



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA

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PRESS RELEASE

July 14, 2016

City Attorney's Office Failed to Inform City Council That Library Ballot Measure Decision Did Not Receive Sufficient Votes to Pass, Special Meeting to be Held for Reconsideration

FOR IMMEDIATE RELEASE (Pacifica, CA) 14 July 2016 –

At its July 11, 2016 meeting, the Pacifica City Council considered a resolution to place a bond measure on the November 2016 ballot to fund construction of a new public Pacifica Library. On July 12, 2016, the City Attorney's Office became aware that the Assistant City Attorney had not advised the Council that the resolution failed to receive the four votes required to pass. State statutes require a two-thirds affirmative vote of all Council members to place a bond measure on a ballot. In the case of the five member Pacifica City Council, the requirement is four (4) affirmative votes regardless of the number of Council members participating in the meeting.

The Council's decision on the bond measure received a 3-1 vote, with three votes in favor and one opposed; one Council member recused herself. (Elected officials who own property within 500 feet of a City project must recuse themselves from voting on the project.) The Assistant City Attorney did not advise the Council that a majority of three out of four votes in favor of the measure was insufficient to meet the statutory requirement needed to place the measure on the ballot.

"I apologize on behalf of my office for failing to advise the Council at the meeting that the votes cast were not sufficient," said City Attorney Michelle Kenyon of the firm Burke, Williams & Sorensen. "I want to acknowledge the mistake, and take any and all steps necessary to assist the City Council with its ability to properly consider the decision of whether or not to place the library bond measure on the November 2016 ballot."

Under State law, the City Council may hold a special meeting to reconsider this matter and will do so on **July 21, 2016, at 7:00 p.m.** in the City Council Chambers, 2212 Beach Blvd. The agenda packet for the special meeting will be available on the City's website by 5:00 p.m. on Friday, July 15, 2016. For more information, please contact City Attorney Michelle Kenyon, at (650) 738-7409 or via email at kenyonm@ci.pacificaca.us