wehrmeister stated that there was a variety of ways that you can design your building to be consistent with the community character and design guidelines but they are not mandates.

Councilmember O'Neill understood, stating that the General Plan would be the charter from the Coastal Commission and the design guidelines would be the preference we want in a certain area.

Planning Director Wehrmeister agreed, adding that there were a lot of different options from which to select.

City Attorney Kenyon explained that, in interpreting the act versus the guidelines, the act would be deemed as the law.

Councilmember O'Neill suggested supreme.

City Attorney Kenyon agreed, stating that in a hierarchy, the act would come first like the General Plan and the guidelines would be there to assist in either interpreting items that are not covered in the act or add more illustrative guidelines to provisions that are in the act.

Mayor Keener referred to the notion of armoring bluffs, and he stated that most of Pacifica's bluffs are armored, and those that are not are in Mori Point. He couldn't imagine a situation where they would plan to remove that armoring. He asked if they could agree on that.

Councilmember Digre responded negatively.

Mayor pro Tem Vaterlaus responded affirmatively.

Councilmember Digre asked where the data was to prove that they were going to save that with armoring when they don't know whether the data for something else could do the same thing in a more reliable, longer term. She didn't know where the data was that he was using to compare this so that she can make that decision. She didn't say they should keep managed retreat to get rid of stuff, but because of the bit that she knows they can save things longer, better, cheaper, and she didn't want to lose that option.

Councilmember Martin stated that she was finding it hard to understand why they were having the conversation because they were basically asking the community work group that has been put together that everyone has been praising for being transparent to take out an entire piece of data that we need to be good community working group participants. She felt offended that she is being asked this question and make this decision at this time. She was not going to vote to take out the verbiage managed retreat as she thought they need that data point. She wants this to work as it has been designed and make a few revisions by the community working group and suggestions made by the members and public. She thought people were scared. She didn't want to see any homes, infrastructure or businesses be lost and she thought they were all going to do their best to make sure that doesn't happen. She thought everyone there was going to do their best also. She asked, if they can agree on that, why they need to change a policy to agree on that.

Mayor Keener stated that he would be in favor of keeping the phrase consistent with the Coastal Act, the intent of the adaptation plan will be to protect existing homes, businesses and

infrastructure, replacing the word development with the specific. He stated that the rest was still up for discussion in his mind.

Councilmember O'Neill stated he was okay with that part also.

Councilmember Martin asked if they were changing the work intent to favors, because it was not their intent.

Councilmember O'Neill asked if she was saying it was not our intent to save.

Councilmember Martin stated that it was their intent to make Pacifica have a really good plan to make sure that we have what we need to be a sustainable community.

Councilmember O'Neill stated that, if it was not their intent to save, there won't be a Pacifica to save and have any intent of. He stated that the statistics was that 12% of the city's population, 80% of the affordable housing.

Councilmember Martin didn't think they work on a Coastal Plan with the intent every time to save. She didn't think they should ask their consultant to go into something with that mind set as she thought that was the wrong mind set.

Councilmember O'Neill stated that one of the consultants already said he will recommend managed retreat. He stated that by voting for him it was her intent not to save Pacifica.

Councilmember Martin commented that the mayor was a scientist and stated that her intent was to get data points that are correct and whole for the community working group to make good decisions for our community.

Councilmember O'Neill stated that the community work group was an advisory group and not making decisions.

Mayor Keener stated he was a scientist but he was a pragmatist and he believes their intent is to protect existing homes, businesses and infrastructure. He stated that the community needs to hear that loud and clear.

Councilmember Martin stated that a lot of the community working group showed up at this meeting.

Mayor Keener stated that the part he heard them objecting to was that retreat strategies will not be considered for areas of existing development and they object to that phrase and he was okay with deleting that.

Councilmember Digre asked what he would delete.

Mayor Keener stated that it was the phrase "and retreat strategies will not be considered for areas of existing development," at the end of #3 on packet page 191 and would end with "consistent with the Coastal Act intent of the adaptation plan will be to protect existing homes businesses and infrastructure." He stated that he should go further, not in what will be written, but in his thinking. He stated that they will try to protect the homes, businesses and infrastructure, adding that in some cases that will depend on either attracting funds from the feds or possibly the state or possibly our own Pacificans through a bond or something of that

nature. He stated all of that was chancy and that was why he was okay with the intent of the adaptation plan to protect existing homes, businesses and infrastructure. He stated that they can't guarantee that they will be able to as it depends on the granting agencies as one speaker pointed out that Florida was coming first and we were a blip compared to them, and he thought that was probably true. He stated that there will be difficulties in getting sufficient funding for some of their protective structures, including the sea wall. He didn't know if we will be able to get funding or not, but a certain number of houses, businesses and especially infrastructure will eventually be destroyed. He stated that the sewer lines underneath Beach Boulevard will go first if they fail to get funding for replacing the sea wall. He hoped they get funding but, if not, he questioned what they will do. He stated that they need to say their intent of the adaptation plan will be to protect existing homes, businesses and infrastructure.

Mayor pro Tem Vaterlaus asked what if it says retreat strategies will not be considered for areas of existing development unless absolutely necessary.

Mayor Keener stated that it expresses the intent very well but they won't know that it was necessary until something terrible happens.

Mayor pro Tem Vaterlaus stated that it doesn't say managed retreat but retreat.

Mayor Keener likes it better without that phrase altogether as the intention is the same. He honestly cannot see where managed retreat would be a useful strategy for most of Pacifica. He stated that the parts where there is urban development is up to the bluff's edge. He stated that for 20-30 years into the future we have to hold the line. He stated that they already have armoring, they won't rip it up and they hope it buys them time. He still favored deleting that part of the sentence of retreat strategies, even with absolutely necessary, because they wouldn't know if it would be absolutely necessary until it actually happens.

Mayor pro Tem Vaterlaus stated that it could be funding related and you would know that ahead if we weren't going to get any funding, couldn't pass a bond, etc.

Mayor Keener agreed, but stated that it didn't add much to the intent of the adaptation plan which is to protect existing homes, businesses and infrastructure.

Councilmember Digre asked why he says that when #1 says it.

Mayor Keener stated that it says something slightly different, that it will assist the city to protect human, life, property and critical infrastructure in response to a catastrophic event.

Councilmember Digre asked if putting a period after infrastructure would take care of it.

Mayor Keener stated that he likes the sentence that their intent is to protect homes, businesses and infrastructure.

Councilmember Digre asked where the word intent was.

Mayor Keener pointed it out to her.

Councilmember Digre stated that she liked taking away that retreat strategies will not be considered for areas of existing development. She stated that putting that into people's minds

not to go there when going there might be the best thing to protect something including houses and infrastructure.

Councilmember Martin agreed, asking, if they are saying their intent is to protect existing development, why even make it be about retreat and just leave it at that. She stated that was what she said at the goal setting session and she stands by it not being about retreat.

Mayor pro Tem Vaterlaus stated that so many from the public got up and said they believed in managed retreat and they have done it before and should do it again.

Councilmember Digre stated that they are not the decision makers.

Mayor Keener also wondered what scenario they were thinking about with managed retreat. He didn't know if that would take out existing houses, businesses and infrastructure.

Mayor pro Tem Vaterlaus stated that the example was Linda Mar and they took out houses.

Councilmember Digre asked how many houses they took out and what they gained by doing that. She basically asked what the consequences are.

Mayor Keener stated that the consequences were pretty real for those living in those houses.

Councilmember Digre stated she was not trying to say to get rid of them. She asked how many houses were gone in Linda Mar, and she stated they were assuming they were going to take a bunch of houses and say goodbye. She didn't get where that was coming from.

Mayor Keener stated that he didn't know what the deal was with the houses on Linda Mar Beach, and whether they were half destroyed.

Councilmember Digre stated that they lost 300 houses because of the flooding and once they did the managed retreat, a whole bunch was done. She stated that was then and this is now, and they have a process. She stated that they had the discussions, they chose a consultant, had fears expressed, and she added that the consultant they picked was horrible and everything is going down the drain and while they laid off the consultant they were still having the same fears which they already addressed. She stated that fear will be there but they have a process and they were talking about enabling the community to continue to talk and work things out She asked why they were trying to achieve something that is not possible because they would be cutting off all public opportunities and she asked what was the point and why would they bother to come and talk when they have already made the decisions. She stated that some of them were trying to say to leave the data collection time open with more time for the public to express their fears and hopes.

Councilmember O'Neill stated that since it was 10:30 and he was going to make a motion and see what happens. He would make a motion that they change the goals to say, consistent with the Coastal Act, the intent of the adaption plan will be to protect existing homes, businesses and infrastructures in Pacifica.

Mayor pro Tem Vaterlaus asked if they want to add some verbiage.

Mayor Keener stated that it was up to her.

Councilmember O'Neill stated that they need a second for discussion.

Councilmember Digre stated that, before they did that, she would like to add one more thing, especially in the Palmetto area. It is a historical area and in #3 it is not mentioned at all.

Mayor pro Tem Vaterlaus stated that it was a good reason to save it.

Councilmember Digre stated she was not against things.

Mayor pro Tem Vaterlaus stated she would second for discussion, and asked if they can add the term environmental justice.

Councilmember Digre asked where would environmental justice be.

Mayor pro Tem Vaterlaus stated that existing neighborhoods promote environmental justice and local economic vitality.

Councilmember Digre asked if that was in the original one.

Mayor Pro Tem Vaterlaus responded affirmatively.

Councilmember Digre stated she was fine with the original.

Mayor pro Tem Vaterlaus stated that the definition of housing stock was defined in the letter from the golf course but she didn't know if that has to be defined as housing stock is broad.

Mayor Keener agreed.

Councilmember O'Neill asked if she was amending his motion to preserve existing neighborhoods and promote environmental justice and local economic vitality. He accepted that change.

Councilmember Digre stated that what they are saying was what was in the original.

Councilmember O'Neill thought that part was.

Councilmember Martin asked them to clarify what went down.

Councilmember O'Neill stated that he made a motion seconded by Mayor pro Tem Vaterlaus. His motion was to vote to change the goals to say consistent with the Coastal Act the intent of the adaption plan will be to protect existing homes, businesses and infrastructure in Pacifica, which is below item #3, and #3 preserve existing neighborhoods and promote environmental justice and local economic vitality.

Mayor Keener stated that was the part in bold at the beginning of #3.

Councilmember O'Neill stated that it has been first and seconded for discussion.

Councilmember Digre stated that she added historical and asked if they were going with that or not.

Mayor Keener asked where she was adding that.

Councilmember Digre stated it was #3.

Mayor Keener agreed.

Councilmember O'Neill suggested it be significant public recreational and historical assets including beaches, coastal trails, etc. He accepted the amendment and asked if the seconder accepted the amendment.

Mayor pro Tem Vaterlaus stated that she accepted it.

Councilmember Martin asked, under recommended action, if they were just covering #1 at this point.

Mayor Keener stated that it was #1 through 4.

Councilmember Martin stated that she would like to discuss #2 under recommended action.

Councilmember O'Neill stated that he just did #1.

Mayor Keener apologized, stating he was looking at something else. He suggested they do this one separately. He stated that the motion as it stands adds the language, environmental justice and to #3 it adds recreational and historical assets to the last bullet and deletes the last phrase in the paragraph following bullet points in #3 and ends the sentence with protect existing homes, businesses and infrastructure in Pacifica.

Councilmember O'Neill agreed that was the motion.

Mayor pro Tem Vaterlaus didn't wish to have that removed but she will go forward on it.

5-0

Councilmember O'Neill stated that, unless there is an issue, he would like to make a motion to approve 2) move to receive and file report on expansion of the project's community engagement plan; and 3) authorize use of existing Planning Department budget to expand the contract scope and budget in the amount of \$41,000 with Environmental Science Associates and their subconsultants to conduct expanded community engagement as described in this staff report.

Councilmember Martin stated that she would like to amend #2 community engagement plan to include making sure the property owners, residents and commercial owners are alerted that their properties are in the hazard zone. She didn't know if it would be in #2 or #3, but she asked if they could have a training session on the GIS or a trial run.

Councilmember O'Neill accepted the amendments.

City Manager Woodhouse asked clarification and a couple of points to consider. He stated, if he understands what is being suggested, staff would have to do specialized mailers to different property owners that are indicating different information to them and that will be a very costly endeavor.

Councilmember Martin stated that wasn't what was suggested, but under packet 189 there was a mailer. She understood his question. She stated that the mailer mentioned was only alerting people to public engagement and a request has been from several community members that the property owners in the hazard zones are alerted that they are in a hazard zone.

Mayor Keener stated that she specifically said residents because she assumes that property owners would be notified although he didn't know if that was true, but she wants tenants to be notified also.

Councilmember Martin agreed, not that they have to be alerted to something different but the general mailer would say where the property was.

City Manager Woodhouse thought they were thinking that there would be a citywide mailer to residents, property owners, business owners, etc., stating that it was a significant expense to do a citywide mailer. He stated that this issue affects the whole city and everyone should be notified the process they are undertaking, but to do different kinds of mailers to different neighborhoods will double and triple that expense as they weren't considering that type of delineation of the mailers. He stated that the intent was a notification about the public engagement schedule and hearings coming up and what the process was. He stated that it was not to send the particular mailers in West Sharp Park saying one thing and mailers to the back of the valley say another.

Councilmember Martin stated she knew they can do that but it was an added expense which was not including the design, and her suggestion was that in that mailer goes out there be a map showing the hazard zone and people can look at it and consider going to the meeting.

Mayor pro Tem Vaterlaus suggested a link to a map.

City Manager Woodhouse agreed with a link to a map. He stated that part of the mailer was to draw people to the website for meetings, links to maps, etc. where they can discern that information, but trying to include that in a mailer would be a larger and much more expensive mailer. He stated that it was a monetary and staff time to develop those.

Councilmember Martin thought links were a great idea, but several people pointed out that even the link to the GIS was difficult for people to work. She stated that they could have that one picture.

Mayor Keener stated that the GIS viewer is not atypical of the maps.

Councilmember Martin understands, but stated that people can't even find the sea level rise posting. She felt the visual with the mailer and they see a map, that was her suggestion.

Mayor Keener asked where they stand on this motion.

City Attorney Kenyon stated that they need to figure it out.

Councilmember O'Neill moved to receive and file report on expansion of the project's community engagement plan to include mailer to property owners, residents, renters and all commercial businesses in the hazard zone and one for Park Pacifica.

Mayor Keener disagreed, stating that one mailer to all the "doors" in Pacifica, that was relatively cheap to mail, whereas the crux of the argument presented by Robine Runneals is figuring out

which addresses are in the hazard zone and which are not and mailing something specifically to addresses in the hazard zone.

Councilmember Digre asked if community service people and flyers would help.

City Manager Woodhouse stated that another point was that those are estimates, and you have two neighbors next to each other and one gets a particular flyer and the other gets another flyer, and that was a determination that property owners make for themselves when they come to the meetings, but that was a concern in drawing that distinction.

Planning Dir. Wehrmeister responded affirmatively.

Mayor Keener stated that a further issues was that with the distinction between neighbors in a hazard zone they may draw the line carefully but the real hazard is unknown to them and it may fall short or both of them or go past both of them. He stated that it also depends on what kind of hazard they are talking about, such as bluff erosion which is not realistic because it doesn't take into account the armoring already in place. He stated that mailing something based on that would be foolish. He stated that another hazard is flooding which is speculative as well. He would strongly be in favor of keeping it to one mailer for the whole city to get people into the meetings and at the meetings have the maps present or on the website and let them figure out for themselves where they lie with the understanding that the bluff erosion doesn't take into account the armoring in place and the flooding is imprecise in that it depends on how much sea level rise you have.

Mayor pro Tem Vaterlaus agrees with the mayor. She stated that the flood zone maps in Canto goes down the middle of the street with some in the flood zone and some not. She stated to be that precise to tell them they might be in the zone, she thought you were looking for trouble.

Councilmember Martin asked if they should at least solicit them to try and get them out with a picture. She stated that they would have to show up to the meeting to figure out what it means. She stated that a website works but for most people it doesn't. She stated that everyone who showed up at the last meeting got something on their doorstep and it was different. She applauded who did that. She agrees it can be one to keep the cost low, and her suggestion was to put a map in the mailer or go with Councilmember O'Neill's motion.

Mayor Keener asked if they have deleted the separate mailers to the hazard zones.

Councilmember O'Neill responded affirmatively.

Mayor Keener asked about the GIS help for assistance.

Councilmember Martin stated that the trial of a demo.

Mayor pro Tem Vaterlaus assumed at one of the meetings, not a separate meeting.

Mayor Keener stated that it was just the GIS addition and items 2 and 3.

Councilmember O'Neill moved to receive and file report on expansion of the project's community engagement plan and do a citywide mailer to all property owners, residents, tenants and commercial businesses with a map in mailer and on city website; and 3) authorize use of existing Planning Department budget to expand the contract scope and budget in the amount of

\$41,000 with Environmental Science Associates and their subconsultants to conduct expanded community engagement as described in this staff report; seconded by Mayor pro Tem Vaterlaus.

Mayor pro Tem Vaterlaus moved to extend the time to 1:00 a.m.; seconded by Councilmember Digre.

5-0

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

11. Reconsideration of Council Decision Regarding Consideration and Direction for Processing and Issuing a Request for Qualifications and Request for Proposals for the 2212 Beach Boulevard Development Opportunity Site.

**PROPOSED ACTION:**

1. Adopt a motion to reconsider the City Council's March 12, 2018, decision regarding the processing and issuing of a Request for Qualifications and Request for Proposals for the 2212 Beach Boulevard Development Opportunity Site; and
2. If a motion to reconsider is approved by majority vote, move to authorize staff to prepare a new Request for Qualifications and Request for Proposals and issue a RFQ to solicit hotel, retail, and restaurant development proposals for the 2212 Beach Boulevard Site, specifying that in addition to hotel, retail and restaurant uses, proposals may also include the Pacifica Ocean Discovery Center ("PODC") concept although there is no obligation that a PODC be included in any proposals.

City Manager Woodhouse presented the staff report stating that those who voted for reconsideration needs to be one of those who voted in the majority of the March 12 action, listing the three.

Councilmember Digre moved to reconsider the vote.

City Attorney Kenyon stated that the motion would be to reconsider the Council's March 12 decision regarding the processing and issuing of a request for qualifications and request for proposals for the 2212 Beach Boulevard Development Opportunity site.

Councilmember Martin seconded the motion.

Councilmember Digre asked if that was good enough or did she want her to read it.

City Attorney Kenyon stated that they should have public input before they take any action.

City Manager Woodhouse stated that he was going to summarize the report.

City Attorney Kenyon suggested that they take the motion.

Mayor Keener asked if they should vote on it.

City Attorney Kenyon stated that they hear public comment before voting.

Mayor Keener asked Mark Hubbell if he wanted to make comments now or after they have reconsidered the motion.

Mr. Hubbell chose to speak after.

Mayor pro Tem Vaterlaus asked clarification that they are just reconsidering the motion but not going into the details of what they are reconsidering.

5-0

City Manager Woodhouse presented the staff report.

Mayor pro Tem Vaterlaus stated that she concurs with staff that they want as many proposals as they can get for the property and it does complicate it. She asked, if they go in that direction, why were they limiting it to the Pacifica Ocean Discovery Center when there may be some other one like Marine World might want to come and put something in that is a visitor attraction, but not just limiting it to the Pacifica Ocean Discovery Center.

Mayor Keener opened public comments.

**Mark Hubbell, Pacifica**, stated that, after having done a lot of RFPs, if you leave it to the specialty architectural type firm that would work for the hotels, they will leave it off. He stated that they don't know how to do it and with any sort of activity, they will end up with a miniature golf course.

**Robine Runneals, Pacifica**, stated that she served on Westpac and they did a study for the Palmetto streetscape which didn't officially affect or have anything to do with the site at that time but recommendations that came up was that the best thing for this site compatible with the streetscape project to make this a successful project in the neighborhood was a mixed use development. She stated that a hotel was part of that, but a massive hotel over the entire site was determined not to be compatible and would have been too much of an impact on the neighborhood. She stated that the recommendation of the hotel within the mixed use development was a boutique hotel with restaurants, businesses on the Palmetto street side and an anchor which was deemed to be the best use at that time was the library because it would bring a lot of street traffic and people during the day to the neighborhood and would benefit the street and restaurants and other visitor serving things they hoped would be planned for the street which hasn't happened yet. She stated that 20 years ago, a charette done and mixed use evolved from that as the best proposal for the site separate from Westpac's work from the streetscape. She stated that, at that time the Ocean Discovery Center was proposed and at that time they didn't have the money to do it. She stated that they have had 20 years to work on it, and there has still been nothing from that. She stated that a hotel over the entire site was also turned down, referring to the Swenson proposal which was a large hotel but it was deemed to be too much of an impact on the neighborhood and too large for the site. She stated that they want something compatible with the neighborhood. She was not saying to not give the Ocean Discovery Center a chance. She thought anything they bring in that was important and visitor serving and bring people in was important, but she reminded them that Ocean Discovery is an educational facility and while she appreciates what it provides for the area, they would be bringing in school kids in buses which is another impact that they considered long ago. They looked at a lot of things and that information still exists.

Mayor Keener closed public comments.

Councilmember Digre stated that she lost track of the letter from Mr. Thompson who did some outreach about hotels who found that there were not enough restaurants and at that time Palmetto wasn't becoming what it was now.

Mayor Keener wondered if that was a historical or present day letter.

Councilmember Martin stated that she will make a motion.

Councilmember Martin moved to authorize staff to prepare a new Request for Qualifications and Request for Proposals and issue a RFQ to solicit hotel, retail and restaurant development proposals for the 2212 Beach Boulevard Site, specifying that in addition to hotel, retail and restaurant uses, proposals may also include the Pacifica Ocean Discovery Center ("PODC") concept although there is no obligation that a PODC be included in any proposals; seconded by Councilmember O'Neill.

Councilmember O'Neill suggested one amendment that there be restaurant and store fronts on Palmetto in the design. He asked if that would be covered in the RFQ or necessary in the motion.

City Attorney Kenyon stated that she would clarify the motion as well to say that 1) staff would be directed to issue the RFP, RFQ along with the criteria set forth in the March 12, 2018 staff report attached with the following exceptions, and then they would address the last part of the motion and if there was any other additions or changes add them on.

Councilmember O'Neill thought it was already in the RFQ.

City Manager Woodhouse thought, in specifying the location of the restaurant and/or retail, the RFP criteria from the March 12 report specifies the location necessary for the restaurant or retail.

Councilmember O'Neill thought they had talked about one on Beach Boulevard side and one Palmetto side at the corner, otherwise they have a big building.

City Attorney Kenyon thought that was only if there was a consideration of putting the PODC on the site as well.

City Manager Woodhouse thought the one bullet that gets to the point although not directly stated is the one bullet on page 216 under B which says ideas for complimentary uses on Palmetto Avenue that can be supported by a hotel anchor.

Councilmember O'Neill thought that was fine and he seconded the motion for voting.

Mayor Keener stated that the second bullet says the restaurant, meeting space and retail space on Palmetto Avenue.

Councilmember O'Neill reiterated that he seconded the motion.

City Attorney Kenyon stated it was with the clarification that he was referring to the RFQ, RFP criteria that was set forth in the March 12 staff report.

Councilmember Martin accepted the amendment.

Mayor Keener stated that, regarding the Ocean Discovery Center concept, there was no obligation that a PODC be included in any proposals and that means a proposal including the PODC won't be given any extra weight or special consideration.

City Attorney Kenyon stated that they can specify that if they would like to clarify that in a motion.

Councilmember Digre thought they read that once already.

Councilmember O'Neill stated that they read it in the staff report.

City Attorney Kenyon agreed it was in the staff report and she didn't think it was necessary for it to be in the motion.

Councilmember O'Neill thought they should include it in the motion.

Councilmember Martin stated that there was no obligation that a PODC would be included in any proposals. She stated that was what the motion says.

Mayor Keener agreed.

City Manager Woodhouse stated that the other statement later in the staff report states that a PODC concept proposal will not be given any extra weight or special consideration in evaluating the proposals.

Councilmember Digre asked what his amendment about.

Councilmember O'Neill stated that he made no amendment, and the motion on the floor was from Councilmember Martin and he seconded with no changes, as the motion to reconsider is approved by majority vote, moved to authorize staff to prepare a new Request for Qualifications and Request for Proposals and issue a RFQ to solicit hotel, retail and restaurant development proposals for the 2212 Beach Boulevard Site, specifying that in addition to hotel, retail and restaurant uses, proposals may also include the Pacifica Ocean Discovery Center ("PODC") concept although there is no obligation that a PODC be included in any proposals; seconded by Councilmember O'Neill.

Mayor Keener stated that it was already passed.

Councilmember O'Neill stated that it was not.

Mayor Keener stated that the motion to reconsider was passed.

Councilmember O'Neill stated that he was reading #2. He continued with reading the motion stating and issue a RFQ to solicit hotel, retail and restaurant development proposals for the 2212 Beach Boulevard Site, specifying that in addition to hotel, retail and restaurant uses, proposals may also include the Pacifica Ocean Discovery Center ("PODC") concept although there is no obligation that a PODC be included in any proposals, which was the motion by Councilmember Martin and seconded by him.

Mayor Keener stated that he would like to know if they would accept an amendment that says a proposal or concept, including the PODC will not be given extra weight or special consideration in evaluating the proposals.

Councilmember Martin asks why they need that.

Councilmember Digre stated that it was just stated.

Councilmember O'Neill thought it was just wordsmithing.

City Attorney Kenyon stated it was not wordsmithing but adding more clarity. She stated that it is in the staff report. She stated that, if you want to be absolutely clear, you would include it in the motion but from what she is hearing, she thought that was the intent of the Council, given that it was in the staff report and nobody is disputing it. She stated that the Mayor was suggesting that they be clear and put it in the motion, and you can do that, but she thinks it is clear from the intent of the Council that there is no intent to give the PODC any extra weight or special consideration.

Mayor pro Tem Vaterlaus wanted to clarify it for the people applying because, even though you say there is no obligation, they are looking at it saying that they want them to do it or they wouldn't have put it in there.

Councilmember Martin stated that it does say that in the RFQ in those words that a PODC will be considered but not given any preference.

City Manager Woodhouse stated that it says that in the staff report but not in the RFQ.

Mayor Keener stated that it says it in the staff report but not the RFP.

Councilmember Martin asked if they were sure.

City Manager Woodhouse stated that the RFQ, RFP criteria do not say anything about the PODC yet.

Councilmember Martin understood but still has no problem with the original motion. She thought as stated by the City Attorney, it was pretty clear.

Mayor Keener takes her idea that there are no objections to the phrase being included in the staff report that the PODC will not be given extra weight or special consideration.

City Attorney Kenyon stated that, to make sure the City Manager feels comfortable without that being in the motion, if he gets questions, he would be able to say to the proposers that as stated in the staff report and discussed at the Council meeting, no extra weight or special consideration will be given to a PODC concept.

City Manager Woodhouse stated that he is comfortable with that and it would be clearer if it was stated in the issuances of the RFQ and RFP.

Mayor Keener stated that they have two people for it and that is it.

Councilmember O'Neill stated he was fine with it.

Mayor Keener asked if he was for or against including the extra weight or special consideration in the motion.

City Attorney Kenyon added in the criteria itself. She stated that, now, it was not being written into the proposal and will just be verbally stated to the proposers.

Councilmember O'Neill asked if Councilmember Martin was okay with that as she was the maker of the motion.

Mayor Keener stated he was the maker of the motion.

Councilmember O'Neill stated that he just read what she said.

Councilmember Martin stated that she thought they were just nailing the coffin with that statement. She understood he would like more clarity but that was not the motion.

Councilmember O'Neill asked the City Attorney if they need to do this.

City Attorney Kenyon thought the intent was clear for the City Manager but the only question for the Council was if they want to see it written into the RFQ, RFP. She stated that, if they do, that is not part of the motion. If they are fine with the City Manager just giving it as verbal, it was okay.

Councilmember O'Neill withdrew his second and will make a motion.

Councilmember O'Neill stated, as stated, if a motion to reconsider is approved by majority vote, move to authorize staff to prepare a new RFQ and RFP and issue a RFQ to solicit hotel, retail and restaurant development proposals for the 2212 Beach Boulevard Site, specifying that in addition to hotel, retail and restaurant uses, proposals may also include the Pacifica Ocean Discovery Center ("PODC") concept although there is no obligation that a PODC be included in any proposals, no extra weight or special consideration will be given if a PODC is included.

Mayor Keener stated he would add the RFP and RFQ are as otherwise stated in the March 12, 2018 staff report.

Councilmember O'Neill stated that all the above he stated as stated in the March 12, 2018.

Mayor Keener stated on the 26<sup>th</sup>.

Councilmember Digre asked what was in there that she might think over.

City Manager Woodhouse stated that it was in both the 26<sup>th</sup> and the March 12.

Councilmember Digre stated that she cannot hear him.

City Manager Woodhouse stated that the February and March 12 staff reports include a detailed list of criteria for the RFQ and RFP.

Councilmember Digre stated that was just for the hotel.

City Manager Woodhouse agreed. He stated that the motion was that the other language allowing them to include an Ocean Discovery Center would be added.

Councilmember Digre asked when they discuss the city writing a letter so that the PODC has a leg to stand on when they go to solicit funding.

City Attorney Kenyon stated that it was not part of the motion and she suggested that the Council vote on this motion, asking if it has been seconded.

Mayor Keener stated that it has not.

Mayor pro Tem Vaterlaus seconded it.

City Attorney Kenyon stated that, after that motion, they should bring up that question and have a discussion on that.

Councilmember Digre asked if it was before they vote.

City Attorney Kenyon stated that they need to vote on this motion first.

Mayor Keener stated that they need to vote on this and then have a discussion on the letter.

Councilmember Digre stated that she was very much in favor of giving them a chance so she will put up with some stuff she didn't like so they have a toe in the door.

Councilmember Martin agreed with Councilmember Digre's comments.

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City Attorney Kenyon stated that they can give direction to staff to prepare something that they would bring back to the Council as an agenda item to address what she is requesting.

Councilmember Digre would like Council to direct staff to come back with something that was plausible, reasonable and encouraging so that the PODC has a fair play opportunity to go out with pride and possibilities and get some funding.

City Manager Woodhouse stated that, if they are to be consistent with the RFQ and RFP that was just approved, it would be a letter to the PODC saying that the Ocean Discovery Center concept came up during the deliberations and the City Council decided that a hotel developer could decide but was not obligated to include this concept in their proposal, and they would follow the language verbatim in the RFQ, RFP so that they are not sending mixed signals to potential proposers on the project.

Councilmember Digre asked if they can put any two cents in, stating that the last time if they had let them put their two cents in they wouldn't have been here now. She stated that it sounds like she doesn't know if she would want to send something out as she would create something herself.

City Attorney Kenyon stated it was up to the presiding officer to determine whether he wants to reopen public comment to ask a question.

Mayor Keener stated that he will.

Councilmember Digre stated that, for the PODC, she would like to know whether that wording that the City Manager just suggested would be too chilling or would it be worth their while to have it.

City Manager Woodhouse stated that the letter could be on city letterhead, would reiterate the language that is approved and used in the RFQ issuance and precisely the motion that was made, which includes the language that the concept won't receive extra weight or consideration during the evaluation. He stated that to say differently would create confusion between that letter and the RFQ that was actually released to the proposers sending a mixed message.

City Manager Woodhouse stated that the RFQ process was that the city develops it and send it out to the world of potential developers.

City Manager Woodhouse stated that the proposers have to spend their money and time in putting together their qualifications.

City Manager Woodhouse stated that the city does not pay anything in this.

Councilmember Digre stated that the question was that the letter as City Manager suggested that they could have a letter that verified that they were allowed, if a hotel wanted to go for it.

Mr. Hubbel asked if the invitation would go out saying that there was genuine interest in the community to have something like that or would it go out without that.

City Manager Woodhouse stated that he would not suggest that the city try to portray community interest regarding this. He stated that it would be the promotional job of the PODC to do that in soliciting hotel partners.

Mr. Hubbel stated that they have proposals to put retail on one side of the street, adding that there is a lot of things in there that are as valid as this, saying that there was community interest. He stated that, if they are dictating which direction a retail would go, everyone of those things is a similar request.

Councilmember Digre stated that they want to know if they can use that stark of a letter or that descriptive of a letter that they can use to verify that this possibility exists. She stated that it could help them get money.

Mr. Hubbel stated that the language to him if he was an architect would be a real disincentive to explore the idea. He didn't see how they could look at it any other way.

Councilmember Martin asked if she could make a suggestion. She asked if they could write something that was a bit more factual in terms of the history of the PODC, the most recent interactions and interest as factual and where they are, and signed by the City of Pacifica. She stated that it wasn't a disincentive but more of thinking it peaks their interest. She thought, if they went that route with a factual based historical synopsis up to the present day.

Mayor Keener thought that was the job of the PODC.

Councilmember Martin asked what the intent of the letter was.

Councilmember O'Neill suggested she ask Councilmember Digre.

Councilmember Digre stated the authenticity that a possibility does exist.

Mr. Hubbel asked if they can attach additional information to the letter.

Mayor Keener stated that he can attach additional information.

Mr. Hubbel stated that they would submit something to be attached to what went out to the developers.

Mayor Keener stated that this was a letter for the PODC to take to developers.

Councilmember O'Neill stated that he was uncomfortable with this because this would be the city soliciting for a private individual or private entity. He stated that it would be the same as if they were to send out literature advocating that they should move their business to Linda Mar Center. He stated that this was a private entity and they have to get their own working capital and he didn't see where Pacifica has to do their job.

Councilmember Digre stated she was not asking the city to do their job.

Councilmember Martin asked the mayor if he had a suggestion.

Mayor Keener stated that the City Manager has said that he would be willing to furnish a letter that basically recounts the motion that they just passed and it would certainly have the effect of authenticity.

Councilmember Digre added that they can use it as they please.

Mayor Keener stated that he would be in favor of that much if the City Manager seems to be okay with it.

Councilmember Digre asked if they have to make a motion.

City Manager Woodhouse stated that was what he was saying, and to not create any ambiguity, he would need to use the same language that was approved in the motion. He stated that it was similar to any action they take in adopting policy statements regarding aircraft noise.

Mayor Keener asked the City Attorney whether they could make such a direction now.

City Attorney Kenyon stated that they can give that direction to staff and the City Manager would bring back a draft of the letter.

Mayor Keener asked if they have to vote on it.

City Attorney Kenyon stated that it would be on consent because that was not part of this agenda item.

Mayor Keener stated that they will come back with the letter.

City Attorney Kenyon stated that it will be the draft of a letter.

Councilmember Digre asked if he meant they need a motion for this to get written.

Councilmember O'Neill stated that he had no problem with what was being described now.

Mayor Keener thought it was unanimous.

City Attorney Kenyon stated that the City Manager was actually saying that he thinks that, given the direction by the Council, he doesn't need any further direction from the Council.

City Manager Woodhouse views this as that they have had three very confusing discussions at Council meetings about this topic and to be really clear, he would do as ordinary business is encapsulate what the decision was at this meeting and give that to the Ocean Discovery Center as he would encapsulate it in creating the RFQ and RFP to release to developers because the language is just the same as the motion that was approved at this meeting and it doesn't need the Council's follow-up approval.

Councilmember Digre concluded that he is ready to go.

Mayor Keener confirmed that all Councilmembers approved this decision.

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

**ADJOURN**

Mayor Keener adjourned the meeting at 11:25 p.m.