



**CITY OF PACIFICA
CITY COUNCIL MINUTES**

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

Mayor Sue Digre
Mayor Pro Tem Mike O'Neill
Councilmember Karen Ervin
Councilmember Mary Ann Nihart
Councilmember John Keener

**April 25, 2016 (MONDAY)
www.cityofpacifica.org**

Mayor Sue Digre called the meeting to order on April 25, 2016 at 7:00 PM

CLOSED SESSION - NONE.

7:00 PM OPEN SESSION

Call to Order

Mayor Digre called the meeting to order at 7:00 p.m.

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

Staff Present: Lorie Tinfow, City Manager; Matthew Visick, Acting City Attorney; Lorenzo Hines, Asst. City Manager; Van Ocampo, Public Works Director; Dan Steidle, Police Chief; Rich Johnson, Deputy Fire Chief; Mike Perez, PB&R Director; Lorrie Gerwin, Interim Director WWTP; Anne Stedler, EDC Manager; Ed Vandehey, MIS Manager; Kathy O'Connell, City Clerk.

Salute to the Flag led by Councilmember Ervin

Closed Session Report

None.

SPECIAL PRESENTATIONS

Update on Local Emergency

Public Works Dir. Ocampo gave an update on the local emergency, mentioning what was done by staff following the declaration of the local emergency in January, opening a city emergency department by reaching out to various agencies in regard to the specific problems with their suggested solutions, and getting feedback on which options they recommend. Several existing identified areas discussed were the outfall, Beach Blvd. Seawall, the promenade, Esplanade,

etc., as well as exploring 12 other potential problem areas. He mentioned the work done on specific projects so far, as well as present ongoing projects. He also mentioned the grant requests submitted, including requests for help from the US Army Corp of Engineers.

Mayor pro Tem O'Neill asked if all the issues with the seawall were north of the ChitChat Café.

Public Works Dir. Ocampo responded affirmatively, adding that no voids are suspected south of the ChitChat.

Mayor pro Tem O'Neill asked if the areas around the Council chambers, Beach Blvd., Palmetto and Montecito have not experienced any storm damage.

Public Works Dir. Ocampo affirmed that there were none.

Councilmember Ervin referred to \$31,000 damage on the pier and asked if that was an accurate amount.

Public Works Dir. Ocampo stated that was the initial estimated damage, but once the engineer finishes with the estimate of damage they will know how much that would cost. When they apply for grants, CalOES was aware that was just an estimate of the damage and will be willing to accept higher estimates.

Councilmember Ervin asked if they had any feedback response on grants thus far.

Public Works Dir. Ocampo stated that they have heard from CalOES that they have accepted their CDEA application, adding that they were in the process of submitting information so that they can write the damage survey report. He stated that once it gets approved, that guarantees it will be funded by the state. He stated that the goal was to get as much documents and backup information as possible to the state and they have been patient with the city they have been understanding about the difficulty in getting the needed information.

Councilmember Ervin commended staff on the work they are doing, including applying for grants, which will make a difference for the city. She felt it was a team effort.

Public Works Dir. Ocampo thanked her for mentioning team, because it was not just Public Works but other departments, such as Finance, as well as PR as without getting government agencies in support, they would not have been as successful.

Councilmember Nihart stated that she understood if he can't answer her question, adding that it is a tough one. She was trying to understand, stating that the construction south of the pier was strikingly different than north of the pier. She stated it was clear that the seawall was in the process of failing, with 12 more sites.

Public Works Dir. Ocampo clarified that there were 12 suspected sites.

Councilmember Nihart reiterated that it was much different construction and, based on appearance, less durable.

Public Works Dir. Ocampo agreed that the north section of the seawall was constructed differently than the south, with the south being more robust in being supported with a bigger concrete foundation but also on piers.

Councilmember Nihart knew they have discussed it with the Army Corp of Engineers, but asked at what point they talk about the replacement of the seawall.

Public Works Dir. Ocampo stated that now was the time to look into this because it takes time, and also the availability of money is a primary concern.

Councilmember Nihart thought it was that opportune moment to capitalize on the emergency and she asked if that was his thinking..

Public Works Dir. Ocampo stated that the emergency will only repair the section that had the damage. Replacement of the northern section of the seawall would have to be under a grant.

Councilmember Nihart understood.

City Manager Tinfo stated that, with the work they are doing with the Army Corp of Engineers, they submitted three requests, one being replacement of that section of the seawall north of the pier. She stated that they were evaluating that now. She stated that the second was the Milagra outfall as it may need more attention and their assistance to repair that. The third is looking at shoring up the cliff edge of Esplanade to protect the street in the northern part of the city. They confirmed that the requests were being evaluated by the team that visited Pacifica in February and they shared that the maximum available for each project would be \$5 million and she thought it should cover the scope of what they were looking at. She stated that they will keep the Council apprised as they get more information.

Councilmember Nihart referred to Santa Cruz having gone through extensive revetment in the 80s, and she was interested if they know or could find out how they did that, the process and similar studies on areas that may or may not need protection.

Public Works Dir. Ocampo stated that they could reach out to Santa Cruz.

Councilmember Keener asked if they did the ground penetrating radar on the promenade south of the pier.

Public Works Dir. Ocampo stated that they did it mostly on the north, adding that there was no evidence of any on the south.

Councilmember Keener asked if that was the section immediately south of the pier.

Public Works Dir. Ocampo mentioned where the ChitChat was, where the concrete plaza was, but most went to the north.

Councilmember Keener referred to the revetments, mentioning that on the 500 block of Esplanade, it was a private home and asked if the city was doing the revetment and paying for it.

Public Works Dir. Ocampo stated that the rock revetment was installed as part of a FEMA grant for 1997/1998 El Nino and the purpose of the revetment was to protect the street. The top portion of the bluff has eroded and the house needed to move forward. The design of the rock revetment was for the protection of Esplanade and all the structure in the street.

Councilmember Keener asked if the city owned the land on the beach or was it sort of up in the air.

Public Works Dir. Ocampo stated that he thought there was an easement but would have to check on this one. From 536, one of the ten homes that got demolished, the property was owned by the city. He wasn't sure about looking at an easement there but believed that is the case.

Councilmember Keener stated that the city was the entity that originally placed the rock revetment in the first place in 1997.

Public Works Dir. Ocampo stated that it was actually 1998, after the 1997/98 El Nino, that they constructed the rock revetment funded by FEMA.

Councilmember Keener stated that he had the same question for 1070 Palmetto and 1112 Palmetto. He asked if there was prior rock revetment and was it ours.

Public Works Dir. Ocampo stated that they don't have a rock revetment there, adding if there was a rock revetment, that was placed by the property owner and not the city.

Councilmember Keener asked if the city was going to pay.

Public Works Dir. Ocampo stated that the grant they applied for, notice of intent, was for the demolition of the homes and payment for the property because they were eliminating the hazard of the structure falling into the ocean.

City Manager Tinfow stated that it would be at the property owner's request. They did it on their behalf and put them into the queue but it was up to them to determine if they want to take that action.

Councilmember Keener asked if it would apply to both the revetment, demolition of the house and purchase of the property.

City Manager Tinfow stated that was her understanding, but she deferred to Public Works Dir. Ocampo.

Public Works Dir. Ocampo stated that it was correct. The grant was supposed to pay for the demolition of the home and transfer of property as the property would have no value at that time.

Councilmember Keener asked who they applied to for that grant.

Public Works Dir. Ocampo stated that was also with CALOES.

Councilmember Keener asked if they were setting precedent, and he thought they were not because this has happened before. He asked if they were going to be on the hook to apply for grants for someone else's property next to the ocean and part of it falls in.

City Manager Tinfow explained that all they have done so far was submit the NOI, notice of intent and the amount of time that has taken is very nominal. She stated that it was just a placeholder for the property owner if they want to follow up.

Councilmember Keener asked if the Rockaway Beach revetments were the city's.

Public Works Dir. Ocampo responded affirmatively, explaining that it was in the public right-of-way, on San Marlo Way. He stated that they were talking about the section of the seawall north of Rockaway Beach Avenue, where there is a seawall at the end of the cul-de-sac where they have the sculpture.

Mayor Digre asked if they had an estimate of the time that the responses will come for the grant requests.

Public Works Dir. Ocampo stated that, for the CalOES CDEA grant, they were constantly working with the CALOES staff and they were as fast as they can process the request. Regarding the HMGP grant, the application is not due until June which will probably take them to the fall before they can give a response.

Mayor Digre asked the estimate of the time on the tipping column which she thought looked precarious.

Public Works Dir. Ocampo stated that it was not that the column was about to fall. They made sure it was secure. They want to confirm through boring the presence of voids within the promenade, which was the bottle neck. Once they did that and have already filled the void, that was when they start repairing the surface, including the column .

Mayor Digre asked if a void means a weak spot.

Public Works Dir. Ocampo stated that a void means a cavity underneath, adding that it may be too small for it to reflect to the surface. The ones they have encountered are pretty significant and that was the reason why it was already reflected through.

Mayor Digre referred to the Milagra Creek area being indicative that it could be from Milagra ridge out to the ocean, with an outfall by the fire station, looking at the reason for it. She was assuming that could affect the entire pipe.

Public Works Dir. Ocampo mentioned that, during the 1997/98 El Nino, there was a project that Public Works did to replace the entire creek with a high density plastic pipe and we don't have joints. It spans from Conchita Court to the fire station. The section was east of the fire station where they went back to reinforce concrete pipe and it was that section that was failing.

Mayor Digre assumed we were not worried about further problems.

Public Works Dir. Ocampo agreed, stating that they already replaced that section with a 50 inch pipe.

Mayor Digre assumed that, because the Coastal Commission asked for alternatives for the Milagra outfall, for anything in the coastal zone, they may request alternative remedies.

Public Works Dir. Ocampo stated that it was always part of the permitting process. They present their alternative for the repair, similar to what they did for 380 Esplanade where they asked them to move the outfall further south. That was the process to get the permit through as

smoothly and expeditiously as possible. The city does the consultation and they lead them to the right path.

Councilmember Keener referred to the voids, asking if they were primarily in sand.

Public Works Dir. Ocampo responded that most of them were in sand or fine materials.

Councilmember Keener referred to 310 to 330 Esplanade with \$4 million estimated for infrastructure to the streets and asked what techniques they were going to employ there.

Public Works Dir. Ocampo stated that, in meeting Coastal Commission staff, they were looking at something similar to Lands End, i.e., a concrete wall, because if you don't have the revetment in front of a wall, you are maximizing the beach area.

Councilmember Keener asked if it was a concrete wall at the bottom of the bluff but no rock revetment.

Public Works Dir. Ocampo stated that it will be similar to what Lands End has, a shotcrete wall which goes through the sand. He stated that there was a rock revetment but it was imbedded beneath the level of the sand, primarily to protect the base of the shotcrete wall. It won't be shown at the top and people will have the full beach for recreation.

Councilmember Keener concluded that the shotcrete will go the entire face of the bluff.

Public Works Dir. Ocampo stated not the entire face, just to a certain level so, if the bluff starts to recline, it will do it at an angle that the street is still protected.

Mayor Digre commented that there were a lot of agencies to work with, and appreciated keeping on top of that, and they appreciated the efforts of the agencies as well.

CONSENT CALENDAR

Mayor Digre stated that there were five items and she was asked to pull #2 and #4 for public comment.

Mayor Digre opened public comments.

Item #2

Amber Shrestha, Pacifica, stated that she was speaking on behalf of the Pacifica Climate Committee to thank the Council for considering this resolution in addressing bicycling in Pacifica. She hoped to reform a bicycle committee to see more painted bike lanes and bike racks to make it safer to bicycle in the city.

Cynthia Knowles, Pacifica, stated that she was advocating for declaring May as National Bike Month. She was also on the Pacifica Climate Committee and an advocate for reducing the number of cars congesting the roads and affecting air quality through public transportation and bike friendly streets. She felt National Bike Month would raise awareness of health issues and air quality and encourage use of bikes and public transportation for shopping and reduce commutes.

Mayor Digre stated that there was a precedent for a Bike Committee.

Item #4

Dan Stegink, Pacifica, stated that Police and Fire was 50% of safety budget. He stated that Pacifica was the fourth lowest city per capita, yet was spending 50%. He pointed out that those lower than Pacifica had contracted their services to the county. He thought that, if we were to do that, we would lose control of the homeless situation as San Mateo County would treat homeless in cars as private residences. He commented that a large portion of calls were for abandoned or illegally parked vehicles and he thought that it might be time for a two-tiered system, such as non-sworn officers, explorers or vended solutions. He felt, if we don't act to save the police department, we won't be able to protect them. He mentioned that Pacifica was the safest city in the Bay Area and it was extremely rare when we have someone break into a home. He commented on the cost to the city for pension bonds, and concluded that, if we don't do something, we could lose our police department.

Councilmember Ervin stated that she appreciated the comments about Bicycle Month and mentioned she was on the county Bike and Pedestrian Advisory Committee where they talk about many issues, such as people who ride their bikes to work. She mentioned that it was more difficult for Pacificans to bike to work and they were working on ways to make biking more accessible. She appreciated the speakers' comments and agreed with them.

Councilmember Nihart stated she would second the issue of a Bicycle and Pedestrian Committee, mentioning that through connections with CCAG, they have garnered a number of grants. She mentioned some of the things to take into account but stated that having citizens involved was wonderful. She was also glad that a member of the public spoke about the police. She mentioned that they saved the police several years ago and referred to the statistics.

Mayor pro Tem O'Neill referred to the rules regarding police uniforms, and mentioned that it refers to an officer working less than one year having to return his uniforms which cost "one thousand hundred dollars." He asked that it be defined.

City Manager Tinfow responded that it sounded like it needed to be corrected. She thanked him for finding that and stated they would fix that.

Councilmember Keener assumed that these were in addition to MOUs already signed.

City Manager Tinfow responded affirmatively, adding that it was language cleanup.

Asst. City Manager Hines explained that they had nine bargaining units and, as they go through all the bargaining units, they are attempting to clean up all the language that has existed for a number of years and was being brought to Council for approval.

Councilmember Ervin asked if she needed to abstain from the minutes as it has been a while since she attended a meeting.

Mayor Digre asked if she should do two votes, one for everything but the minutes.

Acting City Attorney Visick thought that was the best way to do it.

Mayor Digre stated that they would vote on Items 2, 3, 4, 5 so Councilmember Ervin can vote.

Councilmember Nihart stated that they can modify the motion.

Acting City Attorney Visick stated that he understood that the motion was to approve Consent items 2 through 5.

Mayor Digre stated that she had a motion and needed a second.

Councilmember Keener stated that he had seconded it.

Councilmember Keener moved approval of the minutes; seconded by Councilmember Nihart.

4-0-1

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Ann Nihart, Councilmember
SECONDER:	John Keener, Councilmember
AYES:	Digre, O'Neill, Ervin, Nihart, Keener

1. Approval of Minutes
PROPOSED ACTION: Move to approve the minutes of the regular City Council meeting held on April 11, 2016.
2. Resolution Declaring May as National Bicycle Month
PROPOSED ACTION: Move to adopt the resolution declaring May as National Bicycle Month.
3. Proclamation Confirming Existence of Local Emergency of the Pacifica Coastline from Westline Drive to the End of Beach Boulevard.
PROPOSED ACTION: Accept current photos as of April 18, 2016 (Attachment 2) and move to continue proclamation confirming the existence of local emergency.
4. Tentative Agreements with Pacifica Police Management Association (PPMA) and Pacifica Police Supervisors Association (PPSA) Bargaining Units
PROPOSED ACTION: Move approval of the two (2) Tentative Agreements as presented.
5. Resolution Supporting Assembly Bill 2502, Which Would Protect Local Agencies' Authority to Require Inclusionary Housing, and Authorizing the City Manager to Send a Letter of Support
PROPOSED ACTION: Approve a resolution supporting Assembly Bill 2502 and authorizing the City Manager to send a letter of support for the bill.

ORAL COMMUNICATIONS

Brad Pence, Pacifica, stated that he is the owner/coach of the Coastside Tiger Sharks and Pacifica Platypus Swim Club, as well as coaching the Terra Nova High School swim team for

the past ten years. He gave the history in forming those teams, adding that he had hired two talented coaches to help run the practice for the age group team, and the local events in which they participate. He explained that they used Terra Nova pool to practice, but it was going to be renovated and they needed an alternative site for a year. He asked the PB&R to allow them to use the pool at Oceana and was refused. He gave the pertinent statistics of his teams as well as the statistics that show the pool was being under used and the city was missing out in substantial income.

Nancy Ann Dooley, Pacifica, stated that she was in support of the Coastside Tiger Sharks and asked that they approve the use of the Oceana pool, adding that she felt they would see that it was a complimentary program. She mentioned that she was welcomed when she joined the team and hoped that Council would support their use of the pool.

Jan Dolan, Pacifica, stated she was there in support of the master's swim team and was asking for the city's support as well. She mentioned how supportive Mr. Pence was, and that she actually swam the Alcatraz event. She stated that swimming was not for everyone, but it was special for those who are part of the team. She asked that they help them find some room at Oceana for a few mornings and a few lanes because, without a pool, she was afraid the team would dissolve.

Tygarjas Bigstycck, Pacifica, stated that, at the previous meeting, he had mentioned the Pacifica Resource Center's Mother's Day card and now he showed the actual card and read the poem honoring mothers and written by a Board member. He also read the information on the PRC flyer mentioning recipients who benefit from the donations made in acquiring the card. He stated that he appreciated doing gardening at the Community Center on Earth Day alongside Councilmember Ervin, and then mentioned the American Legion Family Harvest Food Drive on 2nd and 4th Wednesdays, adding that Councilmember Keener is always involved in that project.

Marcia Settel, Pacifica, stated that as part of the Pedro Point Community Association, she was inviting Council, staff and Pacificans to a party at the fire house on May 1. She stated that Pedro Point residents donated to renovate the bathrooms of the firehouse as well as individuals who donated their time and work. They were having the mayor perform the "symbolic" ribbon cutting ceremony for the bathrooms.

Dan Stegink, Pacifica, referred to the budget report and the police, fire, miscellaneous pension funds, stating that he had requested for over 60 days what the yearly interest payment was on pension obligations. He mentioned some of the figures in the report and felt that they needed to get a better handle on things and not knowing how much they are paying per year on the pension obligations was unacceptable.

COUNCIL COMMUNICATIONS

Councilmember Ervin apologized for not attending the last meeting. She then extended her congratulations to those selected for the commission and committees. She mentioned that there were quite a few selected, and she thanked them because it takes a lot of time and energy and many have continued for many years. She then gave a "shout out" to Sue Vaterlaus for the time and commitment to the Planning Commission. She felt she brought a lot of diversity and had a stellar attendance record. She appreciated the dedication from the new and continuing members. She also attended the Economic Development Committee meeting and appreciated all their efforts and commitment in the various projects, such as the Palmetto streetscape. She welcomed Patrick Sayers as the head of the Pacifica School Volunteers. She extended her

appreciation to Lynn Adams and the Pacifica Beach Coalition for all their work, adding that Earth Day brings everyone together in a special way, mentioning some of the organizations such as the Coastal Commission who help in various ways including during the Eco-Fest. She also mentioned that the Beach Coalition has turned that day from a day of reflection to a day of action.

Councilmember Keener echoed Councilmember Ervin's experience at the Eco-Fest and congratulated Lynn Adams and the Beach Coalition for another fantastic year. He attended the Senior Services dinner, where Council and PB&R Commission, along with professionals, served the volunteers. He attended the Peninsula Clean Energy board meeting, mentioning that they will soon be supplying renewable power to San Mateo County at a lower cost than PG&E. He also attended the Congestion Management and Environmental Quality meeting along with Mayor pro Tem O'Neill and heard informational presentations regarding programs that will and do provide money for paving streets, etc.

Councilmember Nihart was sorry to miss the Eco-Fest, stating that she was in Santa Fe. She stated that they are environmentally friendly but had a very small recognition compared to what Pacifica does. She congratulated all those recognized at the Senior Volunteers dinner, adding that it was an honor to be there and to serve dinner. She also wanted to extend her thanks to Sue Vaterlaus for her service on the Commission, also mentioning her attendance being the best. She felt she brought a female voice to the Commission and it was now unusual to have an all male Commission again. She stated that there were decisions coming up related to some things mentioned by Councilmember Keener. She stated that they are connected with funding and she felt it was important to continue to monitor them. She was also interested in Mayor Digre's efforts with the FAA and noise abatement, adding that Mayor pro Tem O'Neill was also interested in it and was talking with members of Jackie Speier's office and she was anxious to hear about that, as well as the general assembly and ABAG and what was happening there.

Mayor Digre stated that she did attend ABAG and she and councilmembers from several cities took public transportation. She reported that, as mentioned by Councilmember Nihart, there was a lot of tension regarding whether to join MTC. Some were upset with the meeting because they planned to just talk about a policy but the following day the Executive Committee was going to vote on whether or not to move forward. She felt they were rightfully upset, but did commit to another public meeting. She didn't know what happened the following day but the feeling was that ABAG didn't want to lose any local control but felt the wording gave MTC control like "packman." She stated that there was going to be more public input and citizens can speak up. She stated that, when rent stabilization came up, the interest was favorable, but no decisions were being made. She mentioned hearing in the news that 1 in 5 children were in poverty which she found frightening. On airport noise, she mentioned that the FAA has undergone some changes, however she didn't know what that meant or if it would affect airport noise, adding that FAA thought it would take at least two years before they do anything. She stated that she had a group of citizens helping her put together a public update for May 19. She mentioned National Parkland Day and thought, since we have some in Pacifica, that we should create a proclamation. She stated that the Open Space and Parkland committee had a session with the national parks about dog walking. She was proud of the community who were well spoken and polite about the value of dog walking. She mentioned that there were only 3 national park members present who seemed impressed but she hoped they would report on the positive and polite expressions, adding that there will be a letter coming from the committee for approval by Council. She mentioned that Earth Day was awesome, and she went on the bus where there was collaborative effort. She stated that it goes all around the city making observations, and the collaborative effort everywhere was marvelous. Because of our efforts,

she felt we showed that we were an asset to the county and state, mentioning the presence of individuals from the offices of Barbara Boxer and other representatives who appreciated Pacifica. She mentioned that a goal setting meeting was being scheduled for the near future. She mentioned that she and the City Manager accompanied Meals on Wheels and found it inspiring to see that individuals look forward to this. They also shared the healthy meals with other seniors at the Senior Center. She acknowledged Rudy Pickerell who was a participant in VFW and schools, adding that anyone interested should get involved with the students. She stated that, at the county level, there was a presentation for seniors on transportation, and she hoped to see good things come from that. She sent good wishes to Officer Sheedy who saved us from a villain and was still recovering

Councilmember Nihart stated that Julie Pierce with ABAG would be at Council of Cities this coming Friday and it was an opportunity for councilmembers to ask questions. She mentioned that she heard the mayor had been attending meetings with Jackie Speier.

Mayor Digre stated that she has been attending them, adding that she also doesn't want things to take too long and she thinks "out of the box." She thought the highlight was that our congresswoman was ready to say not good enough.

Councilmember Keener stated that their next meeting was May 9 and, on May 11, there was another one to go over the budget and he wanted to be sure the public knew about that.

STAFF COMMUNICATIONS

City Manager Tinfow thanked the mayor for including her on the Meals on Wheels visit which she enjoyed. She mentioned that the city had a booth at the Eco-Fest for the first time, talked to a lot of people and had a lot of fun. She mentioned that the staff recognition event was this coming Thursday, She stated that they were honoring service milestones, such as five, ten, fifteen years, etc., of service, and she was struck by a few she wanted to share such as four people being honored for 20 years of service, one for 25 years, ten being honored for 30 to 34 years and two for 35 years or more. She was glad to be bringing this back, stating that they haven't had them in quite some time. She referred to questions about their pension obligation bonds and stated that it would be part of one of the budget presentations.

Mayor Digre thanked her for the information, and congratulated staff, adding that they deserved it.

Mayor Digre called for a short break and then resumed the meeting.

PUBLIC HEARINGS

CONSIDERATION

6. Proposed 2016-17 General Fund Budget
PROPOSED ACTION: Accept the report and provide feedback and direction on the proposed 2016-17 General Fund Budget report and associated topics presented.

Asst. City Manager Hines presented the first part of the staff report; Chief Steidle continued the staff report pertaining to the Police Department; Deputy Fire Chief Johnson continued the staff

report pertaining to the Fire Department; Asst. City Manager Hines stated that Planning Director Wehrmeister was unable to attend to present the portion of the report on the Planning Department, and that portion of the report will be at the budget study session or the next Council meeting.

Councilmember Nihart asked if he wanted them to wait until the end of the report to comment.

Asst. City Manager Hines commented that they have always had good interaction and stated that they can talk now.

Councilmember Nihart stated that she had an opportunity in her current role to talk about police and mental health and she felt they have given her a lot of examples. She felt it has been a complete transportation in the department at various levels such as safety, compassion, etc., and she thanked them.

Chie Steidle thanked her and stating it meant a lot, adding that they feel it was the right way to do policing and help community members and they were proud to be part of it.

Councilmember Nihart stated that, if they need anything else in terms of county support, they will make it happen.

Councilmember Keener commented that he knew the city was big on cost recovery but he thought the police department were exemplary in that they don't try to recover cost and he was proud to live in a city that does not fund itself with the police department.

Councilmember Ervin gave kudos to both public safety departments, stating that they did a phenomenal job. She thought in this day and age, with a lot of conflict with the public and police, they were doing everything right. She has admired the job they do, such as working within the schools. She mentioned the resource officer that used to be in the schools, and she asked how that was going today.

Chief Steidle explained that they cannot fiscally assign an officer to schools exclusively, but they have the beat officers going into the schools several days a week to check on how things are going.

Councilmember Ervin thought it was amazing that they can make it work in the way they are doing it and be successful, adding that it was important to interact in the schools the way they do. She stated that the intent was not cost recovery, and they do what they can for the citizens which was different than planning or PB&R.

Councilmember Nihart mentioned that they had done a complete analysis in the past of contracting out, and they knew that what they were doing not could not happen if they were not committed to the town as they are, adding that there was no cost for that and they couldn't recover it in the same way and she thanked them for that.

Mayor Digre stated that she didn't have to remind the public about the female officer who was injured when dealing with a bad individual and the present officer who was injured stopping crime in our city. She stated that she goes to schools, and when she sees a police car, she doesn't worry about a bomber, but knows there are good interactions going on. She mentioned fire, but then stated that she was going to comment on weeds, but that would probably come up

in Planning's presentation. She stated that she worries about fires spreading and about weeds between.

Asst. City Manager Hines introduced Public Works Dir. Ocampo who continued the staff report pertaining to Public Works; Asst. City Manager Hines then continued staff report.

Councilmember Nihart asked for an explanation of what adding Maintenance 2 workers meant budgetarily.

Asst. City Manager Hines explained that in the budget proposed, those amounts can be found within the budget.

Councilmember Nihart assumed that it added a laddering effect with more opportunity for growth.

Asst. City Manager Hines agreed, and stated that it also provided a ladder of succession, with someone ready to step into the shoes of someone retiring.

Councilmember Nihart acknowledged that it was a problem with a small work force as they didn't have the opportunity to build that.

Asst. City Manager Hines added that Maintenance 2 worker was the first supervisory classification. He then continued the staff report.

Councilmember Ervin asked how long ago it was when the Public Works Director was in charge of the wastewater treatment plant.

Public Works Dir. Ocampo stated that it was in 2007 when they had this type of structure.

Councilmember Ervin assumed that it then transitioned to how it was now.

Public Works Dir. Ocampo responded affirmatively.

Councilmember Ervin asked if there was precedence for a Public Works Director overseeing the wastewater treatment plant or if it was more common to have a Wastewater Treatment Director.

City Manager Tinfow stated that it was more common to have wastewater be part of Public Works and uncommon to have the structure that has been in place for the past few years, adding that they looked at other cities with wastewater operations plants and that was what they discovered.

Councilmember Ervin assumed that most cities have a Public Works Director overseeing both Public Works and wastewater which is similar to the recommendations being made.

City Manager Tinfow responded affirmatively.

Councilmember Nihart mentioned that they had a lot of construction needed in wastewater, and she asked Public Works Dir. Ocampo if he was involved in that anyway.

Public Works Dir. Ocampo responded affirmatively.

Councilmember Ervin referred to talk regarding intermingling of funds between the two departments, and she asked if this formation would be more likely for wastewater treatment fund being used for Public Works. She acknowledged that they had put policies in place to prevent that.

Asst. City Manager Hines stated that, while wastewater treatment plant will fall under the umbrella of Public Works, their operations will still be funded by the Enterprise Fund 18 and the rules around Enterprise Funds are pretty strict, and they are their own business and wouldn't be there for the general fund borrowing and taking funds without a formal agreement.

Councilmember Nihart assumed that was true previously.

City Manager Tinfow stated that has always been the case and they will remain separate.

Asst. City Manager Hines agreed. He added that, when they bring back the funds report in May, they will get a report on Fund 18 and Fund 34 which supports wastewater treatment.

Councilmember Keener understood that this plan would generate 2 1/2 FTE employees in wastewater, with one already budgeted this year, and 1/2 of one in Public Works, making that 3 total.

Asst. City Manager Hines stated that the slides will show him how it will look and then they can talk.

Mayor pro Tem O'Neill asked for an explanation of why this structure was better to accomplish the capital building projects versus the existing structure, stating that he was adding an additional cost of \$330,000 and he wanted to know why this structure was better than the existing structure.

City Manager Tinfow referred to the structure on the slide, explaining that the wastewater manager was filling that role and the plant operator role and the engineer was also filling the superintendent of the plant role. She stated that they had two people doing four jobs, stating that she thought it had to do with budget savings but she stated that it was not a structure that would be successful in the long term which actually did occur. She stated that the engineer has been responsible for the construction projects with help from other staff as well as working with Public Works but the reality was that they haven't been able to move forward with the construction projects as part of the cease and desist orders as quickly as necessary and now the Asst. Supt. Of the plant position was filled and the engineer position was vacant. The wastewater director has retired. They filled the plant operator this year. They have some vacancies and restructuring necessary for cease and desist order. She stated that the plan was to have the Public Works Director oversee both Public Works and wastewater and create both deputy positions. She then explained that the Deputy Director fo wastewater would be new and replace the Director and oversee the Plant Manager and Asst. Supt of the plant. They would hire a new engineer. The collection supt was in place as well as the Asst. Supt. Of Collections. This will allow the engineer to work with wastewater and Public Works staff. She stated that they need both to make the projects come together.

Councilmember Keener asked if the plant manager position was currently occupied.

City Manager Tinfow stated that it was not as of now, but they did have someone in that position previously.

Councilmember Keener understood that it was but was not now.

City Manager Tinfow responded affirmatively.

Councilmember Keener referred to the equalization basin and her mention that the cease and desist orders were lagging behind what they would like to see. He then stated that he had always been mystified as to why they changed the engineering consulting firm. They had a firm and design, then dumped them and got another firm and another design. He questioned why they did that, adding that he considered that a major cause of the delays in their response to the cease and desist orders.

City Manager Tinfow stated that would be best answered by the wastewater staff, adding that the interim director, Lorrie Gerwin, was present and she could probably answer and provide an explanation.

Interim Wastewater Dir. Gerwin stated that the city had an engineering firm help them do the assessment and determine what was needed and recommend construction of the equalization basin. When they went on to design, another RFP was done and another firm hired to do the design form for the equalization basin. She felt they were pretty much on schedule and the engineering firm was doing a good job keeping on schedule with the design.

City Manager Tinfow asked if they were hearing her say it was a different set of services.

Interim Wastewater Dir. Gerwin responded affirmatively.

Councilmember Keener stated that it didn't jive with his recollection of what they were told. He thought the first engineering firm had a design and presented it to them and then the second firm came along and said they favored a square design but weren't sure and would get back to them.

Interim Wastewater Dir. Gerwin stated that RMC did the study and recommended the basin. She stated that they did a conceptual design, just an early stage of suggested sizing and a recommended circular shape and as part of the RFP process, the firms came in and other ideas were brought forward and the city felt there were other options that would work better for the basin than the original round concept.

Councilmember Keener asked if she said they were basically on schedule with this.

Interim Wastewater Dir. Gerwin stated that it was moving forward and they estimate that it will be completed six months before the deadline.

Councilmember Keener asked if the deadline was the first of the year in 2019.

Asst. City Manager Hines confirmed that it was 2019.

Councilmember Nihart stated that she had a different recollection, and she was glad she clarified the difference between the study and assessment and actually going out for bid. She asked her to speak to the difficulties, stating she can't imagine there are none. She stated that, if she was doing double duties as indicated in the chart, it was hard to have leftover time to manage a contract. She asked if that was correct.

Interim Wastewater Dir. Gerwin stated that she was correct.

Councilmember Nihart thought that, if she was called in to stay up all night managing the plant, and then the next day has to manage the project, it wasn't conducive to either the project or her health.

Interim Wastewater Dir. Gerwin agreed with that.

Councilmember Nihart stated that she just wanted to know she was on track with why they were adding a person.

Asst. City Manager Hines continued with staff report.

Councilmember Keener stated that the Interim Wastewater Director said they were on track with the equalization basin.

Asst. City Manager Hines responded affirmatively.

Councilmember Keener thought that was the primary requirement for the cease and desist order.

Asst. City Manager Hines responded affirmatively.

Councilmember Keener added that she had said it would be completed six months prior to the completion date, so he didn't understand the disconnect between that statement and the failure to meet the CDO requirements.

City Manager Tinfow stated that there were other projects as part of the CDO requirements, two of them were a replacement at Pedro Point and another part of Linda Mar. She understood that they should be constructing them now, but they were still in the process of doing the design work. She felt it was not a negative reflection just that they had more work than the people to do it. She added that there was a special construction expertise to make these go smoothly and come out successfully. She stated that, in addition to these two projects and the equalization basin, there were another \$1 million to \$2 million in other projects that are scheduled to be done.

Interim Wastewater Dir. Gerwin acknowledged that there were several other projects that needed to be completed which were in the study RMC did, laying out the various projects to be completed, mentioning some specific examples.

Councilmember Keener asked if these mains would help accomplish that.

Interim Wastewater Dir. Gerwin responded affirmatively.

Councilmember Nihart gave a synopsis of what the city's problem was with the plant and running the system efficiently during storm situations, concluding that they can't do the work they need to do with the limited staff they have.

Interim Wastewater Dir. Gerwin agreed, stating that they need to fix the collection system that brings the water to the plant.

Councilmember Nihart again stated that they want the city to fix the whole problem and not just the consent decree.

Asst. City Manager Hines then continued with the staff report.

Councilmember Ervin referred to city parks and play fields, stating that the figures went up significantly and she asked why.

Public Works Dir. Ocampo stated that the reason was that they were setting aside money to install playground equipment, explaining that, since money is tight, they bought the equipment with this year's money and would then install them next year.

Councilmember Ervin asked which locations were involved.

Public Works Dir. Ocampo mentioned several, stating that it was wherever the equipment was depreciated and in need of replacement.

Councilmember Ervin asked about the timeline.

Public Works Dir. Ocampo explained that it would be in the coming fiscal year, reiterating that the equipment had already been purchased.

Mayor pro Tem O'Neill asked what they were installing.

Public Works Dir. Ocampo stated that they were going to have the playground equipment installed by contract.

PB&R Dir. Perez then continued the staff report pertaining to Parks, Beaches and Recreation.

Councilmember Ervin mentioned hearing that they have a swimming program within the child care program.

PB&R Dir. Perez stated that they have been doing that for a while, using specific donated funds, originally Roy Davis and now Pacificans Care. He explained how the program worked to provide swimming for families who qualify for assistance, as well as training for the volunteers.

Councilmember Ervin commented that they did so much in so many areas with the limited funds they had and she expressed her appreciation for all they do.

Mayor Digre referred to the Roy Davis fund and asked how that was going.

PB&R Dir. Perez responded that not very well with the lowered interest income. He did explain how they leveraged funds to get various projects accomplished.

Councilmember Ervin mentioned their efforts to have cost recovery yet provide services to those who need it.

Asst. City Manager Hines continued the staff report.

Councilmember Nihart referred to the social services programs in Pacifica, and she looked at other cities and it appeared that they focused on recreation and let the county handle social services. She asked if that was how it was in other cities.

PB&R Dir. Perez stated that wealthier cities probably don't qualify for those programs so they have limited services.

Councilmember Nihart asked if we could use more of those funds.

PB&R Dir. Perez stated that you can always use more, but he felt they had a good relationship with the county for getting assistance with senior and child care programs. He felt that we don't do too badly.

Councilmember Nihart referred to attending conferences and hearing how wealthy San Mateo County is but she felt some of the funding didn't come over the hill. She thought that, if we provide it, they won't.

PB&R Dir. Perez agreed, acknowledging that there are a lot of other funding options that might be available in certain areas.

Councilmember Nihart acknowledged that, if you drop the services, it might not be replaced, so she encouraged them to keep going after grants.

PB&R Dir. Perez assured her that they would.

Mayor Digre stated that she had some questions, but she questioned whether they should address how long they will be since it was now 10:00.

City Manager Tinfow thought they usually wait a little longer to address the time factor, but added that it was at her discretion.

Mayor Digre stated she would wait until 10:30. She then stated that, while she didn't need an answer now, she did wonder about inclusion of special needs children. She asked if they were addressing that with the new school in the Linda Mar property. She stated that she would like to visit that. She mentioned that recreation departments in the county were starting to address having recreational programs for special needs children. She also stated that, while she didn't need an answer now, she wondered about the comments about the people who came about the swim program and she wondered if there was a way to make that work. She was concerned that Pacificans would be forced to go outside the city or have those programs eliminated.

Mayor pro Tem O'Neill stated that he would also like to hear an explanation about that.

Asst. City Manager Hines stated that was the conclusion of the general fund budget, adding again that they would be bringing Planning back to report at the study session or the next Council meeting, as well as updates on other departments. He then presented the master fee schedule report. He referred to the appeals fee increase, stating that he would report on that at the next meeting.

City Manager Tinfow asked if he would be willing to report on it now.

Asst. City Manager Hines stated that he didn't know if they were ready.

City Clerk O'Connell stated that she was willing to report on it now, then gave a staff report.

City Manager Tinfow asked if she gathered information on the collections fees of other cities that she previously provided the Council.

City Clerk O'Connell stated that she did and would be glad to read them off, adding that most have not changed.

Councilmember Ervin acknowledge the cost to the person appealing, but she asked what the cost was for the applicant, adding that she thought there should be some balance.

City Manager Tinfow explained that the fee mentioned by the City Clerk was for taking the appeals form and taking into account every person that had to be involved and analyze it. She stated that she was referring to the response which varied widely. She thought Planning might be able to offer more information on the impacts on the project that gets appealed.

Councilmember Ervin thought it was so easy to appeal a project, and she questioned that it could cost the applicant so much that it could even cause them to abandon their project. She stated that she wanted to keep it fair if a person has a legitimate concern and not just because they don't like someone. She felt there has to be some balance. She thought that raising it even slightly might cause someone to think about how important the appeal really was.

Councilmember Keener recalled that they had compromised in raising the fee from \$100 to \$200 instead of the proposed amount of \$300, but said they would go to \$300 this coming year.

Mayor Digre asked if there was a purpose in allowing an appeal, such as a mission statement. She asked where appeals came from.

Acting City Attorney Visick stated that it was whether the Council wanted to allow an appeal of a lower body's decision to the Council, but little prerequisite for a basis to bring an appeal, adding that if staff were to have to determine whether to bring the appeal before Council it could be problematic. He felt they had to have a general rule and the cost could not be more than the cost recovery amount.

Mayor Digre asked him to repeat what he said.

Acting City Attorney Visick reiterated that they can't charge more for the appeal than it would cost the city to process it.

Mayor Digre referred to state codes that had a preamble explaining the rules and she wondered if this came under that type of umbrella.

Acting City Attorney Visick stated that there were no rules that empowered them, and they must decide what was allowable to be appealed.

Mayor Digre asked if, in checking with other cities, there was any differentiation between an appeal by a corporation or individuals.

Acting City Attorney Visick stated that he didn't think there was any way to legally apply such a rule.

Mayor Digre just wanted to know If any city had such a rule.

Acting City Attorney Visick reiterated that there wasn't a way to apply such a rule but he thought a city could have a means by which they lower the cost if an individual can show that they don't have the amount needed for an appeal. He thought that would definitely be applicable if the fee were something like \$3,000 but it would add another layer of complexity, would be very complicated and could even be subject to challenges. He concluded that he didn't know of any dual track fees or how they could apply that in a way that would work.

Mayor Digre stated that she would prefer not to put a check on the public voice.

Mayor pro Tem O'Neill referred to an applicant submitting a project, staff spending billable hours working on it, send it to the Commission which approves it, and then it is appealed. He asked if the time spent was billed to the applicant or absorbed by the city.

Acting City Attorney Visick stated that you have two types of costs, the more substantial cost to the applicant for staff time, legal review and consultants are passed on to the applicant and the fee mentioned by City Clerk O'Connell was for staff time in processing the appeal form.

Mayor pro Tem O'Neill assumed that the applicant had to pay for the additional staff time once the Planning Commission has made its decision.

Acting City Attorney Visick responded affirmatively.

Mayor pro Tem O'Neill had heard that a person making an appeal would pay \$200, but the applicant could pay an additional \$12,000 for additional staff time.

Acting City Attorney Visick had not heard of any specific case, but that would not surprise him.

Mayor pro Tem O'Neill stated that someone had said that anecdotally. He then stated that the Mayor would be muzzling property owners who want to improve their property.

Mayor Digre responded that she didn't think that would be the case.

Mayor pro Tem O'Neill gave an example of someone improving his property and then someone appealing it, adding that the Mayor would be muzzling them down.

Mayor Digre stated that, if you act responsibly and talk with the neighbors before you do anything, then you don't need to have anything appealed.

Councilmember Nihart asked if the city has borne attorney fees in connection with appeals,

Acting City Attorney Visick responded affirmatively, adding that it is when it is not something normally borne by an applicant.

Councilmember Nihart assumed there was no reimbursement for that fee.

Acting Cit Attorney Visick responded affirmatively.

Councilmember Nihart commented that they appoint the Commission, and then they are supposed to study the application, do thorough review, study sessions, and make an informed decision. But, if then an application comes before them, she felt they needed to support the

Planning Commission, past, present and future. She wants to know what it costs all of Pacifica if they are not using the process fully.

City Manager Tinfow commented that, while they are reimbursed for the time that staff spends on an appeal, that means that they are not working on matters that Council wanted them to work on. She mentioned that she had asked the Planner how much time he spent on a specific appeal, and he stated it was 20 hours, which didn't take into account any time spent by any other staff member in the department. She stated that Council needed to be aware of that time cost as well.

Councilmember Ervin assumed that staff's recommendation was \$350.

City Clerk O'Connell responded affirmatively.

Asst. City Manager Hines continued with the master fee schedule report

Mayor pro Tem O'Neill referred to the Fire Department where many of the fees had gone down.

Deputy Fire Chief Johnson explained the changes in the way fees are charged which dropped some, but would allow them to charge more realistically based fees in other areas.

Councilmember Ervin had a question on the Planning portion and wondered if they will be able to answer it.

City Manager Tinfow stated that it would be addressed by Planning Director Wehrmeister, but they would try to answer it now.

Councilmember Ervin concluded that they weren't necessarily approving everything now.

City Manager Tinfow stated that it will be coming back to them at the May 23 meeting.

Councilmember Ervin referred to the statement that they charge the applicant a fee for hours spend by staff, and they keep a record of the hours, and she asked how accurate that was and if the applicant also kept a record, and also whether they got reimbursed for money not spent. She felt it was important to be transparent.

Asst. City Manager Hines stated that he will work with Planning Dir. Wehrmeister and Public Works Dir. Ocampo to come back with a response. He acknowledged that there was a system in place.

City Manager Tinfow added that this structure was common, being that a charge is paid, and staff time is billed against that money.

Councilmember Ervin reiterated that her concern was the transparency, so that they can easily see where the money was spent.

Public Works Dir. Ocampo explained that when work is done, the cover sheet has their comments but it also has the amount of staff time spent on each project.

Councilmember Nihart referred to the police charges from live scan, massage therapists, etc., comparing them to the nursing fees and asked for an explanation.

Chief Steidle stated that the fees were broken down into higher levels.

Councilmember Nihart asked if they were higher than a nurse.

Chief Steidle stated that he didn't have the specifics.

Councilmember Nihart asked again how the fee for a massage therapist to get a license from the state would be higher than a nurse's fee.

Chief Steidle stated that it had to do with the level of responsibility, explaining that if a massage therapist breaks the law, the city will be the one to get the notification, whereas with a nurse, they are merely providing the service of the fingerprinting.

Councilmember Nihart asked again if they were getting a license from the state.

Chief Steidle reiterated that they weren't managing the licensing for nurses.

Councilmember Nihart stated that she would let it go for now, but she didn't understand the difference, since the city was agreeing to do the fingerprinting and providing the service for the nurses' fingerprinting in the same way as a massage therapist.

Chief Steidle stated that if a massage therapist is licenced by the massage therapy council, then the city does not require the higher level of service because the council will notify them if the therapist commits a crime.

Councilmember Nihart stated that she was now more confused than before, adding that she just wants therapists to be treated fairly and not compared with those who are doing something illegal. She then asked how many abandoned vehicles we have.

Chief Steidle stated that when someone calls to report an abandoned vehicle, it is marked as such on the call, but it is not until they go out and check on it, mark it, and followup up by having it towed away, that it is considered an abandoned vehicle and that figure is much lower than the number of calls.

Councilmember Nihart asked if they get cars that are towed and no one claims and they have to try to find them to get the towing fee of \$203 reimbursed.

Chief Steidle stated that, when a car is abandoned and they have no intention of coming back, that does occur.

Councilmember Nihart asked if that was what it costs the city.

Chief Steidle stated that the \$203 amount was the fine but not the cost recovery fee, as the cost of the towing is part of the release fee.

Councilmember Nihart referred to a charge that she assumed was for illicit or illegal fireworks, not for safe and sane, as she didn't think they had a first and second offense for illegal fireworks.

Chief Steidle stated that he would have to get back to her on that one.

Councilmember Nihart stated that she saw the \$1,000 charge as across the board.

Chief Steidle stated that was the charge for the sale of illegal fireworks.

Mayor Digre asked about voting for extending the meeting beyond 11:00.

Councilmember Ervin moved to go to 11:30 p.m., seconded by Councilmember Nihart.

5-0

Mayor pro Tem O'Neill asked if they have private businesses without insurance coming and using the city pool.

PB&R Dir. Perez stated that they were not aware of that, but Mr. Pence mentioned that to them so they were looking into it.

Mayor pro Tem O'Neill asked if "first offense" was just per calendar year or ongoing.

Chief Steidle stated that they keep track by checking their records to see if they have been cited in the past.

Asst. City Manager Hines stated that they will gather the questions generated, come back to the Council with responses. They will also check the code section to see if it mentions illicit or illegal as to the type of fireworks.

Mayor Digre referred to the fees mentioned for hazardous materials and asked if that was the maximum amount.

Asst. City Manager Hines asked what page she was on.

Mayor Digre stated that it was listed in several places, but she didn't need an answer now. She then opened up public comments.

PCT camera technician asked if they could take a short break as he needed time to change the tape.

Mayor Digre called a brief break and then resumed the meeting.

Tygarjas Bigstyck, Pacifica, stated that he was an advocate for the Pacifica Resource Center, and as they weren't sure about the ERAF funds, he requested that they put the PRC back in the general fund.

Dan Stegink, Pacifica, congratulated PB&R Dir. Perez for 80% cost recovery which he thought was fantastic. He then went through the departments commenting on their income and expenditures, concluding that there was a lot of room for opportunity.

Mayor Digre closed public comments.

Councilmember Nihart stated that they have changes that add up in the General Fund, but she thought the strategy was to try and avoid some of the catastrophic losses that we have had

because of running close to the wire and not taking care of problems. She felt that, with this budget, they were trying to take care of problems in a proactive way, and if so, she thanked them because it was the first time she has seen that. She felt being proactive was wonderful.

Councilmember Ervin wanted to address the Pacifica Resource Center and the Beach Coalition. She felt that they provided ongoing services and should not be considered a one time consideration. She felt the Resource Center serves a very important need and she would like to see it moved back into the General Fund if at all possible.

Mayor Digre stated that she would say ditto with that.

Councilmember Ervin stated that she was just bringing it up.

Mayor Digre asked if they should put it on a future agenda for discussion.

City Manager Tinfow understood that the Pacifica Resource Center used to be a city department earlier in this century and then in 2005 or 2006, the plan was for it to be a non-profit with the city funding it on a grant basis and they had been moving more and more in that direction. She thought if they wanted to put it back in the General Fund, they would have to make cuts some other place. They have a balanced budget, but if that is the Council's direction, she would like to know now so they can make cuts. She stated that she also heard that they will not know until the middle of the fiscal year if they will get excess ERAF funds. She made several possible suggestions based on the wishes expressed. She just needed input from them.

Councilmember Nihart stated that her issue wasn't with the Resource Center as she supported it and considered it a valuable asset. She stated that the issue was policy. That was what they were supposed to be addressing. She then mentioned that the Beach Coalition did things that relate to what the city has to do anyway, regarding city streets, etc. She stated that the Resource was a social resource issue. It was originally the county and we took over when the county pulled out. She reiterated that, while she supports the Resource Center, it was a policy issue.

Councilmember Ervin stated that the city had child care services and senior services, and she wondered what they do when ERAF dries up. She stated that they have been told that ERAF won't last forever and she questioned what they do when they don't get the ERAF money anymore. She felt that they should not be living on the edge, not knowing if the city was going to support them or not, especially since they provide so much for a needy group.

Mayor Digre concurred with that thinking, adding that she sees it as part of who we are. She asked if we were sure about ERAF and we could say that we can use that.

City Manager Tinfow stated that they have funds sitting in the excess ERAF fund now, but even if the city gets grants from the state, they will likely be a match. She stated that they will be coming back to Council on May 23 with an account of all of it. She stated that they typically granted \$83,000 to the Resource Center and mentioned that they had the option of granting that now.

Councilmember Keener stated that he supported the Resource Center using general funds now and he had supported them previously. He stated that they have not gotten an increase since they have been a non-profit yet the cost of living and fees have gone up during those ten years.

He also pointed out that, when they condemned that apartment building, the city was not equipped to help the residents and they called on the Resource Center and they did a good job. He supported funding them last year and also this year, and he supported giving them a raise.

Mayor Digre stated that they had three in favor of moving forward, and asked if they needed a motion.

City Manager Tinfow stated that she would love a motion.

Mayor Digre stated that it sounded as though she needed an answer at this time, although she wouldn't mind putting it off.

City Manager Tinfow stated that she will need to find \$83,000 in the General Fund or more depending on the motion and she will need time to do that. She mentioned that they have made cuts to bring them a balanced budget, and now she will need time to figure it out. She gave them the timeline for the next two months with the final vote for adoption scheduled for June.

Councilmember Nihart stated that she would not vote on whether to fund the Resource Center as she still did not have the bigger answer regarding whether they should support social services and at what level. She was worried about the county pulling back, just as they are doing with the senior services. She felt they need to come to terms with the county on these issues. She felt that was a separate issue from whether to support the Resource Center or not.

Mayor pro Tem O'Neill stated that it was prudent to fund them from ERAF funds, which he thought would be here for a while, but he thought it was prudent to do it as a one time project. He thought the mid year budget showed they were over revenue but under budget and asked for confirmation of that.

City Manager Tinfow stated that there was a budget savings expectation for this year but they won't be sure until they do the audit. She added that there was a fund balance.

Mayor pro Tem O'Neill asked if their fiscal year started July 1.

City Manager Tinfow stated she did not know.

Mayor pro Tem O'Neill asked Councilmember Keener if he knew.

Councilmember Keener stated that it did start July 1.

Mayor pro Tem O'Neill asked if they could fund it out of this year's General Fund.

City Manager Tinfow assumed he was talking about the fund balance.

Mayor pro Tem O'Neill responded affirmatively. He stated that they would know by July 1 that the uncertainty of ERAF would be gone.

City Manager Tinfow stated that it would be a one-time budget from the fund.

Mayor pro Tem O'Neill stated that they could talk about it the entirety of the budget after July 1 instead of doing it now at 11 pm.

City Manager asked Asst. City Manager Hines if he wanted to comment. She thought she knew the balance.

Asst. City Manager Hines stated it was \$1.9 million undesignated and it was given a revenue stream of \$28 million.

Mayor pro Tem O'Neill thought that it was roughly 10% at \$1.9 million.

City Manager Tinfow stated that it was \$28 million in the General Fund total.

Asst. City Manager Hines stated that, theoretically, they should have more in reserve than the \$1.9 million. They had a calamity last December, and while they might not have one next year, they will have one. He stated that he would be comfortable with an undesignated reserve and an emergency reserve around \$5 million.

City Manager Tinfow stated that best practices are 10% in the General Fund for economic uncertainty and then another reserve for emergencies, adding that they don't have either of them.

Mayor pro Tem O'Neill concluded that, if they take the money out of the General Fund, then they don't have the cash balance reserve and cannot try to achieve the goal of emergency funds.

Asst. City Manager Hines stated that he would recommend that the General Fund be allowed to keep healing itself from the calamities, both financial and environmental, that occurred in 2008 and 2009 when the city was struggling financially. He stated that they were still coming out of that. His suggestion was to use the ERAF funds and let the General Fund continue healing itself.

Mayor Digre asked if her comments were to get it out of the General Fund now.

Councilmember Ervin stated that she was clearly stating that she would never support not funding the Resource Center. She commended them on creating the balanced budget which she acknowledged was very important, but she felt they should fund the PRC from ERAF and if ERAF is not there next year, they need to fund them some other way. She agreed that balancing the budget was important but she also felt as a city they need to support what the PRC does. She would use the ERAF funds now, but she would like to assure them that they will never not support them, and they will be back in the General Fund.

Mayor pro Tem O'Neill stated that they should fund them through ERAF so they know by July 1 that they are getting the money. He stated that, if they were facing a \$300,000 deficit in the General Fund, they would be talking about whether they were going to fund them through the General Fund. He considered this talking semantics. He thought then, it would be a 5-0 vote to fund them. He thought it was just about what pot you are going to take it from.

Councilmember Nihart stated she was okay with supporting either that now or later with one caveat, that they look at the services they need and deserve in Pacifica and figure out how they get them within the context of the county. She stated that she sees that as an issue and they should work with them. She hated seeing all the things that they didn't get until a crisis and then have to go after them. She stated that was what happened two years ago, and it was an unfortunate situation that led them to have to go after them. She felt that we should have them

readily available. She knew that the county thinks the Resource Center is one of their sites, but they don't fund it that way as they do other sites, and she wants to get that worked out with the county. She stated that she wasn't being adversarial but believes it has to be part of this, even though they will fund it,

Mayor pro Tem O'Neill moved that they fund the Resource Center and notify them on July 1 of this year's ERAF funds but next year they will find out what is available over the hill and what we do not have here; seconded by Councilmember Nihart.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Mike O'Neill, Mayor Pro Tem
SECONDER:	Mary Ann Nihart, Councilmember
AYES:	Digre, O'Neill, Ervin, Nihart, Keener

ADJOURN

Mayor Digre adjourned the meeting at 11:13 p.m. in honor of Refugio and his 100th birthday and his endorsement of them to walk, walk, walk.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 5/9/16;5-0

Sue Digre, Mayor