



**CITY OF PACIFICA
CITY COUNCIL MINUTES**

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

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

**July 24, 2017 (MONDAY)
www.cityofpacifica.org**

Mayor Mike O'Neill called the meeting to order on July 24, 2017 at 7:02 PM

CLOSED SESSION - NONE.

7:00 PM OPEN SESSION

Call to Order

Mayor O'Neill called the meeting to order at 7:02 p.m.

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

Staff Present: Keith Breskin, Interim City Manager; Nira Doherty, Asst. City Attorney; Van Ocampo, Public Works Director; Tina Wehrmeister, Planning Director; Aaron Clark, City Arborist; Luis Sun, Deputy Dir. Of WWTP; Dan Steidle, Police Chief; Ed Vandehey, MIS Mgr.; Tina Gibbs, Child Care Supvr.; Kathy O'Connell, City Clerk.

Salute to the Flag led by Mayor O'Neill

Closed Session Report

None

SPECIAL PRESENTATIONS

Eduardo Gonzalez - Youth Leadership Institute

Eduardo Gonzalez, of the Youth Leadership Institute was present to make a special presentation.

Florence, Karina and Sebastian stated that they were students from Oceana High School.

Florence stated that they were part of the Youth Leadership institute which fights for economic security in Pacifica. She stated that this was a public awareness presentation on PayDay Lenders. She thanked them for giving them time to present their findings.

Sebastian explained what a PayDay loan was and how easy it was to apply for one.

Karina explained these establishments were in the Linda Mar Shopping Center, at the top of Manor Drive and at the Fairmont Shopping Center.

Florence explained how they track people in a debt cycle.

Karina explained that their team and medical interns from the Samuel Merritt University have been conducting public opinion surveys in Pacifica and concluded that 70% knew what a PayDay Lender was but 90% do not know about the negative consequences on Pacifica, such as taking \$50,000 from local funds per year per establishment. She stated that if Council had any questions, they can refer to the education packet they received from Eduardo Gonzalez in January.

Sebastian stated that the PayDay Lenders were affecting low income residents because of their minimal requirements and the residents choosing that option instead of regular financial institutions.

Florence stated that the interns from Samuel Merritt helped to see another connection in which PayDay Loans lead to chronic debt and chronic stress and put them at a higher risk for several diseases listed in their informational packet with suicide and hypertension were among the highest risks.

Karina pointed out that a better choice was to borrow from friends and family and they recommended financial education, adding that they first have to advocate it, such as credit counseling or knowing how the banking institution works.

Sebastian stated that they can take use of healthier financial services such as credit unions and the Pacifica Resource Center. He stated that 80% of those surveyed supported policy change to protect Pacificans by placing limits on PayDay Lenders.

Florence stated that they can do something about it by educating friends and family about these services

Sebastian stated that they can advocate for healthy alternatives to PayDay Lenders such as encouraging people to bank with credit unions and the Pacifica Resource Center.

Florence hoped they consider an ordinance to protect Pacifica from the PayDay Lenders who prey on people's debt.

Councilmember Digre thanked them for their hard work and encouraged that they keep up protecting the residents.

Councilmember Martin thanked them, adding that it was eye opening about the statistics of who knows about these institutions and their effects on our health. She stated that the 88% of Pacificans who shop at these shopping centers would support a policy change. She supported

it and suggested that they get it on a future agenda and look at an ordinance to put a cap on any additional PayDay Lenders opening and, if any close, it will become lower.

Councilmember Vaterlaus referred to the statement that \$50,000 was taken away by them which could benefit other Pacifica businesses, and asked that they explain that.

Florence stated that it was from the local economy in Pacifica. She assumed that the economy was meant to fund other projects but instead it was being taken away from these establishments.

Councilmember Vaterlaus agreed that it was a vicious cycle and they keep on borrowing which is not healthy.

Mayor O'Neill stated that if the woman speaking from the audience was with this group, she could come to the podium and speak.

A member of the Youth Leadership Institute stated that for every dollar that gets loaned from a PayDay loan 24 cents is interest and that interest stays with the PayDay Lender and the cycle amounts to about \$10.80 for interest kept and multiplying that you end up with \$54,000 kept by the interest versus being based on membership and the money stays in the community.

Mayor pro Tem Keener thought it was a great presentation. He stated that he would support an ordinance as mentioned by Councilmember Martin and he looked forward to considering that.

Mayor O'Neill stated that he met with them several months ago and, at that time, they stated they were going to approach the schools to get some financial literacy in the curriculum. He asked if they have had any success doing that, adding that he understood the high school was cutting out home economics, and asked if they were going to get any financial literacy.

Florence stated that currently they are focused on PayDay Lenders but she thought that could be their next step.

Mayor O'Neill stated that he had no problem examining an ordinance. He asked if they have reached out to other communities to get sample ordinances for the city attorney to review. He acknowledged their response. He then asked staff if they have direction from Council to look at that to explore the different options. He thanked them for the presentation, acknowledged the time they have put into this and commended them for taking the initiative on that.

CONSENT CALENDAR

Mayor pro Tem Keener stated that he had questions on Items 5, 6 and 8; Item 5 will be quick with each of the other two being less quick.

Mayor O'Neill asked if he was asking a quick question on #5 and keeping it on the consent.

Mayor pro Tem Keener stated that it was just a comment regarding Item #5, bilateral acknowledgment and easement agreement between Pacifica and AFG Investment Group pertaining to the Sharp Park library properties. He briefly explained that the city owned the land but there was an easement going through it to an apartment complex behind the library and the apartment investment group agrees with this resolution which is to make that a floating

easement and the city can change or move the easement which will give them flexibility for future uses. He thought it was a good thing and he supported it.

Mayor O'Neill understood that the sale of that property was part of the financing of the library and the easement will go to the new owner and he asked staff if the city had the right to transfer the easement for the apartment.

Planning Director Wehrmeister stated that, if the easement was to be on the side of the property adjacent to the apartment, there was always the option to do a lot line adjustment and make the easement part of the apartment's property in the future and the city didn't need the easement.

Mayor O'Neill stated that Items 6 and 8 are pulled, and he asked if anyone else had comments.

Councilmember Digre stated that she was struck by Item #5, and she was telling herself that they were not giving up the store and were protecting both sides and they had an exit clause if either side agrees on the change it can happen.

Mayor O'Neill asked for a motion to approve the remaining items on the Consent calendar.

Mayor O'Neill stated that it passes minus Items 6 and 8.

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

1. Approval of Disbursements for 06/16/17 through 06/30/17.
PROPOSED ACTION: Move to approve attached list of disbursements for 06/16/17 through 06/30/17.
2. Approval of Minutes
PROPOSED ACTION: Move to approve the minutes of the regular meeting held on July 10, 2017
3. Response to San Mateo County Grand Jury Report Titled "English is Not Our Only Language: Are Local Law Enforcement Agencies Providing Multilingual Access to Outreach Programs?"
PROPOSED ACTION: Move to approve the response to the San Mateo County Grand Jury Report Titled "English is Not Our Only Language: Are Local Law Enforcement Agencies Providing Multilingual Access to Outreach Programs?"
4. Adoption of a Resolution Approving Contracts with the California State Department of Education for the Purpose of Providing Child Care and Child Development Services for Fiscal Year 2017-2018 in the Amount of \$720,305.
PROPOSED ACTION: Adopt a Resolution entitled "A Resolution of the City Council of the City of Pacifica Approving Agreement to This Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to authorize the Designated Personnel to Sign Contract Documents for Fiscal Years 2017/18."

5. Bi-Lateral Acknowledgement and Easement Agreement Between the City of Pacifica and AFG Investment Group, LLC Pertaining to Property Located at the Intersection of Palmetto Avenue and Hilton Way (Sharp Park Library, APN: 016-216-320 and 016-216-210)
PROPOSED ACTION: Adopt the resolution authorizing the City Manager to execute and take all actions to effectuate the Bi-lateral Acknowledgment and Easement for and on behalf of the City of Pacifica.

6. Approval of the Agreement Between the City of Pacifica and the Davey Tree Expert Company for Tree Maintenance Services and Emergency Tree Maintenance Services
PROPOSED ACTION: Approve Agreement between the City of Pacifica and The Davey Tree Expert Company for Tree Maintenance Services and Emergency Tree Maintenance Services for FY 2017-18 (Attachment 1); and authorize City Manager to execute the Agreement.

Mayor O'Neill stated that they have an oral comment.

Bridgett Duffy, Pacifica, stated that she wrote a booklet because her neighbor was tearing down a hill of greenery which looks like weeds. She stated that many trees look like trees we don't want, but she stated that the booklet was to raise the consciousness of everyone as to the greenhouse gases and the effect on planet Earth. She stated that it was serious with leopard sharks dying in the bay, adding that there were numerous issues coming up. She stated that not cutting things down was a good thing and what we can do to remedy the situation as all green things filter out carbons from the air. She commented that some of the things she talks about sound like crazy things but she felt we do need to think about remedying what was going on in our atmosphere. She stated that the way we view vegetation now needs another look. She stated that she has been advocating for a new city plan that includes the information we have about the environment which we didn't have 40 years ago. She added that they take her off #8 which she thought was a repeat.

Mayor pro Tem Keener asked how trees were chosen to be on the list, mentioning that there was a list of trees that have various things done from pruning, removal of stumps, etc.

Public Works Dir. Ocampo stated that the city has a professional arborist who is an outside consultant who does an evaluation of the city trees in Pacifica and ranks the trees on which one needs the most attention. He stated that the city's certified arborist, Aaron Clark, works with him towards prioritizing which trees need attention in an effort to reduce damage or claims during winter season.

Mayor pro Tem Keener wondered about the criteria. He then asked if the trees on public or private property.

Public Works Dir. Ocampo stated that they were within the public right of way. He referred to the section called open space, and they are in city owned property such as parks but not on the street.

Mayor O'Neill referred to a tree last year that fell down on a house on Zamora but he stated that it was a private tree. He stated that, other than the fire or police going there, this contract would not cover that.

Public Works Dir. Ocampo agreed, adding that often during emergencies, the city's task was to clear the street so it becomes passable if there is an emergency to homes beyond that. He stated that they will respond by cutting the tree at the property line which is protruding on the street to make the street passable.

Mayor O'Neill stated that he could recall several instances where trees fell on houses, adding that it was fortunate that they didn't have any die.

Public Works Dir. Ocampo agreed.

Mayor O'Neill stated he just wanted to clarify that for the public. He referred to the fact that most of the Vallemar trees were aged out beyond their life expectancy.

Public Works Dir. Ocampo agreed.

Mayor O'Neill asked if he thought Davey's did a good job.

Public Works Dir. Ocampo stated that they did.

7. Adoption of Resolution Designating the City Manager by Title as the Authorized Agent for the Hazard Mitigation Grant Program
PROPOSED ACTION: Move to Adopt the resolution next in order A Resolution of the City Council of the City of Pacifica designating the City Manager, by title, as the Authorized Agent for the Hazard Mitigation Grant Program

8. Approval of Agreement for Consultant Services Between the City of Pacifica and RMC, a Woodard & Curran Company, in the Amount of \$347,200 for the Calera Creek Water Recycling Plant and Pump Stations Condition Assessment
PROPOSED ACTION:
Move to approve the Agreement for Consultant Services Between the City of Pacifica and RMC, a Woodard & Curran Company, in the Amount of \$347,200 for the Calera Creek Water Recycling Plant and Pump Stations Condition Assessment; and authorize the City Manager to execute the agreement.

Mayor O'Neill opened up the public comment.

Bridgett Duffy, Pacifica, stated this was about the creek and the issue there. She stated that one of the ways people are dealing with issues such as these was letting creek areas go back to creek. She stated that it sounds crazy, either tunnel under the freeway underneath the creek or some overpass for the creek, but she thought they were having good results with land being restored back.

Mayor O'Neill stated that it was not related to Item #8, but oral communications.

Mayor pro Tem Keener stated that this an agreement for consultant services for the wastewater plant and pump stations condition assessment. He asked about the age of the wastewater plan and the pump stations.

Public Works Dir. Ocampo stated that the water recycling plant at Calera Creek was 17 years old. He stated that he didn't have the age of the pump stations. He stated that the pump stations at Linda Mar have been pump stations since the treatment plant was at this location.

Mayor pro Tem Keener thought the pump station at this location was here.

Public Works Dir. Ocampo stated that this became a pump station when the Calera Creek water recycling plant became operational because all the pipes in this location have to be pumped towards that location. He stated that the one in the south was in existence for about 30 years or more.

Mayor pro Tem Keener asked where the six pumping plants were located. He stated that the staff report said there were six. He asked how many there were.

Public Works Dir. Ocampo stated that there were a total of seven, and two of them are storm drain related and five are a sewer. He stated that the Linda Mar pump station, Rockaway Beach, Brighton. He stated that there was a small one where Sky Ridge subdivision was which one of the newer ones.

Mayor pro Tem Keener thought that brought it up to five, and he asked about the storm drain ones, stating that one was at Linda Mar.

Public Works Dir. Ocampo stated that the other one was at Anza.

Mayor pro Tem Keener asked when they had the last inspection, or was there an inspection comparable to what is contemplated in this agreement.

Public Works Dir. Ocampo stated that, for the Calera Creek water recycling plant, it will be the first overall. He stated that, should there be a failure on a certain section, they address that. He stated that this one was overall. He explained, during the budget presentation they had for the wastewater division, that the city's goal was to be more proactive regarding addressing these issues as prevention was better than curing.

Mayor pro Tem Keener mentioned that they see items on the consent calendar for a new centrifuge rotor for the treatment plant, and he assumed that was what they meant for ad hoc inspections.

Public Works Dir. Ocampo agreed but stated that this one will also look at the different walls for the SBRs or any evidence of rust coming through, etc.

Mayor pro Tem Keener asked if they will inspect the equipment as well.

Public Works Dir. Ocampo stated that they would inspect the major ones.

Mayor pro Tem Keener asked how they make a decision for repairing versus moving versus a new pump station.

Public Works Dir. Ocampo stated that you try to figure out the things you will have to revise, such as when looking at relocating a pump station you have to take into consideration all the pipes that lead to that pump station which are very costly. He stated that sewer is by gravity for the most part and they have to look at the distance compared to the elevation and how much flow it is. He stated that was why relocating a pump station was often not ideal. He stated that you also have to look at other things, such as the pipes that convey sewer from one location to the other. They use the fuse pipe which is joined together and sealed and nothing can get it.

Mayor pro Tem Keener stated that he was thinking in terms of sea level rise as we have two or three pump stations that would be threatened by sea level rise. There is no timeline as yet, but it will happen.

Public Works Dir. Ocampo agreed.

Mayor pro Tem Keener wondered how you factor that in to the economic assessment. He acknowledged that he brought up a good point that it involves the sewer mains and pipes.

Public Works Dir. Ocampo acknowledged the accuracy of that.

Mayor O'Neill stated that he had no comment cards and would entertain a motion to approve.

Mayor pro Tem Keener moved to approve Items #6 and 8 on the consent calendar; seconded by Councilmember Vaterlaus.

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9. Adopt a Resolution Opposing Presidents Trump's Executive Order to Review the Designation of National Marine Sanctuaries in the West Coast Region.
PROPOSED ACTION: Move to adopt a resolution opposing review of designation of the Greater Farallones and Cordell Bank National Marine Sanctuaries.

ORAL COMMUNICATIONS

Tygarjas Bigstyck, Pacifica, stated that he was asked by Anita Rees, who could not be present, to speak about the first annual Palm-A-Paloosa on August 19. He stated that, thanks to the Planning Department and city staff they will have it outside Council chambers, mentioning being open at 5:00 and having a Ferris wheel. He also mentioned that for a contribution of \$75, you can come at 6:00. They thanked the community for sponsorships and pledges. They appreciated that help, adding that the Center serves 1/10 Pacificans and 1/5 are eligible for help. He stated that this will be a fun event. He encouraged everyone to attend and find out ways they can help also.

Bridget Duffy, Pacifica, stated that she liked that idea and suggested they have a fun thing every Friday night to raise money for the Resource Center. She stated that they were coming up with new ideas on how to deal with sewage and the chemicals we use to deal with sewage was part of what was killing the ocean. She thought that any money spent at this time in history should be well placed for a sustainable future. She felt our democracy was at risk in our country and in Pacifica, partially because we have a public that is uninformed and unengaged. She stated that her postman got an eviction and has to be out by October. She felt this was outrageous that it was continuing to go on without any help from our government. She felt we needed a town hall meeting with the facts laid bare to the public on this issue and cannot allow us to be vulnerable to the real estate industry. She stated that to create an engaged and informed public, she hoped we could change things. She felt this was unfriendly and not working with people blaring at Council and there was no comeback and the public doesn't know what the truth is. She felt it was not how democracy thrives. She encouraged everyone involved in government and all the citizens of Pacifica to take it seriously. She stated that we can be a self determining people with democracy. She encouraged a town hall meeting.

Ian Butler, Pacifica, stated that his Facebook friends know his favorite thing to do is to correct wrong information and he will also be doing that with the City Council forum. He mentioned that he attended a meeting the previous month where Councilmember Vaterlaus made a comment about sea level rise that surprised him, quoting her comment regarding a conclusion by Gary Griggs, a sea level rise expert, who concluded that sea level rise would rise 13 inches in 100 years. He didn't think it was right so he emailed Gary Griggs and got a response which he then read, with his correction that the best estimate of sea level by 2100 was 2 1/2 feet to 3 1/2 feet, not 13 inches and possibly higher. He mentioned that the head of the EPA was a climate denier and added that Pacifica takes this very seriously and it was important to use actual facts and stick to what the scientists say. He stated that the county was planning for six feet of sea level rise which was within the range of what was possible. He stated that, in planning for 13 inches, we would make the wrong decisions. He stated that Pacifica was the poster child for coastal erosion and we need to have correct facts. He hoped the Council and public would now know the truth about what the scientists have to say.

Victor Spano, Pacifica, stated that he was with the Pacifica Chamber of Commerce and was inviting the Council and community to upcoming events, mentioning the grand opening at Curry and Kabob at Fairmont Shopping Center, Trip Distillery grand opening, etc., adding that they can check on all the events on their website.

COUNCIL COMMUNICATIONS

Councilmember Vaterlaus stated that she attended the Library advisory Committee where they went over acceptable sites for the library and kept some on the list while eliminating others. She also attended both regular and legislative meetings of CCAG where they discussed the transportation funds and got the funds back. Regarding the Roberts Road litter situation, she understood there were cans there and hopefully people will deposit their trash in the cans. She attended a union dinner honoring Mike Lagamarsino, a Pacifican who got an award for many years working with the union and the San Mateo City Council got an award for being the first to raise the minimum wage. She attended meetings where Jackie Speier discussed the health care along with Jerry Hill and Kevin Mullin. She thought the Relay for Life walk was a great event, and they had raised about \$66,000.

Councilmember Digre agreed the Relay for Life walk was a great event with the highest amount which she thought got to \$70,000. She thanked Public Works as it was a community event, and encouraged people to attend it next year. She wanted to give the youth who participate in sports a heads up and mentioned their efforts in the American Little League post season. She stated that it was a lot of hard work and was a community event also. She referred to the San Francisco Roundtable regarding airport noise. She stated that they had their subcommittee meeting and will be presenting a report on August 2. She stated that their goal was to support legislators who acknowledge how noise impacts residents and hope the committee will agree and reach out to the whole nation and other roundtables and grass root efforts to get a majority vote in Congress and get something done soon. She has been keeping the city attorney updated with the draft letter but her goal for August 14 meeting was finding out what the city would like to do, and was assuming that the city will want to support the Roundtable but asked what else the city would like to engage in and they can brainstorm on what that would look like. She stated that they are hearing that small businesses were going out of business because of high rents. She was going to be pushing hard on what they can do to support small businesses and she asked that it be agendized so Council can give it a kick start, and think about how they can protect small businesses which are considered the backbone of the United States. She commented that getting elected, staying elected and making decisions was not easy and she

pointed out examples of the clock tower, Harmony One, and she felt they worked hard and then they find that what they voted on has been changed but did not come before Council. She asked to think about what was put in the decision as to how the next step in those decisions is handled. She asked that they discuss the thought that changes should come before the existing Council and she thought she was correct in that thinking. She would also like the city to stay in close contact with CalTrans and staff come back regarding the slide by the orchid business on Highway 1. They questioned whose issue it was and she felt Council should know what was being discussed. She was asking that Council be proactive regarding whether they are on top of things. She referred to discussion with Coastal Conservancy regarding a park at the bottom of Manor and questioned the status. She referred to HCD and affordable housing and she felt the Council needs to be kept apprised on an ongoing way.

Councilmember Martin stated that she just returned from vacation and asked that anyone who emailed her bear with her as she is playing catch up. She congratulated Pacifica's environmental family for a successful Kahuna Kapuna surf contest. She thanked the Chamber of Commerce for meeting with the Pacifica Beach Coalition. She stated that she was letting them give their presentation to the board on their anti-cigarette butt litter campaign. She stated that they installed two 35-gallon cans on Roberts Road and she asked the community to keep their eyes on it so no dumping happens, adding that Public Works and park rangers will be picking up on a regular basis. She heard about recent robberies and reiterated that if you see something, say something if there is a stranger in the neighborhood.

Mayor pro Tem Keener stated that he has had a few new questions about the rent stabilization ordinance which were not addressed on the city website. One question was whether renters receiving section 8 housing vouchers from the Department of Housing and Urban Development will be subject to rent stabilization ordinance. He concluded that the answer was yes, assuming those receiving the vouchers are not renting a single family home, which was not subject to the ordinance, or in a government owned building. He would like the city attorney to review it and confirm he has the correct answer and add it to the website. He has also gotten questions about where to download the rent stabilization ordinance. He stated that it was simple as it was on the city website and they have a link to the rent stabilization initiative and they can download the ordinance. He proposed that the City Clerk post on the website each resolution and ordinance passed by City Council and Planning Commission. He explained that they were often different than what is found in the agenda. He asked if it would take an active Council to do it. He then referred to Carl Baldwin, stating that he and Councilmember Digre went by his house. He was the first city manager of Pacifica and, at 92, he and his wife are moving to Washington. He asked him what difficult issues he faced at the beginning, and he explained that at the first City Council meeting they had no money and they passed an ordinance for a business tax which provided a little money while waiting for property tax to come their way.

Mayor O'Neill stated that he also had someone ask him about the Section 8 housing and he checked with the city attorney for an answer, explaining that Section 8 was subject to rent control and Casa Pacifica was subject to rent control. He asked the City Clerk if she has any revisions to a resolution or ordinance on that.

City Clerk O'Connell explained that the minutes they approve are posted on the webportal where they see the agenda packet.

Mayor O'Neill assumed that, if there was a revision to an ordinance, it would be on the agenda minutes.

City Clerk O'Connell responded affirmatively.

Mayor O'Neill asked Mayor pro Tem Keener if he was asking for a special section of resolutions and ordinances.

Mayor pro Tem Keener responded affirmatively.

City Clerk O'Connell thought Mayor pro Tem Keener was asking for a file for resolutions and ordinances for the current year, the final ones that get fully executed.

Mayor O'Neill stated that he just wanted to ask, adding that he also was on vacation so didn't have much to report

STAFF COMMUNICATIONS

None.

PUBLIC HEARINGS

10. Conduct Public Hearing and Adopt Resolution Confirming the Annual Report from the Pacifica Hotel Business Improvement District, Approving the Program of Expenditures, and Assessing the Levy for Fiscal Year 2017-18 at the Same Rates Levied in Fiscal Year 2016-17 Without Change.

PROPOSED ACTION: Adopt the resolution confirming the annual report of the Pacifica Hotel Business Improvement District Advisory Board and continuing the assessments levied in 2016-17 without change in Fiscal Year 2017-18.

Interim City Manager Breskin presented the staff report.

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

Councilmember Vaterlaus asked if they were going to present them with what the disbursements were.

Mayor O'Neill stated that he saw two people from the Chamber.

Jamie Monozon, Chamber CEO stated that they had turned in the report several weeks ago and she thought they had all seen it.

City Clerk O'Connell stated that the report was included in the last City Council agenda with a resolution of intent to schedule this public hearing.

Councilmember Digre stated that, while she didn't need an answer now regarding the visitors bureau, she got a lot of requests for having it open on weekends.

Jamie Monozon asked if she would like it to be open on the weekends. She would definitely discuss it with the board.

Mayor pro Tem Keener stated he would second the request that the Chamber of Commerce board consider staying open on the weekends if they can. He also gets asked the question of why they aren't open.

Jamie Monozon asked if there were any recommendation of hours of operation.

Mayor O'Neill stated that they used to be open on weekends but there were budget concerns because it was being paid by the Chamber's budget not the VID. He thought it was about 10:00-2:00 or 10:00-4:00.

Ms. Monozon thought budgets will have to be taken into consideration.

Mayor pro Tem Keener thought 10:00-4:00 was good. He was thinking about people coming to town and it was a portal for the GGNRA, and trying to find out information on that or beaches.

Mayor O'Neill recalled that the city was helping to subsidize that.

Ms. Monozon stated that it was true at one point, and they were able to staff a person on the weekend but without those funds it was more difficult.

Mayor O'Neill thought the city was giving the Chamber \$10,000-\$15,000 a year to subsidize and that was one of the budget cuts, adding that they also cut library hours at that time.

Ms. Monozon stated that they take in visitors as they know, stating that they have helped visitors.

Mayor O'Neill thanked her. He asked for a motion to accept the resolution.

Councilmember Martin moved to adopt the resolution confirming the annual report of the Pacifica Hotel Business Improvement District Advisory Board and continuing the assessments levied in 2016/17 without change in Fiscal Year 2017-18; seconded by Councilmember Vaterlaus.

Mayor O'Neill clarified for the public that the city has no control over the money but was merely acting as the fiscal/collection agency for this. He explained that each hotel charges \$1.00 per room per night which goes into a fund and when they remit their tax it comes to the city and the city cuts a check to the Chamber, the manager of the Business Improvement District chosen by the hotels.

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

11. Proposed Resolution of the City Council of the City of Pacifica Accepting the Report of Sewer Service Charges for Fiscal Year 2017-2018 and Directing the Filing of Charges for Collection by the County Controller.

PROPOSED ACTION: Move to adopt the proposed "Resolution of the City Council of the City of Pacifica accepting the report of Sewer Service Charges for Fiscal Year 2017-2018, and directing the filing of charges for collection by the County Controller."

Asst. City Manager Hines introduced Public Works Dir. Ocampo and WWTP Dep. Dir. Sun, then presented the staff report.

Mayor pro Tem Keener asked clarification that it was for the next fiscal year only and they will have to approve it again next year for the following year.

Asst. City Manager Hines affirmed that this will be an annual exercise.

Mayor O'Neill opened the Public Hearing and, seeing no one, closed the Public Hearing.

Mayor pro Tem Keener moved to adopt the proposed "Resolution of the City Council of the City of Pacifica accepting the report of Sewer Services Charges for Fiscal Year 2017-2018, and directing the filing of charges for collection by the County Controller"; seconded by Councilmember Vaterlaus.

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

CONSIDERATION

12. Appoint Two Council Members to a Local Coastal Plan Update Ad Hoc Subcommittee.
PROPOSED ACTION: Appoint two Council Members to an ad hoc subcommittee to assist staff with the Local Coastal Land Use Plan Update.

Planning Director Wehrmeister presented the staff report.

Mayor pro Tem Keener stated that he would volunteer for one of those positions.

Councilmember Vaterlaus stated that she would like to volunteer.

Councilmember Martin stated that she was also going to volunteer.

There were no public comments.

Councilmember Digre stated that she wasn't sure why they want this, but she had concerns about this because she has a bad memory of when they had two Council persons go on a group with staff and it came to Council but she felt it was like a done deal and they were left out because they weren't on consistent input. She felt it was rather rapid and didn't turn out to be a friendly type of thing and she was concerned about it.

Planning Director Wehrmeister stated that staff's intent was to utilize the ad hoc committee, if appointed, to help them improve the transparency of the project. She stated that the policies that will ultimately be developed will be so important for the future of the community that staff feels it was important that they get feedback from the ad hoc committee to help them make sure their community engagement plan is what it should be and they are adequately identifying community stakeholders that need to be a part of the community process and are engaging everyone who needs to be a part of the future meetings, etc., and the intent isn't to supersede

the process. They will be hiring and working with qualified consultants who will work with staff on the technical aspects separate from the ad hoc committee.

Councilmember Digre agreed her intentions were honorable but she had serious reservations and would rather see it come before Council for direction from all of them, similar to how they did the fireworks issue. She has a bad recollection of what happened before.

Mayor O'Neill stated that it was only going to be basically one meeting.

Planning Director Wehrmeister stated that the intention was to have the committee available throughout the life of the project which is about 1 1/2 years.

Mayor O'Neill assumed the contract itself would be brought before the entire Council.

Planning Director Wehrmeister responded affirmatively.

Mayor O'Neill asked if there will be updates every six months or so.

Planning Director Wehrmeister stated that there was a comprehensive community engagement plan and there will be community meetings, stakeholder meetings, study sessions with Council and Planning Commission which will be active community engagement throughout the process.

Councilmember Martin stated that she met with Planning Director Wehrmeister on this and initially she was in favor of it and now that she brought it up, she thought it was no mystery that there are a lot of Councilmembers who are on opposite sides of the fence in terms of a lot of the stuff that will impact the coastline. She was leaning towards Councilmember Digre's concern that it doesn't come back to Council as a done deal and they all have an equal say in it. She felt it was hard to do when they have only two representatives in the meetings and they are all trying to work under the Brown Act. She stated that, in a community forum, she wasn't sure how that applies if they want to make comment and give input. She stated that she has been studying the coastline and she felt there were things others in the community want. She understands the other side where the Planning Commission would have to make recommendations, but she was opposed to it now.

Mayor O'Neill stated that he just got a card on the item after he closed the public hearing and he asked if it was okay if they reopen it for the one card.

Cynthia Kaufman, Pacifica, stated that she was so excited that they were doing this and she was looking forward to an excellent job given sea level rise. She felt it was important that it will be done well. She hoped everyone takes the most up to date and relevant science into consideration for this. She was concerned with what Ian Butler stated earlier and she hope that whomever ends up on this takes the science seriously.

Tygarjas Bigstyk, Pacifica, stated that, on listening to the concerns, he thought one solution could be to intentionally choose two different people who would tend to look at each other from the opposite side of the fence to keep it balanced and there will be a vested interest in bringing two potentially disparate perspectives to the whole group for further discussion and thus it wouldn't be pulled in a direction away from a full body discussion.

Bridget Duffy, Pacifica, stated that this was the type of thing she was talking about. She felt it was a wonderful idea, stating that we have capable people in charge of it. She felt it could have the potential to be a beneficial thing. She agreed with Councilmember Digre. She felt it was a

good opportunity for the city and she felt the issues are so serious that having anyone on a committee such as this that is a climate denier is the opposite of what needs to happen. She stated that there is no room in the conversation for non-facts and climate denial is essentially ignoring the facts before them and they cannot afford to do at this point. She stated that Pacifica was on the front edge of the issue that the world is facing because of the rising ocean. She hoped they can take it seriously. She has the utmost confidence in staff and city, adding that they have intelligent people, scientists, and everything we need to work through this issue and come out the other way, being winners, but not if they don't face the facts about climate change.

Mayor O'Neill closed public comments.

Mayor O'Neill stated that Councilmember Digre has brought up the idea of not appointing anyone. He asked if he was correct in that assumption.

Councilmember Digre responded affirmatively. She thought bringing it to Council on a regular basis as staff works on things so that each of them can have an open conversation in front of the public. She wasn't trying to slow anything down and was definitely in favor of public forums every other week. She stated that it was a very bad experience and there weren't public forums on that issue.

Mayor O'Neill stated that Councilmember Martin agrees with Councilmember Digre and he suggested they make a motion and bring it to a vote.

Councilmember Martin asked if the RFPs for the consulting companies were due today.

Planning Director Wehrmeister responded affirmatively.

Councilmember Martin asked if they have a deadline on this for January 2019.

Planning Director Wehrmeister responded affirmatively.

Councilmember Martin concluded that the timeline was between August of this year and December of the following year and she stated that those on current Council should consider the longevity if it comes to that.

Mayor O'Neill asked if the local coastal plan will go on for much longer.

Councilmember Martin was thinking in terms of the subcommittee.

Mayor O'Neill stated that it was about a year and a half commitment.

Planning Director Wehrmeister agreed, adding that if it was the Council's desire not to appoint an ad hoc committee for that length of time, she suggested that they consider if they would like two members to sit in on the consultant selection process with the actual contract approval before Council hopefully on August 14 as an option.

Councilmember Martin stated that was a short timeline in terms of a project of this size and she thought the working should start yesterday and it means things need to get planned out. She stated that mid-August was the timeline if they get someone on board. She foresees more engagement if there is a subcommittee but she thought she was against it now.

Councilmember Vaterlaus stated that there must be a reason why she asked for two members of the Council to be on the subcommittee and she asked for an explanation.

Planning Director Wehrmeister stated that it was because you can't have more because of the Brown Act. That was, whenever you ask for a committee of Council, it was usually two members.

Councilmember Vaterlaus assumed that she was expecting to have two members of Council on her committee when she set it up.

Planning Director Wehrmeister stated that it wasn't a regular appointed committee but an ad hoc committee which was different than the Library Advisory Committee.

Mayor O'Neill thought it would be more like the Fireworks Committee.

Planning Director Wehrmeister agreed, stating it was short term.

Mayor O'Neill thought it has a beginning and an end and there is a report to Council.

Councilmember Digre stated that the timeline was short and then there was a report to Council. She thought this was a serious issue. She stated two people will be happy because they will be on it and three people will be questioning what they are talking about. She asked if she envisioned some way of involving the other three rather than getting to a point where they get a report and have to vote on the report.

Planning Director Wehrmeister stated that she would look to Council, but she thought that may be difficult without having a Brown Act violation, with a serial meeting.

Councilmember Digre stated that she meant a public meeting in Council.

Planning Director Wehrmeister agreed that they will be bringing items to the Council as a whole for decisions.

Councilmember Digre asked when they need a final product.

Planning Director Wehrmeister stated that it was by December 2018.

Councilmember Digre stated that they want to deal with the three major things about sea level rise and she would rest more comfortably if she would assure that it will come to the five of them more often.

Planning Director Wehrmeister responded that it was definite.

Councilmember Digre stated that she didn't want to be receiving a finished report that has to be done with a yes or no vote.

Mayor O'Neill stated that the deadline was December 2018, and he asked if it was doable to finish it in September 2018 in case the Council would like to make any revisions to the report.

Planning Director Wehrmeister clarified that the due date was inclusive of public review and adoption periods. She stated that it was not when the final product was produced and they hand it to Council and ask that they approve it. She stated that it was inclusive of the public hearings required and study sessions along the way.

Mayor O'Neill assumed they will have public hearings, digest them, publish them, and then it comes to the Council for revisions or approval.

Planning Director Wehrmeister responded affirmatively.

Mayor O'Neill understood that it was by December, but it could be October or November of 2018 that they vote on it.

Planning Director Wehrmeister responded affirmatively.

Councilmember Vaterlaus stated that she believed in sea level rise and all committees should be made up of a broad cross section of the community and she would agree with one of the members who spoke about having people with differing opinions on the committee.

Mayor O'Neill asked if Councilmember Digre wanted to have a resolution that no councilmembers would be on the committee at all.

Councilmember Digre thought they were agreeing that there was going to be ample time for the five of them in public to be able to speak frankly.

Planning Director Wehrmeister responded affirmatively.

Mayor O'Neill concluded that she was not willing to make a motion.

Mayor pro Tem Keener asked, if a committee was appointed, whether they would be able to report on their activities during Council communications.

Planning Director Wehrmeister responded affirmatively.

Interim City Manager Breskin stated that it was not a problem.

Councilmember Martin stated that, with that, she was okay with moving forward with appointing two but she would like a bi-monthly update and would also like the ability to call the Planning Director and get an update regardless. She asked if that was a possibility.

Planning Director Wehrmeister responded affirmatively.

Mayor O'Neill concluded that an issue of not appointing anyone was off the table. He stated that they have the discussion that there are three volunteers and they only need two.

Councilmember Digre stated that there are four volunteers.

Councilmember Martin stated that she would withdraw her offer.

Councilmember Digre asked if she was sure because she was going to recommend her and Mayor pro Tem Keener.

Councilmember Martin stated that she would like to but she feels that there has to be ample representation and she didn't feel that she and Mayor pro Tem Keener should represent it.

Councilmember Martin stated that they have differing views on things and they need that in life. She appreciated her voice.

Mayor O'Neill asked for a motion to nominate Mayor pro Tem Keener and Councilmember Vaterlaus.

Councilmember Martin moved to appoint Mayor pro Tem Keener and Councilmember Vaterlaus to a limited term ad hoc subcommittee to assist staff with the Local Coastal Land Use Plan Update; seconded by Councilmember Digre.

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

13. Post Fourth of July Report to City Council
PROPOSED ACTION: Move to accept the Post Fourth of July Report to Council.

Police Chief Steidle presented the staff report.

Mayor pro Tem Keener asked if this included emails from the Nail Em app or not.

Police Chief Steidle thought this was a good time to get into that, and continued with the staff report.

Mayor O'Neill asked, of all the 334 calls, if he had any idea of how many were illegal versus somebody ticked off that there were fireworks at all.

Police Chief Steidle stated that there was no way for them to discern that. He stated that, on that evening, people call thinking they are illegal but with the amount of calls coming into the dispatch center, they take as much information as they can and move on to the next one. He continued with the staff report.

Mayor O'Neill stated that this wasn't a problem that only happens on July 4, but also during major sporting events, New Year's, and he asked if the app was available 365 days so, if someone sees it happen now, they can take a report and send it to them.

Police Chief Steidle stated that they can do that.

Mayor O'Neill asked if they had plans to do that.

Police Chief Steidle stated that it was being discussed. He stated that, even during those times, the call volume was so low that he wasn't sure it wouldn't have the same effect as if you picked up the phone and called the dispatcher.

Mayor O'Neill stated that, if someone was setting them off for a Giants game, they would set them off July 4 and if you do the social host it was almost a deterrent.

Police Chief Steidle responded affirmatively.

Mayor O'Neill stated that maybe you will be stemming July 4.

Police Chief Steidle stated that there wasn't any opposition to using it 365.

Mayor O'Neill wondered about the mechanics and staffing.

Police Chief Steidle stated that, in terms of using it 365, it didn't require any more staffing time for them. The watch commanders on duty in charge of the shift have the department cell phone in their pocket while working and when the call comes in via the app, their phone beeps and they know it is there. He then continued with the staff report.

Mayor O'Neill opened public comments.

Dennis Revell, Sacramento, stated he was appearing on behalf of their client, TNT Fireworks. He thanked the Council for their decision to form the illegal fireworks task force as well as city staff and departments. He thought this was an exemplary example of community and local government cooperation between non-profit organizations, city staff and departments and the state approved fireworks industry. He stated that there were three of them on the nail em app who were responsible for the non-participating jurisdictions. He stated that this city was one of the participating and they got reports in on nail em that they had to manually refer as opposed to automatically refer as this city did. He stated that on the night of July 4, statewide, they couldn't keep up with the pace as they were manually referring them. He stated that they took about 7-15 seconds each time. He stated that they were up until 4:30 in the morning continuing to refer them. He stated that the illegal fireworks problem in California has metastasized and was growing every year in large part because nothing is being done to stop the product from coming in to the state. He stated that those with delegates attending the League of California Cities Convention in mid-September were working with them as well as the state fire marshal to present a plan of attack statewide to deal with it at a state, local and federal level. He stated that many of the things that have been accomplished in Pacifica just this year in terms of innovative stuff was done by the Police Chief and he would like to single him out for his leadership on the task force as well as in the period leading up to and including the 4th of July. He encouraged the members who will be attending the convention to attend the presentation. He stated that the League has only allocated 15 minutes for the problem. He stated that they hoped that Chief McLaughlin who was the head of the fire chief group will be able to put together a comprehension program.

Mayor O'Neill asked Mr. Revell if he saw any relevancy between the cities that allow legal safe and sane fireworks and cities that do not and the illegal fireworks problem.

Mr. Revell stated that the cities that did not allow state approved fireworks has a more perverse problem than those that do and they have more problems leading up to the 4th and they continued to have more problems. He stated that San Jose was a classic example, explaining that they are getting on average anywhere from a half dozen to a dozen nail em reports out of San Jose every day and they have had one or two from Pacifica since the 4th of July, but with San Jose and Oakland, it was an astronomical number of reports and they were not a participating city.

Mayor O'Neill asked if they allow safe and sane fireworks.

Mr. Revell stated that neither of those cities do. He stated that, to San Jose's credit, they put \$50,000 into enforcement in public education programs and the problem was too overwhelming. He stated that Pacifica was able to do so much effectively because it had the community involvement that it did.

Mayor O'Neill mentioned that one argument is that people say, if they disallow legal fireworks, they wouldn't have the problem. He wanted to find out what his experience was. He stated that, if they don't have the safe and sane fireworks, they wouldn't have the money to have that many officers on duty because of the surtax. He felt it was a catch 22 for Pacifica.

Mr. Revell stated that it was interesting to note that they can chart where the reports were from nail em and a valuable tool for all cities was the database they develop for problem locations and problem neighborhoods so they can focus their enforcement the following year. He stated that, interestingly from the nail em standpoint, he was not sure if it would prove true on the calls to the non-emergency dispatch. He stated that most of the reports didn't come from the beach area but from the neighborhoods.

Mayor O'Neill felt, from his experience, it was a problem.

Councilmember Vaterlaus knew he didn't have the numbers yet, but she believes that the safe and sane fireworks cover most of the cost of the overtime for police and fire and, if they didn't have those safe and sanes, they would still have to pay that cost that they don't get from the safe and sane fireworks sale.

Police Chief Steidle responded affirmatively, adding that in terms of the cost, they come within \$800 or \$1000 short of what their costs were.

Councilmember Vaterlaus asked if the administrative fees they charged on the 12 people came back into the city.

Police Chief Steidle responded affirmatively.

Councilmember Vaterlaus asked if they have ever looked into having a large fireworks show.

Police Chief Steidle stated that he has heard it discussed but he didn't know how far it has ever gone or been discussed at the executive team level or Council level. He thought one or two fireworks task force had discussed it. He didn't think it has ever taken off.

Councilmember Vaterlaus wasn't sure it would help.

Police Chief Steidle stated that he didn't think it would help.

Councilmember Digre asked him to review what intelligence mode means.

Police Chief Steidle stated that, once they were overwhelmed with the reports coming from the nail em application, intelligence mode means rather than putting those in as calls for service they were screening them and trying to gain intelligence and find out if there was a pattern where more calls were coming in than others and checking to see what people were writing and giving good information. Intelligence was information gathering. They weren't using it to generate calls for service at that point, but they were gathering information regarding where problems were occurring from it.

Councilmember Digre asked if her understanding was that, because they were able to do that, when he comes with the next report, he will be looking at something they come up with as a response to that overwhelming situation but Mr. Revell had a map that shows where activity was this year. She asked if, going forward, they might be able to tell them of another step that could be taken to help solve the situation.

Police Chief Steidle stated that was something they will discuss among the police staff and also something that, if the task force continues and he will likely recommend it does, they will be discussing and that will be part of the data. He stated that he usually goes back three years to look at what the problems have been. He stated that you find that they are confined to certain pockets in the town and they will move a little bit. He stated that they have talked for years about how difficult it is to enforce. He stated that they will be talking about whether there was a different way to look at it and what can they do in terms of prevention on that night before it even starts.

Councilmember Digre referred to mention that this was what they do, and she asked if they were referring to using illegal fireworks and get over it.

Police Chief Steidle stated that was exactly what they were saying.

Councilmember Martin commended him for all the hard work he put in that night and the use of social media. She hoped that moving forward they can work out the kinks and figure out how to duplicate the reports to be used more precisely. She thought there were two emails that came in late today that she barely skimmed that they were saying it was a pre-picture but have not been the reality. She stated that there are still reports on NextDoor saying it wasn't as it is. She understood the difficulties in his position and she commended the fireworks task force. She stated that every year they were doing more and they were getting there, wherever there is. Police Chief Steidle stated that he didn't know where there is either, but in talking to staff members, he didn't feel this was acceptable to throw your hands up and say that's the way it is. He stated that they will keep working at it.

Mayor pro Tem Keener stated that he talked to one of the people who emailed and he thought they had two objections to the staff report, one that it painted a pretty picture and the last line stated that it has led to another successful safe 4th of July holiday in Pacifica. He stated that it was safe, but successful was in the eyes of the beholder. He stated that they objected to that and only 12 citations. He stated that they were doing the best they can with the citations. He acknowledged why they only got 12, and they looked forward to further strategy improvement next year because it was a gradual process and he believed they were on that road. He agreed with those who emailed that. He stated that, in the written staff report, they sometimes tend to sugar coat the problem, but in his oral presentation he gave a more hard hitting politics presentation and he appreciated it. He stated that they all want to move forward and devise new strategies and they will see if they work. He thought one hopeful thing from this year was that the community was more aware and a lot of people find illegal fireworks reprehensible. He hoped they can build on that and make more progress next year. He supported extending the illegal fireworks task force. He thanked him for the report.

Councilmember Digre agreed with extending the task force. She thought some of the community probably still needs to hear the two parts of the report, specifically that they were successful in reaching out ahead of time and getting input from the community was supportive and bigger than usual. We didn't have any major deaths or fires, but she thought some things in the written report highlighted some of the difficulties this year with illegals. She stated that they

weren't saying it was a successful year and we don't have anything to worry about as they definitely still have a problem with which they were dealing. She stated that staff found that community members were not using the application features to assist in pinpointing locations, although she thought they said they did an exemplary job.

Police Chief Steidle stating that what he was trying to get across was that they were reporting things via the application but there are ways they could send pictures to show where the fireworks were coming from and put a narrative to give them specifics about who was doing what. What they found more often than not that they were doing just what they would do on the 4th of July when it was busy and picking up the phone and say to the dispatcher that there were fireworks on the street and get a cop here then they hang up.

Councilmember Digre thought she heard that those who prefer to behave badly and have their illegal fireworks had the intent to flood the system so it would crash. She thought he was saying that it didn't crash, but it did have some kind of effect that covered them.

Police Chief Steidle stated that the app did not crash and worked perfectly, but what it did do, based on several things he mentioned, was the duplicate reports, people who called in and used the application and false reports, all created such a high volume that they had to stop using it for calls for service purpose and separate it from the calls via the telephone.

Councilmember Digre assumed that with his cleverness he will work on that and figure out what could possibly be done. She stated it sounded like clever people who want to continue to do bad things will figure out that they flood it and mess up all the other reports from others.

Police Chief Steidle agreed, adding that he wasn't sure that the app on the 4th of July itself is the best option. He stated that, in terms of generating calls for service and using them that way, they can still use the application but use it in more of intelligence mode and going through the emails having someone station at the command post to decipher what was useful coming out of there, such as trends in a certain area of town, and putting photographs, names of violators and deciphering that information rather than pushing all the information and overloading the dispatch center.

Councilmember Digre thought she was hearing that, if they were better at doing the photographs, they would come through and for those that are using it to try to crash the system, the photographs would help them to know where actual problems are.

Councilmember Vaterlaus moved to accept the post Fourth of July Report as read; seconded by Mayor pro Tem Keener.

Councilmember Digre asked if they could say something so that the public knows they aren't just accepting a report that everything was fine.

Mayor pro Tem Keener thought that, based on the discussion, everyone has said it was not fine. It was a great effort but they will hopefully be better the next year.

Mayor O'Neill stated that he didn't speak but he agreed with that sentiment. He was on the task force and he felt it should be continued and they should renew the ordinance as they said it will be expiring.

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

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

14. Introduction of an Ordinance Amending the Title of Chapter 8 of Title 2 Regarding Elections and Adding Section 2-8.05 to Chapter 8 of Title 2 of the Pacifica Municipal Code Regarding Publication and Reporting of Campaign Contributions and Independent Expenditure Information
- PROPOSED ACTION:** Introduce and waive the first reading of the ordinance entitled “An Ordinance of the City Council of the City of Pacifica Amending the Title of Chapter 8 of Title 2 Regarding Elections and Adding Section 2-8.05 to Chapter 8 of Title 2 of the Pacifica Municipal Code Regarding Publication and Reporting of Campaign Contributions and Independent Expenditure Information” and read by title only.

Interim City Manager Breskin presented the staff report.

Councilmember Vaterlaus stated that it says a newspaper of general circulation and she asked if they don't have the Tribune whether they have to advertise in something like the Chronicle or the San Mateo Times or another newspaper that might be quite a bit more costly than the Tribune.

Asst. City Attorney Doherty stated that, as drafted, they would need to submit the information to another periodical of general circulation such as the ones she mentioned.

Councilmember Martin thought the estimate is a guesstimate. She talked to the city manager about it, and she asked, if they are talking about the upcoming election and they are taking out one quarter page ad for each ballot measure, whether they can put two ballot measures on one quarter page ad. She thought the answer was yes, but she was guessing. She concluded that the estimate would not be correct and it would be times four because they would have to post it twice. She stated that she also wanted people to think about the other things that she thought would be eliminated because of the publications which might be things like requests from the City Clerk and the need for her to physically make hard copies and meet with people to hand them over. She felt that was very valuable time that could be eliminated by these publications.

Councilmember Digre referred to mention of expenditures in excess of \$1,000, and she asked if it would be easier to compute if it was \$1,000 or above rather than excess of \$1,000 and above. She asked if someone does an expenditure of \$1,000 they don't report it but if it was \$1,000.01 you do report it. She asked if she was wrong.

Asst. City Attorney Doherty stated that she was correct on the definition.

Councilmember Digre asked if it would be simpler and easier to compute to say \$1,000 and above. She again stated that it was her understanding that, now, you don't need to report anything if it is \$1,000.

Asst. City Attorney Doherty reiterated that she was correct.

Mayor O'Neill thought they were getting into deliberations before comments.

Councilmember Digre stated she just wanted to understand that.

Mayor O'Neill stated that he didn't say it wasn't a valid argument but he felt she was deliberating. He agreed with Councilmember Martin that they would probably have less public information requests but you are having the City Clerk go through the files and make up a separate list because you have \$600 that was not in the FPPC filings. He stated that the form was \$100 and above and anything under \$600 does not have to be published. He stated that she would have to create a spread sheet for that information and, in addition to the \$400, that would be additional time.

Councilmember Martin asked if that was actually the case.

City Clerk O'Connell stated that they would have to create a document for the summary which would be inclusive of the candidate's ballot measures or a separate one for each.

Councilmember Martin asked if it would be twice.

City Clerk O'Connell responded affirmatively.

Mayor O'Neill assumed that the FPPC documents are not at \$600.

City Clerk O'Connell responded affirmatively.

Mayor O'Neill stated that anything below \$600 would not be reported and if she just scans the whole thing, \$100 and above, then she can post it.

Councilmember Martin thought that was okay.

Mayor pro Tem Keener understood from this that they would have to scan everything that came in and put all the forms on the website.

Interim City Manager Breskin thought they only put it on the website when an individual contribution cumulatively passes \$600.

Mayor pro Tem Keener thought it said that all reports and statements required to be filed with the City Clerk by any candidate or committee, stored in an electronic format, and reports and statements shall be posted on the city's website no later than two working days after filing.

Mayor O'Neill asked in what section he was in.

Councilmember Martin stated that it was a different section.

Mayor pro Tem Keener stated that it was Section 3b.

Asst. City Attorney Doherty asked him to what section he was referring.

Mayor pro Tem Keener stated it was Section 3.

Asst. City Attorney Doherty asked if it was Section 3, subdivision e.

Mayor pro Tem Keener stated it was b as in boy, adding that it starts on page 156 and finishes at the top of page 157.

Asst. City Attorney Doherty stated that he was correct, explaining that the section says that all campaign reports otherwise required by the political reform act that are available from the FPPC must now be available on the city's website and the city clerk will scan all those reports and maintain them on the city's website and he described it accurately.

Mayor pro Tem Keener referred to the \$1,000 and stated that as it stands now, adding that the City Clerk will know the answer, if a person contributes \$1,000 to any campaign they have to fill out a form if it was in the last month.

Mayor O'Neill stated it was 24 hours.

City Clerk O'Connell agreed that, if it was 24 hours, they would fill it out.

Mayor pro Tem Keener assumed it was \$1,000 and up.

City Clerk O'Connell responded affirmatively.

Mayor pro Tem Keener stated that this says greater than \$1,000.

City Clerk O'Connell responded affirmatively.

Asst. City Attorney Doherty thought the political reform act is in excess of \$1,000 but she can confirm that now.

Mayor pro Tem Keener asked her to confirm it. He had no more questions and stated that they could move on if they were ready to take comments.

Mayor O'Neill stated that it might be considered deliberation and they can hold off.

Councilmember Vatelau asked, in the independent expenditures, who will notify the Sierra Club or any others contributing independent expenditures that they have to notify the candidates because the candidates don't know when they are getting an independent expenditure and it says you have to notify the other candidates or the opposing side.

Councilmember Martin thought most of the organizations have a person dedicated solely to making contributions in governmental campaigns and they would and should look at city ordinances in relation to these things.

City Clerk O'Connell stated that, if this ordinance gets adopted, it needs to be transmitted to the Fair Political Practices Commission, and on their websites they list cities that do have campaign contributions and with this ordinance, if you click on Pacifica, the information would be there for them.

Mayor O'Neill opened public comments.

Stan Zevin, Pacifica, thanked the city staff and Council, stating that for the first time in many years, he feels there has been a swing toward more transparency. He stated that was why they were present for this. He stated that Carlos Davidson did a research on money in the last election and three things stuck with him, first that there was a huge discrepancy among the amount of money available to different candidates running for the same office, second a lot of the money came from out of town and it was associated with the real estate industry. He stated

that with Mr. Davidson, they formed an election committee and did a lot of research and it stuck out in his mind that there was over 100 cities with election laws in place that are very similar to what they were working on, adding that we are a little late to the table. He said that anyone interested in aiming toward more transparency and an informed public would want to vote for these laws to be put in place.

Carolyn Jaramillo, Pacifica, stated that she was a homeowner and voter in Pacifica and she felt it was important to her as a voter and member of Fair Rents that they have such an ordinance that would promote transparency of contributions to different campaigns. She stated that the members of Fair Rents are currently engaged in a campaign to educate the public about the ordinance on the November ballot to preserve Pacifica and protect renters' rights. She stated that they are struggling in trying to carry on the campaign of educating the public, both homeowners and renters and finding that it is very expensive to have such a campaign and they are doing what they can to raise funds and are very worried about any opposition that would be against the campaign and against the ordinance and wondering how the public is going to know who is supporting this campaign and the ordinance trying to protect renters and who is against it. She stated that, for them, it was important to have the transparency and this information is made public. She applauded the people who have put forth the effort and all the work on the ordinance and the research that was done. She urged them to vote for such an ordinance.

Cynthia Kaufman, Pacifica, thanked Councilmember Martin for bring this forward and to all the Councilmembers for seriously considering it. She echoed what Carolyn Jaramillo just said that it was about transparency and fairness. She stated that because of the Citizens United decision of the Supreme Court, they were not able to limit the amount of outside expenditure money that comes in to our city but this was as much as we can do. She stated that there are many cities that have done this and it is moderate and well tested. She understood that about \$1 million in funds will hit them for the anti Fair Rents campaign compared to \$20,000 from the pro Fair Rents people. She thought one element of democracy was that everyone has an equal voice. She stated that they can't make it so all have an equal voice in Pacifica and the country but they can at least make it as fair as possible by making it easy to get the information. She stated that, after the last election, she got the information about the expenditures. It was fine and the City Clerk was lovely with an easy process but she thought it should be routine and a regular thing so everyone knows who spending money in the election to balance out the voices.

Carlos Davidson, Pacifica, thanked Council for taking this up and the city attorney for working on the draft, improving it and bringing the ordinance forward. He stated that he has been one of those people who has requested records from the City Clerk who was fantastic and great to work with. He would not want to see the city do something that placed a huge burden on her. He didn't think that was the case. He stated that once you see the records, the information they are asking for was not so big. He stated that with the summaries and independent expenditures, there was a total of six independent expenditure reports and would literally take five minutes to total them up and type up the summary. He thought that was more than ever before in Pacifica elections. He stated that, in terms of contributions over \$600, he thought that was rare. He stated that, in terms of posting, they could encourage candidates to submit reports electronically as well as in paper and the city gets the PDF report and just has to post it instead of taking paper and go electronic.

Delia McGrath, Pacifica, was happy to support this ordinance which she felt was excellent and very much needed. She stated that she was on the Fair Rents for Pacifica campaign and the ballot initiative coming up on November 7 for a yes vote which they hope will happen. They

were having a campaign to raise funds a dollar at a time for the good of the community. She stated that this was a grass roots effort but at the same time they know there will be opposition. She stated that there will be huge sources of funding pouring into Pacifica from outside sources, i.e., corporations, etc. With publicity, and in the interest of transparency, it was critical to be on the map with free and fair elections and this is one step in that direction with donations and independent expenditures are fully disclosed, fully publicized so voters are informed and can make good decisions when they know who is behind this. She appreciated Council taking the time to put this on the docket and pass it.

Sue Beckmeyer, Pacifica, stated that she was not in support of the ordinance but was asking why they need it. She wasn't clear on what the compelling need was for it. She stated that the Fair Political Practices Commission was a well established state entity in 1974. She stated that the primary objective was to promote transparency in government and foster the public's trust in their political system. She stated that their own information in the wake of the Watergate scandal, California wanted to reign in the potential corruptive influence of special interests by creating an agency to enforce the most rigorous restrictions on funding and lobbying in the country. She stated that, to help foster the public's trust in our political system, the Commission will increase transparency by utilizing technology to provide smart disclosure, giving more people easy access to vital information about their public officials and campaign financing. She stated that their objective was to streamline and reduce redundancy and eliminate loopholes and improve accountability with timely and accurate disclosure. She has worked on campaigns in Pacifica and knows, having worked with those regulations and, with regard to the specific ordinance they are considering was redundant with what FPPC requires and the cost to produce the statements that would be posted on the website or in the newspaper and the cost to produce the ads but not staff time. She realized that the city clerk was already employed, but there was an opportunity cost to everything and if there were extra funds available to devote to this effort that was redundant with something already happening at the state level and she thought there were other purposes to which to devote the funds.

Bridget Duffy, Pacifica, hoped that they support the ordinance as it sounds like it was well thought out by trustworthy people. She thinks election reform should be a top priority for every American citizen. Every government worker, every councilmember, etc., should be very alarmed about what is happening in our elections. She thought they should go further and do all paper ballots and have serious oversight over the mail ins. She hoped they support it as elections are the bedrock of democracy and without it the people have no voice.

Peter Loeb, Pacifica, stated that there are 146 cities in California that have local campaign finance ordinances like this one, roughly 1/3 of all cities, with Belmont, Burlingame, East Palo Alto, Half Moon Bay, Menlo Park in San Mateo County. He stated that this is the modern version. He stated his point that this has become a very standard kind of thing and he hoped Council will adopt the ordinance.

Mike Andrews-Schwind, Pacifica, stated he didn't have anything to add to the conversation but he wanted to show up in support and thank Council for considering this ordinance and he hopes they pass it.

Kristen Andrews-Schwind, Pacifica, thanked Councilmember Martin for bringing this to Council. She thanked all of them for their service. She stated that she has a great amount of respect for the amount of time they put into this. She was alarmed at the amount of money that came into the elections on the last round. She wants to see transparency on this as it would

help them make decisions that are good for Pacifica. She appreciated bringing this forward and she encouraged them to pass the resolution.

Mayor O'Neill closed public comments.

Mayor pro Tem Keener asked the city attorney what her results were.

Asst. City Attorney Doherty stated that he was correct. The political reform act states that independent expenditures equal to or greater than \$1,000 and she recommends that they amend the language in the ordinance to mirror the political reform act language which was the intent of that section.

Mayor pro Tem Keener assumed that to do that they should add "or equal to".

Asst. City Attorney Doherty responded affirmatively.

Mayor pro Tem Keener stated that the proposal was under c on page 157, Section 4IV for independent expenditures greater than or equal to \$1,000.

Asst. City Attorney Doherty recommended the same amendment to subdivision c subsection 2 to change it by striking "totalling more than" and inserting "greater than or equal to \$600."

Commissioner Vaterlaus stated that it could say \$600 or more.

Asst. City Attorney Doherty stated that she just wrote that down.

Commissioner Vaterlaus thinks transparency is fine. They file these reports. She stated that, if all campaigns, reports and statements are going to be published on the city's website, she thought two days was a short time period for that, but she thinks they don't need to publish in the newspaper as it is the 21st century and people can look it up on the computer and don't have to ask for it. She asked, if all reports filed are going to be on the website, why they need to publish in the newspaper. She felt that was the problem with the whole thing. She didn't mind the transparency so everything is shown, but she didn't think it needs to be published in the paper.

Mayor pro Tem Keener thought they should at least try to focus it on a local paper. He thought a publication in a San Francisco paper or a San Mateo paper doesn't do them much good. He felt there was a difference in publishing in the Tribune or any successor to the Tribune if the Tribune were to go away someday. He stated that he would like to hear other views and maybe craft a change in language on that point if others agree with him.

Mayor O'Neill stated that he was concerned about the cost but he checked with the Asst. City Manager before the meeting and if it was \$400 that wasn't that big a deal to pay. He stated that there was no San Mateo Times but now San Jose Mercury News and you can buy sections but they were still forking over a lot of money to advertise there. He suggested that they have the Connect with Pacifica and he thought they agree that it will stay no matter who is the City Manager or what members are on Council. He would like to amend it to the city's website or whatever electronic communication they send to the public.

Councilmember Martin stated that she was okay with that. She agreed that having it published in a local paper makes the most sense, and if the local paper goes away, it should be revisited. She stated that it could be amending to say Connect with Pacifica, the local email.

Mayor O'Neill stated that he didn't know if he would put the name Connect with Pacifica because it might change over the years.

Councilmember Martin stated that you could say the city's email.

Mayor O'Neill stated that it could be weekly email news, and staff can work it out.

Councilmember Martin thought there were a lot of people who read the Tribune and it makes sense to have it there now.

Mayor O'Neill stated that he wasn't opposed to that, he just didn't see a need to put it in the Chronicle or the San Jose Mercury News or the San Mateo Daily Journal.

Councilmember Digre thought about those who aren't that savvy or have emails and some kind of hard copy should be sent to the local libraries.

Mayor O'Neill thought that wasn't a bad idea.

Councilmember Digre stated that they can keep a file like they do for other things.

Mayor O'Neill stated that he did not have a problem with that.

Mayor pro Tem Keener agreed.

Mayor O'Neill thought maybe the community center also.

Mayor pro Tem Keener agreed, and asked if they change the language, the City Clerk shall publish in a local newspaper of general circulation and on the city's website, weekly email distribution, hard copies at local libraries.

Mayor O'Neill suggested that they just put libraries, City Hall.

Mayor pro Tem Keener agreed with libraries and City Hall.

Mayor O'Neill thought City Hall seemed like a logical place to keep it.

Councilmember Digre asked if they also included social media.

Mayor O'Neill stated that was what Connect with Pacifica was.

Mayor pro Tem Keener asked if that will pass muster, a local newspaper of general circulation and will it limit it to the Tribune and not include San Mateo Daily News or Times.

Mayor O'Neill agreed that they use the Tribune but not the San Mateo Daily Journal.

Asst. City Attorney Doherty thought that lends itself to a question of interpretation, the reason that newspaper of general certification has to receive certification from a court to be determined whether or not it is considered a newspaper of general circulation for a particular jurisdiction.

She would defer to the City Clerk as the San Jose Mercury News has been certified for Pacifica. If they use the words local newspaper of general circulation that may suggest it is any newspaper certified for Pacifica.

Mayor O'Neill asked about a paper that has been historical.

Mayor pro Tem Keener thought it could be a local newspaper in Pacifica.

Asst. City Attorney Doherty added published in Pacifica.

Mayor pro Tem Keener asked if the Tribune was published in Pacifica.

Councilmember Vaterlaus thought it was published in San Jose.

Mayor O'Neill thought it was published out of Marin County.

Asst. City Attorney Doherty stated that they could say a newspaper of general circulation which newspaper typically focuses one-third of its articles on Pacifica related matters.

Mayor pro Tem Keener thought they could do that.

Mayor O'Neill asked if this was going to come back to them.

Interim City Manager Breskin stated that it was the first reading at this meeting.

Asst. City Attorney Doherty stated that she would be comfortable with the changes made so far and would be comfortable with amending the motion to waive first reading and approval by title only.

Mayor pro Tem Keener asked if part of the problem was the general circulation, suggesting that they just eliminate that and say a local newspaper for Pacifica.

Asst. City Attorney Doherty said they can do that, adding that the issue with that is that they have seen some issues in recent years of what constitutes a newspaper. With the influx of internet driven news media and a news media and a newspaper of general circulation is a newspaper that has received certification.

Interim City Manager Breskin suggested that it say at the discretion of the City Manager.

Mayor O'Neill thought that was a good idea.

Interim City Manager Breskin reiterated that they can add the statement of pursuant to the discretion of the City Manager.

Mayor pro Tem Keener agreed with that.

Councilmember Martin asked if there was a way to say a local newspaper for Pacifica of general circulation. If that deemed paper were to disbanded, it would go back to Council.

Mayor O'Neill stated he was comfortable leaving it to the discretion of the City Manager as he will run it by each of them to see what they think.

Councilmember Martin thought they would want to revisit it anyway so that was her point and she questioned why they leave it up to the City Manager to make the decision if it will have to go back to the Council and just add that in there to say that, if the Tribune goes away. She stated that she will defer.

Councilmember Digre asked, if the local newspaper goes away, what the fall back was.

Mayor O'Neill thought it was basically the weekly email letter and the city's website.

Councilmember Digre asked why they were worried about some other paper.

Mayor O'Neill explained that, if you put in there general circulation, you have the Chronicle, San Mateo Daily Journal, San Jose Mercury News , they are all considered papers of general circulation.

Councilmember Digre asked what legal language they need.

Mayor O'Neill thought that it has already been decided.

Councilmember Digre stated that she didn't remember what they decided.

Asst. City Attorney Doherty stated that the City Clerk shall publish in a local newspaper of general circulation which newspaper is selected pursuant to the discretion of the City Manager, on the city's website, through the city's email distribution list, and hard copy shall be made available at the Pacifica Library.

Mayor O'Neill stated and City Hall.

Asst. City Attorney Doherty stated that they were always available at City Hall for the person who took public records.

Mayor O'Neill asked if Councilmember Digre was okay.

Councilmember Digre stated that they got through all the comma things because they have a newspaper and they were trying to make sure they talk about it, or why are they getting into the newspaper thing in such depth.

Mayor pro Tem Keener stated that, to avoid forcing themselves to publish this in a more expensive newspaper like the San Jose Mercury News or the San Francisco Chronicle, was the reasoning behind this.

Mayor O'Neill stated that you were talking about \$2,500.

Councilmember Digre stated that it sounds like they are insisting that it has to be in a newspaper.

Councilmember Vaterlaus stated that she was not.

Councilmember Martin stated that she was.

Mayor pro Tem Keener stated he was in favor of that.

Councilmember Digre stated that was all she wanted to know and how they get to all the commas.

Councilmember Vaterlaus stated that it was still going to present City Clerk with a lot of extra work because she has to sort through everything that was already being put on line and take out everything that is \$600 or more or any independent expenditures that are \$1,000 or more and then she has to go through and make a summary of all that information. She stated it was not like the previous 3b which says you can scan everything that people send you and it was going to be online. She stated that the rest of it involves a lot more labor and work on her part when ever contribution of \$100 or more will be already on line based on 3b.

Mayor O'Neill asked if they now file the campaign forms on line. He thought they turned a paper copy into the City Clerk.

City Clerk O'Connell stated that they do.

Mayor O'Neill concluded that they are not on line now.

City Clerk O'Connell stated that the form 700s they put on line during the election period but that was all.

Mayor O'Neill forgot the form numbers for the others.

City Clerk O'Connell stated that the form 460s and other forms are not on line.

Councilmember Vaterlaus stated that they have it in the ordinance.

Mayor pro Tem Keener stated that, related to that, if they look at the San Bruno website they have everything on line. That may come out about even because you have to copy all the forms for each records request. He stated that the summary, as mentioned by Carlos Davidson, doesn't amount to that many names that are over \$600 or \$1,000 depending on the category. He agrees it is more work, but he wouldn't say it was onerous.

Mayor O'Neill stated that he was commenting, not complaining, but they assigned that every resolution and ordinance they make has to be posted on line and now they were adding this to the duties of the City Clerk. He stated that incrementally she was like the legal process server for the city and he has no problem with filing the form and all of it on line or contributing the money that has to be put on line. He stated that would be every campaign contribution of \$100 or more and they were asking for more disclosure than what the \$600 is. He thought it would be easier for the City Clerk. He added that his comment that it wouldn't be a lot of work for the City Clerk, his question was that for contributions from a single source totalling more than \$600, who was going to keep track of the \$600 and what if they make three \$200 donations.

Mayor pro Tem Keener states that the candidate has to do it.

Mayor O'Neill states that when she gets the report it says \$200 three times and he thought it was more of a burden for her to scan the entire thing and post it on the website and it is done.

Councilmember Vaterlaus stated that they can require the candidate to send it in electronically so she doesn't have to scan it but take it as a pdf and instantly put it on line and not sort through anything. She would put on every thing and that would be even more transparent.

Mayor O'Neill stated that you need original signatures on that and they would have to scan it and email to her, then still walk in and hand it to her.

City Clerk O'Connell agreed.

Mayor pro Tem Keener agreed there was no way around that yet.

Mayor O'Neill stated that he has no problem posting it on the web. He thought that was the nuts and bolts and scanning everything and posting it on the web and it was done. The same rule applies and the \$1,000 24-hour thing was fine and was more disclosure.

Councilmember Martin agreed that it was fine.

Mayor pro Tem Keener stated he still liked the publication of the summary in the Tribune as he thinks, as mentioned by Councilmember Digre, there are a number of people who don't use computers to any degree at all and getting it from the Tribune would be useful for them, and when the Tribune dies.

Mayor O'Neill stated that he should not be pessimistic.
Councilmember Digre asked if someone knows more than she knows.

Mayor pro Tem Keener stated that he didn't but print media was on its way out.

Councilmember Martin stated that there was more work involved and she would fully support anything that makes the City Clerk's life easier. She also supports the newspaper, but she agreed that it was the 21st century. She stated that she works on a computer all day long and in IT and this was what they are going to need to do eventually anyway so they might as well get ahead of the pack and do it as simple as possible so that the City Clerk comes up with the form how it needs to be presented and leave it to however it is easiest.

Mayor O'Neill stated that she was saying that, in addition to the FPPC forms they have a City of Pacifica form to put the \$600 or more on there and all she has to do is scan it and post it.

Councilmember Martin stated that she was not suggesting how she does her job but suggesting that the City Clerk makes the decision of how it comes easiest in the workload as long as it complies with the ordinance.

Councilmember Vaterlaus stated that the FPPC has a rule about \$1,000 or more and it has to come in within 24 hours of receiving it. She stated that the \$600 limit is the issue because the FPPC form at \$1,000 would come in as a single form whenever someone receives \$1,000 or more within 24 hours and that would make this a lot easier if it said \$1,000 you have to put it in the paper and it would be just the form that the FPPC has.

Councilmember Martin thought they wrote this the way it is for a reason with the \$600.

Councilmember Vaterlaus concluded that they wrote it for a reason.

Councilmember Martin stated that she, the City Attorney, and community wrote this for a reason the way it was with \$600.

Councilmember Vaterlaus asked the reason why it was \$600 and not \$1,000.

Councilmember Martin stated that there were only six that were over that allotment this past election cycle and this was very heavily watched. The reason was the same as when you go to a certain store you vote with your money and the same reason she doesn't buy bottled water, and these are the same reasons and why it was \$600. She stated that, whether it makes sense or not, that was how it made sense to her.

Councilmember Vaterlaus asked, if \$100 is being reported, why are they worried about \$600.

Councilmember Martin agreed that \$100 is being reported. She was ready to make a motion.

Mayor O'Neill stated that he has another issue.

Councilmember Digre thought the goal appeared to be simplicity for the residents and, regarding the City Clerk, her job fluctuates and the city and Council will support the City Clerk as a workload for an employee hits a certain mark they would support. The City Manager would step in and make sure that the City Clerk isn't spending nights at City Hall trying to achieve something. She has talked to no one and felt, for the simplicity of the community at large, simple for the public to see without having to add up the hundreds they could see whether or not they had a bunch of \$600 from a certain area or certain groups, she thought that would be significant. She stated that she didn't know when the FPPC rules were last updated. While something was updated in 2015 but she didn't know what it was. She felt the main goal was simplicity for the residents so it was easy for them to get a handle on where the money is coming and the City Manager and Council will support the City Clerk in any event, whatever the issue, as they wouldn't want to see the City Clerk having to stay at City Hall all hours of the night and gets Friday off like everyone else.

Mayor O'Neill stated that the consensus he hears is staying as is at \$600.

Mayor pro Tem Keener agreed.

Mayor O'Neill stated that the other issue he wanted to bring up was that independent expenditures shall go to the address on the form where they submitted for their candidacy. He stated that nowhere does it say where you deliver it just who you deliver it to. He stated that it says by email but it would be nice to say the contact information the candidate delivered.

Mayor pro Tem Keener agreed that it was the initial form they fill out.

Mayor O'Neill stated that it was deemed delivered if sent to that address or email address, on page 157, number e. He thinks they should add that they know where to send it.

Councilmember Vaterlaus stated that it says 24 hours and if you deliver it on a Saturday, she asked how you find out the information within 24 hours. The other item, although short, says two working days would make more sense than 24 hours. She asked what if you don't know the other candidates, you can't find that our Friday, Saturday or Sunday but you have to find it out somehow.

Mayor O'Neill thought it has to be two business days. He added that you need to know where the address is to send in the notification.

Councilmember Martin asked what the definition of 24 hours means, just straight up hours.

City Clerk O'Connell stated that it was exactly that, 24 hours.

Councilmember Martin stated that it was just 24 hours and has nothing to do with the day of the week or business hours. She questioned that notification shall be made within what time frame.

Mayor O'Neill stated that it was one business day.

Councilmember Vaterlaus stated two.

Councilmember Digre asked if it was modeled after the FPPC.

Councilmember Vaterlaus stated that it wasn't because, in the FPPC, you don't have to notify the other candidates of any contributions.

Councilmember Martin thought 24 hours was fine by email.

Councilmember Vaterlaus stated that, if you don't have the perso's email, how are you going to get it.

Mayor pro Tem Keener stated that you download his form 410 from the website.

Mayor O'Neill stated that wasn't on the website.

Mayor pro Tem Keener stated that it will be under this.

City Clerk O'Connell stated that if they are going to put all the campaign disclosure statements on the website that would be there.

Mayor O'Neill understood and he would like to add the thing that the notification is sent to the address of record on the form.

Councilmember Martin stated that was fine.

Mayor pro Tem Keener stated that it says it shall be made within 24 hours by email, guaranteed overnight and you have the email option and as long as you have access to an email address which you would.

Mayor O'Neill stated that it wouldn't necessarily be the case as they just found out that there are a lot of people in town who don't mess with computers and that was why they were publishing it in the Tribune.

Councilmember Martin stated that, if they are filing an independent expenditure, she would guess that they know what they are doing.

Mayor pro Tem Keener stated that the notification was by email to candidates and he knows that he was a modern fellow and has email, as all the councilmembers have email.

Councilmember Vaterlaus asked the City Clerk if the forms have social security numbers on them.

City Clerk O'Connell stated that they do not.

Mayor O'Neill agreed that should not be public.

Councilmember Martin moved to introduce and waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Amending the Title of Chapter 8 of Title 2 Regarding Elections and Adding Section 2-8.05 to Chapter 8 of Title 2 of the Pacifica Municipal Code Regarding Publication and Reporting of Campaign Contributions and Independent Expenditure Information" and read by title only with the revisions that were made at this meeting.

Mayor pro Tem Keener asked if the revisions were clear.

Asst. City Attorney Doherty responded affirmatively.

Mayor O'Neill asked if staff didn't need any more guidance.

Motion seconded by Mayor pro Tem Keener.

Councilmember Vaterlaus stated that sometimes she votes no, and stated she will likely vote no on this because she believes in the transparency and everything should go on the website but she thinks it is just not right for the City Clerk to have to do all the rest of the items, and she thinks it is transparent enough and will vote no.

RESULT:	ADOPTED AS AMENDED [4 TO 1]
MOVER:	Deirdre Martin, Councilmember
SECONDER:	John Keener, Mayor Pro Tem
AYES:	O'Neill, Keener, Digre, Martin
NAYS:	Vaterlaus

15. Repeal and Rescind Ordinance No. 814 Following Referendum Petition
PROPOSED ACTION: Move to introduce and waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Repealing and Rescinding Ordinance No. 814 An Interim Ordinance of the City Council of the City of Pacifica Establishing a Temporary Moratorium on Certain Residential Rent Increases in the City of Pacifica and Requiring Just Cause for Tenant Evictions Within the City"

City Clerk O'Connell presented the staff report.

Mayor O'Neill opened public comments.

Bridget Duffy, Pacifica, stated that she was completely confused about what this was about.

Mayor O'Neill stated that Council put an ordinance into effect and the group collected enough signatures, submitted them, the signatures were found valid and Council has two options, put it on the ballot or rescind it. He stated that it made no sense to put it on the ballot because, on election day, it ends. So there was really no reason to put it on the ballot.

Mayor pro Tem Keener added that it was the temporary moratorium.

Ms. Duffy concluded that it was the signature gatherers who were in town. She was glad this was coming up and glad they are doing it. She had a conversation with one of the men and he explained to her that the company for whom he works hires people from all over the country. He told her how he couldn't get any work anywhere else but had to work for this company. He stated that our economy was pretty bad. She stated that they change their story in every city they go to. It depends on which petition they have. They will be for rent control or against rent control, for gay rights and two weeks later they will be against gay rights, whatever their company tells them. He didn't know for whom he was working. They worked for a guy who worked for a guy who spoke of a client so no one knew for whom they were working. She stated that they were from all over the place and pretty much vagrants with clipboards and card tables and a real threat to our little town, to the safety of our little town and we should discourage them and by rescinding it, she thought it would discourage them, and she appreciated it very much.

Mayor O'Neill closed public comments.

Mayor pro Tem Keener moved to introduce and waive the first reading of the ordinance entitled "An Ordinance of the City Council of the City of Pacifica Repealing and Rescinding Ordinance No. 814 An Interim Ordinance of the City Council of the City of Pacifica Establishing a Temporary Moratorium on Certain Residential Rent Increases in the City of Pacifica and Requiring Just Cause for Tenant Evictions Within the City"; seconded by Councilmember Martin.

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

16. Designation of Voting Delegate for League of California Cities Annual Conference
PROPOSED ACTION: Designate a voting delegate and an alternate who will be present at the business meeting.

Mayor pro Tem Keener asked who is going.

Mayor O'Neill stated he was going.

Councilmember Digre stated that the question was who was going to be the one to vote. She stated since he is going, isn't it automatically that the major sign.

Mayor O'Neill stated that they vote but Councilmember Vaterlaus said she was going also. He asked if Councilmember Digre said she was going too.

City Clerk O'Connell stated that they need a voting delegate and an alternate.

Mayor O'Neill stated that it doesn't make much difference to him.

Councilmember Vaterlaus stated that she will vote.

Councilmember Digre stated that he was the mayor so he should do it.

Councilmember Vatelauis agreed that he probably should as the mayor.

Mayor O'Neill stated that he is by acclamation. He stated that he needs a motion.

Councilmember Vaterlaus stated that they will be the alternates.

Councilmember Martin moved to designate Mayor O'Neill as the voting delegate for the League of California Cities Annual Conference and Councilmembers Vaterlaus and Digre as alternates; seconded by Mayor pro Tem Keener.

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

ADJOURN

Mayor O'Neill adjourned the meeting at 10:46 p.m.

Transcribed by Barbara Medina, Public Meeting Stenographer.

Respectfully submitted,

Kathy O'Connell, City Clerk

APPROVED: 8/14/17; 5-0

Mike O'Neill, Mayor