



**CITY COUNCIL AGENDA
REGULAR MEETING
CITY OF HALF MOON BAY**

TUESDAY, MAY 2, 2023

**HYBRID MEETING (SEE NEXT PAGE)
ADCOCK COMMUNITY CENTER
535 KELLY AVENUE
HALF MOON BAY, CA 94019**

**Deborah Penrose, Mayor
Joaquin Jimenez, Vice Mayor
Robert Brownstone, Councilmember
Harvey Rarback, Councilmember
Debbie Ruddock, Councilmember**

7:00 PM

This agenda contains a brief description of each item to be considered. Those wishing to address the City Council on any matter not listed on the agenda, but within the jurisdiction of the City Council to resolve, may come forward to the podium during the Public Forum portion of the agenda and will have a maximum of three minutes to discuss their item. Comments on Consent Calendar items should be made during the Public Forum section of the agenda. Those wishing to speak on a Business or Public Hearing matter will be called forward at the appropriate time during that item's consideration.

Please Note: Anyone wishing to present materials to the City Council, please submit seven copies to the City Clerk.

Copies of written documentation relating to each item of business on the agenda are on file in the Office of the City Clerk at City Hall where they are available for public inspection. If requested, the agenda shall be available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132.) Information may be obtained by calling 650-726-8271.

In compliance with the Americans with Disabilities Act, special assistance for participation in this meeting can be obtained by contacting the City Clerk's Office at 650-726-8271. A 48-hour notification will enable the City to make reasonable accommodations to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

<http://hmbcity.com/>

HYBRID MEETING PARTICIPATION PROTOCOLS

*This meeting will be held in-person and via Zoom for public participation. Public comments may be made in-person or remotely via Zoom, and interpretation will be available. All Councilmembers and staff will participate in person. During any public comment portions, attendees may use the “raise your hand” feature and will be called upon and unmuted when it is their turn to speak. The meeting will also be streamed on Channel 27, on pacificcoast.tv, and on Facebook at www.facebook.com/cityofhalfmoonbay. Please click to join the webinar: <https://us06web.zoom.us/j/87674804231> or join by phone at 669-900-9128, using Webinar ID 876-7480-4231. If joining by phone, use *9 to raise your hand, *6 to mute and unmute.*

ROLL CALL / PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PROCLAMATIONS AND PRESENTATIONS

MENTAL HEALTH AWARENESS MONTH PROCLAMATION

JEWISH AMERICAN HERITAGE MONTH PROCLAMATION

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

CITY MANAGER UPDATES TO COUNCIL

MAY 8, 2023 AFFORDABLE HOUSING COMMUNITY MEETING ANNOUNCEMENT

MAY 9, 2023 JOINT HOUSING ELEMENT MEETING ANNOUNCEMENT

COASTAL TRAIL EROSION UPDATE

PUBLIC FORUM

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B AMENDED MAP OF CREEKSIDE COURT - FINAL MAP NO. 16-02

Staff Recommendation: Staff recommends that the City Council make a determination that the following findings can be made concerning the modifications (Government Code Section 66472.1) and adopt a resolution for the Amended Tract Map No. 16-02: 1) that the modifications proposed did not impose any additional burden on the present fee owner of the property; 2) that the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map; 3) that the map as modified conforms to the provisions of Section 66474 of the Government Code; and 4) authorizing the City Engineer and City Attorney to make such revisions that are acceptable under said Resolution and applicable law; and accepting, on behalf of the Public, all dedicated Public Easements (Public Utility Easements and Emergency Vehicle Access Easements) as noted as changes on the Amended Map.

[STAFF REPORT](#)

[RESOLUTION](#)

[ATTACHMENT 2](#)

[ATTACHMENT 3](#)

**1.C DISPLAY OF THE MENTAL HEALTH AWARENESS FLAG FOR THE MONTH OF MAY 2023
AT CITY HALL TO COMMEMORATE MENTAL HEALTH AWARENESS MONTH**

Staff Recommendation: Adopt a resolution authorizing display of the Mental Health Awareness Flag at City Hall for the month of May 2023.

[STAFF REPORT](#)

[RESOLUTION](#)

1.D RECEIPT OF LEGISLATIVE POSITION LETTER

Staff Recommendation: Receive and file letter of support for Assembly Bill 1379.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

**1.E 555 KELLY AVENUE AFFORDABLE HOUSING DEVELOPMENT - AMERICAN RESCUE PLAN
ACT (ARPA) GRANT AGREEMENT WITH THE COUNTY OF SAN MATEO**

Staff Recommendation: Adopt a resolution: 1) authorizing the City Manager to execute a grant agreement between the City and the County of San Mateo, in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) in federal American Rescue Plan Act funds received by the County, for predevelopment expenses for an affordable housing development project on City-owned land at 535 and 555 Kelly Avenue; 2) authorizing allocation of these ARPA funds from the City to Mercy Housing California to support Project predevelopment activities; and 3) authorizing the City Manager to execute a grant agreement between the City and the Developer, in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000), for the purpose of making these ARPA funds available to support predevelopment activities for the Project.

[STAFF REPORT](#)

[RESOLUTION](#)

[ATTACHMENT 2](#)

2. ORDINANCES AND PUBLIC HEARINGS

2.A INTRODUCTION AND FIRST READING OF “FEEDING OF WILDLIFE” ORDINANCE

Staff Recommendation: Conduct a Public Hearing and introduce on first reading an ordinance adopting a new Chapter 8.08 entitled “Feeding of Wildlife” to the Half Moon Bay Municipal Code.

[STAFF REPORT](#)

[ORDINANCE](#)

3. RESOLUTIONS AND STAFF REPORTS

3.A UPDATE ON JOHN L. CARTER PARK IMPROVEMENTS PROJECT (CIP NO. 0611)

Staff Recommendation: Receive an update on the John L. Carter Park Improvements Project and provide feedback to staff.

[STAFF REPORT](#)

3.B THE SPIRIT OF LIFE BELL SCULPTURE

Staff Recommendation: By resolution, authorize the City Manager to execute a Public Art Agreement between the City of Half Moon Bay and Silvio Modena III., formally accepting the donation of the “The Spirit of Life Bell” sculpture created by Silvio J. Modena Jr.; and affirming the continued temporary placement of the sculpture in the City Hall parking lot until such time as a permanent location is established by a subsequent resolution of the City Council.

[STAFF REPORT](#)

[RESOLUTION](#)

3.C FINANCIAL AND TREASURER’S REPORT FOR THE QUARTER ENDED ON MARCH 31, 2023

Staff Recommendation: Accept the Financial Report and the Treasurer’s Report for the quarter ended on March 31, 2023.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

COMMISSION / COMMITTEE UPDATES

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

CITY COUNCIL REPORTS

ADJOURNMENT

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **May 2, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Maz Bozorginia, Public Works Director/City Engineer
Jonathan Woo, Assistant Engineer

TITLE: **AMENDED MAP OF CREEKSIDE COURT - FINAL MAP NO. 16-02**

RECOMMENDATION:

Staff recommends that the City Council make a determination that the following findings can be made concerning the modifications (Government Code Section 66472.1) and adopt a resolution for the Amended Tract Map No. 16-02:

- 1) That the modifications proposed did not impose any additional burden on the present fee owner of the property; and
- 2) That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map; and
- 3) That the map as modified conforms to the provisions of Section 66474 of the Government Code; and
- 4) Authorizing the City Engineer and City Attorney to make such revisions that are acceptable under said Resolution and applicable law; and accepting, on behalf of the Public, all dedicated Public Easements (Public Utility Easements and Emergency Vehicle Access Easements) as noted as changes on the Amended Map.

FISCAL IMPACT:

There is no fiscal impact associated with this action. City staff and consultant charges related to this project are reimbursed by the developer.

STRATEGIC ELEMENT:

This recommendation supports the Infrastructure and Environment, Healthy Communities and Public Safety Elements of the Strategic Plan.

BACKGROUND:

On November 7, 2017 the City of Half Moon Bay, by City Council Resolution No. C-2017-92, conditionally approved the requested Tentative Subdivision Map (the "Tentative Map"), Coastal

Development Permit, and Use Permit to divide two parcels totaling 5.5 acres into 12 residential lots with associated improvements, including utilities, an open space conservation easement, an open space area for passive recreation, and an on-site drainage swale at 320 Church Street in the C-D (Commercial Downtown) Residential Zoning District.

On July 20, 2021, Staff presented the Creekside Final Map and Subdivision Improvement Agreement to City Council and ultimately adopted Resolution No. C-2021-63 that:

- 1) Approves the Final Map, subject to revisions to correct clerical errors and conform with Final Map to said Resolution, and delegates to the City Engineer and City Attorney authority to determine that such revisions are acceptable under said Resolution and applicable law; and
- 2) Approves the Subdivision Improvement Agreement subject to City's approval as to form of the required securities and insurance documents; and
- 3) Accepts on behalf of the City for public use all offered 10' Trail Easement, Public Service Easements and Emergency Vehicle Access Easement; and
- 4) Rejects any offer in dedication of Public Utility Easements, which offer may be reconsidered as provided in Government Code section 66477.2; and
- 5) Authorizes the City Manager, Acting City Surveyor, City Clerk, and City Engineer, as appropriate, to execute and record the Final Map (as revised) and the Subdivision Improvement Agreement and any security instruments with the office of the San Mateo County Recorder subject to City Council concurrent approval of the Affordable Housing Compliance Agreement providing four multi-family affordable housing units.

The Creekside Court Final Map No. 16-02 (Attachment 2) was recorded with the County of San Mateo Recorder's Office on December 21, 2021.

DISCUSSION:

In April 2022, the former property owner, Gibraltar Capital, Inc., sold the subdivided land, in full, to HMB Coast, LLC. The new owner requested some modifications to the driveway approaches based on refined building plans which resulted in non-ADA compliant sidewalk along the private street. The amended map and improvement plans were modified to reflect a new 3' pedestrian access easement adjacent to the private sidewalks to conform with ADA accessibility requirements and city standards.

The developer also submitted preliminary plans for the Coastal Development Permit Application for the housing intended for the subdivision. Additional street parking spaces were required and provided on Lots 11 and 12. Modifications to the easements are needed to provide pedestrian access around these parking spaces.

A 3' Utility Easement for Irrigation Purposes was reserved for the exclusive benefit of the owners of the lots in the subdivision as part of the recorded map. The Coastside County Water District (CCWD) has required the water meters for each lot to be placed at the back of the sidewalk to prevent the potential for tripping hazards. CCWD required the developers to grant

the mentioned Utility Easement to them in order to proceed with constructing water infrastructure throughout the subdivision.

The Emergency Vehicle Access (EVA) Easement noted in the previously adopted resolution was through the adjacent property and not through this subdivision. Correction was made to allow the EVA access through this subdivision.

A Public Utility Easement created in the dedicated Park Area and Lot 2, as well as the removal of the Public Utility Easement within Lot 1 are shown in this Amended Map. The Document Number for the Affordable Housing Restriction over Lot 1 is now added to this Amendment.

Due to the minor changes that need to be addressed, staff recommends for the City Council to make a determination that the following findings can be made concerning the modifications (Government Code Section 66472.1) and adopt a resolution for the Amended Tract Map No. 16-02:

- 1) That the modifications proposed did not impose any additional burden on the present fee owner of the property; and
- 2) That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map; and
- 3) That the map as modified conforms to the provisions of Section 66474 of the Government Code; and
- 4) Authorizing the City Engineer and City Attorney to make such revisions that are acceptable under said Resolution and applicable law; and accepting, on behalf of the Public, all dedicated Public Easements (Public Utility Easements and Emergency Vehicle Access Easements) as noted as changes on the Amended Map.

ATTACHMENT:

Resolution

Attachment 2 – Original Final Map

Attachment 3 – Amended Final Map

Resolution No. C-2023-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
TO APPROVE THE AMENDED MAP OF THE CREEKSIDE COURT SUBDIVISION (NO. 16-02)**

WHEREAS, on November 7, 2017, by City Council Resolution No. C-2017-92, the City Council conditionally approved the requested Tentative Subdivision Map, Coastal Development Permit, and Use Permit, to divide two parcels totaling 5.5 acres into 12 residential lots, associated with typical subdivision improvements; and

WHEREAS, on July 20, 2021, by City Council Resolution No. C-2021-63, the City Council approved the final map, subject to revisions, approved the Subdivision Improvement Agreement, accepted on behalf of the City for Public Use, the 10' Trail Easement, Public Service Easements, and Emergency Vehicle Access Easement, rejected any offer in dedication of Public Utility Easements, and authorized staff to execute and record the Final Map (as revised) and the Subdivision Improvement Agreement concurrently with the Affordable Housing Compliance Agreement; and

WHEREAS, the Final Map was recorded with the County of San Mateo Recorder's Office on December 21, 2021; and

WHEREAS, the original developer, Gibraltar Capital, Inc., sold the subdivided land, in full, to HMB Coast, LLC.; and

WHEREAS, an Amended Map was needed due to some proposed and required changes, such as, ADA compliant accessibility, modifications towards easements, and clarifications; and

WHEREAS, a document formalizing the granting of dedicated public easements, as shown on the Amended Map of Creekside Court will be completed at a later date; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby makes the determination that the following findings can be made concerning the modifications (Government Code Section 66472.1) and adopt a resolution for the Amended Tract Map No. 16-02:

- 1) That the modifications proposed did not impose any additional burden on the present fee owner of the property; and
- 2) That the modifications proposed do not alter any right, title or interest in the real property reflected in the recorded map; and
- 3) That the map as modified conforms to the provisions of Section 66474 of the Government Code; and
- 4) Authorizing the City Engineer and City Attorney to make such revisions that are acceptable under said Resolution and applicable law; and accepting, on behalf of the

Public, all dedicated Public Easements (Public Utility Easements and Emergency Vehicle Access Easements) as noted as changes on the Amended Map.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 2nd day of May 2023 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

Jessica Blair, City Clerk

Deborah Penrose, Mayor

OWNER'S STATEMENT

WE HEREBY STATE THAT CREEKSIDE COURT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY IS THE OWNER OF OR HAS SOME RIGHT, TITLE, OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THE HEREIN FINAL MAP, AND WE ARE THE ONLY PERSON(S) WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY, AND THAT WE HEREBY CONSENT TO THE MAKING AND RECORDING OF SAID MAP.

WE HEREBY DEDICATE THAT AREA SHOWN AS "CREEKSIDE COURT" ON SAID MAP FOR THE PURPOSES OF INGRESS/EGRESS, AND PUBLIC UTILITIES FOR THE EXCLUSIVE BENEFIT OF THE OWNERS OF LOTS 1 THROUGH 12, INCLUSIVE.

WE ALSO RESERVE THOSE AREAS SHOWN ON SAID MAP AS "DRAINAGE EASEMENT" FOR THE INSTALLATION AND MAINTENANCE OF STORM DRAIN UTILITIES FOR THE EXCLUSIVE BENEFIT OF THE OWNERS OF LOTS 1 THROUGH 12, INCLUSIVE.

WE ALSO RESERVE THAT AREA SHOWN AS "PARK AREA" FOR THE BENEFIT OF THE OWNERS OF LOTS 1 THROUGH 12, INCLUSIVE, AS WELL AS FOR PUBLIC USE.

WE ALSO DEDICATE FOR PUBLIC USE THOSE AREAS SHOWN ON SAID MAP AS "PUBLIC ACCESS EASEMENT" FOR THE EXISTING SIDEWALK.

WE ALSO DEDICATE FOR PUBLIC USE THOSE AREAS SHOWN ON SAID MAP AS "10' TRAIL EASEMENT" FOR A FUTURE TRAIL.

WE ALSO RESERVE FOR THOSE AREAS SHOWN ON SAID MAP AS "PUBLIC UTILITY EASEMENT" FOR THE EXCLUSIVE BENEFIT OF THE OWNERS OF LOTS 1 THROUGH 12, INCLUSIVE.

WE ALSO RESERVE THOSE AREAS SHOWN ON SAID MAP AS A "3' UTILITY EASEMENT" FOR IRRIGATION PURPOSES FOR THE EXCLUSIVE BENEFIT OF THE OWNERS OF LOTS 1 THROUGH 12, INCLUSIVE.

CREEKSIDE COURT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY FORMERLY KNOWN AS CHURCHSIDE COURT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY. BY: GIBRALTAR CAPITAL, INC., A CALIFORNIA CORPORATION, ITS MANAGER/MEMBER

FREDA M. JEFFS, CEO
BY: ROBIN E. JEFFS, PRESIDENT

Frederic M. Jeffs
SIGNATURE

FREDA M. JEFFS
PRINT NAME

CHIEF EXECUTIVE OFFICER
TITLE

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SAN MATEO

ON OCTOBER 28, 2021, BEFORE ME, RENEE LEWIS
NOTARY PUBLIC

PERSONALLY APPEARED FREDA M. JEFFS

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/ THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: *Renee Lewis*

PRINCIPAL COUNTY OF BUSINESS: SAN MATEO

COMMISSION EXPIRES: MAY 30, 2022

COMMISSION # OF NOTARY: 2240809

CITY CLERK'S STATEMENT

I, JESSICA BLAIR, INTERIM CITY CLERK OF THE CITY OF HALF MOON BAY, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE CITY COUNCIL, ALL OF SAID CITY, ACTING AT ITS REGULAR MEETING HELD ON THE 20th DAY OF January, 2021, AND THAT SAID COUNCIL ACCEPTED, SUBJECT TO IMPROVEMENTS, ON BEHALF OF THE PUBLIC, ALL EASEMENTS OFFERED FOR DEDICATION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF SAID CITY THIS 3 DAY OF November, 2021.

Jessica Blair
JESSICA BLAIR
CITY CLERK

NOTES:

AN IRREVOCABLE OFFER TO DEDICATE THOSE AREAS LABELED AS OPEN SPACE, BEING THE AREA NORTHERLY OF THE 50' RIPARIAN SETBACK LINE, ACCEPTABLE TO THE EXECUTIVE DIRECTOR OF THE COASTAL COMMISSION, INCLUDING THE CITY OF HALF MOON BAY, FOR OPEN SPACE CONSERVATION AND FOR THE PURPOSES OF HABITAT RESTORATION, RECORDED AS INSTRUMENT NO. 2016-0409010.

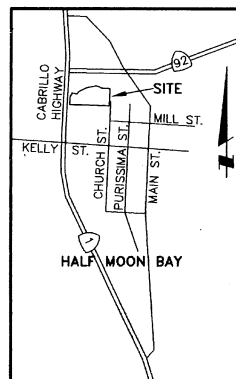
SUBJECT PROPERTY SUBJECT TO DEED RESTRICTIONS PER DOCUMENTS 2016-040908 AND 2016-040909 O.R.

SUBJECT PROPERTY SUBJECT TO MITIGATION AND MONITORING PER DOCUMENT 2016-111462 O.R.

SUBJECT PROPERTY SUBJECT TO TRAFFIC RESTRICTION OVER THE SIDELINES TO HIGHWAY 1 AS SHOWN ON SHEETS 2 AND 3 OF THIS FINAL MAP.

AN AFFORDABLE HOUSING RESTRICTION OVER LOT 1 PER INSTRUMENT NO.

A WAIVER OF CLAIMS FOR FREEWAY PER BOOK 2563 O.R. PAGE 573.



VICINITY MAP
(NOT TO SCALE)

COUNTY RECORDER'S STATEMENT

FILED THIS 21 DAY OF December, 2021 AT 5:00 p. m.
IN VOLUME 144 OF MAPS, AT PAGE(S) 5-7, AT THE REQUEST
OF BRYAN G. TAYLOR.

MARK CHURCH, SAN MATEO COUNTY RECORDER

FILE NO. 2021-900225

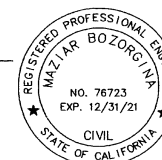
FEES \$163.00

BY: /s/ Minh Nguyen
DEPUTY

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL THE PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT" AND OF THE LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH.

10/28/2021
DATE



Maziar Bozorgnia
MAZIAR BOZORGNIAN P.E.
RCE 76723
CITY ENGINEER

ACTING CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT.

10-27-21
DATE



David C. Freyer
DAVID C. FREYER
R.C.E. 30060
ACTING CITY SURVEYOR

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF CAMERON JEFFS IN SEPTEMBER, 2014. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY, AND THAT ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON OR BEFORE MARCH, 2022, AND WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

19 OCTOBER, 2021
DATE



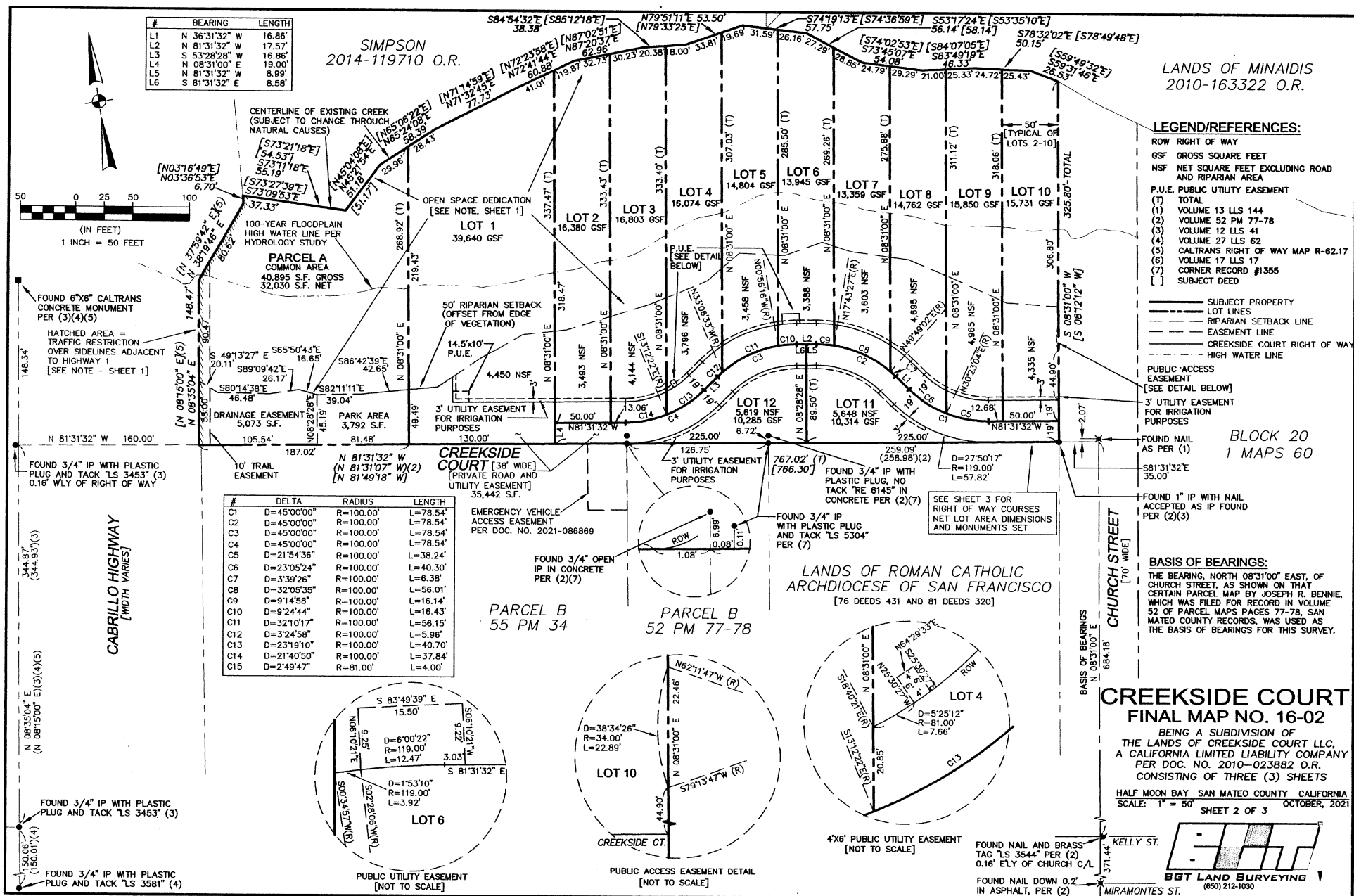
Bryan G. Taylor
BRYAN G. TAYLOR, L.S. #7551

**CREEKSIDE COURT
FINAL MAP NO. 16-02**

BEING A SUBDIVISION OF
THE LANDS OF CREEKSIDE COURT LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY
PER DOC. NO. 2010-023882 O.R.
CONSISTING OF THREE (3) SHEETS

HALF MOON BAY SAN MATEO COUNTY CALIFORNIA
SCALE: NONE SHEET 1 OF 3 OCTOBER, 2021







NOTES REGARDING THIS AMENDED MAP

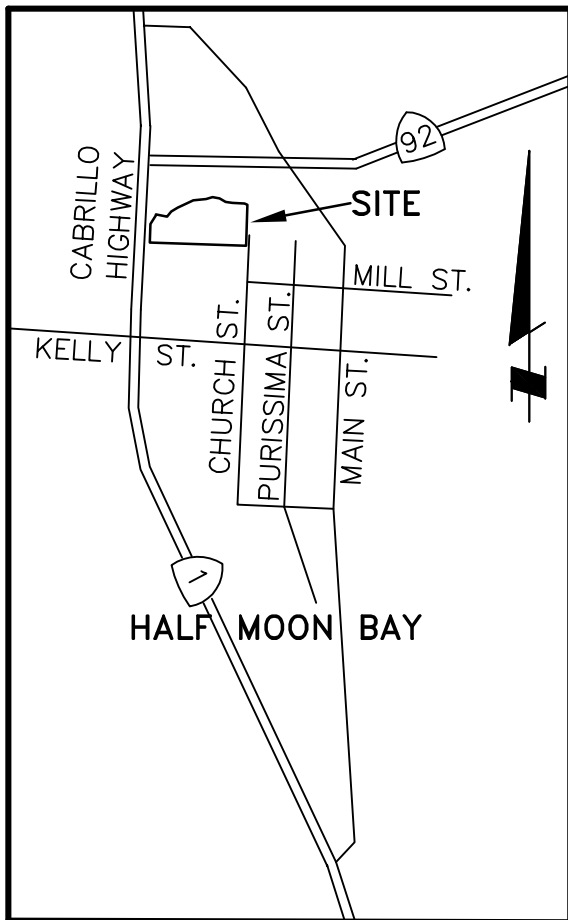
BY THE RECORDATION OF THIS MAP THE FOLLOWING ARE AMENDMENTS TO FINAL MAP 16-02, WHICH WAS FILED FOR RECORD ON DECEMBER 21, 2021, FILE NO. 2021-900225, IN VOLUME 144 OF MAPS, PAGES 5-7:

THE EASEMENT DEDICATIONS IN THE OWNERS STATEMENT ARE MODIFIED TO THE FOLLOWING:

- "CREEKSID COURT," A PRIVATE STREET, IS RESERVED FOR THE PURPOSES OF INGRESS/EGRESS, PUBLIC UTILITY, AND EMERGENCY VEHICLE ACCESS EASEMENTS.
- THE "3' UTILITY EASEMENT" FOR IRRIGATION PURPOSES HAS CHANGED TO A "PUBLIC UTILITY AND PEDESTRIAN ACCESS EASEMENT."
- THE GEOMETRY OF THE FORMER "3' UTILITY EASEMENT" HAS BEEN CHANGED IN TWO AREAS TO INCLUDE "BUMP OUTS" AS SHOWN ON THE FOLLOWING SHEETS.
- THE 14.5'X10' P.U.E. WITHIN LOT 1 HAS BEEN REMOVED
- A 10'X18' P.U.E. HAS BEEN CREATED IN THE PARK AREA, AS SHOWN ON SHEET 2 OF 3 HEREIN.
- A 5'X7' P.U.E. HAS BEEN CREATED IN LOT 2, AS SHOWN ON SHEET 2 OF 3 HEREIN.

THE "NOTES" PORTION OF SHEET 1 OF 3, WAS MODIFIED TO ADD THE INSTRUMENT NUMBER OF THE AFFORDABLE HOUSING RESTRICTION.

FEE OWNER: HMB COAST LLC, A LIMITED LIABILITY COMPANY



VICINITY MAP
(NOT TO SCALE)

CITY CLERK'S STATEMENT

I, JESSICA BLAIR, INTERIM CITY CLERK OF THE CITY OF HALF MOON BAY, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE CITY COUNCIL OF SAID CITY, ACTING AT ITS REGULAR MEETING HELD ON THE ____ DAY OF _____, 20____, AND THAT SAID COUNCIL ACCEPTED, SUBJECT TO IMPROVEMENTS, ON BEHALF OF THE PUBLIC, ALL PUBLIC EASEMENTS OFFERED FOR DEDICATION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF SAID CITY THIS ____ DAY OF _____, 2023.

JESSICA BLAIR
CITY CLERK

NOTES:

AN IRREVOCABLE OFFER TO DEDICATE THOSE AREAS LABELED AS OPEN SPACE, BEING THE AREA NORTHERLY OF THE 50' RIPARIAN SETBACK LINE, ACCEPTABLE TO THE EXECUTIVE DIRECTOR OF THE COASTAL COMMISSION, INCLUDING THE CITY OF HALF MOON BAY, FOR OPEN SPACE CONSERVATION AND FOR THE PURPOSES OF HABITAT RESTORATION, RECORDED AS INSTRUMENT NO. 2016-0409010.

SUBJECT PROPERTY SUBJECT TO DEED RESTRICTIONS PER DOCUMENTS 2016-040908 AND 2016-040909 O.R.

SUBJECT PROPERTY SUBJECT TO MITIGATION AND MONITORING PER DOCUMENT 2016-111462 O.R.

SUBJECT PROPERTY SUBJECT TO TRAFFIC RESTRICTION OVER THE SIDELINES TO HIGHWAY 1 AS SHOWN ON SHEETS 2 AND 3 OF THIS FINAL MAP.

AN AFFORDABLE HOUSING RESTRICTION OVER LOT 1 PER INSTRUMENT NO. 2021-154699.

A WAIVER OF CLAIMS FOR FREEWAY PER BOOK 2563 O.R. PAGE 573.

COUNTY RECORDER'S STATEMENT

FILED THIS ____ DAY OF _____, 20____, AT _____. M.
IN VOLUME _____ OF MAPS, AT PAGE(S) _____, AT THE REQUEST
OF BRYAN G. TAYLOR.

MARK CHURCH, SAN MATEO COUNTY RECORDER

FILE NO. _____

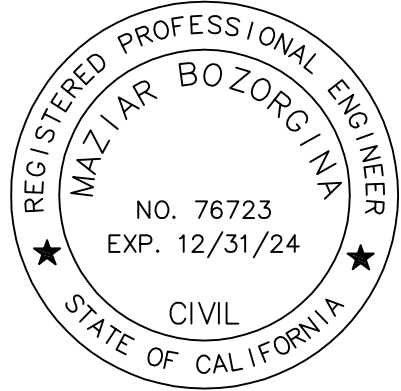
BY: _____

DEPUTY

FEE _____

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL THE PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT" AND OF THE LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH.



MAZIAR BOZORGINIA P.E.
RCE 76723
CITY ENGINEER

DATE _____

ACTING CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT.



DAVID C. FREYER
R.C.E. 30060
ACTING CITY SURVEYOR

DATE _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF EDGAR ALCALA IN NOVEMBER, 2022. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY, AND THAT ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.





BRYAN G. TAYLOR, L.S. #7551

APRIL 24, 2023

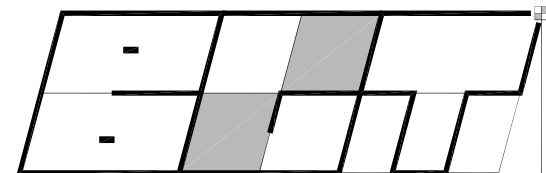
DATE _____

AMENDED MAP OF
CREEKSID COURT
FINAL MAP NO. 16-02

BEING A SUBDIVISION OF
THE LANDS OF HMB COAST LLC
A CALIFORNIA LIMITED LIABILITY COMPANY
PER DOC. NO. 2022-032317 O.R.
CONSISTING OF THREE (3) SHEETS

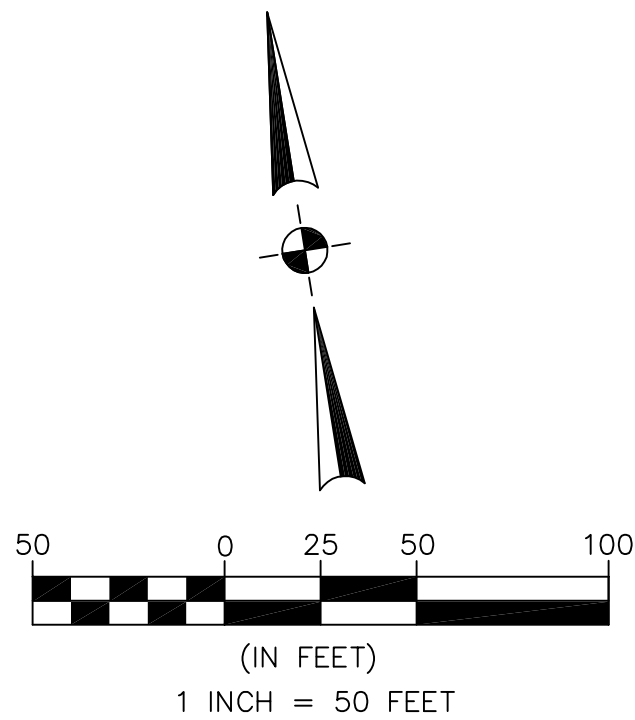
HALF MOON BAY SAN MATEO COUNTY CALIFORNIA
SCALE: NONE APRIL, 2023

SHEET 1 OF 3



BGT LAND SURVEYING

(650) 212-1030



HATCHED AREA =
TRAFFIC RESTRICTION
OVER SIDELINES ADJACENT
TO HIGHWAY 1
[SEE NOTE - SHEET 1]

CABRILLO HIGHWAY
[WIDTH VARIES]

SIMPSON
2014-119710 O.R.

CENTERLINE OF EXISTING CREEK
(SUBJECT TO CHANGE THROUGH
NATURAL CAUSES)

100-YEAR FLOODPLAIN
HIGH WATER LINE PER
HYDROLOGY STUDY

PARCEL A
COMMON AREA
40,895 S.F. GROSS
32,030 S.F. NET

LOT 1
39,640 GSF

LOT 2
16,380 GSF

LOT 3
16,803 GSF

LOT 4
16,074 GSF

LOT 5
14,804 GSF

LOT 6
13,945 GSF

LOT 7
13,359 GSF

LOT 8
14,762 GSF

LOT 9
15,850 GSF

LOT 10
15,731 GSF

LOT 11
5,648 NSF
10,314 GSF

LOT 12
5,619 NSF
10,285 GSF

PARCEL B
55 PM 34

CREEKSIDE COURT [38' WIDE]
PRIVATE ROAD, PUBLIC UTILITY
AND EMERGENCY VEHICLE
ACCESS EASEMENT - 35,442 S.F.

PARCEL B
52 PM 77-78

LANDS OF ROMAN CATHOLIC
ARCHDIOCESE OF SAN FRANCISCO
[76 DEEDS 431 AND 81 DEEDS 320]

SEE SHEET 2 FOR
CENTERLINE COURSES

EMERGENCY VEHICLE
ACCESS EASEMENT
PER DOC. NO. 2021-086869

LANDS OF MINAIDIS
2010-163322 O.R.

OWENS MORTGAGE
2014-119709 O.R.

LEGEND/REFERENCES:

- SET 1" IRON PIPE WITH PLASTIC PLUG AND TACK "LS 7551" (PIPES SET NEAR RIGHT OF WAY LINES ARE 5' FROM LOT INTERSECTIONS WITH RIGHT OF WAY)
- GSF GROSS SQUARE FEET
- (T) TOTAL
- (1) VOLUME 13 LLS 144
- (2) VOLUME 52 PM 77-78
- (3) VOLUME 12 LLS 41
- (4) VOLUME 27 LLS 62
- (5) CALTRANS RIGHT OF WAY MAP R-62.17
- (6) VOLUME 17 LLS 17
- (7) CORNER RECORD #1355
- [] SUBJECT DEED

- SUBJECT PROPERTY
- LOT LINES
- RIPARIAN SETBACK LINE
- EASEMENT LINE
- CREEKSIDE COURT RIGHT OF WAY
- HIGH WATER LINE

PUBLIC ACCESS
EASEMENT
[SEE DETAIL BELOW]

BLOCK 20
1 MAPS 60

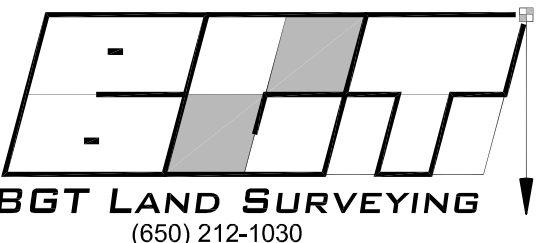
BASIS OF BEARINGS:

THE BEARING, NORTH 08°31'00" EAST, OF CHURCH STREET, AS SHOWN ON THAT CERTAIN PARCEL MAP BY JOSEPH R. BENNIE, WHICH WAS FILED FOR RECORD IN VOLUME 52 OF PARCEL MAPS PAGES 77-78, SAN MATEO COUNTY RECORDS, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

AMENDED MAP OF CREEKSIDE COURT FINAL MAP NO. 16-02

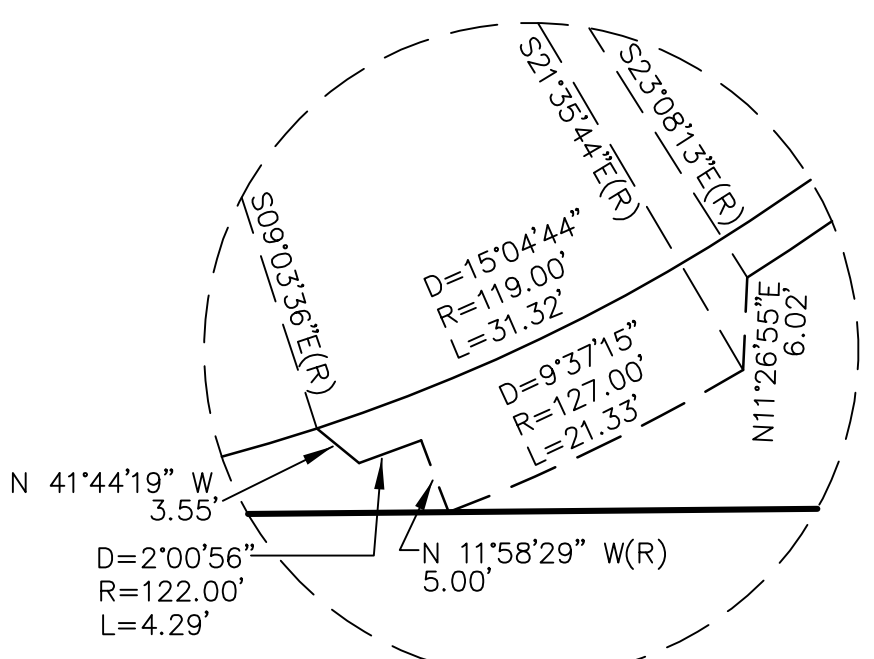
BEING A SUBDIVISION OF
THE LANDS OF HMB COAST LLC
A CALIFORNIA LIMITED LIABILITY COMPANY
PER DOC. NO. 2022-032317 O.R.
CONSISTING OF THREE (3) SHEETS

HALF MOON BAY SAN MATEO COUNTY CALIFORNIA
SCALE: 1" = 50' SHEET 3 OF 3 APRIL, 2023

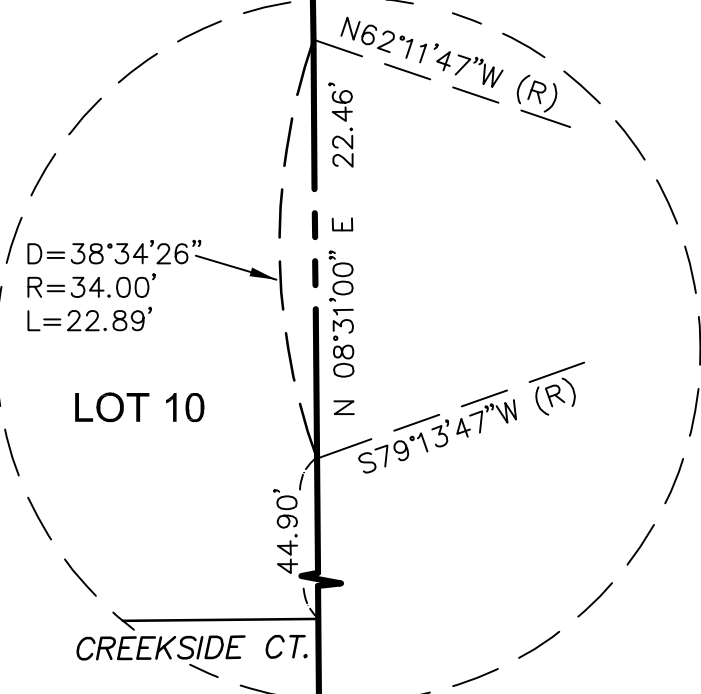


#	DELTA	RADIUS	LENGTH
C1	D=45°00'00"	R=119.00'	L=93.46'
C2	D=45°00'00"	R=81.00'	L=63.62'
C3	D=45°00'00"	R=119.00'	L=93.46'
C4	D=27°08'50"	R=81.00'	L=38.38'
C5	D=17°51'10"	R=81.00'	L=25.24'
C6	D=11°06'37"	R=119.00'	L=23.08'
C7	D=25°59'51"	R=119.00'	L=54.00'
C8	D=7°53'32"	R=119.00'	L=16.39'
C9	D=7°46'11"	R=119.00'	L=16.14'
C10	D=25°57'28"	R=119.00'	L=53.91'
C11	D=11°16'22"	R=119.00'	L=23.41'
C12	D=17°34'53"	R=81.00'	L=24.86'
C13	D=27°25'07"	R=81.00'	L=38.76'

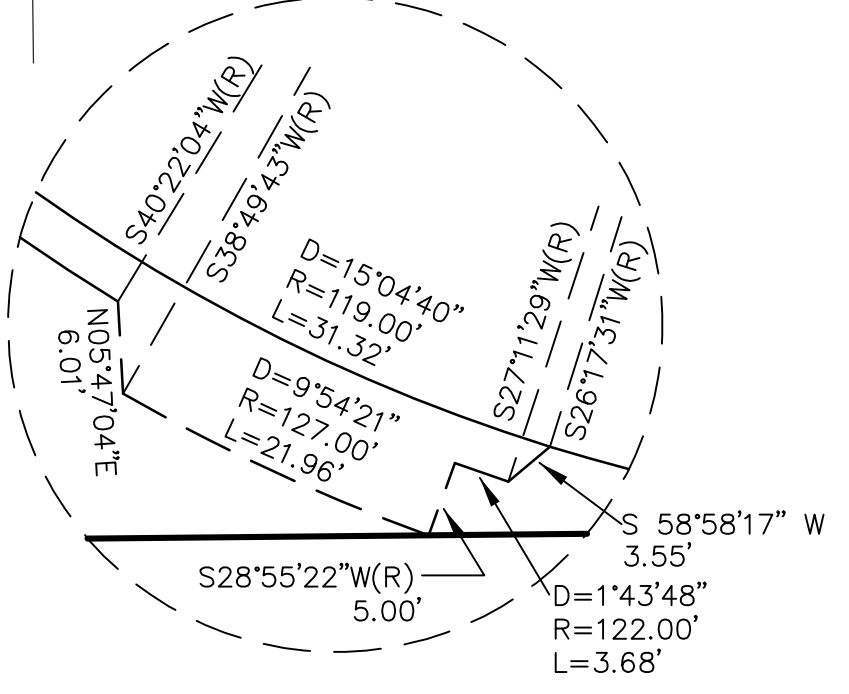
#	BEARING	LENGTH
L1	N 36°31'32" W	16.86'
L2	N 81°31'32" W	8.99'
L3	N 81°31'32" W	8.58'
L4	S 53°28'28" W	16.86'
L5	S 81°31'32" E	17.57'



"BUMP OUT" EASEMENT DETAIL
SEE SHEET 2 OF 3
[NOT TO SCALE]



PUBLIC ACCESS EASEMENT DETAIL
SEE SHEET 2 OF 3
[NOT TO SCALE]



"BUMP OUT" EASEMENT DETAIL
SEE SHEET 2 OF 3
[NOT TO SCALE]

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **May 2, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Jessica Blair, Communications Director/City Clerk

TITLE: **DISPLAY OF THE MENTAL HEALTH AWARENESS FLAG FOR THE MONTH OF MAY 2023 AT CITY HALL TO COMMEMORATE MENTAL HEALTH AWARENESS MONTH**

RECOMMENDATION:

Adopt a resolution authorizing display of the Mental Health Awareness Flag at City Hall for the month of May 2023.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

STRATEGIC ELEMENTS:

This recommendation supports the Inclusive Governance element of the Strategic Plan.

BACKGROUND:

In May 2020, the City Council formally adopted a flag policy which established that the City's flagpoles are not intended to be a forum for free expression by the public.

The adopted flag policy contains the following directives:

1. Flags shall be displayed in accordance with federal and state laws and regulations.
2. Authorizes the City Manager to order that the City flag be lowered to half-staff in honor of a City / County employee killed in the line of duty.
3. Commemorative or Ceremonial Flags:
 - Can only be displayed on the City Flag flagpole located at City Hall.
 - The display of any commemorative or ceremonial flags will be subject to Council approval by resolution and will serve as an expression of the City's official sentiments.
 - The City will not display a commemorative or ceremonial flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party.

Following a request to display a flag commemorating Mental Health Awareness Month, this proposed resolution is before the Council according to the policy adopted.

DISCUSSION:

The City Council of the City of Half Moon Bay wishes to express its support for mental health awareness in the United States, and specifically on the Coastsides.

National Mental Health Awareness Month provides an opportunity for communities to work together to bring awareness to and break through the stigma surrounding mental health illness. The display of the green mental health awareness flag serves to express the City's official support of the importance of mental health awareness.

Over the course of the month, the City will share Mental Health Mondays on social media and additional mental health resources on all communications channels.

ATTACHMENT:

Mental Health Awareness Flag Resolution

RESOLUTION NO. C-2023-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE
DISPLAY OF THE MENTAL HEALTH AWARENESS FLAG FOR THE MONTH OF MAY 2023 AT CITY
HALL TO COMMERORATE MENTAL HEALTH AWARENESS MONTH**

WHEREAS, the City Council of the City of Half Moon Bay wishes to express its support for mental health awareness in the United States, and specifically on the Coastside; and

WHEREAS, the display of the green mental health awareness flag serves to express the City's official support of the importance of mental health awareness; and

WHEREAS, the City's flagpoles are not intended to be a forum for free expression by the public; and

WHEREAS, the Mental Health Awareness Flag will be flown for the month of May 2022 at City Hall.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Half Moon Bay hereby authorizes the display of the Mental Health Awareness Flag on the City flagpole located in front of City Hall for the month of May 2023 in support of Mental Health Awareness month.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 2nd day of May 2023 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

Jessica Blair, City Clerk

Deborah Penrose, Mayor

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **May 2, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **RECEIPT OF LEGISLATIVE POSITION LETTER**

RECOMMENDATION:

Receive and file letter of support for Assembly Bill 1379.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

STRATEGIC ELEMENT:

This action supports the Inclusive Governance element of the Strategic Plan.

DISCUSSION:

Annually, the City adopts a Legislative Platform to allow staff to send position letters regarding various bills / issues of interest to the City. The 2023 Legislative Platform was adopted by the City Council on April 4, 2023. The platform provides staff direction and allows the City, on the Council's behalf, to respond in support of or opposition to bills and other legislative and administrative actions. The City Council has delegated its authority to the Mayor and / or City Manager to sign position letters consistent with the legislative platform. Townsend Public Affairs monitors legislation for the City and communicates frequently with staff on bills. Occasionally, the League of California Cities will send action alerts for bills affecting municipalities. Staff reviews those alerts as well and will take action on any that align with the City's Legislative Platform.

In the spirit of transparency, when position letters are sent by the City, staff will include them in a City Council agenda packet for viewing by the Council and the community.

ATTACHMENTS:

AB 1379 Support Letter



April 20, 2023

The Honorable Diane Papan
California State Assembly
1021 O Street, Suite 4220
Sacramento, CA 95814

Re: AB 1379 (Papan) Open meetings: local agencies: teleconferences City of Half Moon Bay – Letter of Support

Dear Assembly Member Papan:

On behalf of the City of Half Moon Bay, I write in support of your bill, AB 1379, which would require a legislative body electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, rather than at all teleconference locations. The bill would also remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Additionally, the bill would require the legislative body to have at least 2 meetings per year in which the legislative body's members are in person at a singular designated physical meeting location, amongst other provisions.

As we saw over the course of the pandemic, teleconferencing options for public meetings with modified posting requirements work and are an effective way of increasing participation and civic engagement while maintaining public safety. This bill is an exciting step to further explore the ways in which public meetings operate.

Thank you for your work on this topic, and again, I am pleased to support AB 1379.

Sincerely,

Deborah Penrose

Deborah Penrose
Mayor of Half Moon Bay

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **May 2, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Jill Ekas, Community Development Director
Mike Noce, Housing Coordinator

TITLE: **555 KELLY AVENUE AFFORDABLE HOUSING DEVELOPMENT – AMERICAN RESCUE PLAN ACT (ARPA) GRANT AGREEMENT WITH THE COUNTY OF SAN MATEO**

RECOMMENDATION:

Adopt a Resolution:

- 1) Authorizing the City Manager to execute a grant agreement between the City and the County of San Mateo (County), in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) in federal American Rescue Plan Act (ARPA) funds received by the County, for predevelopment expenses for an affordable housing development project (the Project) on City-owned land at 535 and 555 Kelly Avenue (the Site); and
- 2) Authorizing allocation of these ARPA funds from the City to Mercy Housing California (Developer) to support Project predevelopment activities; and
- 3) Authorizing the City Manager to execute a grant agreement between the City and the Developer, in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000), for the purpose of making these ARPA funds available to support predevelopment activities for the Project.

FISCAL IMPACT:

There is no fiscal impact to the City in accepting these ARPA funds from the County. City staff will, however, be tasked with disbursing these funds to the Developer during the Project predevelopment period. Staff will also administer the City's \$1 million Project predevelopment loan from the City's Affordable Housing Fund (AHF) that was approved at the February 21, 2023, City Council meeting.

STRATEGIC ELEMENT:

This action supports the *Healthy Communities and Public Safety*, and *Inclusive Governance* Elements of the Strategic Plan.

BACKGROUND:

The property located at 555 Kelly Avenue was purchased by the City in 2017. It is a rectangular parcel located south of the City's Ted Adcock Community Center (TACC) adjacent to Shoreline Station. The property contains a single-family home which has been vacant since prior to the City's acquisition of the property and is currently used for storage by the City. The property is approximately 6,200 square feet and abuts the City's parking lot located on the south side of the TACC at 535 Kelly Avenue. A year ago, the Community Development Director worked with the City's housing consultant to prepare a Request for Qualifications (RFQ) to solicit affordable housing development interest for the Site. The RFQ was released on February 15, 2022, and closed on May 23, 2022. The RFQ was posted on the City website at this [link](#).¹

The City received one proposal, submitted by a two-agency team comprised of Mercy Housing California and Ayudando Latinos A Soñar (ALAS). As originally proposed, the development included 40 units of affordable multi-family rental housing for senior farmworkers, as well as 2,050 square feet of space for a Farmworker Resource Center to be managed by ALAS. As proposed, the Developer will develop the property and deliver ongoing property management and resident services. ALAS will be a vital partner throughout the development process by supporting community outreach and marketing, in addition to operating the resource center once the project is complete.

At its October 4, 2022, meeting, the City Council adopted two resolutions. The first resolution declared the Site as "exempt surplus" land as required by the California Surplus Land Act (SLA). SLA obligates local agencies to make publicly owned land available for affordable housing before selling or leasing the property for other purposes. Local governments such as the City of Half Moon Bay, who plan to produce affordable housing via their own public bidding process, may declare property as exempt. The second resolution authorized the City Manager to execute an Exclusive Negotiations Agreement (ENA) between the City and Mercy Housing, the Developer.

In addition to City actions taken, the San Mateo County Board of Supervisors approved a resolution on October 4, 2022 allocating \$1,500,000 in State and Local Fiscal Recovery Funds it had received under the federal ARPA program to support the development of the Project serving local farmworkers impacted by the Covid-19 pandemic, and authorizing the County Executive, or designee, to enter into an agreement with the City to facilitate the County's contribution of these ARPA funds towards development of the Project.

On February 21, 2023, City Council adopted a resolution authorizing the City Manager to execute a predevelopment loan agreement between the City and the Developer, in an amount not to exceed \$1 million from the City's Affordable Housing Fund, to support predevelopment activities for the Project.

¹ [555 Kelly Avenue - Affordable Housing RFQ | Half Moon Bay, CA \(half-moon-bay.ca.us\)](#)

On March 27, 2023, the Developer and ALAS held a community meeting at the Half Moon Bay Library. The meeting was well-attended by about 65 participants who shared feedback on the project after a presentation by the applicant team. Based on responses from the initial stages of the community engagement process, certain preliminary changes have been made since the original proposal was submitted. These include changes to the building design, height, parking provisions, unit count, and unit size. The Developer anticipates submitting a preliminary application to the City in mid-May 2023 in order to obtain additional feedback on the proposed design concept prior to submitting a formal application for entitlements.

DISCUSSION:

By approving the resolution (Attachment 1), the City Council authorizes two separate, but related agreements to be executed by the City Manager. The City and County agreement accepts ARPA funds and allows the City to manage and distribute these funds. The second, similar grant agreement to be executed between the City and the Developer, facilitates the pass-through of these ARPA grant funds to support Project predevelopment work for specific activities, specified in Exhibit A to the resolution. The term “predevelopment” refers to the period of time prior to the start of construction during which various project-related planning, site investigation, community outreach, financing, entitlement review, and other development activities are carried out.

The Project as currently envisioned includes a mix of studios, one-bedroom, and a few two-bedroom units. The Project would target senior farmworker households with incomes in the following categories: Acutely Low-Income (15% of Area Median Income (AMI)), Extremely Low-Income (up to 30% AMI), and Very Low-Income (up to 50% AMI). Table 1, below, illustrates the maximum income, depending on household size, for each income category according to income limits released annually by the California Housing and Community Development Department (HCD) for San Mateo County. As in most affordable housing developments, households generally pay 30% or less of their annual income toward housing costs, including rent and utilities. Farmworkers are considered a special housing needs group due to their limited income and vulnerability to the high cost of market rate rents. Because of their anticipated extremely-low /acutely-low incomes, Mercy Housing and ALAS intend to seek rental subsidies to assist the tenants and provide additional stability, therefore preventing potential homelessness and overcrowded living conditions for this population.

Table 1: San Mateo County 2022 Income Limits (1 to 4 Person Households)

Income Category	Household Size and Income Limits			
	1	2	3	4
Acutely Low Income (15% AMI)	\$17,450	\$19,900	\$22,400	\$24,900
Extremely Low Income (30% AMI)	\$39,150	\$44,750	\$50,350	\$55,900
Very Low Income (50% AMI)	\$65,250	\$74,600	\$83,900	\$83,200
Median Income	\$116,200	\$132,800	\$149,400	\$166,000

Source: <https://www.hcd.ca.gov/docs/grants-and-funding/inc2k22.pdf>

Funding predevelopment activities provides critical-timing support to expedite project initiation. Predevelopment activities include tasks such as preparing a detailed predevelopment budget and preliminary financial analysis for the construction of the development; developing architectural plans and preliminary engineering; preparing soils and environmental reports; developing plans for the programming, unit mix, occupancy and affordability restrictions; and developing and implementing community outreach and engagement plans. The predevelopment stage leads to entitlements such as a coastal development permit. To plan and construct affordable housing that meets the needs of the lower-income populations described above, it is typical for affordable housing developers to seek multiple sources of financing and subsidies in order to achieve a financially feasible development.

Exhibit A to the Resolution provides a breakdown of predevelopment costs. As described above, the County has committed \$1.5 million in ARPA funds to the Project for predevelopment activities. If the City accepts these grant funds and makes them available for the Project, the combined amount of the ARPA grant funds and the City's \$1 million predevelopment loan would provide the necessary \$2.5 million in local funding needed to complete predevelopment work.

The Developer's financing proforma (Attachment 2) outlines a total City funding commitment of \$2 million, inclusive of the predevelopment loan amount, in addition to a long-term lease of the land. The Developer will seek additional funding from several sources - including low-income tax credits, State HCD funds, and the County - for the construction phase of the Project, estimated at \$33.7 million. The proforma indicates an ongoing annual operational subsidy of approximately \$500,000 will be needed upon completion of construction. This does not imply the City would provide this operating subsidy; however, the Developer is expected to secure financial appropriations to cover these expenses.

SUMMARY:

During the predevelopment phase of the Project, specific unit type/mix, site features and building design characteristics will be developed and reviewed to ensure site plans meet Project requirements. The Project will also involve expanding the Workforce Housing Overlay in the City's Certified Local Coastal Land Use Plan (LCLUP) and implementing an associated zoning amendment. Parking requirements will also need to be studied and addressed through the local Coastal Development Permit process. Staff will continue to evaluate the Project in relation to provisions outlined in the Local Coastal Land Use Plan, including the Workforce Housing Overlay that supports agriculture as a Coastal Act priority use. The future coastal development permit will be subject to review and approval by the Planning Commission following input from the Architectural Advisory Committee. Staff will continue to update the City Council regarding the Project and ongoing work efforts.

The cost of land, construction, and development fees are typically identified as constraints to producing below market rate (affordable) housing development. As previously mentioned, it is common for affordable housing development to rely on multiple funding sources and other

contributions to reach a financially feasible project. For this Project, the incomes of the resident population will be in the lowest income categories, increasing the need for the Developer to secure local financial support as well as other financing such as tax credits. Should the City accept the County ARPA grant funds allocated by the County for the Project, these funds, together with the approved City predevelopment loan, will be sufficient to cover anticipated Project predevelopment costs.

ATTACHMENTS:

1. Resolution
Exhibit A. Developer Predevelopment Costs
2. Developer Project Financing Proforma

Resolution No. C-2023-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY TO AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE COUNTY OF SAN MATEO AND MERCY HOUSING CALIFORNIA TO ACCEPT AND ALLOCATE FEDERAL AMERICAN RESCUE PLAN FUNDS FOR PREDEVELOPMENT EXPENSES FOR AN AFFORDABLE HOUSING PROJECT AT 535 AND 555 KELLY AVENUE IN HALF MOON BAY FOR LOCAL FARMWORKER HOUSEHOLDS

WHEREAS, the City of Half Moon Bay (City) owns two parcels located at 555 Kelly Avenue and 535 Kelly Avenue. (Assessor Parcel Numbers 056-150-200 and 056-150-220); and

WHEREAS, the City wishes to create an affordable housing site using the entire property located at 555 Kelly Avenue and a portion of the property located at 535 Kelly Avenue; and

WHEREAS, on February 15, 2022 the City issued a Request for Qualifications (RFQ) for the development of affordable housing on the Site that may target a range of affordable housing types and underserved populations; and

WHEREAS, Mercy Housing California (Mercy Housing), in partnership with Ayudando Latinos A Soñar (ALAS), a nonprofit organization with deep ties to the farmworker community, submitted a response to the RFQ proposing construction of an affordable farmworker housing development consisting of approximately 40 residential units and associated amenities as well as a farmworker resource center serving the local community (the Project); and

WHEREAS, on November 3, 2022, the City entered into an Exclusive Negotiations Agreement with Mercy Housing to enable Mercy Housing's affiliate, Mercy Housing California 110, L.P., a California limited partnership (Developer) to carry out predevelopment and development activities associated with the Project; and

WHEREAS, on February 21, 2023, the City approved a predevelopment loan for the Project using funds from the City's Affordable Housing Fund, in an amount not to exceed One Million Dollars, to assist the Developer with necessary Project predevelopment activities; and

WHEREAS, since its emergence in early 2020, the COVID-19 pandemic has negatively impacted public health and the economy on a global scale, in the country and in San Mateo County; and

WHEREAS, the County received State and Local Fiscal Recovery Funds under the federal American Rescue Plan Act (ARPA) which can be used among other applications to respond to the public health emergency and its negative economic impacts; and

WHEREAS, households earning less than 65% of the Area Median Income (AMI) in the County have been impacted by the pandemic and its negative economic consequences,

including farmworker households in Half Moon Bay who are at or below this income level and for whom a lack of affordable housing has been exacerbated by the pandemic; and

WHEREAS, the Project will serve local farmworker households with extremely low income (30% of AMI) or low income (50% of AMI); and

WHEREAS, the County, by resolution of its Board of Supervisors on October 4, 2022, has authorized an allocation of ARPA funds in the amount of \$1,500,000 (the ARPA Funds) to support predevelopment and development work for the Project; and

WHEREAS, the City wishes to accept the County's allocation of ARPA funds and re-allocate these funds to the Developer in order to support predevelopment and development work for the Project.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay finds the above recitals to be true and correct and are a substantive part of this Resolution; and

BE IT FURTHER RESOLVED THAT, the City Council of the City of Half Moon Bay hereby authorizes the City Manager to execute grant agreements with the County of San Mateo and Mercy Housing California in an amount not to exceed One Million Five Hundred Thousand Dollars in ARPA funds, to support predevelopment activities in substantial conformity to activities presented in Exhibit A and to allocate these funds for an affordable housing project on City-owned property located at 555 Kelly Avenue and 535 Kelly Avenue.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 2nd day of May, 2023, by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

Jessica Blair, City Clerk

Deborah Penrose, Mayor

PREDEVELOPMENT COSTS

PROJECT NAME:	555 Kelly
FINANCE TYPE:	9%/Serna
ADDRESS:	555 Kelly
HOUSING TYPE:	Senior
COUNTY:	San Mateo
SPONSOR:	Mercy Housing California/ALAS

Total Project Cost County of San Mateo City of Half Moon Bay

ACQUISITION

Total Land Cost or Value

Total Building Cost or Value

TOTAL ACQUISITION

-

-

CONSTRUCTION / REHABILITATION

Off-Site Improvements

Demolition

Site Work/Landscape/Surface parking

Structures

Tenant Improvements

Garages/Structured Parking

Contractor Profit

Contractor Overhead

Design/Escalation Contingency

TOTAL NEW CONSTRUCTION

-

ARCHITECTURAL FEES

1,014,296

1,014,296

-

TOTAL SURVEY and ENGINEERING

60,000

60,000

-

ENVIRONMENTAL MITIGATION

CONST. INTEREST & FEES

Const. Loan Interest

Bond Issuance

Origination Fee

Taxes During Construction

Performance Bond Premium

Lender Inspections

Title and Recording

Builders Risk Insurance

Contractor Insurance

TOTAL CONST. INTEREST & FEES

-

PERMANENT FINANCING

Loan Origination Fee

Title and Recording

Other

TOTAL PERMANENT FINANCING

-

OTHER FINANCING RELATED

TCAC App/Alloc/Monitor Fees

TOTAL OTHER FINANCING

-

PREDEVELOPMENT COSTS

LEGAL FEES

Constr. Related (includes lender legal)	60,000	60,000	0
Perm. Related (includes lender legal)			
TOTAL LEGAL FEES	60,000	60,000	-

RESERVES

Capitalized Operating			
Capitalized Lease Up Reserve			
Capitalized Section 8 Transition Reserve			
Capitalized Commercial Commission/Lease Up Reserve			
Capitalized Replacement			
TOTAL RESERVES	-		

CONTINGENCIES

Construction Contingency			
Soft Cost Contingency	227,273	-	227,273
TOTAL CONTINGENCIES	227,273	-	227,273

PERMITS & GOV. FEES

school impact fee			
other impact fees	510,040		510,040
building permit, plan check, other fees	428,391	165,704	262,687
Capital Fees (utility fees & hook-up charges)	-		
TOTAL PERMITS & FEES	938,431	165,704	772,727

THIRD PARTY REPORTS

Environmental Reports	50,000	50,000	-
Appraisal	25,000	25,000	-
Market Study	10,000	10,000	-
Title/Escrow/Closing	10,000	10,000	-
TOTAL THIRD PARTY REPORTS	95,000	95,000	-

OTHER OWNER COSTS

Financial Consultant	25,000	25,000	-
Cost Cert/Accounting			
Construction Mang./Oversight/Testing	80,000	80,000	-
TOTAL OTHER OWNER COSTS	105,000	105,000	-

MANAGEMENT COSTS

Marketing/Leasing			
Relocation Expenses			
Site and Interior Furnishings (Mgmt Start -Up)			
TOTAL MANAGEMENT COSTS	-		

SUBTOTAL	2,500,000	1,500,000	1,000,000
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DEVELOPER COSTS

Developer Fee			
TOTAL DEVELOPER COSTS	-		

TOTAL SYNDICATION COSTS

TOTAL PREDEVELOPMENT COST	2,500,000	1,500,000	1,000,000
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SOURCES AND USES

PROJECT NAME:	555 Kelly
FINANCE TYPE:	9%/Serna
ADDRESS:	555 Kelly
HOUSING TYPE:	Senior
COUNTY:	San Mateo
SPONSOR:	Mercy Housing California/ALAS

<u>CONSTRUCTION SOURCES OF FUNDS</u>	Amount	Per Unit	% of TDC
Bank Construction Loan	26,362,173	659,054	78%
N/A	-	-	0%
Tax Credit Equity	3,393,374	84,834	10%
AHP	-	-	0%
Serna	-	-	0%
San Mateo County	1,500,000	37,500	4%
Half Moon Bay	2,000,000	50,000	6%
Land/Building Donation	-	-	0%
Expenses Paid at Conversion to Perm	501,906	12,548	1%
TOTAL CONSTRUCTION SOURCES	33,757,453	843,936	100%

<u>PERMANENT SOURCES OF FUNDS</u>	Amount	Per Unit	% of TDC
Conventional Amortizing Loan	1,576,613	39,415	5%
Section 8 Backed Mortgage	-	-	0%
Tax Credit Equity	22,622,494	565,562	67%
AHP		-	0%
Serna	4,558,346	113,959	14%
San Mateo County	1,500,000	37,500	4%
San Mateo County ARPA	1,500,000	37,500	4%
Half Moon Bay	2,000,000	50,000	6%
Land/Building Donation		0	0%
GP Contributions			
Deferred Dev. Fee		-	0%
GP Equity	-	-	0%
TOTAL PERMANENT SOURCES	\$ 33,757,453	\$ 843,936	100%

<u>USES OF FUNDS</u>			
Acquisition	-	-	0.0%
Hard Costs	21,726,186	543,155	64.4%
Architectural	1,086,309	27,158	3.2%
Engineering	150,000	3,750	0.4%
Constr. Int and Fees	2,508,330	62,708	7.4%
Permanent Financing	60,766	1,519	0.2%
Legal	60,000	1,500	0.2%
Reserves	771,072	19,277	2.3%
Contingencies	2,789,671	69,742	8.3%
Other Costs	2,305,119	57,628	6.8%
Developer Costs	2,200,000	55,000	6.5%
Syndication	100,000	2,500	0.3%
TOTAL USES	33,757,453	843,936	100.0%

SURPLUS/GAP	\$	(0)	\$	(0)
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UNIT MIX

PROJECT NAME: 555 Kelly
FINANCE TYPE: 9%/Serna
ADDRESS: 555 Kelly
HOUSING TYPE: Senior
COUNTY: San Mateo
SPONSOR: Mercy Housing California/ALAS

MAX RENT (Gross per month; assume 1.5 persons/bdrm)		UNITS AT < 81% AMI (LIHTC UNITS)					UNITS AT >81% AMI					Market Rents
LIHTC Income Level		30%	40%	50%	60%	80%	90%	110%	120%	130%		
		AMI	AMI	AMI	AMI	AMI	AMI	AMI	AMI	AMI		
N/A		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
		AMI	AMI	AMI	AMI	AMI	AMI	AMI	AMI	AMI		
Studio/Efficiency		978	1,304	1,631	1,957	2,609	2,935	3,588	3,914	4,240		
1 Bdrm		1,048	1,398	1,748	2,097	2,796	3,146	3,845	4,195	4,544		
2 Bdrm		1,258	1,677	2,097	2,516	3,355	3,774	4,613	5,032	5,452		
3 Bdrm		1,453	1,938	2,423	2,907	3,876	4,361	5,330	5,815	6,299		
4 Bdrm		2,521	3,362	4,203	5,043	6,724	7,565	9,246	10,087	10,927		
5 Bdrm		1,789	2,386	2,983	3,579	4,772	5,369	6,562	7,159	7,755		

			UNITS AT < 81% AMI (LIHTC UNITS)					UNITS AT >81% AMI								
APARTMENT MIX	# of Apts	Sq. Ft. Per Apt	30%	40%	50%	60%	80%	90%	110%	120%	130%	Market Rate		Unit Type Distribution	Apportionment (hide)	units (hide)
			AMI	AMI	AMI	AMI	AMI	AMI	AMI	AMI	AMI	AMI				
SRO/Efficiency	31	386	31	0	0	0	0	0	0	0	0	0	0	77.5%	78%	31
1 Bdrm	8	641	8	0	0	0	0	0	0	0	0	0	0	20.0%	22%	8
2 Bdrm	0	850	0	0	0	0	0	0	0	0	0	0	0	0.0%	0%	0
3 Bdrm	0	1100	0	0	0	0	0	0	0	0	0	0	0	0.0%	0%	0
4 Bdrm	0		0	0	0	0	0	0	0	0	0	0	0	0.0%	0%	0
5 Bdrm	0		0	0	0	0	0	0	0	0	0	0	0	0.0%		0
Manager Unit	1	641												2.5%		1
TOTAL	40		39	0	0	0	0	0	0	0	0	0	0	100.0%		40
% of units			100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	Avg LIHTC Affordability=30% N/A		
			Passes Affordability Test													
			100%													
Target Apportionment (hide)			99%	0%		1%		0%		0%	0%	0%	0%			
target units (hide)			40	0	0	-1	0	0	0	0	0	0	0			

RENT SCHEDULE									SPECIAL NEEDS UNITS / RENT SUBSIDY						
Income Restriction	Unit Type	# of Apts	Sq. Ft.	Sq. Ft.	Gross	Util	Effective	Total	Percent of Units		98%		39		Total Annual Subsidy
			Per Apt	Total	Rent	Allow	Rent	Ann'l Rent	# of Apts	FMR /Contract Rent	Utility Allowance	Effective Contract Rent	Subsidy PUPM		
30% of AMI	SRO/Efficiency	31	386	11,966	978	50	928	345,216	31	2,115	2,115	50	2,065	1,137	422,964
	1 Bdrm	8	641	5,128	1,048	74	974	93,504	8	2,631	2,631	74	2,557	1,583	151,968
	2 Bdrm	-	850	-	1,258	66	1,192	-	-	1,663	1,663	66	1,597	-	-
	3 Bdrm	-	1,100	-	1,453	86	1,367	-	-	2,231	2,231	86	2,145	-	-
	4 Bdrm	-	-	-	2,521	95	2,426	-	-	1,500	1,500	95	1,405	-	-
	5 Bdrm	-	-	-	1,789	95	1,694	-	-	1,500	1,500	95	1,405	-	-
Manager Unit		1	641	641				-						-	
TOTAL		40		17,735	\$38,702	\$2,142	\$36,560	\$438,720	39		116400			574,932	\$1,013,652

DEVELOPMENT COSTS

PROJECT NAME:	555 Kelly
FINANCE TYPE:	9%/Serna
ADDRESS:	555 Kelly
HOUSING TYPE:	Senior
COUNTY:	San Mateo
SPONSOR:	Mercy Housing California/ALAS

			COST APPORTIONMENT			TAX CREDIT ELIGIBLE	
				94.0%	6.0%		
	unit cost	Total Project Cost	Residential	Non-Residential	Non-Basis Eligible	Acquisition	Constr/Rehab
ACQUISITION							
Total Land Cost or Value			-	-	-		
Total Building Cost or Value		-	-	-	-	-	
TOTAL ACQUISITION		-	-	-	-	-	-
CONSTRUCTION / REHABILITATION							
Off-Site Improvements		50,000	46,993	3,007	3,007		46,993
Demolition		-	-	-	-		
Site Work/Landscape/Surface parking		-	-	-	-		-
Structures		17,634,736	16,574,287	1,060,449	1,060,449		16,574,287
Tenant Improvements		-	-	-	-		
Garages/Structured Parking		-	-	-	-		-
Contractor Profit	4.0%	715,618	672,585	43,033	43,033		672,585
Contractor Overhead	2.6%	465,151	437,180	27,971	27,971		437,180
Design/Escaltion Contingency	15.0%	2,860,681	2,688,657	172,024	172,024		2,688,657
TOTAL NEW CONSTRUCTION		21,726,186	20,419,702	1,306,485	1,306,485	-	20,419,702
ARCHITECTURAL FEES	5.0%	1,086,309	1,020,985	65,324	65,324		1,020,985
TOTAL SURVEY and ENGINEERING		125,000	117,483	7,517	7,517		117,483
ENVIRONMENTAL MITIGATION		25,000	23,497	1,503	1,503		23,497
CONST. INTEREST & FEES							
Const. Loan Interest		1,676,415	1,575,605	100,810	616,630		1,059,785
Bond Issuance		-	-	-	-		
Origination Fee	0.75%	197,716	185,827	11,889	197,716		
Taxes During Construction	1.25%	-	-	-	-		-
Performance Bond Premium	1.00%	217,262	204,197	13,065	13,065		204,197
Lender Inspections		15,000	14,098	902	902		14,098
Title and Recording		30,000	28,196	1,804	1,804		28,196
Builders Risk Insurance	0.50%	116,233	109,244	6,990	6,990		109,244
Contractor Insurance	1.45%	255,704	240,327	15,377	15,377		240,327
TOTAL CONST. INTEREST & FEES		2,508,330	2,357,494	150,836	852,483	-	1,655,847
PERMANENT FINANCING							
Loan Origination Fee	1.00%	15,766	14,818	948	15,766		
Title and Recording		20,000	18,797	1,203	20,000		
Other		25,000	23,497	1,503	25,000		
TOTAL PERMANENT FINANCING		60,766	57,112	3,654	60,766	-	-
OTHER FINANCING RELATED							
TCAC App/Alloc/Monitor Fees	4%	109,689	109,689		109,689		
TOTAL OTHER FINANCING		109,689	109,689	-	109,689	-	-
LEGAL FEES							
Constr. Related (includes lender legal)		35,000	32,895	2,105	2,105		32,895
Perm. Related (includes lender legal)		25,000	23,497	1,503	25,000		
TOTAL LEGAL FEES		60,000	56,392	3,608	27,105	-	32,895
RESERVES							
Capitalized Operating	3 months	196,140	196,140		196,140		
Capitalized Lease Up Reserve			-		-		
Capitalized Section 8 Transition Reserve		574,932	574,932		574,932		
Capitalized Commercial Commission/Lease Up Reserve				-	-		
Capitalized Replacement			-	-	-		
TOTAL RESERVES		771,072	771,072	-	771,072	-	-
CONTINGENCIES							
Construction Contingency	10%	2,172,619	2,041,970	130,648	130,648		2,041,970
Soft Cost Contingency	10%	617,052	579,946	37,106	37,106		579,946
TOTAL CONTINGENCIES		2,789,671	2,621,917	167,754	167,754	-	2,621,917
PERMITS & GOV. FEES							
school impact fee	-	-	-		-		-
other impact fees		510,040	479,369	30,671	30,671		479,369
building permit, plan check, other fees		428,391	402,630	25,761	25,761		402,630
Capital Fees (utility fees & hook-up charges)		791,999	744,373	47,626	47,626		744,373
TOTAL PERMITS & FEES		1,730,430	1,626,372	104,058	104,058	-	1,626,372
THIRD PARTY REPORTS							
Environmental Reports		50,000					
Appraisal		25,000	23,497	1,503	1,503		23,497

DEVELOPMENT COSTS

Market Study		15,000					
Title/Escrow/Closing		10,000	9,399	601	10,000		
TOTAL THIRD PARTY REPORTS		100,000	32,895	2,105	11,503	-	23,497
OTHER OWNER COSTS							
Financial Consultant		30,000	28,196	1,804	1,804		28,196
Cost Cert/Accounting		30,000	28,196	1,804	30,000		
Construction Mang./Oversight/Testing		145,000	136,281	8,719	8,719		136,281
TOTAL OTHER OWNER COSTS		205,000	192,673	12,327	40,523	-	164,477
MANAGEMENT COSTS							
Marketing/Leasing	\$1,500	60,000	56,392	3,608	3,608		56,392
Relocation Expenses					-		-
Site and Interior Furnishings (Mgmt Start -Up)		100,000	93,987	6,013	100,000		
TOTAL MANAGEMENT COSTS		160,000	150,379	9,621	103,608	-	56,392
SUBTOTAL		31,457,453	29,557,660	1,834,793	3,629,390	-	27,763,063
DEVELOPER COSTS							
Developer Fee		2,200,000	2,067,705	132,295	132,295	\$0	\$2,067,705
TOTAL DEVELOPER COSTS		2,200,000	2,067,705	132,295	132,295	-	2,067,705
TOTAL SYNDICATION COSTS		100,000	93,987	6,013	100,000		
TOTAL PROJECT COST		33,757,453	31,719,352	1,973,102	3,861,685	-	29,830,768
GRAND TOTAL DEVELOPMENT COSTS		\$33,757,453					

PREDEVELOPMENT COSTS

PROJECT NAME: 555 Kelly
FINANCE TYPE: 9%/Serna
ADDRESS: 555 Kelly
HOUSING TYPE: Senior
COUNTY: San Mateo
SPONSOR: Mercy Housing California/ALAS

Total Project Cost County of San Mateo City of Half Moon Bay

ACQUISITION

Total Land Cost or Value
 Total Building Cost or Value
TOTAL ACQUISITION

-

CONSTRUCTION / REHABILITATION

Off-Site Improvements
 Demolition
 Site Work/Landscape/Surface parking
 Structures
 Tenant Improvements
 Garages/Structured Parking
 Contractor Profit
 Contractor Overhead
 Design/Escalation Contingency
TOTAL NEW CONSTRUCTION

-

ARCHITECTURAL FEES
TOTAL SURVEY and ENGINEERING
ENVIRONMENTAL MITIGATION

1,014,296
 60,000

1,014,296
 60,000

-

CONST. INTEREST & FEES

Const. Loan Interest
 Bond Issuance
 Origination Fee
 Taxes During Construction
 Performance Bond Premium
 Lender Inspections
 Title and Recording
 Builders Risk Insurance
 Contractor Insurance
TOTAL CONST. INTEREST & FEES

-

PERMANENT FINANCING

Loan Origination Fee
 Title and Recording
 Other
TOTAL PERMANENT FINANCING

-

OTHER FINANCING RELATED

TCAC App/Alloc/Monitor Fees
TOTAL OTHER FINANCING

-

PREDEVELOPMENT COSTS

LEGAL FEES

Constr. Related (includes lender legal)	60,000	60,000	0
Perm. Related (includes lender legal)			
TOTAL LEGAL FEES	60,000	60,000	-

RESERVES

Capitalized Operating			
Capitalized Lease Up Reserve			
Capitalized Section 8 Transition Reserve			
Capitalized Commercial Commission/Lease Up Reserve			
Capitalized Replacement			
TOTAL RESERVES	-		

CONTINGENCIES

Construction Contingency			
Soft Cost Contingency	227,273	-	227,273
TOTAL CONTINGENCIES	227,273	-	227,273

PERMITS & GOV. FEES

school impact fee			
other impact fees	510,040		510,040
building permit, plan check, other fees	428,391	165,704	262,687
Capital Fees (utility fees & hook-up charges)	-		
TOTAL PERMITS & FEES	938,431	165,704	772,727

THIRD PARTY REPORTS

Environmental Reports	50,000	50,000	-
Appraisal	25,000	25,000	-
Market Study	10,000	10,000	-
Title/Escrow/Closing	10,000	10,000	-
TOTAL THIRD PARTY REPORTS	95,000	95,000	-

OTHER OWNER COSTS

Financial Consultant	25,000	25,000	-
Cost Cert/Accounting			
Construction Mang./Oversight/Testing	80,000	80,000	-
TOTAL OTHER OWNER COSTS	105,000	105,000	-

MANAGEMENT COSTS

Marketing/Leasing			
Relocation Expenses			
Site and Interior Furnishings (Mgmt Start -Up)			
TOTAL MANAGEMENT COSTS	-		

SUBTOTAL	2,500,000	1,500,000	1,000,000
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DEVELOPER COSTS

Developer Fee			
TOTAL DEVELOPER COSTS	-		

TOTAL SYNDICATION COSTS

TOTAL PREDEVELOPMENT COST	2,500,000	1,500,000	1,000,000
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FINANCING

PROJECT NAME:	555 Kelly
FINANCE TYPE:	9%/Serna
ADDRESS:	555 Kelly
HOUSING TYPE:	Senior
COUNTY:	San Mateo
SPONSOR:	Mercy Housing California/ALAS

First Mortgage Terms	
Rate	6.50%
Amortization	20
Term	20
Minimum DSCR	1.15
Maximum Debt Service	282,115
Maximum Loan Amount	\$3,153,226
Actual Loan Amount	\$1,637,389

Section 8 Mortgage Terms	
Rate	6.50%
Amortization	15
Term	15
Minimum DSCR	1.15
Maximum Debt Service	-
Maximum Loan Amount	\$0
Actual Loan Amount	\$0

CONSTRUCTION PERIOD INTEREST CALCULATION	Construction	Lease-up/Conversion	Taxable Tail	Lease-up/Conversion
Total Development Cost	33,757,453		33,757,453	
Conventional construction loan amt	26,362,173	26,362,173	-	-
LTC	1		-	
Months outstanding	18	4	18	4
Average % outstanding	50%	100%	50%	100%
Rate	5.9%	5.9%	5.0%	5.9%
Total Interest Estimate	1,160,595	515,820	0	0

50% Bond Test		CDLAC Allocation Test	
Tax Exempt Financing	-	Total Limit	20,534,000
Depreciable Basis + Acquisition	\$29,830,768	Passes?	Yes
Ratio	0%		

				Constr/Rehab
TAX CREDIT EQUITY CALCULATION				
Basis				29,830,768
Deduct grant amounts				
Eligible Basis				29,830,768
Threshold Basis Limits		# of units		Basis
	Studio	440,028	31	13,640,868
	1 Bdrm	507,348	8	4,058,784
	2 Bdrm	612,000	0	0
	3 Bdrm	783,360	0	0
	4 Bdrm	872,712	0	0
	5 Bdrm	390,154	0	0
	MGR	507,348	1	507,348
	Total		40	18,207,000
Threshold Basis Limit Adjustments				
Prevailing Wage			20%	3,641,400
Structured Parking			10%	0
Daycare			2%	0
100% special needs			2%	0
Elevator			10%	1,820,700
Type I Construction			15%	0
Type III Construction			10%	0
Energy efficiency/resource conservation/indoor air quality			0%	0
Seismic Upgrades or Environmental Mitigation			0%	
Affordability Adjustment (4% projects only)			200%	-
Add Impact Fees				479,369
Opportunity Map High or Highest Resource Area			0%	-
Adjusted Theshold Basis Limits				24,148,469
Allowable Basis (Lesser of Actual or Adjusted Basis Limits)				24,148,469
Voluntary Reduction			17%	4,215,000
Effective Reduction				4,215,000
Total Requested Unadjusted Eligible Basis				19,933,469
High Cost Area Adjustment (DDA or QCT)			30%	5,980,041
Total Adjusted Eligible Basis				25,913,510
Applicable Fraction			100%	25,913,510
Total Qualified Basis				25,913,510
Credit Reduction			0%	0
Final Basis Amount				25,913,510
LIHTC Credit Rate			9.00%	9.00%
LIHTC Credit				2,332,216
10 year value				23,322,159
Net raise \$/ Tax Credit			0.97	0.97
Federal Credit Equity				22,622,494
State Credit				0
State Credit \$/credit				0.80
State Credit Equity				0
Total Net Equity to Project				22,622,494

CASH FLOW

PROJECT NAME:

FINANCE TYPE:

ADDRESS:

HOUSING TYPE:

COUNTY:

SPONSOR:

555 Kelly

9%/Serna

555 Kelly

Senior

San Mateo

Mercy Housing California/ALAS

	Inflation	Initial Year												
	Factor	Per Month	Per Unit	1	2	3	4	5	6	7	8	9	10	11
POTENTIAL GROSS INCOME														
Resident Rent	2.5%	36,560	10,968	438,720	449,688	460,930	472,453	484,265	496,371	508,781	521,500	534,538	547,901	561,599
Rent Subsidy	2.5%	47,911	14,373	574,932	589,305	604,038	619,139	634,617	650,483	666,745	683,413	700,499	718,011	735,962
LOSP Tenant Assistance Payments				-	-	-	-	-	-	-	-	-	-	-
Commercial	1.0%	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Income	2.5%	200	60	2,400	2,460	2,522	2,585	2,649	2,715	2,783	2,853	2,924	2,997	3,072
POTENTIAL GROSS INCOME		84,671	25,401	1,016,052	1,041,453	1,067,490	1,094,177	1,121,531	1,149,570	1,178,309	1,207,767	1,237,961	1,268,910	1,300,632
VACANCY LOSS														
Resident	5.0%	(1,828)	(548)	(21,936)	(22,484)	(23,047)	(23,623)	(24,213)	(24,819)	(25,439)	(26,075)	(26,727)	(27,395)	(28,080)
Rent Subsidy	5.0%	(2,396)	(719)	(28,747)	(29,465)	(30,202)	(30,957)	(31,731)	(32,524)	(33,337)	(34,171)	(35,025)	(35,901)	(36,798)
Commercial	25.0%	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Vacancy Loss		(4,224)	(1,267)	(50,683)	(51,950)	(53,248)	(54,580)	(55,944)	(57,343)	(58,776)	(60,246)	(61,752)	(63,296)	(64,878)
EFFECTIVE GROSS INCOME		80,447	24,134	965,369	989,504	1,014,241	1,039,597	1,065,587	1,092,227	1,119,533	1,147,521	1,176,209	1,205,614	1,235,754
OPERATING EXPENSES	3.5%	(49,910)	(14,973)	(598,920)	(619,882)	(641,578)	(664,033)	(687,274)	(711,329)	(736,226)	(761,993)	(788,663)	(816,266)	(844,836)
GROUND LEASE PAYMENTS														
NET OPERATING INCOME		30,537	9,161	366,449	369,621	372,663	375,564	378,313	380,898	383,307	385,527	387,546	389,348	390,919
RESERVES														
Replacement Reserve		(1,667)	(500)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
Operating Reserve		-	-											
Total Reserve Deposits		(1,667)	(500)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
INCOME BEFORE DEBT SERVICE		28,871	8,661	346,449	349,621	352,663	355,564	358,313	360,898	363,307	365,527	367,546	369,348	370,919
DEBT SERVICE				2.09	2.11	2.13	2.15	2.16	2.18	2.19	2.21	2.22	2.23	2.24
First Mortgage		(12,208)	(3,662)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)
HCD/Other Debt Service		(1,595)	(479)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)
Bond Monitoring Fee														
Total Debt Service		(13,803)	(4,141)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)
NET CASH FLOW		15,067	4,520	180,809	183,981	187,023	189,924	192,672	195,258	197,667	199,887	201,905	203,707	205,278
USES OF AVAILABLE CASH														
Deferred Developer Fee Balance, beginning of year	3.0%	-	-	-	-	-	-	-	-	-	-	-	-	-
Deferr. Dev. Fee Payments				-	-	-	-	-	-	-	-	-	-	-
Residual Cash Flow			4,520	180,809	183,981	187,023	189,924	192,672	195,258	197,667	199,887	201,905	203,707	205,278
Investor Asset Mgmt Fee	3.5%	(417)	(125)	(5,000)	(5,175)	(5,356)	(5,544)	(5,738)	(5,938)	(6,146)	(6,361)	(6,584)	(6,814)	(7,053)
Partnership Mgmt Fee	3.5%	(2,083)	(625)	(25,000)	(25,875)	(26,781)	(27,718)	(28,688)	(29,692)	(30,731)	(31,807)	(32,920)	(34,072)	(35,265)
Cash Available for Disbursements			3,770	150,809	152,931	154,886	156,662	158,247	159,627	160,789	161,719	162,401	162,820	162,960

CASH FLOW

12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
575,639	590,030	604,780	619,900	635,397	651,282	667,564	684,253	701,360	718,894	736,866	755,288	774,170	793,524	813,362	833,696	854,539	875,902	897,800
754,361	773,220	792,550	812,364	832,673	853,490	874,827	896,698	919,115	942,093	965,645	989,786	1,014,531	1,039,894	1,065,892	1,092,539	1,119,853	1,147,849	1,176,545
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3,149	3,228	3,308	3,391	3,476	3,563	3,652	3,743	3,837	3,933	4,031	4,132	4,235	4,341	4,449	4,561	4,675	4,792	4,911
1,333,148	1,366,477	1,400,639	1,435,655	1,471,546	1,508,335	1,546,043	1,584,694	1,624,312	1,664,920	1,706,542	1,749,206	1,792,936	1,837,760	1,883,704	1,930,796	1,979,066	2,028,543	2,079,256
(28,782)	(29,501)	(30,239)	(30,995)	(31,770)	(32,564)	(33,378)	(34,213)	(35,068)	(35,945)	(36,843)	(37,764)	(38,708)	(39,676)	(40,668)	(41,685)	(42,727)	(43,795)	(44,890)
(37,718)	(38,661)	(39,628)	(40,618)	(41,634)	(42,674)	(43,741)	(44,835)	(45,956)	(47,105)	(48,282)	(49,489)	(50,727)	(51,995)	(53,295)	(54,627)	(55,993)	(57,392)	(58,827)
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(66,500)	(68,162)	(69,867)	(71,613)	(73,404)	(75,239)	(77,120)	(79,048)	(81,024)	(83,049)	(85,126)	(87,254)	(89,435)	(91,671)	(93,963)	(96,312)	(98,720)	(101,188)	(103,717)
1,266,648	1,298,315	1,330,772	1,364,042	1,398,143	1,433,096	1,468,924	1,505,647	1,543,288	1,581,870	1,621,417	1,661,952	1,703,501	1,746,089	1,789,741	1,834,484	1,880,347	1,927,355	1,975,539
(874,405)	(905,009)	(936,685)	(969,469)	(1,003,400)	(1,038,519)	(1,074,867)	(1,112,487)	(1,151,424)	(1,191,724)	(1,233,435)	(1,276,605)	(1,321,286)	(1,367,531)	(1,415,395)	(1,464,933)	(1,516,206)	(1,569,273)	(1,624,198)
392,243	393,305	394,088	394,573	394,743	394,577	394,057	393,159	391,863	390,146	387,982	385,347	382,215	378,558	374,346	369,551	364,140	358,082	351,341
(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
372,243	373,305	374,088	374,573	374,743	374,577	374,057	373,159	371,863	370,146	367,982	365,347	362,215	358,558	354,346	349,551	344,140	338,082	331,341
2.25	2.25	2.26	2.26	2.26	2.26	2.26	2.25	2.25	19.33	19.22	19.08	18.92	18.73	18.51	18.26	17.98	17.66	17.31
(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	(146,495)	-	-	-	-	-	-	-	-	-	-
(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)
(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(165,640)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)	(19,145)
206,603	207,665	208,448	208,933	209,103	208,937	208,416	207,519	206,223	351,001	348,837	346,202	343,070	339,413	335,201	330,406	324,995	318,937	312,196
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
206,603	207,665	208,448	208,933	209,103	208,937	208,416	207,519	206,223	351,001	348,837	346,202	343,070	339,413	335,201	330,406	324,995	318,937	312,196
(7,300)	(7,555)	(7,820)	(8,093)	(8,377)	(8,670)	(8,973)	(9,287)	(9,613)	(9,949)	(10,297)	(10,658)	(11,031)	(11,417)	(11,816)	(12,230)	(12,658)	(13,101)	(13,559)
(36,499)	(37,777)	(39,099)	(40,467)	(41,884)	(43,350)	(44,867)	(46,437)	(48,063)	(49,745)	(51,486)	(53,288)	(55,153)	(57,083)	(59,081)	(61,149)	(63,289)	(65,504)	(67,797)
162,804	162,333	161,529	160,372	158,842	156,918	154,576	151,794	148,548	291,307	287,054	282,257	276,887	270,913	264,304	257,027	249,048	240,332	230,840

OPERATING BUDGET

PROJECT NAME: 555 Kelly
FINANCE TYPE: 9%/Serna
HOUSING TYPE: Senior
ADDRESS: 555 Kelly
COUNTY: San Mateo
SPONSOR: Mercy Housing California/ALAS

Units 40

PAYROLL/PAYROLL TAXES

Admin Payroll	72,800	1,820	1 FTE Property Manager
Operations and Maintenance Payroll	64,480	1,612	1 FTE Maintenance Manager
Other Personnel Expenses	2,400	60	
Taxes and Benefits	56,048	1,401	
TOTAL PAYROLL EXPENSES	195,728	4,893	

ADMINISTRATIVE EXPENSE

	Yearly Expense	PUPA	Notes
Administrative Expenses	24,000	600	
Advertising	1,200	30	
Audit Fees	8,000	200	
Bookkeeping and Accounting Fee	6,000	150	
TOTAL ADMINISTRATIVE EXPENSE	39,200	630	

UTILITIES EXPENSES

Electricity	4,560	114
Water	32,320	808
Gas	10,800	270
Sewer	31,080	777
TOTAL UTILITIES EXPENSES	78,760	1,969

OPERATING AND MAINTENANCE

Operating Contracts	15,000	375
Operating Supplies	15,000	280
Garbage/Trash Removal	20,000	
HVAC Repairs & Contracts		
Maintenance Contracts	19,000	475
Maintenance Supplies	15,000	375
TOTAL OPERATING EXPENSES	84,000	1,160

REAL ESTATE TAXES

INSURANCE	40,000	1,000
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RESIDENT SERVICES

	90,000	2,250
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MANAGEMENT FEE

	33,600	840
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TOTAL OPERATING BUDGET

	586,288	14,657
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BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **May 2, 2023**

TO: Honorable City Council

VIA: Matthew Chidester, City Manager

FROM: John Doughty, Assistant City Manager

TITLE: **INTRODUCTION AND FIRST READING OF “FEEDING OF WILDLIFE” ORDINANCE**

RECOMMENDATION:

Conduct a Public Hearing and introduce on first reading an ordinance adopting a new Chapter 8.08 entitled “Feeding of Wildlife” to the Half Moon Bay Municipal Code.

FISCAL IMPACT:

There is no direct fiscal impact associated with introducing this Ordinance. Enforcement will be on a complaint and “as-needed” basis by existing staff like any other violation of the Municipal Code.

STRATEGIC ELEMENT:

This recommendation supports the *Healthy Communities and Public Safety* Element of the Strategic Plan.

BACKGROUND/DISCUSSION:

On August 16, 2022, the City Council agreed to the placement of an item on a future agenda regarding the feeding of wildlife by visitors and community members, notably omnivorous birds such as ravens and crows. The request was at the behest of a group of residents that believe the practice is deleterious to the local environment. This group advocated for a local ordinance to restrict the feeding of such birds in Half Moon Bay.

On September 21, 2022, the City Manager and Interim Assistant City Manager met with a group of residents to discuss their concerns and to receive an update on their research regarding protection of wildlife. Their research material was provided in the [October 4 staff report](#) to the City Council.

On October 4, 2022, the City Council conducted a workshop on the issue. Several members of the public spoke advocating for the preparation of an ordinance to restrict the feeding of wildlife in the City limits of Half Moon Bay. Following the public input, the City Council

deliberated on the subject. The City Council requested that staff seek input from other local experts. The Peninsula Humane Society was contacted and agreed to send one of their wildlife specialists to speak to the community and City Council.

On October 18, 2022, the City Council received a presentation from the Peninsula Humane Society. Following this informative presentation, City Council gave staff direction to conduct further research and return with a proposed draft ordinance if deemed appropriate. Additionally, the City Council requested staff to develop an education program to discourage feeding of wildlife focused on the Poplar Beach area.

Following the October 18 meeting, staff met with representatives of the two local feral cat non-profits. These meetings were informative and clearly established, in staff's mind, that existing ordinances are being abided by and that feral cats should not be included in this ordinance discussion.

On March 7, 2023, the City Council conducted a community workshop to review a draft version of the proposed ordinance. Following that workshop, the City Council directed staff to return with the ordinance for formal adoption process.

DISCUSSION:

The original impetus for this item focused primarily on the feeding of ravens and the impacts this activity was having on other local wildlife as well as neighboring properties. In the process of developing the draft ordinance, we did find that ravens and crows are indigenous to California and most of the United States and that these birds are omnivorous and often compete with raptors and other birds of prey for food wherever they coexist.

City staff also communicated with two local bird experts. These experts indicated that feeding of ravens and crows (*Corvus*) is problematic for the following reasons:

- 1) Regular feeding can and often leads to concentration of *Corvus* where naturally they would not concentrate; and
- 2) Concentration of *Corvus* leads to unnatural increases in population; and
- 3) Increased population means greater competition for food and habitat with raptors and other birds of prey; and
- 4) Ultimately, this could result in loss of raptors and birds of prey in the coastal bluff area which could be detrimental to the health of the habitat of this and other areas on the Coastside.

The local experts indicated that small backyard bird feeders are important to the survival of the wild songbird population and that any proposed regulations should not preclude the use of small, suspended bird feeders, including hummingbird feeders.

In the course of discussions with community members and City Council, it became evident that there are many different types of wildlife and habitats that are being affected by well-intentioned people throughout the City. These include coyotes, deer, wild turkeys, foxes, skunks, raccoons, opossums, squirrels, ducks, geese, ravens, crows, and gulls. Feeding of these animals can also result in increased numbers which in turn can lead to the presence of apex predators like Mountain Lions.

California Department of Fish and Wildlife (CDFW) have regulations in place that prohibit the feeding of wildlife in the State. CDFW has limited resources and capacity to respond to and engage in enforcement in the City. State law grants local agencies like the City of Half Moon Bay the authority to enact laws to protect public health, safety and welfare. From our research, we have found that many jurisdictions have chosen to supplement the CDFW regulations by enacting local ordinances prohibiting the feeding of wildlife.

In response to City Council direction, staff prepared a draft ordinance. The ordinance is modeled after local ordinances reviewed over the last several months. The draft ordinance:

- Deems that feeding of wildlife is both detrimental to wildlife health and causes a public health nuisance and safety hazard that negatively impacts public health and welfare.
- Defines "Wildlife" as any non-domesticated species of animal including but not limited to coyotes, deer, wild turkeys, foxes, skunks, raccoons, opossums, squirrels, ducks, geese, ravens, crows, and gulls.
- Establishes that no person shall purposely or knowingly feed wildlife on public or private property in the City of Half Moon Bay.
- Limits feeding of birds on private properties is only permitted via feeders subject to specific criteria.
- Establishes that a violation of any provision of the Ordinance shall constitute an infraction and a public nuisance, subject to enforcement and penalties, civil fines, and other remedies.

The ordinance, as written, applies to both public and private lands within the jurisdiction and authority of the City of Half Moon Bay. The ordinance would be enforceable by any law enforcement agency as well as City Code Compliance staff. As staff has indicated previously, there is limited capacity to monitor the beaches, paths and trails in the City. Enforcement will primarily be based upon direct observation and upon formal complaint.

Upon adoption, staff will work on developing permanent signage and educational materials. Staff will seek assistance from the Parks and Recreation Commission on design and placement locations.

ORDINANCE NO. C-2023-_____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY, CALIFORNIA
AMENDING TITLE 8 BY ADDING NEW CHAPTER 8.08 ENTITLED "FEEDING OF WILDLIFE"**

THE CITY COUNCIL OF THE CITY OF HALF MOON BAY DOES ORDAIN AS FOLLOWS:

Section 1. Findings: The City Council finds and declares as follows:

- (a) The Municipal Code of the City of Half Moon Bay requires periodic updates to reflect current information, changes in law, provide clarification to the community, and provide for improved customer service and administration of City business; and
- (b) Section 251.1 of Title 14 of the California Code of Regulations prohibits the harassment of any game or nongame bird or mammal or furbearing mammal, expressly including intentional acts such as feeding that disrupt the animal's natural foraging behavior; and
- (c) The feeding of wildlife can lead to aggressive behavior towards humans, which presents health and safety concerns for residents and visitors of the City; and
- (d) The feeding of wildlife can artificially support the growth and carrying capacity of urban wildlife populations, compromising wildlife health and increasing human exposure to, and potential conflicts with wildlife; and
- (e) The feeding of wildlife can cause certain species to localize activity in the vicinity of the food source, thus increasing associated negative impacts on property owners and/ or individuals within those neighborhoods; and
- (f) The feeding of wildlife can lead to negative impacts on animals, people and the environment.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 3. Publication. The City Clerk of the City of Half Moon Bay is hereby directed to publish this Ordinance, or the title hereof as a summary, pursuant to Government Code Section 36933, once within fifteen (15) days after its passage in the Half Moon Bay Review, a newspaper of general circulation published in the City of Half Moon Bay.

Section 4. Effective date. This Ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

NOW THEREFORE, the City Council finds that the ordinance, text included as Exhibit A, prohibiting the intentional and negligent feeding of certain types of wildlife, as defined, and further specifying types of permissible and prohibited conduct regarding interaction with wildlife in the City, is consistent with the City's long-standing commitment to protect and conserve biological resources and public safety and will promote the public health, safety and welfare.

INTRODUCED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 2nd day of May, 2023.

ADOPTED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the _____ day of _____, 2023, by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

ATTEST:

Jessica Blair, City Clerk

Deborah Penrose, Mayor

Exhibit A

CHAPTER 8.08 FEEDING OF WILDLIFE

Sections:

- 8.08.010 Purpose.
- 8.08.020 Definitions.
- 8.08.030 Feeding of Wildlife Prohibited.
- 8.08.040 Exceptions.
- 8.08.050 Violation and Enforcement.

8.08.010 Purpose.

Feeding of wildlife is both detrimental to wildlife health and causes a public health nuisance and safety hazard that negatively impacts public health and welfare.

This chapter is intended to prohibit, with certain exceptions, the feeding of wildlife within the City of Half Moon Bay to protect the environment and promote public health, safety and welfare.

8.08.020 Definitions.

For purposes of this Chapter, the following definitions shall apply:

"Bird Feeder" means a device placed outdoors to supply nuts, seeds or nectar for wild birds to eat.

"Feed" means to give, distribute, place, expose, deposit, or scatter any edible material on any public or private property with the intention of feeding, attracting, domesticating or enticing wildlife, whether or not wildlife is in the vicinity at the time. Feeding does not include baiting in the permitted and legal take or depredation of wildlife in accordance with federal, state, and local law.

"Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

"Wildlife" means any non-domesticated species of animal including but not limited to coyotes, deer, wild turkeys, foxes, skunks, raccoons, opossums, squirrels, ducks, geese, ravens, crows, and gulls.

8.08.030 Feeding of Wildlife Prohibited.

A. No person shall purposely or knowingly feed wildlife on public or private property in the City of Half Moon Bay.

B. No person shall leave or store any refuse, garbage, pet food, seed or birdseed, fruit, meat, dairy, vegetable, grain or other food in a negligent manner likely to attract wildlife.

C. No person shall fail to take remedial action to cease contact or conflict with wildlife, including to secure or remove outdoor refuse, cooking grills, pet food, backyard bird feeders or any other similar food source or attractant, after being advised by the City of Half Moon Bay to undertake such remedial action.

8.08.040 Exceptions.

The prohibitions in Section 8.08.030 are not applicable to:

A. Landscaping, gardening, and/or maintaining vegetable gardens, fruit and nut trees or other plants, so long as such activities are not conducted for the purpose of feeding wildlife as defined in this article.

B. Feeding of birds on private properties, to the extent authorized by law and subject to the following requirements:

1. Feeding shall only be via a bird feeder;

2. All bird feeders shall be placed shall be suspended on a cable or otherwise secured at least five feet above ground level so as to prevent the bird feeders from being easily accessible to rodents and unintended wildlife.

3. The area below and around bird feeders must be kept clean and free of seed and an accumulation of feces.

4. No person shall knowingly allow a bird feeder to become an attractant for rodents or wildlife other than the intended birds.

5. Bird feeders shall be maintained in a manner to prevent the spread of disease among wild bird populations.

C. Any State or local employee or agent authorized to implement a wildlife management program involving baiting, or any other person or business lawfully authorized to bait and trap wildlife pursuant to State law.

D. Any person who is the legal owner or guardian of a wildlife species maintained and confined under a valid license or permit issued by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, and in compliance with all applicable laws.

E. A wildlife rehabilitator, under a valid license or permit issued by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, who is temporarily caring for sick, injured, or orphaned wildlife in compliance with all applicable laws.

F. Any person who feeds trapped, injured, or orphaned wildlife between the time that a wildlife rehabilitator or agency charged with animal control is notified and the time the animal is picked up. Any person that discovers such trapped, injured, or orphaned wildlife must immediately notify an authorized animal control agency, and no person may intentionally keep such wildlife beyond the time reasonably necessary for animal control services to access and transport the wildlife.

G. Any property owner baiting, for the purpose of trapping, wildlife on their property when authorized by, and in accordance with, State law including but not limited to trapping gophers, house mice, moles, rats, and voles pursuant to Fish and Game Code section 4005(f); taking of certain mammals found injuring crops or property pursuant to Fish and Game Code section 4152; taking of certain nongame birds and mammals such as weasels, skunks, opossum, moles and rodents pursuant to 14 CCR§ 472; or as otherwise permitted and authorized by State law.

8.08.050 Violation and Enforcement

The violation of any provision of this chapter shall constitute an infraction and a public nuisance, subject to enforcement and penalties, civil fines, and other remedies.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **May 2, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Maz Bozorginia, Public Works Director/City Engineer

TITLE: **UPDATE ON JOHN L. CARTER PARK IMPROVEMENTS PROJECT (CIP NO. 0611)**

RECOMMENDATION:

Receive an update on the John L. Carter Park Improvements Project and provide feedback to Staff.

FISCAL IMPACT:

There is no additional fiscal impact at this time. The design modifications being considered are funded through previously approved and budgeted contingency funds. To date, the City has expended approximately \$1,050,000 for the project that is reimbursable to the State grant.

STRATEGIC ELEMENT:

This action supports *the Infrastructure and Environment and Healthy Communities and Public Safety* Elements of the Strategic Plan.

BACKGROUND:

The Parks Master Plan adopted by the City Council on February 5, 2019, identified John L. Carter Memorial Park (Carter Park) as an opportunity to increase community recreation at an underutilized City Park. The Park Master Plan specifically identified Carter Park's potential to become a "well utilized cultural events park with performances and summer day camps." While preparing the City's FY 2018-19 budget, the Parks and Recreation Commission and residents expressed desire to consider Carter Park improvements as a priority. City Council accepted this recommendation and designated the Carter Park Capital Improvement Plan (CIP) project to be a priority.

The John L. Carter Park Improvements Project includes a new amphitheater including terraced seating, a new stage with storage space and changing room, a children's play area, picnic area, restroom and concession stand building, park access improvements, a solidarity trail, landscaping, lighting, and utility improvements.

On December 8, 2020, the Planning Commission approved the environmental review and adopted a mitigated negative declaration (MND) and approved PDP-19-059, an application for a Coastal Development Permit, Use Permit, Architectural Review, and Parking Exception, to allow the renovation of the John L. Carter Park Project. On March 9, 2021, the Planning Commission approved an addendum to the MND for the project to clarify some lighting and height discrepancies for the theatrical stage.

The City of Half Moon Bay, with support from Assemblymember Berman, was successful in obtaining funding through the California State Budget in the amount of \$4.75 million to assist the City in constructing improvements at John L. Carter Park, effective FY 2021-22. This funding source is via California Proposition 68.

On December 21, 2021, the City Council approved the filing of the project application for Carter Park with the State of California Local Assistance Specified Grant and authorizing the City Manager to conduct all necessary business to complete the grant scope and enter into the funding agreement for the John L. Carter Park project.

On May 17, 2022, the City Council approved the award of a construction contract to Wickman Development and Construction of San Francisco, California, in the bid amount of \$4,971,000 and a construction contingency amount of 15 percent or \$745,650 as well as contracts for biological monitoring and material testing and inspection services from qualified professionals, SWCA Inc. (\$35,079) and Bay Area Geotechnical Group (\$115,415), respectively.

DISCUSSION:

Based on the original design, three items were purposefully excluded from the construction contract due to budgetary constraints. These items are the audio/visual system, children's play structures and the main entry sign at Main Street. Originally, City staff was working with partners (including Mariner's Church, Shakespeare in the Park, and Friends of Half Moon Bay Parks) to aid in fundraising but those efforts have been postponed in light of other critical path items that have since become a high priority.

Historically, maintenance and site access to Carter Park has been provided through the Stone Pine Shopping Center: vehicular access via the shopping center parking lot, and pedestrian access via a sidewalk from Main Street along the southerly boundary of the parking lot. The Carter Park renovation project was subject to significant community advocacy, discussion, stakeholder outreach and legal noticing. Throughout the concept development and entitlement process, staff were in regular communication with neighbors, stakeholders and interested parties. City staff welcomed the opportunity to discuss needs and concerns regarding the project, including conversations with adjoining owners and tenants. From the beginning, staff and relevant stakeholders understood and conveyed that the project would require a temporary construction easement(s) as part of its construction. Staff met with and received a verbal agreement on a temporary construction agreement, in principle, from the owner of the Stone Pine Center. Unfortunately, the owner of the Center decided to not sign the temporary construction agreement. City staff, including the City Manager and City Attorney, have been

working with the owner to resolve this matter. Staff has successfully negotiated a Temporary Construction Easement with Mariner's Church. Unfortunately, access from Mariner's Church is not adequate for most of the construction needs.

Absent the TCE from Stone Pine Center, the City shifted focus to completing the Coastside County Water District's requirement for upgrade of the existing water service to Carter Park. After reviewing the locations of public watermain and other factors, it was determined that an alignment extending from the Mariner's Church site was most appropriate. As noted previously, Mariner's Church granted a TCE to the City. The contractor is mobilizing and preparing to install the water line extension to Carter Park.

During the fall and winter wet season 2022 and 2023, the City and region experienced one of the wettest seasons on record. The National Weather Service identified more than 10 atmospheric rivers that brought historic rainfall. The City experienced localized flooding in conjunction with these storm events, with significant flooding occurring in and along Pilarcitos Creek. During the New Years period, Pilarcitos Creek flows reached flows in excess of 2100 cfs. The flow was one of the highest recorded since USGS started monitoring at this site in 1967. The entire Pilarcitos Creek watershed, including Carter Park, was affected by these historic flows. Carter Park required clean-up, but no infrastructure was damaged.

The construction delays resulting from the lack of TCE from the Stone Pine Center have allowed staff to reexamine the project design, given the extreme weather condition of this past winter. Over the last several months, staff have met with the project architect, engineer, and contractor to evaluate and identify means to modify elements of the project to increase overall resiliency by minimizing flooding impacts on the future improvements. The revisions now incorporated into the project design include, but are not limited to:

- Redesign of the stage area including construction materials and methods to improve flood resiliency; and
- Reduction and relocation of storage facilities and dry utilities in the lower area of the park; and
- Changing the low-lying surface areas around the stage to natural turf which will better withstand flooding conditions; and
- Utilizing a different synthetic turf material that is more flood-resilient in the terraced seating areas; and
- Modifications to dry utilities and lighting on the terraced seating and restroom/snack bar structure; and
- Other improvements to protect against future flows and standing waters.

In conclusion, the John L. Carter Park Improvements Project remains an important recreational, performing arts, and economic development project that will add to the vibrancy of our downtown. Although the original plans for the project included flood resilient design and construction elements, the delays and subsequent historic winter storms have provided an opportunity to increase the resiliency and ensure the project results in improvements that will

better withstand the test of time. Staff will continue working with the adjacent property owners to obtain necessary access rights to complete the project, and we welcome additional ideas and feedback from the City Council and community.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **May 2, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: John Doughty, Assistant City Manager

TITLE: **THE SPIRIT OF LIFE BELL SCULPTURE**

RECOMMENDATION:

By resolution, authorize the City Manager to execute a Public Art Agreement between the City of Half Moon Bay and Silvio Modena III., formally accepting the donation of the “The Spirit of Life Bell” sculpture created by Silvio J. Modena Jr.; and affirming the continued temporary placement of the sculpture in the City Hall parking lot until such time as a permanent location is established by a subsequent resolution of the City Council.

FISCAL IMPACT:

The operating budget of the City Manager’s Office is sufficient to cover the administrative costs of the art donation program. A community member has funded purchase of the sculpture and offered it as a public art donation to the City. Community members have also indicated a willingness to fund a portion of the costs of creating a new public space near City Hall as part of a project paying tribute to “service to country and community.” No estimate of costs is yet available and will be dependent upon accepted design and potential phasing.

STRATEGIC ELEMENT:

This recommendation supports the *Healthy Communities and Public Safety* Element of the Strategic Plan.

BACKGROUND:

In late summer of 2022, a group of community members approached the City regarding the potential donation of a piece of art created by artist Silvio Modena Jr. Mr. Modena passed away in October 2022 after battling cancer. Mr. Modena grew up in San Gregorio, the eldest son of an Italian immigrant artichoke farmer. He served in the U.S. Navy having joined with his long-time friend John (Farmer John) Muller. Mr. Modena created bells of various sizes and designs from used high pressure compressed air cylinders similar to those he used in the Navy.

On August 24, 2022, the Parks and Recreation Commission received a presentation regarding the proposed sculpture and possible donation. The Commission heard from community members in

support of the donation. Staff identified two possible locations for the piece. The first site being Kitty Fernandez Park and the second being Poplar Beach. During deliberation on the request, it was suggested that a location near City Hall would be optimal. Conversation ensued regarding the possibility of creating a new public space next to City Hall within a portion of the existing parking lot. The item was continued to September 28 to allow the proponents and City staff to better assess the City Hall parking lot option.

On September 28, 2022, the Parks and Recreation Commission received a follow-up presentation. The Commission was informed that Steve Kikuchi of Kikuchi + Kankel Design Group agreed to work on conceptual designs with community members for a new (potential) public space which would have the sculpture/bell as a centerpiece. The Commission formally recommended the City Council allow further exploration of a City Hall parklet in connection with permanent placement of the sculpture.

On October 18, 2022, the City Council approved Resolution No. C-2022-104 authorizing acceptance of a loan of the bell sculpture and allowing temporary placement in the City Hall parking lot. The City Council authorized temporary placement of the Bell at City Hall through December 31, 2022.

Kikuchi + Kankel subsequently developed three concept plans for a City Hall parklet on behalf of the community group. Erin Tormey, a member of the community group, has presented the concepts and received community input with the hope of landing on a preferred concept. Erin has agreed to provide the Council and the community an overview of the concepts and an update on the parklet planning effort.

On February 22, 2023, Erin Tormey presented the concept plans to the Parks and Recreation Commission. Ms. Tormey included an update on prior and planned outreach efforts.

DISCUSSION:

The purpose of tonight's item is two-fold: first, to consider formal acceptance of the sculpture; and second to receive an update on planning for the potential City Hall parklet project. Exhibit A to the resolution is the art donation agreement ("Public Artwork Agreement"). This form was provided and recommended by the City Attorney. Optimally, the permanent location of the sculpture would be known. Staff are seeking City Council authorization to allow the sculpture to remain at City Hall indefinitely.

As noted in earlier background, the offered donation of The Spirit of Life Bell sculpture sparked interest from a diverse group of community members and has led to a conversation about creation of a public space adjacent to City Hall to recognize "Service to Country and Community." Silvio has an impact on many people throughout his life and many of us were fortunate to be touched by his presence and humanity in his last days with us.

ATTACHMENT:

Resolution

RESOLUTION NO. C-2023-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO EXECUTE A PUBLIC ART AGREEMENT BETWEEN CITY AND SILVIO MODENA III FOR THE SPIRIT OF LIFE BELL SCULPTURE AND ALLOW THE CONTINUED TEMPORARY PLACEMENT WITHIN THE CITY HALL

WHEREAS, on October 18, 2022, the City Council accepted a temporary loan of a sculpture/bell titled “The Spirit of Life Bell” created by artist Silvio Modena, Jr., who grew up in San Gregorio, the eldest son of an Italian immigrant artichoke farmer; and

WHEREAS, Mr. Modena, prior to his passing in October 2022, created bells from used high pressure compressed air cylinders including the large bell/sculpture that is proposed to be donated to the City; and

WHEREAS, Silvio desired to see this Bell be made available to the public and be used to acknowledge service to country and community; and

WHEREAS, on August 24 and September 28, the Parks and Recreation Commission in accordance with the City’s Public Art Policy, considered the offer of donation; and

WHEREAS, at the September 28 the Parks and Recreation meeting, the Commission recommended temporary placement (on loan) of the sculpture, acceptance of the donation of the sculpture and supported exploration of creating a new public space in a portion of the City Hall parking lot to among other things house the sculpture; and

WHEREAS, on October 18, 2022, the City Council approved the temporary placement (on loan) of the sculpture in the City Hall parking lot; and

WHEREAS, the temporary placement of the sculpture on the City Hall parking lot was authorized through December 31, 2022 and that date has since passed; and

WHEREAS, the sculpture has become a focal point for many visitors to the downtown and the loss of the single parking space has not proven to be an issue.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Half Moon Bay hereby authorizes the City Manager to execute a Public Art Agreement between the City of Half Moon Bay and Silvio Modena III, formally accepting the donation of the “The Spirit of Life Bell” sculpture created by Silvio J. Modena Jr.; and the continued temporary placement of the sculpture in the City Hall parking lot until such time as a permanent location is established by a subsequent resolution of the City Council.

I, the undersigned, hereby certify that the forgoing Resolution was duly passed and adopted on the 2nd day of May 2023 by the City Council of Half Moon Bay by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

Attest:

APPROVED:

Jessica Blair, City Clerk

Deborah Penrose, Mayor

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **May 2, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Lisa Lopez Rossi, Interim Assistant City Manager
Kenneth Stiles, Finance Manager

TITLE: **FINANCIAL AND TREASURER'S REPORT FOR THE QUARTER ENDED ON MARCH 31, 2023**

RECOMMENDATION:

Accept the Financial Report and the Treasurer's Report for the quarter ended on March 31, 2023.

FISCAL IMPACT:

There is no fiscal impact with the acceptance of this report.

STRATEGIC ELEMENT:

This recommendation supports the *Fiscal Sustainability* and *Inclusive Governance* Elements of the Strategic Plan.

BACKGROUND:

One of the City Council strategic priorities includes planning for and implementing long-term financial stability. A key component of this goal includes preparing a quarterly financial report that would provide readers with an executive summary of the City's current financial conditions as it relates to the annual operating budget to ensure accountability and transparency in managing public funds.

Additionally, in accordance with Government Code Section 53600 et seq., the City's Treasurer is to provide the City Council with a report on investments on a quarterly basis. As shown in the Treasurer's Report (Attachment 2), the City's investments are in external investment pools listed at cost, as well as its fair value, not amortized cost, in compliance with Governmental Accounting Standard. The City's investment practices strictly follow Government Code Section 53600 et seq., the City's investment policy, and a prudent person's rule.

DISCUSSION:

As of March 31, 2023, the General Fund revenues totaled \$14.8 million or 65% of the approved budget. General Fund expenditures total \$17.3 million or 73% of budget. As stated in the attached report, revenues and expenditures are performing as anticipated.

The City's cash and investment portfolio at fair market value, as of March 31, 2023, is \$49.1 million of which \$38.7 million is placed with the San Mateo County Treasurer's Investment Pool and \$7.7 million is placed with the State Controller's Local Agency Investment Fund (LAIF), and \$2.7 million in operating accounts with Wells Fargo Bank. The average weighted yield for the City's cash and investments is 2.32 % for the quarter.

With the information available, staff holds no great concern for financial stability for the current fiscal year; however, will continue to monitor any changes that may impact the City.

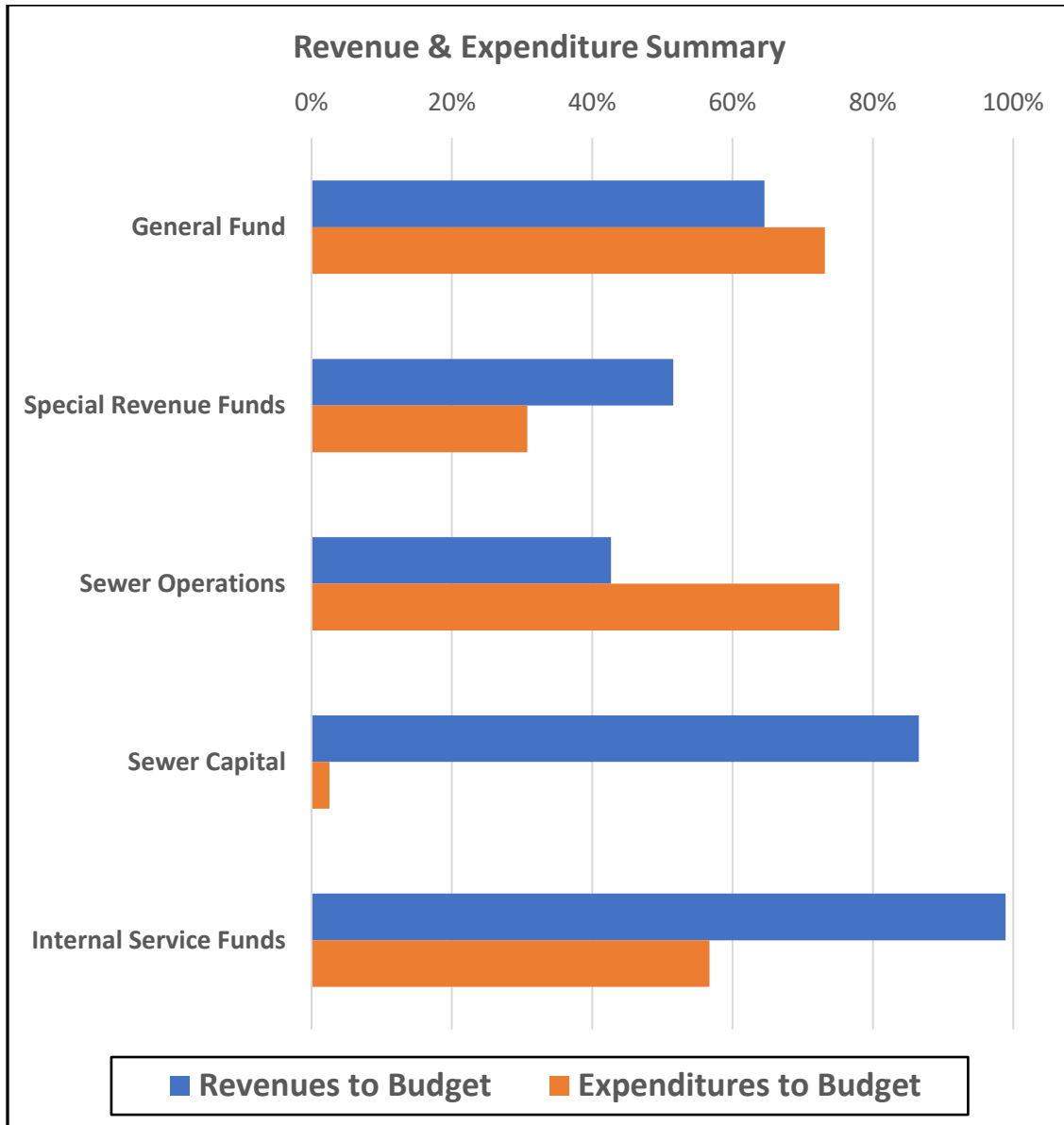
ATTACHMENT:

1. Financial Report for the quarter ended on March 31, 2023
2. Treasurer's Report for the quarter ended on March 31, 2023

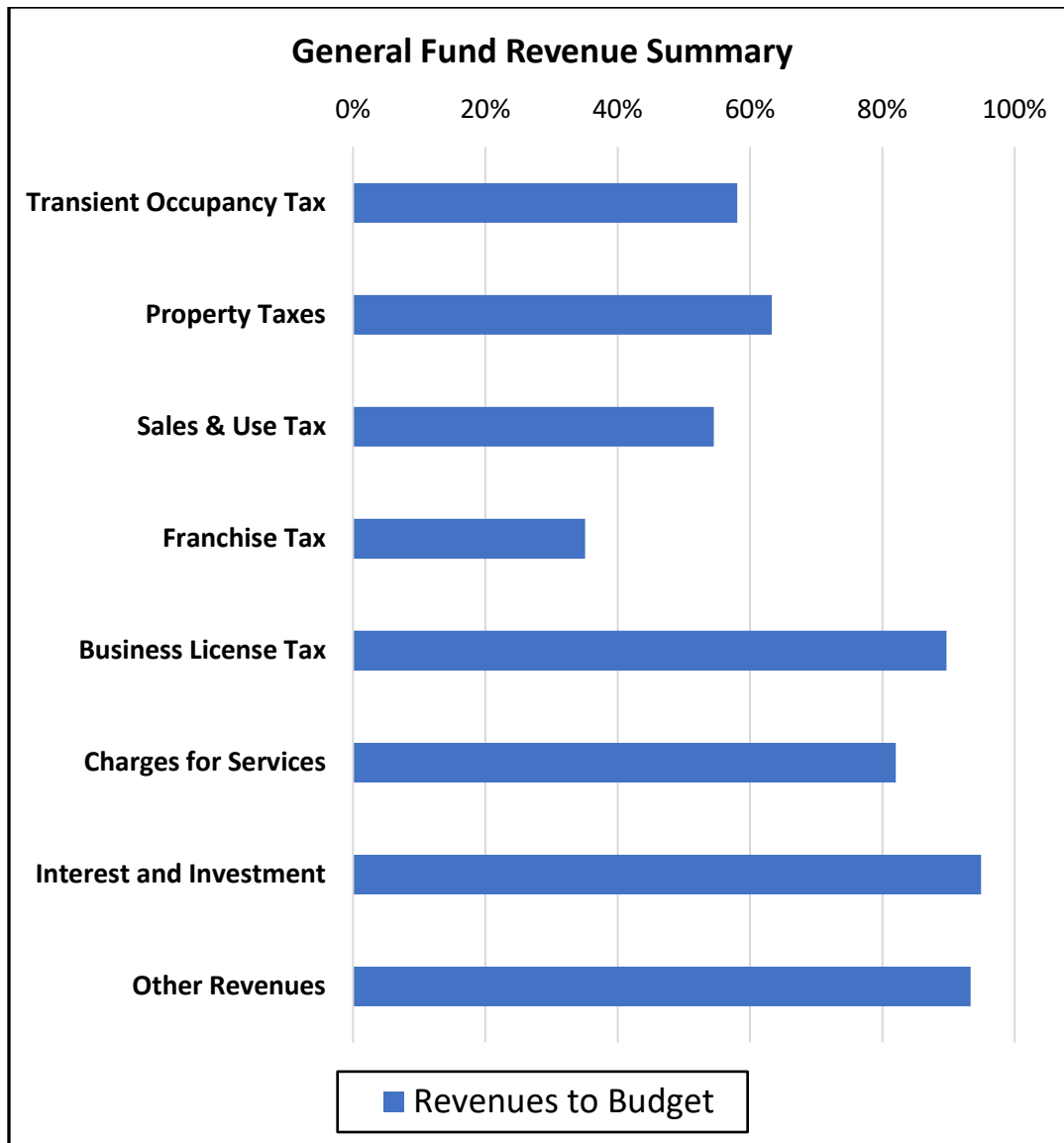
CITY OF HALF MOON BAY
Quarterly Financial Report
March 31, 2023 – 75% of Year Complete



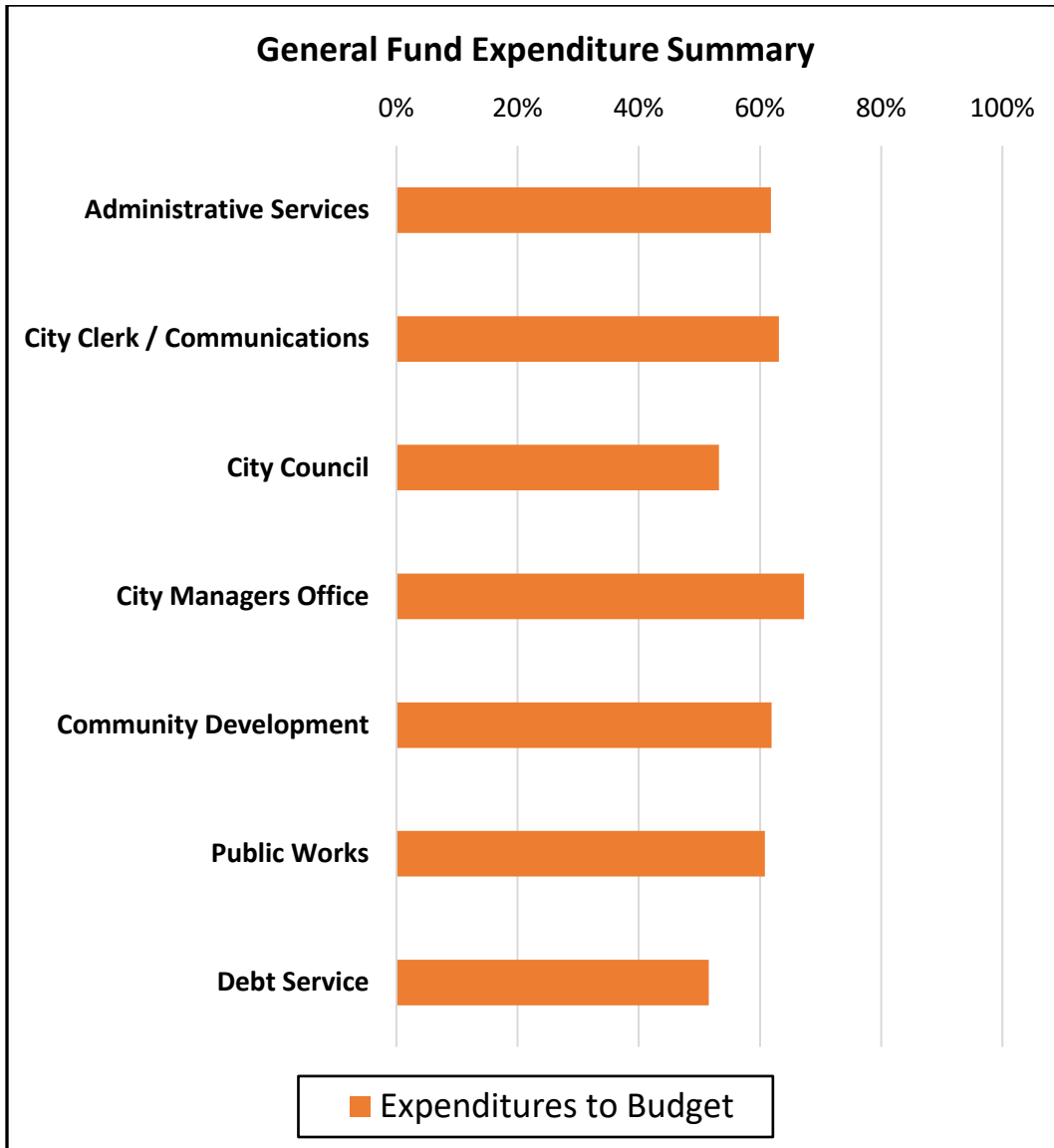
Prepared By:
Administrative Services Department



Funds	Revenues		Expenditures	
	Actual	% of Budget	Actual	% of Budget
General Fund	14,898,085	65%	17,342,253	73.2%
Special Revenue Funds	6,137,927	52%	5,631,584	30.7%
Sewer Operations	3,702,811	43%	5,416,445	75.2%
Sewer Capital	224,175	87%	97,820	2.5%
Internal Service Funds	1,288,955	99%	877,457	56.7%
Pension Stabilization Fund	1,155,281	100%	1,152,095	100.0%
TOTAL FOR ALL FUNDS	27,407,235	59%	30,517,654	54.7%



Department	Budget	Actual	% of Budget	Prior Year Actual	Prior Year % of Actuals
Transient Occupancy Tax	9,603,028	5,577,466	58%	\$ 5,501,484	58%
Property Taxes	3,888,050	2,460,641	63%	\$ 2,215,448	48%
Sales & Use Tax	3,396,600	1,852,873	55%	\$ 1,859,601	58%
Franchise Tax	1,043,583	365,978	35%	\$ 346,483	34%
Business License Tax	312,243	280,103	90%	\$ 288,996	92%
Charges for Services	1,650,354	1,353,611	82%	\$ 1,543,263	71%
Interest and Investment	127,428	120,942	95%	\$ 44,035	-15%
Other Revenues	2,530,381	2,362,290	93%	\$ 2,430,313	92%
Transfers in	524,180	524,180	100%	\$ 511,395	36%
TOTAL	23,075,847	14,898,085	65%	14,741,017	60%



Department	Budget	Actual	% of Budget	Prior Year Actual	Prior Year % of Actuals
Administrative Services	1,403,646	867,218	62%	\$ 795,230	74%
City Clerk / Communications	1,058,340	668,144	63%	\$ 552,303	69%
City Council	232,538	123,809	53%	\$ 106,487	66%
City Managers Office	8,702,739	5,855,454	67%	\$ 5,249,665	74%
Community Development	1,998,671	1,237,322	62%	\$ 1,115,370	75%
Public Works	3,626,745	2,204,756	61%	\$ 2,021,068	69%
Debt Service	704,410	363,075	52%	\$ 661,448	52%
Non-Departmental	-	52,120		\$ -	0%
Operating Transfers	1,954,936	1,954,936	100%	\$ 1,872,144	100%
Capital Transfers	4,015,419	4,015,419	100%	\$ 2,747,577	80%
TOTAL	23,697,444	17,342,253	73.2%	15,121,291	75%

GENERAL FUND ANALYSIS:

The General Fund is the primary operating fund of the City and is used to account for most operating activities. Table 1 below provides year-to-date through the third quarter comparable data for the current fiscal year and the prior year.

Table 1: Third Quarter Budget to Actual Comparison						
	FY 2022-23				FY 2021-22	
	Revised Budget	Actuals as of 03/31/2023	% of Budget	Final Actuals	Actuals as of 03/31/2022	% of Actuals
Revenues						
Transient Occupancy Tax	9,603,028	5,577,466	58%	9,442,518	5,501,484	58%
Property Taxes	3,888,050	2,460,641	63%	4,598,752	2,215,448	48%
Sales & Use Tax	3,396,600	1,852,873	55%	3,208,517	1,859,601	58%
Franchise Tax	1,043,583	365,978	35%	1,028,719	346,483	34%
Business License Tax	312,243	280,103	90%	312,608	288,996	92%
Charges for Services	1,650,354	1,353,611	82%	2,160,017	1,543,263	71%
Interest and Investment	127,428	120,942	95%	(284,664)	44,035	-15%
Other Revenues	2,530,381	2,362,290	93%	2,646,135	2,430,313	92%
Transfers in	524,180	524,180	100%	1,422,140	511,395	36%
Total Revenues	23,075,847	14,898,085	65%	24,534,744	14,741,017	60%
Expenditures						
Administrative Services	1,403,646	867,218	62%	1,079,066	795,230	74%
City Clerk / Communications	1,058,340	668,144	63%	795,855	552,303	69%
City Council	232,538	123,809	53%	161,204	106,487	66%
City Managers Office	8,702,739	5,855,454	67%	7,064,942	5,249,665	74%
Community Development	1,998,671	1,237,322	62%	1,496,081	1,115,370	75%
Public Works	3,626,745	2,204,756	61%	2,912,840	2,021,068	69%
Debt Service	704,410	363,075	52%	1,260,001	661,448	52%
Non Departmental	-	52,120	-	-	-	-
Operating Transfers	1,954,936	1,954,936	100%	1,871,542	1,872,144	100%
Capital Transfers	4,015,419	4,015,419	100%	3,447,577	2,747,577	80%
Total Expenditures	23,697,444	17,342,253	73%	20,089,107	15,121,291	75%

Through the third quarter, the city received \$14.8 million in revenues for the fiscal year. Revenues have decreased from the prior years. While last year's revenues were 60%, the current fiscal year revenues are 65% of the budget.

Expenditures through the third quarter total \$17.3 million. Expenditures are tracking with 73% of budget.

Revenues

Table 2 below shows a year-to-date summary of actual revenues through the third quarter for fiscal years 2022-23 and 2021-22.

Table 2: Third Quarter Revenues						
	FY 2022-23			FY 2021-22		
	Revised Budget	Actuals as of 03/31/2023	% of Budget		Actuals as of 03/31/2022	% of Actuals
Revenues						
Transient Occupancy Tax	9,603,028	5,577,466	58%		5,501,484	58%
Property Taxes	3,888,050	2,460,641	63%		2,215,448	48%
Sales & Use Tax	3,396,600	1,852,873	55%		1,859,601	58%
Franchise Tax	1,043,583	365,978	35%		346,483	34%
Business License Tax	312,243	280,103	90%		288,996	92%
Charges for Services	1,650,354	1,353,611	82%		1,543,263	71%
Interest and Investment	127,428	120,942	95%		44,035	-15%
Other Revenues	2,530,381	2,362,290	93%		2,430,313	92%
Transfers in	524,180	524,180	100%		511,395	36%
Total Revenues	23,075,847	14,898,085	65%		14,741,017	60%

- **Transient Occupancy Tax:** The City has received \$5.5 million through the third quarter. This is an increase of \$75K from the prior year. This revenue stream is at 58% of the budget compared to the prior year's 58%. This stream is tracking as anticipated.
- **Property Taxes:** Most property tax funds are received in December and April. \$2.4 million in revenues have been received thus far. Property taxes are at 63% of budget and tracking as anticipated.
- **Sales & Use Taxes:** The City received \$1.8 million in sales & use taxes. This is a minimal decrease of \$6K from the prior year. The City has received 55% of the budget for this revenue stream. When compared to the prior year's 58%, this stream may be signaling an underperformance.
- **All other revenues:** The City received \$2.3 million in other revenues. This category generally includes miscellaneous, non-material, or one-time funds. At 93% of budget, this category is tracking as anticipated.

Expenditures

Table 3 below shows a summary of third quarter budget-to-actual revenues for fiscal years 2022-23 and 2021-22.

Table 3: Third Quarter Expenditures						
	FY 2022-23				FY 2021-22	
	Revised Budget	Actuals as of 03/31/2023	% of Budget	Final Actuals	Actuals as of 03/31/2022	% of Budget
Expenditures						
Administrative Services	1,403,646	867,218	62%	1,079,066	795,230	74%
City Clerk / Communications	1,058,340	668,144	63%	795,855	552,303	69%
City Council	232,538	123,809	53%	161,204	106,487	66%
City Managers Office	8,702,739	5,855,454	67%	7,064,942	5,249,665	74%
Community Development	1,998,671	1,237,322	62%	1,496,081	1,115,370	75%
Public Works	3,626,745	2,204,756	61%	2,912,840	2,021,068	69%
Debt Service	704,410	363,075	52%	1,260,001	661,448	52%
Non-Departmental	-	52,120		-	-	
Operating Transfers	1,954,936	1,954,936	100%	1,871,542	1,872,144	100%
Capital Transfers	4,015,419	4,015,419	100%	3,447,577	2,747,577	80%
Total Expenditures	23,697,444	17,342,253	73%	20,089,107	15,121,291	75%

General fund expenditures through the third quarter total \$17.3 million or 73% of budget. With expenditures under 75% of the budget, operating expenditures are tracking as anticipated.

Budget Adjustments

Table 4 below shows a summary of council actions with potential budgetary effects during the third quarter not reflected in the numbers above.

Table 3: Budget Adjustments			
Item	Major Funding Source	Total Fiscal Impact	GF Impact
<i>No Budgetary Adjustments During the Third Quarter</i>			
	Total	\$ -	\$ -

Conclusion

Table 5 below shows an updated summary of general fund balances for the current fiscal year.

Table 5: General Fund Balance Summary	
	FY2022-23 Revised Budget
Beginning Fund Balance	15,585,153
Revenues	23,075,847
Expenditures	(23,697,444)
<i>Budget Adjustments</i>	-
Net Change to Fund Balance	(621,597)
Ending Fund Balance	14,963,556
General Fund Reserve	(5,904,607)
Economic Uncertainty	(3,936,405)
Unassigned	5,122,544

Considering revenues and expenditures are generally performing as anticipated, there is no great concern of fiscal instability for the current fiscal year with the information available. The unassigned funds on June 30, 2023, are estimated to be \$5.1 million. These funds may formally be assigned for use during the budget process for the following fiscal year.

Additionally, with the strong fully funded reserves, the City is content regarding financial stability; however, we will continue to monitor any changes that may impact the City.

**City of Half Moon Bay
Treasurer's Report
March 31, 2023**

1. Cash and investments were comprised of the following instruments as of March 31, 2023, shown with the carrying amount, fair value, and corresponding yields on investment and interest earnings:

	City Treasury	Fiscal Agents	Carrying Amount	Fair Value	Quarterly Yield	Quarterly Interest Earnings	FYTD Interest Earnings
<u>Petty Cash</u>	751	-	751	751		-	-
<u>Wells Fargo Bank:</u>							
Checking	2,519,052	-	2,519,052	2,519,052		-	-
Payroll	136,587	-	136,587	136,587		-	-
<u>California State Treasurer:</u>							
LAIF - General Fund	7,847,172	-	7,847,172	7,741,316	2.63%	40,780	67,253
<u>San Mateo County Treasurer</u>							
SMC Pool - General Fund	39,803,007	-	39,803,007	38,752,606	2.42%	165,285	294,056
TOTAL CASH AND INVESTMENTS	50,306,570	-	50,306,570	49,150,313		206,065	361,309

*Fair Value (GASB 31) includes investment returns which are not yet realized and at amortized costs. Information is obtained from individual institutions' portfolio statements.

2. **Investment maturities:**

The City limits market risk by limiting the types and maturities of its investments and by not borrowing against those investments.

Investment maturities may not exceed five years with the exception of investments as specified in bond debt covenants. Investment yield is ranked after safety and liquidity in making investment decisions.

Investments at March 31, 2023 mature as follows:

	City Treasury	Fiscal Agents	Total
Available immediately	50,306,570	-	50,306,570
Maturities less than one year	-	-	-
Maturities of one to five years	-	-	-
Greater than five years	-	-	-
Total	50,306,570	-	50,306,570

3. **Investments Sectors, as a percentage of total portfolio and also with investment performance comparisons:**

Investment sectors as a % of total portfolio		Investment performance comparisons			
		Date	Total	Yield	Interest
Demand Deposits and Money					
Market	5.28%	3/31/2021	41,807,407	0.93%	257,020
Local Agency Investment Fund	15.60%	3/31/2022	48,731,323	0.74%	253,645
San Mateo Co. Investment Pool	79.12%	3/31/2023	49,150,313	2.32%	361,309
Fiscal Agent	0				
	100.00%				

I certify that this reports all Government Agency pooled investments and is in conformity with the investment policy of the City of Half Moon Bay as stated in resolution number C-2019-107 dated December 17th, 2019. A copy of this Resolution is available at the office of the City Clerk and on the cities website <http://www.hmbcity.com>. The Investment Program provides sufficient cash flow liquidity to meet the estimated expenditures of the next six months, as required by Code Section 53646.

Kenneth Stiles

Finance Manager

4/20/2023

Date

Lisa Lopez

Administrative Services Director

4/20/2023

Date

**CITY OF HALF MOON BAY
CASH AND INVESTMENTS REPORT
FOR QUARTER ENDING 03/31/2023**

GENERAL FUND **14,237,026.57**

RESTRICTED FUNDS

STORM DRAIN OPERATING FUND	356,133.36
TRAFFIC MITIGATION FUND	4,365,348.46
LIBRARY	16,312.02
MAIN STREET BRIDGE	52,732.12
GAS TAX	1,565,496.20
STREET AND ROAD FUND	2,856,400.02
MEASURE A FUND	1,471,654.78
PARK FACILITY DEVELOPMENT	2,424,733.09
AFFORDABLE HOUSING	2,193,300.68
PUBLIC FACILITIES	2,034,175.84
POLICE SPECIAL REVENUE	878,474.92
JOB-BOND PROCEED FD	0.96
MEASURE W FUND	592,480.44
LOT ACQUISITION/DEVELOPMENT	1,542,065.67
CZI GRANTS	332,006.03
JOB - DEBT SERVICE FD	6,349.90
GEN FD CAPITAL PROJECTS	2,862,099.74
DRAINAGE FUND	1,264,991.69
LIBRARY CAPITAL	446,861.70
GENERAL LONG TERM DEBT	-
SEWER FUNDS	4,482,462.73
VEHICLE REPLACEMENT	210,573.69
FURN/FIXT & EQUIP FUND	871,563.50
RISK MANAGEMENT	3,770,923.16
RETIREMENT STABILIZATION	1,472,402.80

TOTAL, RESTRICTED FUNDS **36,069,543.50**

GENERAL LEDGER (BOOK) TOTAL

50,306,570.07

BANK BALANCES ON 03/31/2023

WELLS FARGO GENERAL CHECKING	2,950,170
WELLS FARGO PAYROLL CHECKING	137,177
LOCAL AGENCY INVESTMENT FUND (LAIF)	7,847,172
SAN MATEO COUNTY INVESTMENT POOL	39,803,007

Add: PETTY CASH ACCOUNTS	751.25
RECONCILING ITEMS	(288.06)
Less: OUTSTANDING CHECKS	(431,867.45)
Plus: DEPOSITS IN TRANSIT	448.00
Plus: VOID CHECKS	-

BANK RECONCILIATION TOTAL

50,306,570.07