



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

TUESDAY, SEPTEMBER 5, 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).

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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

PUBLIC FORUM

PROCLAMATIONS AND PRESENTATIONS

SUICIDE PREVENTION MONTH PROCLAMATION

RECOVERY HAPPENS MONTH PROCLAMATION

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT PRESENTATION

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

CITY MANAGER UPDATES TO COUNCIL

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B APPROVAL OF MINUTES

Staff Recommendation: Approve meeting minutes for the September 20, 2022 City Council Meeting through the July 18, 2023 City Council Meeting.

[ATTACHMENT](#)

1.C MAYOR'S AMENDED LIST OF CITY COUNCIL REPRESENTATIVES AND DESIGNATED ASSIGNMENTS FOR 2023

Staff Recommendation: Accept Mayor Penrose's Amended List of City Council Representatives and Designated Assignments for 2023.

[STAFF REPORT](#)

[ATTACHMENT](#)

1.D RESOLUTION IN OPPOSITION TO OFFSHORE DRILLING ACTIVITIES AND EXPANSION OF OFFSHORE DRILLING IN THE PACIFIC OCEAN

Staff Recommendation: Adopt a resolution in opposition to offshore drilling activities and expansion of offshore drilling in the Pacific Ocean.

[STAFF REPORT](#)

[RESOLUTION](#)

1.E FINAL ACCEPTANCE OF THE 2023 STREET MAINTENANCE PROJECT (CIP NO. 0514)

Staff Recommendation: Adopt a resolution authorizing the City Manager or his designee to file a Notice of Completion, release the Performance and Labor and Materials Bonds, start the one-year warranty bond period, and release the retention funds thirty (30) days after recordation of the Notice of Completion for the 2023 Street Maintenance Project.

[STAFF REPORT](#)

[RESOLUTION](#)

1.F ADOPTION OF ADDITIONAL FINDINGS TO JUSTIFY LOCAL MODIFICATIONS TO THE 2022 CALIFORNIA BUILDING STANDARDS CODE

Staff Recommendation: Adopt the resolution making the additional required findings justifying the City's modifications to the 2022 California Building Standards Code.

[STAFF REPORT](#)

[RESOLUTION](#)

1.G SIDE LETTER BETWEEN THE CITY OF HALF MOON BAY AND THE REPRESENTED MANAGEMENT TEAM TO ADD A CLASSIFICATION AND SPECIALIZED LICENSE PAY TO MEMORANDUM OF UNDERSTANDING

Staff Recommendation: Adopt a resolution authorizing the City Manager to enter into a Side Letter between the City of Half Moon Bay and the Represented Management Team to add a classification and specialized license pay to the Memorandum of Understanding.

[STAFF REPORT](#)

[RESOLUTION](#)

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTIONS AND STAFF REPORTS

3.A PARTNERSHIP AGREEMENT WITH MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Staff Recommendation: Adopt a resolution authorizing the City Manager to execute a Partnership Agreement (Exhibit A to the Resolution) with Midpeninsula Regional Open Space District affirming general terms and processes for partnering on the planning, design, environmental review and permitting at the Johnston House/Train Depot Site.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

[ATTACHMENT 3](#)

3.B OPPORTUNITY CENTER OF THE COASTSIDE--LEASE AGREEMENT FOR 637 MAIN STREET

Staff Recommendation: Adopt a resolution authorizing the City Manager to:

1. Execute a Lease Agreement for approximately 3,900 square feet of commercial space located on the first floor of 637 Main Street (Suites A, B and C) effective October 1, 2023, at an initial monthly rate of \$11,000, for a term of two years, with the option to extend for an additional three years, to serve as the physical site and support operations of the Opportunity Center of the Coastsides (OCC); and
2. Execute a sublease with the Half Moon Bay Chamber of Commerce and Visitors Authority for a portion of the premises to be determined at the same rate per square foot and terms as the Lease Agreement.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

3.C FUNDING AND CONTRACT APPROVAL FOR THE POPLAR STREET TRAFFIC CALMING AND SAFETY PROJECT - PHASE I (CIP PROJECT NO. 593)

Staff Recommendation: Adopt two resolutions which would:

1. Authorize staff to proceed with requesting cost sharing participation by properties having a deferred street agreement adjacent to the project site of Poplar Street between Main Street and Highway 1 including future cost sharing for undeveloped lots.
2. Authorize the City Manager to award and execute a construction contract to the lowest responsive and responsible bidder, Half Moon Bay Grading and Paving, Inc., of Half Moon Bay, California in the amount of \$1,445,365.87, and approve a construction contingency not exceeding an amount of \$216,804.88 (15%) for the Poplar Street Traffic Calming and Safety Project – Phase I (CIP Project No. 593).

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

[ATTACHMENT 3](#)

3.D SAM OPERATIONS AND MAINTENANCE BUDGET AMENDMENT REQUEST - PRINCETON PUMP STATION CAPITAL REPLACEMENT PROJECT

Staff Recommendation: Adopt a resolution deferring the requested budget augmentation increasing the prior approved IPS project (Princeton Pump Station Capital Replacement) pending a renewed stipulation to pay under protest or final resolution in the court action.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

[ATTACHMENT 3](#)

COMMISSION / COMMITTEE UPDATES

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

CITY COUNCIL REPORTS

ADJOURNMENT



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, SEPTEMBER 20, 2022
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CONVENE REGULAR MEETING / ROLL CALL

Mayor Ruddock called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Jimenez, and Rarback, Vice Mayor Penrose, and Mayor Ruddock

PUBLIC FORUM

The following individuals addressed the Council:

- Julia Rapoza
- Zoom User

PROCLAMATIONS AND PRESENTATIONS

MIDCOAST COMMUNITY COUNCIL REPORT

Greg Dieguez provided an update on recent Midcoast Community Council actions.

In response to Council questions, Greg Dieguez discussed the opening on the Council.

MOSQUITO DISTRICT ANNUAL REPORT

Kati Martin and Rachel Curtis-Robles, San Mateo County Mosquito and Vector Control District, presented the Annual Report.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

None.

REPORT OUT FROM RECENT CLOSED SESSION MEETING

None.

CITY MANAGER UPDATES TO COUNCIL

Recreation Supervisor Behle announced the Summers End Music Festival on September 24, 2022, and a Community Workshop to discuss Phase 2 of the Frenchman's Creek Park on September 28, at 6 p.m.

City Manager Chidester announced the CalFire prescribed burn in the northern end of Santa Cruz County, close to the San Mateo border. He introduced Sheriff's Captain Rebecca Albin.

Captain Albin introduced herself and expressed her enthusiasm in working with the Council and community. In response to Council questions, Captain Albin stated she did not speak Spanish and would provide information on the Spanish speaking deputies. She concurred with the importance of transparency.

The following individual addressed the Council:

- Dan Haggerty

1. CONSENT CALENDAR

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF AUGUST 2022**
- 1.C RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)**
- 1.D DISPLAY OF THE LGBTQ PROGRESS FLAG FOR THE MONTH OF OCTOBER 2022 AT CITY HALL TO COMMEMORATE LGBTQ HISTORY MONTH**
- 1.E RECEIPT OF LEGISLATIVE POSITION LETTERS**
- 1.F FRENCHMAN'S CREEK PARK PHASE 2 (CIP PROJECT NO. 1013)**

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTION AND STAFF REPORTS

3.A FIRST AMENDMENT TO AGREEMENT WITH EL CENTRO DE LIBERTAD FOR CARES COMMUNITY RESPONDER PROGRAM

City Manager Chidester and Jeff Essex, El Centro de Libertad, presented the staff report.

The Council discussed the item and asked questions of staff.

The following individuals addressed the Council:

- Dan Haggerty
- Carol

MOTION

Vice Mayor Penrose moved and Councilmember Jimenez seconded a motion to adopt a resolution authorizing the City Manager to execute a First Amendment to the Agreement with El Centro de Libertad for the CARES community Responder program, at a cost not-to-exceed \$500,087, for a term beginning March 1, 2022, and ending June 30, 2023. The question was called and the motion carried unanimously.

3.B SMITH FIELD PARK – AMENDMENTS TO CIP PROGRAM AND FY 2022-23 CAPITAL BUDGET, AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR PLANNING AND DESIGN

Public Works Director Doughty presented the staff report.

The following individuals addressed the Council:

- Julia Rapoza
- Matt Warren
- Dan Haggerty
- Briana
- Brian Jackson
- Anthony Spirotti
- Anne Green

The Council asked questions of staff and discussed the item.

MOTION

Vice Mayor Penrose moved and Councilmember Rarback seconded a motion to adopt a resolution:

1. Amending the Capital Improvement Program FY 2022-23 to FY 2026-2027 (CIP) by:

- Adding a new project entitled Smith Field Improvement Project as a “funded” programmed project for FY 2022-23;
 - Adding the Wavecrest Water Main Project as a “funded” programmed project for FY 2022-23;
2. Amending the FY 2022-23 Capital Budget by:
 - Allocating \$190,000 from the Parkland Development Fees (Fund 125) to the Smith Field Improvement Project to complete 30-percent concept design (CD) level architectural work, 35-percent civil engineering design and environmental assessment in support of consideration of a Coastal Development Permit;
 - Allocating \$50,000 from the Parkland Development Fees (Fund 125) to the Wavecrest Water Main Project to complete 90-percent civil engineering design in support of issuance of a Coastal Development Permit;
 3. Authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Gates + Associates in the amount of \$35,420 for architectural support (30-percent d-d) necessary to file and pursue a Coastal Development Permit for the Smith Field Park Improvement Project;
 4. Authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Freyer & Laureta, Inc. in the amount of \$68,590 for 35- percent civil engineering and cost estimating needed to file and pursue a Coastal Development Permit for the Smith Field Park Improvement Project;
 5. Authorizing the City Manager to execute a Professional Services Agreement with Freyer & Laureta, Inc. in the amount of \$49,800 for 90-percent civil engineering design, bid documents and cost estimates for the Wavecrest Water Main Project; and
 6. Authorizing the City Manager to execute a Professional Services Agreement with SWCA Environmental Consultants in the amount of \$81,900 to complete environmental studies, initial study and anticipated Mitigated Negative Declaration pursuant to the California Environmental Quality Act for a consolidated Coastal Development Permit which includes both the Smith Field Improvement project and Wavecrest Water Main project.

The question was called and the motion carried unanimously.

3.C APPOINTMENT TO PARKS AND RECREATION COMMISSION - BROWNSTONE

MOTION

Councilmember Brownstone moved and Vice Mayor Penrose seconded a motion to appoint RJ Jennings. The question was called and the motion carried unanimously.

COMMISSION / COMMITTEE UPDATES

None.

CITY COUNCIL REPORTS

Councilmember Jimenez discussed the successful Mexican Independence Day celebration and suggested a City event.

Vice Mayor Penrose discussed the recent meetings of the Library JPA; San Mateo County Emergency Services Council; and Commute.Org Board.

Councilmember Rarback reported on the City/County Association of Governments, and Mid-Coast Community Council meetings.

FUTURE ITEMS

Vice Mayor Penrose requested review of the electrification codes, specifically electrification of additions. Councilmember Rarback seconded.

In response to Julia Rapoza, Mayor Ruddock announced the San Mateo County City and County Association of Governments Resource Management and Climate Change Subcommittee meeting.

ADJOURNMENT

Mayor Ruddock adjourned the meeting at 9:35 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Debbie Ruddock, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, OCTOBER 4, 2022
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CONVENE REGULAR MEETING / ROLL CALL

Mayor Ruddock called the meeting to order at 7:02 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Jimenez, and Rarback, Vice Mayor Penrose, and Mayor Ruddock

PUBLIC FORUM

The following individuals addressed the Council:

- Bill Balson
- Krystyn Giedt
- Iliana Betancourt
- Carolina Carbajal

City Manager Chidester explained the sewer fund and acquisition.

PROCLAMATIONS AND PRESENTATIONS

LGBTQ+ HISTORY MONTH

Mayor Ruddock read and presented the proclamation to Kassi Talbot, CoastPride. Ms. Talbot thanked the Council for its support.

CLOVERDALE UPLANDS PURCHASE UPDATE

Mike Williams, Midpenninsula Regional Open Space District, presented a PowerPoint on the Proposed Cloverdale Uplands Purchase.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Ruddock reminded residents of Make It Main Street on October 6 and the World

Championship Pumpkin Weigh-Off on October 10, 2022.

REPORT OUT FROM RECENT CLOSED SESSION MEETING

None.

CITY MANAGER UPDATES TO COUNCIL

Communications Director / City Clerk Blair provided an update on the upcoming elections.

City Manager Chidester provided an update on the Minimum Wage Ordinance.

Mayor Ruddock announced that the City Clerk was elected as the Second Vice President of the City Clerks Association of California and League of California Cities.

1. CONSENT CALENDAR

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B AGREEMENT WITH MUNISERVICES FOR SALES & USE TAX COLLECTION AND AUDIT SERVICES**
- 1.C AGREEMENT WITH HDL COMPANIES FOR BUSINESS LICENSE AND TRANSIENT OCCUPANCY TAX ADMINISTRATION AND COLLECTION**
- 1.D ACCEPTANCE OF FUNDING FROM THE CHAN ZUCKERBERG INITIATIVE DONOR ADVISED FUND, AN ADVISED FUND OF SILICON VALLEY COMMUNITY FOUNDATION, FOR PROGRAM EVALUATION OF ECONOMIC ADVANCEMENT CENTERS IN THREE SAN MATEO COUNTY COMMUNITIES INCLUDING THE COASTSIDE**

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTION AND STAFF REPORTS

Councilmember Jimenez recused himself due to his employment by ALAS and left the meeting.

- 3.A 555 KELLY AVENUE AFFORDABLE HOUSING DEVELOPMENT - DECLARE CITY OWNED**

PROPERTY AS EXEMPT SURPLUS LAND PURSUANT TO GOVERNMENT CODE SECTION 54221(F)(1)(A) AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN EXCLUSIVE NEGOTIATIONS AGREEMENT BETWEEN THE CITY AND MERCY HOUSING CALIFORNIA TO ENABLE PREDEVELOPMENT ACTIVITIES

Housing Coordinator Noce presented a PowerPoint on the Mercy Housing and ALAS proposal, Surplus Lands Act, Exclusive Negotiations Agreement, and funding.

The following individuals addressed the Council:

- Carolina Carbajal
- Iliana Betancourt
- Kimberly Williams
- Belinda Arriaga
- Mary Vega
- Anai Vazquez
- Rocio Avila

The Council asked questions of staff and discussed the item.

Tim Dunn, Mercy Housing, responded to Council questions.

MOTION

Councilmember Penrose moved and Councilmember Rarback seconded a motion to adopt two resolutions to: 1. Declare property owned by the City as "exempt surplus" land, pursuant to Government Code 54221(f)(1)(A), 54221(b), and 37364 located at 555 Kelly Avenue (APN 056-150-200) and a portion of the property located at 535 Kelly Avenue (APN 056-150-220) (the "Site") and depicted in Exhibit A of the resolution, as the City intends to lease the property for the development of affordable housing; and; 2. Authorize the City Manager to execute an Exclusive Negotiations Agreement (ENA) between the City and Mercy Housing California (Mercy Housing) to enable predevelopment activities to be undertaken for an affordable housing development project on the Site and provide for a period of time in which to negotiate a development agreement between the parties. The question was called and the motion carried unanimously.

RECESS

Mayor Ruddock called a recess at 8:35 p.m. The meeting reconvened at 8:43 p.m. with all Councilmembers present.

3.B STUDY SESSION – FEEDING OF WILDLIFE

Public Works Director Doughty presented the staff report.

The following individual addressed the Council:

- Julia Rapoza
- Kim
- Krystyn Giedt
- Palmer Dooley
- Margaret Gossett
- Kerri

The Council discussed the item and provided recommendations.

CONSENSUS

The Council directed staff to bring back an ordinance prohibiting feeding of wildlife.

COMMISSION / COMMITTEE UPDATES

Public Works Director Doughty provided an update on the recent Recreation Commission meeting.

Community Development Director Ekas provided an update on the recent Planning Commission meeting and upcoming Architectural Advisory Committee meeting.

CITY COUNCIL REPORTS

Councilmember Rarback discussed the recent Midcoast Community Council meeting.

Mayor Ruddock stated she and Vice Mayor Penrose attended the Sewer Authority Midcoast meeting. She announced the Harbor District Meeting on October 19, 2022, at which One Shoreline would make a presentation on a long term plan to deal with erosion in the harbor area.

FUTURE ITEMS

None.

ADJOURNMENT

Mayor Ruddock adjourned the meeting at 9:31 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Debbie Ruddock, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, OCTOBER 18, 2022
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CONVENE REGULAR MEETING / ROLL CALL

Mayor Ruddock called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Jimenez, and Rarback, Vice Mayor Penrose, and Mayor Ruddock

PUBLIC FORUM

The following individuals addressed the Council:

- Krystlyn Giedt
- Bill Balson
- Mike Ferreira
- Deborah Penrose
- Candy
- Maria Vega
- John Ullom

PROCLAMATIONS AND PRESENTATIONS

None.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Ruddock announced the Peninsula Clean Energy rebates and mentioned the recent Coastal Commission hearing on short term rentals.

REPORT OUT FROM RECENT CLOSED SESSION MEETING

None.

CITY MANAGER UPDATES TO COUNCIL

PUMPKIN FESTIVAL RECAP

City Manager Chidester provided a recap of the recent Pumpkin Festival.

Mayor Ruddock commended the music performers and Vice Mayor Penrose reminded the community of the benefits to the non-profit organizations.

SEWER UPDATE

City Manager Chidester responded to allegations made regarding the Sewer Fund on October 4, 2022, indicating use of fund was appropriate.

HOMELESSNESS GRANT

Community Services Analyst Acosta provided an update on the City's application to the San Mateo Board of Supervisors American Rescue Plan Act Working Together to End Homelessness Grant.

ELECTIONS NIGHT OUT REMINDER

Communications Director / City Clerk Blair reminded residents of the Elections Night Out event on October 27, 2022, at the Half Moon Bay Library; Vote Center locations; and the Congresswoman Speier Celebrating Democracy event.

FRENCHMAN'S CREEK NEIGHBORHOOD PARK POP-UP INFORMATIONAL EVENT ANNOUNCEMENT

Interim Deputy City Manager Doughty provided an update on the Concept Plan and Community Event on November 5, 2022.

AGE FRIENDLY CITIES UPDATE

Administrative Services Director Lopez provided an update on the Age Friendly Half Moon Bay Coastsiders Coalition.

Sandy Winter, Senior Coastsiders, explained the 8 Domains of Livability and Age Friendly efforts.

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)

1.C RECEIPT OF LEGISLATIVE POSITION LETTERS

1.D WARRANTS FOR THE MONTH OF SEPTEMBER 2022

1.E RESOLUTION OF SUPPORT FOR EASTSIDE PARALLEL TRAIL NORTH – SEGMENT 4 (CIP NO. 619)

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTION AND STAFF REPORTS

3.A PROPOSED ART DONATION – KEN PAUL LOZADA WOOD SCULPTURES

Administrative Services Director Lopez presented the staff report.

Lois White, daughter of Ken Paul Lozada, thanked the Council and Ken Paul Art Group, for their support.

The following individual addressed the Council:

- Bill Balson

MOTION

Vice Mayor Penrose moved and Councilmember Brownstone seconded a motion to adopt a resolution: 1. Accepting the donation of “Innocence” and “Artemis Toe” wood sculptures created by the late Ken Paul Lozada, a Half Moon Bay resident and accomplished artist; and 2. Affirming the placement of the sculptures in the Half Moon Bay Public Library Garden; and 3. Authorizing Public Works staff to develop a plan for permanent installation. The question was called and the motion carried unanimously.

3.B PROPOSED ART DONATION – THE SPIRIT OF LIFE BELL SCULPTURE

Interim Deputy City Manager Doughty presented the staff report.

The following individuals addressed the Council:

- Erin Tormey
- Bill Balson
- Joyce Logan

The Council discussed the item and provided recommendations.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to, by resolution: 1. Accept a loan of “The Spirit of Life Bell” sculpture created by Silvio J. Modena Jr., a Half Moon Bay resident and accomplished artist; and 2. Affirm the temporary placement of the sculpture in the City Hall parking lot through April 1, 2023 in honor of Mr. Modena’s service to his country and for the service of all Coastside veterans; and 3. Accept the donation of the “The Spirit of Life Bell” sculpture contingent on City Council approval of placement of the sculpture; and direct staff to: 1. Development of concept plans for a new public space utilizing the existing drive aisle and parking lot located south of the City Hall building; and 2. Design of the space to focus on “Service to Country and Community” with the sculpture being made part of the space design; and 3. Allowing Kikuchi + Kankel Design Group and community members to assist in the initial conceptual design work. The question was called and the motion carried unanimously.

RECESS

Mayor Ruddock called a recess at 8:55 p.m. The meeting reconvened at 9:00 p.m. with all Councilmembers present.

3.C CONTINUED STUDY SESSION – FEEDING OF WILDLIFE

Interim Deputy City Manager Doughty and Nicole Weaver, Peninsula Humane Society, presented the staff report.

The following individuals addressed the Council:

- Bill Balson
- Leanne Tarling
- Sandy Kelly
- Zoom User
- Margaret Gosset

The Council asked questions and discussed the matter.

COMMISSION / COMMITTEE UPDATES

None.

CITY COUNCIL REPORTS

Councilmember Rarback discussed the recent Midcoast Community Council meeting.

Mayor Ruddock discussed her attendance at the City / County Association of Governments meeting regarding the micro mobility pilot project and equity project.

FUTURE ITEMS

Mayor Ruddock reassured Councilmember Jimenez that staff was working on bringing back a discussion on unleashed dogs on Poplar Beach.

Mayor Ruddock discussed the need for additional Pickleball court time. Vice Mayor Penrose concurred.

ADJOURNMENT

Mayor Ruddock adjourned the meeting in honor of Sylvio Medina at 10:00 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Debbie Ruddock, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, NOVEMBER 1, 2022
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CONVENE REGULAR MEETING / ROLL CALL

Mayor Ruddock called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Jimenez, and Rarback, Vice Mayor Penrose, and Mayor Ruddock

APPROVAL OF AGENDA

MOTION

Vice Mayor Penrose moved and Councilmember Rarback seconded a motion to approve the agenda. The question was called and the motion carried unanimously.

PUBLIC FORUM

The following individuals addressed the Council:

- Kathryn Slater Carter
- Bill Balson
- Wang Tam
- Sue Holland
- Rocio Avila
- Joann Rokosky
- Linda Goldstein
- Carolina Carbajal
- Alice Linsmeier
- Juana Lopez
- Belinda Arriaga

PROCLAMATIONS AND PRESENTATIONS

NATIVE AMERICAN HERITAGE MONTH PROCLAMATION

This item was postponed.

VETERANS DAY PROCLAMATION

Mayor Ruddock read the proclamation recognizing veterans and presented the proclamation to Luis and Tiffany Garcia.

Mr. Garcia expressed gratitude for being home in Half Moon Bay from his recent deployment.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

None.

REPORT OUT FROM RECENT CLOSED SESSION MEETING

None.

CITY MANAGER UPDATES TO COUNCIL

INTRODUCTION OF NEW STAFF

Administrative Services Director Lopez Rossi introduced Ernest Azevedo, Human Resources Analyst. Mr. Azevedo thanked the Council for the opportunity.

Public Works Program Manager Vostinak introduced Sam Treanor, Civic Sparks Fellow. Mr. Treanor expressed his excitement for the opportunity.

VETERANS EVE EVENT

Communications Director / City Clerk Blair announced the Veterans Eve event on November 10, from 5:30 to 6:30 pm, at Mac Dutra Plaza.

GENERAL MUNICIPAL ELECTION

Communications Director / City Clerk Blair reminded residents of the voting locations for the upcoming election.

PULLMAN WATERCOURSE: STATE PARKS CULVERT REPLACEMENT

Senior Planner Scott Phillips provided an overview of the project.

1. CONSENT CALENDAR

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B APPROVE CITY’S RESPONSE TO THE AUGUST 9, 2022 GRAND JURY REPORT ENTITLED “A DELICATE BALANCE BETWEEN KNOWLEDGE AND POWER: GOVERNMENT TRANSPARENCY AND THE PUBLIC’S RIGHT TO KNOW” RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)**
- 1.C QUARTERLY FINANCIAL REPORT FOR THE FIRST QUARTER OF FISCAL YEAR 2022-23**
- 1.D TREASURER’S REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2022**
- 1.E FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SWCA, INC. FOR HALF MOON BAY CORPORATION YARD IMPROVEMENTS PROJECT (CIP NO. 9023)**

MOTION

Mayor Ruddock moved and Councilmember Brownstone seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTION AND STAFF REPORTS

3.A CLIMATE ACTION AND ADAPTATION PLAN, BUILDING ELECTRIFICATION AND EV/PV REACH CODE UPDATE

Public Works Program Manager Vostinak presented the staff report.

The Council asked questions of staff and discussed the item.

The following individuals addressed the Council:

- Dashiell Leeds
- Bill Balson

3.B STUDY SESSION – POPLAR BEACH OFF-LEASH PILOT PROJECT (JIMENEZ)

Councilmember Jimenez presented the matter. Interim Deputy City Manager Doughty and City Manager Chidester presented the staff report.

The following individual addressed the Council:

- Bill Balson
- Willa Chapman

The Council discussed the item and provided recommendations.

CONSENSUS

By consensus, the Council directed staff to initiate work on developing a pilot project regarding off-leash dogs on a portion of Poplar Beach.

COMMISSION / COMMITTEE UPDATES

Interim Deputy City Manager Doughty provided an update on the recent Recreation Commission meeting.

Community Development Director Ekas announced the upcoming Planning Commission meeting.

CITY COUNCIL REPORTS / ITEMS

Vice Mayor Penrose discussed her attendance at the City/County Association of Governments and Sewer Authority Mid-Coastside Operations Committee meetings.

Councilmember Rarback discussed the recent Peninsula Clean Energy board meeting.

Mayor Ruddock reported on the recent County Bikeways Committee and OneShoreline meetings.

Councilmember Jimenez stated he attended the Affordable Housing Vigil and Dia De Los Muertos events.

City Manager Chidester commended staff on the Elections Night Out and Democracy events.

ADJOURNMENT

Mayor Ruddock adjourned the meeting at 9:55 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Debbie Ruddock, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, NOVEMBER 15, 2022
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CALL TO ORDER

Mayor Ruddock called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Jimenez, and Rarback, Vice Mayor Penrose, and Mayor Ruddock

ABSENT: Councilmember Brownstone

APPROVAL OF AGENDA

MOTION

Vice Mayor Penrose moved and Councilmember Rarback seconded a motion to approve the Agenda. The question was called and the motion carried 4-01 Councilmember Brownstone absent.

PUBLIC FORUM

The following individuals addressed the Council:

- Mike Ferreira
- Joanne Rokowski
- Krystlyn Giedt

PROCLAMATIONS AND PRESENTATIONS

NATIVE AMERICAN HERITAGE MONTH PROCLAMATION

Mayor Ruddock read the proclamation.

Community and Economic Vitality Manager Decker discussed research and resources on Native American Heritage Month.

MIDCOAST COMMUNITY COUNCIL UPDATE

Mayor Ruddock provided an update on behalf of the Midcoast Community Council.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

None.

REPORT OUT FROM RECENT CLOSED SESSION MEETING

None.

CITY MANAGER UPDATES TO COUNCIL

HERITAGE DOWNTOWN UPDATE

Deferred to December 6, 2022.

STORM PREPAREDNESS UPDATE and PULLMAN DITCH UPDATE

Interim Public Works Director Bozorginia provided tips for rainstorm preparedness and safety.

COMMUNITY SERVICES FINANCIAL ASSISTANCE GRANT COHORT UPDATE

Community Services Analyst Acosta presented an update on the Community Services Financial Assistance Grants Cohort.

COUNTY GUN BUYBACK EVENTS

Lena Silverman, Office of Supervisor Don Horsley, announced the Anonymous Gun Buyback on December 3, 2022, in San Carlos.

1. CONSENT CALENDAR

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF OCTOBER 2022**
- 1.C RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)**
- 1.D AMENDMENT NO. 6 TO PROFESSIONAL SERVICES AGREEMENT WITH CIRCLEPOINT FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT**
- 1.E RECLASSIFICATION OF ASSOCIATE PLANNER TO SENIOR PLANNER CLASSIFICATION**

MOTION

Vice Mayor Penrose moved and Councilmember Jimenez seconded a motion to approve the Consent Calendar. The question was called and the motion carried 4-0-1, Councilmember Brownstone absent.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTION AND STAFF REPORTS

3.A POPLAR STREET TRAFFIC CALMING AND SAFETY PROJECT - UPDATE

Mayor Ruddock recused herself and left the meeting.

Interim Public Works Director Bozorginia presented the staff report.

The Council asked questions of staff.

The following individuals addressed the Council:

- Martha
- Danielle

Interim Public Works Director Bozorginia and Interim Deputy City Manager Doughty responded to questions.

MOTION

Vice Mayor Penrose moved and Councilmember Rarback seconded a motion to adopt a resolution approving the amended Capital Improvement Project page phasing the Poplar Street Traffic Calming and Safety Project. The question was called and the motion carried 3-0-2, Mayor Ruddock and Councilmember Brownstone absent.

3.B AGREEMENT WITH INFINITY TECHNOLOGIES FOR INFORMATION TECHNOLOGY SERVICES

Mayor Ruddock returned to the meeting.

Administrative Services Director Lopez Rossi and Senior Budget Analyst Lopez presented the staff report.

Mohammed Ahmed, Infinity Technologies, provided his background and expressed excitement for the partnership.

The following individual addressed the Council:

- Michelle Dragony

MOTION

Mayor Ruddock moved and Vice Mayor Penrose seconded a motion to adopt a resolution authorizing the City Manager to execute a three-year contract agreement with Infinity Technologies to provide Information Technology services at a cost of \$167,520 per year with a 10% contingency for unforeseen additional needs at \$16,752 per year. The question was called and the motion carried 4-0-1, Councilmember Brownstone absent.

3.C INPUT ON LEAGUE OF CALIFORNIA CITIES LEGISLATIVE PLATFORM FOR 2023 / INFORMATIONAL UPDATE ON CITY LEGISLATIVE ADVOCACY EFFORTS

Communications Director / City Clerk Blair presented the staff report.

The Council discussed their priorities.

The following individuals addressed the Council:

- Mike Ferreira
- Ricardo Reyes
- Zoom User

COMMISSION / COMMITTEE UPDATES

City Manager Chidester announced the upcoming Planning Commission meeting and explained the Recreation Commission schedule.

Interim Public Works Director Bozorginia provided an overview of the recent Bicycle/Pedestrian Advisory Committee meeting.

CITY COUNCIL REPORTS / ITEMS

Mayor Ruddock discussed the recent Sewer Authority Mid-Coastside meeting regarding evaluation of potential flooding and sea level rise on the Sewer Treatment Plant; recent City/County Association of Government meeting; and a successful Veterans Day event.

ADJOURNMENT

Mayor Ruddock adjourned the meeting at 9:05 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Debbie Ruddock, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, DECEMBER 6, 2022
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CALL TO ORDER

Mayor Ruddock called the meeting to order at 7:02 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Jimenez, and Rarback, Vice Mayor Penrose, and Mayor Ruddock

APPROVAL OF AGENDA

PUBLIC FORUM

The following individuals addressed the Council:

- John Ullom
- Krystlyn Giedt
- Carla Young
- Connie Santilli
- Rocio Avila

PROCLAMATIONS AND PRESENTATIONS

None.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Ruddock reminded residents of Nights of Lights.

REPORT OUT FROM RECENT CLOSED SESSION MEETING

City Attorney Engberg reported that the City was dismissed in the case of Sandra Harmon vs. County of San Mateo.

CITY MANAGER UPDATES TO COUNCIL

RECOGNITION / STATE OF THE CITY ANNOUNCEMENT

Communications Program Manager Lettire provided an update on the State of the City and City Council reorganization meeting.

HERITAGE DOWNTOWN UPDATE

Community Development Director Ekas and Community Preservation Officer Butcher provided an update on Heritage Downtown.

GRANTS PROGRAM UPDATE

Senior Management Analyst Chong provided an overview of the grant program.

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)

1.C NO BUILD DETERMINATION FOR THE MAIN STREET BRIDGE REHABILITATION PROJECT

1.D AGREEMENT WITH SWCA ENVIRONMENTAL CONSULTANTS, FOR ENVIRONMENTAL SERVICES FOR PILARCITOS CREEK RESTORATION AND REMEDIATION PROJECT

MOTION

Vice Mayor Penrose moved and Councilmember Rarback seconded a motion to approve the Consent Calendar with the exception of Items I.B and I.C. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

2.A ADOPTION OF THE 2022 EDITIONS OF THE CALIFORNIA BUILDING STANDARDS CODE

Permit Technician Corrales and Public Works Program Manager Vostinak presented the staff report.

The Council asked clarifying questions.

Mayor Ruddock opened the public hearing.

The following individuals addressed the Council:

- John Ullom
- Krystlyn Geidt

Mayor Ruddock closed the public hearing.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to: 1. Introduce an ordinance amending Chapter 14.04 of the Half Moon Bay Municipal Code, adopting by reference the 2022 Edition of the California Building Standards Code, with local amendments, and finding the amendments to be exempt from environmental review under the California Environmental Quality Act (CEQA); and 2. Direct staff to place the ordinance and the attached resolution establishing the “Need for Local Modifications to the California Building Standards Code” and ratifying the Coastside Fire Protection District’s Ordinance No. 2022-03 on the consent calendar for adoption on December 20, 2022. The question was called and the motion carried unanimously.

RECESS

Mayor Ruddock called a recess at 8:25 p.m. The meeting reconvened at 8:30 p.m. with all Councilmembers present.

2.B DISPOSABLE FOODWARE ORDINANCE UPDATE

Public Works Program Manager Vostinak presented the staff report.

The Council asked clarifying questions.

Kevin Lieu, County of San Mateo Office of Sustainability, explained the purpose of the amendment.

Mayor Ruddock opened the public hearing.

The following individuals addressed the Council:

- John Ullom
- Sally Lieu
- Karen Matson
- Amanda
- Nicole
- Lanna Levison
- Hazel Joanes

Mayor Ruddock closed the public hearing.

The Council asked questions and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to introduce an ordinance repealing and replacing Chapter 7.30 of the Half Moon Bay Municipal Code entitled “Disposable Foodware” regarding food facilities’ provision of single-use foodware accessories, the removal of language surrounding fluorinated chemicals, the removal of language surrounding BPI certified compostable plastics, and, beginning on June 1, 2023, requiring reusable foodware for On-premises dining, and finding the amendments to be exempt under the California Environmental Quality Act (CEQA). The question was called and the motion carried unanimously.

3. RESOLUTION AND STAFF REPORTS

None.

1. CONSENT CALENDAR (Continued)

The following items were pulled from the Consent Calendar for individual consideration:

1.B RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)

City Attorney Engberg presented the staff report.

The following individuals addressed the Council:

- John Ullom
- Kimberly Williams
- Carlyle Anne Young
- Krystlyn Geidt
- Hazel Joanes

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to re-ratify the findings in Resolution No. 2021-80 to continue conducting the City’s Council, Commission, and Committee meetings remotely due to health and safety concerns to the public due to COVID-19. The question was called and the motion carried unanimously.

1.C NO BUILD DETERMINATION FOR THE MAIN STREET BRIDGE REHABILITATION PROJECT

Public Works Director Bozorginia presented the staff report.

The following individual addressed the Council:

- John Ullom

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution authorizing the City Manager to recommend approval of the National Environmental Policy Act “No Build Option” for Main Street Bridge Replacement project and direct staff to prepare all necessary documents to implement this recommendation in accordance with Caltrans and Federal Highway Administration procedures. The question was called and the motion carried unanimously.

COMMISSION / COMMITTEE UPDATES

City Manager Chidester discussed the upcoming Planning Commission meeting.

CITY COUNCIL REPORTS

Councilmember Rarback discussed the recent Midcoast Community Council special meeting.

FUTURE ITEMS

Vice Mayor Penrose requested an update from the Housing Consultant. Councilmember Brownstone and Mayor Ruddock concurred.

ADJOURNMENT

Mayor Ruddock adjourned the meeting at 9:31 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Debbie Ruddock, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, DECEMBER 20, 2022
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CALL TO ORDER / ROLL CALL

Mayor Ruddock called the meeting to order at 7:02 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Jimenez, and Rarback, Vice Mayor Penrose, and Mayor Ruddock

APPROVAL OF AGENDA

PUBLIC FORUM

The following individual addressed the Council:

- John Ullom

2022 STATE OF THE CITY ADDRESS

Communications Director/City Clerk Blair and Communications Project Manager Lettire presented the staff report and State of the City video.

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B FINAL RESULTS OF THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION

MOTION

Vice Mayor Penrose moved and Councilmember Brownstone seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

ADMINISTRATION OF OATH OF OFFICE TO NEWLY-ELECTED COUNCILMEMBERS

Congresswoman Jackie Speier administered the Oath to Councilmember Brownstone, Vice Mayor Penrose and Mayor Ruddock.

REMARKS BY OUTGOING MAYOR

Mayor Ruddock discussed the highlights of the past year and thank the Council for its support.

SELECTION OF MAYOR AND VICE MAYOR FOR 2023

MOTION

Mayor Ruddock moved and Councilmember Rarback seconded a motion to select Deborah Penrose as Mayor. The question was called and the motion carried unanimously.

MOTION

Mayor Penrose moved and Councilmember Brownstone seconded a motion to select Joaquin Jimenez as Vice Mayor. The question was called and the motion carried unanimously.

REMARKS BY INCOMING MAYOR

Mayor Penrose thanked the Council, community and staff for its support.

2. CONSENT CALENDAR

- 2.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 2.B 2023 RESIDENTIAL DWELLING UNIT ALLOCATION PURSUANT TO HALF MOON BAY MUNICIPAL CODE CHAPTER 17.06 (MEASURE D)**
- 2.C ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2022**
- 2.D RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)**
- 2.E 2023 CALENDAR OF CITY COUNCIL MEETINGS**
- 2.F AB1600 REPORT ON DEVELOPMENT IMPACT FEES FOR FISCAL YEAR ENDED JUNE 30, 2022**
- 2.G WARRANTS FOR THE MONTH OF NOVEMBER 2022**
- 2.H CONSOLIDATED COASTAL DEVELOPMENT PERMIT--CALIFORNIA BROADBAND MIDDLE MILE NETWORK PROJECT**
- 2.I ORDINANCE ADOPTING THE 2022 EDITIONS OF THE CALIFORNIA BUILDING STANDARDS CODE - SECOND READING**
- 2.J DISPOSABLE FOODWARE ORDINANCE UPDATE - SECOND READING**
- 2.K RENEWAL OF SURF SCHOOL LICENSE AGREEMENTS**

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

ADJOURNMENT

City Manager Chidester thanked Debbie Ruddock for her service as Mayor and the Council for its good governance.

Mayor Penrose adjourned the meeting at 7:53 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, JANUARY 4, 2023
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CONVENE SPECIAL MEETING / ROLL CALL

Mayor Penrose called the meeting to order at 2:34 p.m.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez (arrived at 2:40 p.m.), and Mayor Penrose

1. DISCUSSION

1.A. RATIFY PROCLAMATION OF LOCAL EMERGENCY RELATED TO DECEMBER / JANUARY WINTER STORM EVENT

City Manager Chidester presented the staff report.

The Council asked questions and discussed the matter.

MOTION

Councilmember Ruddock moved and Councilmember Rarback seconded a motion to adopt a resolution ratifying the Director of Emergency Services' (Half Moon Bay City Manager) Proclamation of Local Emergency related to December / January Winter Storm Event. The question was called and the motion carried unanimously.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 3:00 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, JANUARY 17, 2023
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CONVENE SPECIAL MEETING / ROLL CALL

Mayor Penrose called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

OPEN SESSION IDENTIFICATION OF CLOSED SESSION ITEMS

City Attorney Engberg identified the items on the agenda.

PUBLIC COMMENT ON CLOSED SESSION ITEMS

None.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code section 54956.9(d)(1))
Name of case: City of Half Moon Bay v. Granada CSD and Montara WSD, et al.
Santa Clara Superior Court Civil No. 17CIV316927; Court of Appeal Case No. H049896

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9 (one case)

ADJOURNMENT

Mayor Penrose adjourned the meeting at 6:48 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, JANUARY 17, 2023
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:08 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

APPROVAL OF AGENDA

Mayor Penrose indicated she reordered the agenda to have City Manager Updates prior to Public Forum. The Council discussed the matter.

City Attorney Engberg explained that she recommended the Mayor bring up the matter and a future item could be considered for a permanent change.

MOTION

Councilmember Rarback moved and Councilmember Brownstone seconded a motion to approve the agenda. The question was called and the motion carried unanimously.

PROCLAMATIONS AND PRESENTATIONS

CONGRESSWOMAN ANNA ESHOO – INTRODUCTION

Congresswoman Eshoo expressed her excitement for serving the City and discussed her priorities for the coming year.

NATIONAL SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH PROCLAMATION

Mayor Penrose read the proclamation and presented it to Pamela Estes.

Ms. Estes, San Mateo County, explained human and labor trafficking and invited the community to participate in educational programs.

MIDCOAST COMMUNITY COUNCIL UPDATE

None.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose announced the Midcoast Community Council meeting on January 18; Coastal Arts Gallery display; Harlem Wizards on January 22; and Odd Fellows movie showing on January 28.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

City Attorney Engberg reported that the Council met in Closed Session and there was no reportable action.

CITY MANAGER UPDATES TO COUNCIL

LISTENING SESSION ANNOUNCEMENT

Administrative Services Director Lopez announced the upcoming Listening Sessions.

WINTER STORM UPDATE / RECAP

City Manager Chidester reported on the City's activities during the recent winter storms.

HIGHWAY 92 SINK HOLE UPDATE

City Manager Chidester provided an update on the Highway 92 sink hole.

PUBLIC FORUM

The following individuals addressed the Council:

- Lisa Hansen
- Mike Ferreira
- Belinda Arriaga
- Krystlyn Giedt
- Carolina Carbajal
- Rocia Avila
- Maria Vega

1. CONSENT CALENDAR

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B APPROVAL OF MINUTES**
- 1.C WARRANTS FOR THE MONTH OF DECEMBER 2022**
- 1.D RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)**
- 1.E STATE AND FEDERAL ADVOCACY SERVICES AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC.**
- 1.F MAYOR'S LIST OF CITY COUNCIL REPRESENTATIVES AND DESIGNATED ASSIGNMENTS FOR 2023**
- 1.G STORMWATER & NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) AND ANNUAL REPORTING SERVICES FOR 2023**

MOTION

Councilmember Rarback moved and Councilmember Brownstone seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTIONS AND STAFF REPORTS

3.A INFORMATIONAL UPDATES ON AFFORDABLE HOUSING DEVELOPMENT PROJECTS INCLUDING CITY-OWNED PROPERTY AT 555 KELLY AVENUE AND 880 STONE PINE ROAD

Housing Coordinator Noce presented the staff report.

Janet Stone, Housing Consultant, introduced herself and described her work.

The Council discussed the item.

The following individuals addressed the Council:

- Alice Linsmeier
- Joanne Rokosky
- KC Branscomb
- Belinda Arriaga
- Rocio Avila Garcia
- Carolina Carbajal
- Mike Ferreira
- Alejandro Ontiveros

- Pati Ramirez
- Maria Vega

3.B HYBRID MEETING UPDATE

Communications Director / City Clerk Blair presented the staff report.

3.C APPOINTMENTS TO CITY COMMISSIONS

Communications Director / City Clerk Blair presented the staff report.

The Council discussed the item.

The following individuals addressed the Council:

- David Eblovi
- KC Branscomb
- Mike Ferreira

The Council further discussed the item.

MOTION

Councilmember Rarback moved and Vice Mayor Jimenez seconded a motion to appoint Hazel Joanes to the Planning Commission. The question was called and the motion carried unanimously.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to confirm existing appointments for the Planning Commission and Parks and Recreation Commission. The question was called and the motion carried unanimously.

COMMISSION / COMMITTEE UPDATES

None.

CITY COUNCIL REPORTS / ITEMS

Vice Mayor Jimenez requested a future agenda item to consider adding cultural center to the name of the community center. Councilmember Brownstone seconded.

Councilmember Ruddock reiterated her request for consideration of expanding Pickleball opportunities.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 10:18 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, FEBRUARY 7, 2023
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:06 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

APPROVAL OF AGENDA

MOTION

Councilmember Rarback moved and Councilmember Brownstone seconded a motion to approve the agenda. The question was called and the motion carried unanimously.

PROCLAMATIONS AND PRESENTATIONS

None.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose began the meeting in remembrance of the victims of the mass shooting in Half Moon Bay. The names of the victims were read and a moment of silence was held.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

None.

CITY MANAGER UPDATES TO COUNCIL

PRIORITY SETTING / LISTENING SESSIONS UPDATE

Interim Assistant City Manager Lopez provided the dates of the 2023 Listening Sessions and the feedback survey.

PUBLIC FORUM

The following individuals addressed the Council:

- John Ullom
- Joanne Rokosky
- Krystlyn Giedt
- Shauna Pickett-Gordon

1. CONSENT CALENDAR

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)**
- 1.C GRANT AGREEMENT WITH COUNTY OF SAN MATEO TO DEVELOP AND OPERATE AN OPPORTUNITY CENTER IN HALF MOON BAY**
- 1.D HIGHWAY 1 SAFETY AND OPERATIONAL IMPROVEMENTS PROJECT – NORTH (CIP PROJECT NO. 538) AGREEMENT AMENDMENT WITH MARK THOMAS COMPANY, INC.**

MOTION

Councilmember Rarback moved and Councilmember Ruddock seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTIONS AND STAFF REPORTS

3.A UPDATE ON THE JANUARY 23, 2023 MASS SHOOTING INCIDENT

City Manager Chidester presented the staff report.

The following individuals addressed the Council:

- Steve Okonek
- Rocio Avila Garcia
- Carolina Carbajal
- Alice Linsmeier
- John Ullom

The Council discussed the item.

City Attorney Engberg responded to Council questions and Community Development Director Ekas discussed efforts for housing development.

CONSENSUS

By consensus, the Council created an ad hoc committee of Mayor Penrose and Vice Mayor Jimenez to work on ideas for affordable housing projects.

3.B DECLARATION OF LOCAL EMERGENCY AND EXECUTIVE ORDER ESTABLISHING A CENTRALIZED COASTSIDE VICTIMS AND FAMILY SUPPORT FUND

City Manager Chidester, Economic and Community Development Vitality Manager Decker, and City Attorney Engberg presented the staff report.

The Council asked questions.

Suzanne Knowlton and Wade Painter, San Mateo Credit Union, discussed the process.

The following individual addressed the Council:

- Carolina Carbajal

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a Resolution declaring a local emergency resulting from the January 23, 2023 Mass Shooting Incident and authorizing the City Manager to issue an Executive Order establishing a Coastside Victims and Family Support Fund at the San Mateo Credit Union Community Fund in partnership with Mavericks Community Foundation. The question was called and the motion carried unanimously.

COMMISSION / COMMITTEE UPDATES

City Manager Chidester announced the upcoming Recreation Commission and Planning Commission meetings.

CITY COUNCIL REPORTS / ITEMS

None.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 9:25 p.m. in remembrance of the Turkey and Syria earthquake victims.

Respectfully Submitted:

Jessica Blair, City Clerk

Approved:

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, FEBRUARY 21, 2023
VIRTUAL VIA ZOOM MEETING (COVID-19 PROTOCOLS)**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:03 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

APPROVAL OF AGENDA

MOTION

Councilmember Rarback moved and Councilmember Brownstone seconded a motion to approve the Agenda. The question was called and the motion carried unanimously.

PROCLAMATIONS AND PRESENTATIONS

HIP HOUSING UPDATE

Nina Phillips, HIP Housing, presented the 2023 calendar.

MIDCOAST COMMUNITY COUNCIL UPDATE

Greg Dieguez provided an update on Midcoast Community Council efforts.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose announced the upcoming Coastal Repertory Theater, Coastal Arts League Student Art Show, and Teacher Appreciation Fundraiser.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

None.

CITY MANAGER UPDATES TO COUNCIL
STORM RESPONSE UPDATE

Public Works Superintendent Seeley provided an update on FEMA Assistance; cleanup of Oak Avenue Park and the Coastal Trail adjacent to Myrtle; other areas of concern; and next steps.

PRIORITY SETTING / LISTENING SESSIONS UPDATE

Administrative Services Director Lopez Rossi summarized the recent 2023 Listening Session, upcoming sessions and Council Priority Setting session.

Communications Director / City Clerk Blair announced that upcoming meetings would be in person.

PUBLIC FORUM

The following individuals addressed the Council:

- Joanne Rokosky
- Ann
- Carolina Carbajal

1. CONSENT CALENDAR

Mayor Penrose pulled Item No. 1.F.

The Consent Calendar consisted of followings item:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B TERMINATION OF LOCAL EMERGENCY RELATED TO THE DECEMBER / EARLY JANUARY WINTER STORMS/FLOODING EVENT**
- 1.C WARRANTS FOR THE MONTH OF JANUARY 2023**
- 1.D RESOLUTION APPOINTING PRIMARY AND ALTERNATE MEMBERS TO REPRESENT THE CITY OF HALF MOON BAY ON THE PLAN JPA BOARD OF DIRECTORS**
- 1.E PROFESSIONAL SERVICES AGREEMENT WITH NBS FOR COST ALLOCATION PLAN, USER FEE STUDY AND DEVELOPMENT IMPACT FEE STUDY**

MOTION

Councilmember Rarback moved and Councilmember Brownstone seconded a motion to approve the Consent Calendar, except for Item 1.F. The question was called and the motion carried unanimously.

The following item was pulled from the Consent Calendar for individual consideration:

1.F MAIN STREET AND KELLY AVENUE PARCEL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT (433 – 447 MAIN STREET)

Mayor Penrose recused herself from the item due to the location of her home.

MOTION

Councilmember Rarback moved and Vice Mayor Jimenez seconded a motion to Adopt a resolution:

1. Approving the Parcel Map for the Main Street and Kelly Avenue Subdivision; and
2. Approving the Subdivision Improvement Agreement for the Main Street and Kelly Avenue Subdivision; and
3. Accepting, on behalf of the Public, the dedicated Public Utility Easement for dry utilities (electric and communication services); and
4. Authorizing the Interim Public Works Director/City Engineer, City Clerk, and Acting City Surveyor, to execute and record the Parcel Map with the office of the San Mateo County Recorder; and
5. Authorizing the City Manager to execute the Subdivision Improvement Agreement between the Developer and the City of Half Moon Bay, along with recording the Agreement with the office of the San Mateo County Recorder.

The question was called and the motion carried 4-0-1, Mayor Penrose recused.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTIONS AND STAFF REPORTS

3.A FORMATION OF A TEMPORARY AD HOC HOUSING COMMITTEE

City Manager Chidester and Interim Assistant City Manager Doughty presented the staff report.

The following individual addressed the Council:

- Carolina Carbajal

The Council discussed the item.

MOTION

Councilmember Ruddock moved and Councilmember Rarback seconded a motion to adopt resolution to create an ad hoc committee of Mayor Penrose and Vice Mayor Jimenez to come up with a plan for affordable housing. The question was called and the motion carried unanimously.

Vice Mayor Jimenez recused himself and left the meeting at 7:55 p.m.

3.B 555 KELLY AVENUE AFFORDABLE HOUSING DEVELOPMENT – PREDEVELOPMENT LOAN AGREEMENT WITH MERCY HOUSING

Housing Coordinator Noce presented the staff report.

The Council discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution authorizing the City Manager to execute a predevelopment loan agreement between the City and Mercy Housing California 110, L.P., a California limited partnership, in an amount not to exceed \$1,000,000 from the Affordable Housing Fund, to support predevelopment activities for an affordable housing development project on City-owned land at 535 and 555 Kelly Avenue. The question was called and the motion carried 4-0-1, Vice Mayor Jimenez absent.

3.C REVIEW OF HALF MOON BAY MUNICIPAL CODE CHAPTER 1.30 – CONTRIBUTIONS AND LOANS TO CITY CANDIDATE CAMPAIGNS

Communications Director / City Clerk Blair and City Attorney Engberg presented the staff report.

The Council discussed the item.

CONSENSUS

By consensus, the Council determined to retain the current campaign finance limits.

3.D FINANCIAL AND TREASURER’S REPORT FOR THE QUARTER ENDED ON DECEMBER 31, 2022

Senior Accountant Stiles presented the staff report.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to accept the Financial Report and the Treasurer’s Report for the quarter ended on December 31, 2022. The question was called and the motion carried unanimously.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

None.

CITY COUNCIL REPORTS

Councilmember Brownstone discussed the Commute.org meeting and 101 Express Lane, with Phase 2 opening in March. Mayor Ruddock agreed to invite them to a future meeting.

Councilmember Rarback reported on the OneShoreline and Sewer Authority Mid-Coastside meetings.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 8:30 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
MONDAY, FEBRUARY 27, 2023
ALL REMOTE PARTICIPATION**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 5:34 p.m. and led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

1. DISCUSSION ITEM

1.A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF SAN MATEO TO SUPPORT AN APPLICATION FOR THE JOE SERNA, JR. FARMWORKER HOUSING GRANT HOMEOWNERSHIP PROGRAM AND JOINTLY DEVELOP AN AFFORDABLE FARMWORKER HOUSING PROJECT

City Manager Chidester presented the staff report.

The following individual addressed the Council:

- Nancy Lacsamana

The Council indicated support for the program.

MOTION

Councilmember Ruddock moved and Councilmember Rarback seconded a motion to adopt a resolution authorizing the City Manager to negotiate and execute a Memorandum of Understanding with the County of San Mateo to support the submission of an application for a grant award in an amount up to \$5,000,000 from the State of California Department of Housing and Community Development under the Joe Serna, Jr. Farmworker Housing Grant Homeownership Program, and collaborate in the development of an affordable farmworker housing project in Half Moon Bay or the surrounding San Mateo County. The question was called and the motion carried unanimously.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 5:48 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, MARCH 7, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CONVENE SPECIAL MEETING / ROLL CALL

Mayor Penrose called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT: Councilmembers Brownstone and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

ABSENT: Councilmember Rarback

PUBLIC COMMENT ON CLOSED SESSION ITEMS

None.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Govt. Code section 54956.9(d)(1))
Name of case: Casa Mira Homeowners Assn. et al. v. California Coastal Commission et al. (City of Half Moon Bay, Real Party in Interest)., – San Mateo Superior Court Civil No. 19-CIV-04677

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Govt. Code section 54956.9(d)(1))
Name of case: Casa Mira Homeowners Assn. et al. v. California Coastal Commission et al. (City of Half Moon Bay, Real Party in Interest)., – San Mateo Superior Court Civil No. 21-CIV-03202

ADJOURNMENT

Mayor Penrose adjourned the meeting at 6:26 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, MARCH 7, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

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

Boy Scout Troop 263 led the pledge of allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

ABSENT: Councilmember Rarback

APPROVAL OF AGENDA

MOTION

Councilmember Ruddock moved and Vice Mayor Jimenez seconded a motion to approve the Agenda. The motion carried 4-0-1, Councilmember Rarback absent.

PROCLAMATIONS AND PRESENTATIONS

RECOGNITION OF FIRST RESPONDERS FROM JANUARY 23, 2023 MASS SHOOTING INCIDENT

Mayor Penrose acknowledged and presented certificates to the first responders in the January 23, 2023 Mass Shooting Incident.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose announced the Run for the Homeless event during the month of March; Teacher Appreciation Fundraiser; Coastside Community Orchestra; and 51st Annual Farm Day Luncheon.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

City Attorney Engberg reported that the Council met to discuss existing litigation, with no reportable action taken.

CITY MANAGER UPDATES TO COUNCIL

COASTSIDE VICTIMS FUND UPDATE

Economic and Community Vitality Manager Decker provided an update on the Coastsides Victims Fund.

PRIORITY SETTING / LISTENING SESSIONS UPDATE

Administrative Services Director Lopez Rossi summarized the results of the 2023 Listening Session and announced the Council Priority Setting session.

SHORT-TERM RENTAL ORDINANCE CERTIFICATION HEARING UPDATE

City Manager Chidester announced the upcoming Coastal Commission meeting at which the short-term vacation rental ordinance would be considered.

STORM RECOVERY

Interim Assistant City Manager Doughty reminded the community of the deadline to submit property damage reports from the storms.

MOUNTAIN LION

Interim Assistant City Manager Doughty discussed the recent mountain lion sighting in the Wavecrest/Poplar area.

CARES 1ST BIRTHDAY CELEBRATION ANNOUNCEMENT

Senior Management Analyst Chong invited residents to the Open House on March 15, 3-5 pm.

PUBLIC FORUM

The following individuals addressed the Council:

- Martin Anaya
- John Ullom
- Rocio Avila
- Moshe Heyn
- Joanne Rokosky
- Carolina Carbajal

1. CONSENT CALENDAR

The Consent Calendar consisted of followings item:

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B 2022 HOUSING ELEMENT ANNUAL PROGRESS REPORT

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to approve the Consent Calendar. The motion carried 4-0-1, Councilmember Rarback absent.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTIONS AND STAFF REPORTS

3.A CARES PROGRAM – ONE YEAR UPDATE

City Manager Chidester and Senior Management Analyst Chong presented the staff report.

The following individual addressed the Council:

- Tim Riley

The Council discussed the item and asked questions of staff.

RECESS

Mayor Penrose called a recess at 8:18 p.m. The meeting reconvened at 8:28 p.m. with all Councilmembers present except Councilmember Rarback.

3.B WORKSHOP – “FEEDING OF WILDLIFE” DRAFT ORDINANCE

Interim Assistant City Manager Doughty presented the staff report.

The following individual addressed the Council:

- Margaret Gossett

The Council discussed the item.

CONSENSUS

By consensus, the Council directed staff to draft the ordinance and schedule introduction for April 19, 2023.

3.C CONSTRUCTION CONTRACT AWARD FOR THE MAIN STREET SAFETY IMPROVEMENTS PROJECT (CIP PROJECT NO. 1009)

City Engineer Bozorginia presented the staff report.

The Council discussed the item and asked questions of staff.

MOTION

Councilmember Brownstone moved and Vice Mayor Jimenez seconded a motion to adopt a resolution authorizing the City Manager to award and execute a construction contract to the lowest responsive and responsible bidder, Dryco Construction, Inc., of Fremont, California in the total bid amount of \$490,348.20 and approve a construction contingency amount not exceeding an amount of \$73,552.23 (15 percent) for potential change orders for the Main Street Safety Improvements (Project No. 1009). The motion carried 4-0-1, Councilmember Rarback absent.

3.D RESOLUTION TO ADOPT REVISED JOB SPECIFICATION AND INCREASE THE SALARY SCHEDULE FOR ASSISTANT CITY MANAGER

City Manager Chidester and City Attorney Engberg presented the staff report.

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to adopt a resolution to adopt the revise job description and increase the salary schedule of the Assistant City Manager Classification. The motion carried 4-0-1, Councilmember Rarback absent.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

None.

CITY COUNCIL REPORTS

City Manager Chidester recognized staff for preparing for the first in-person meeting in three years.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 9:08 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, APRIL 4, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CONVENE SPECIAL MEETING / ROLL CALL

Mayor Penrose called the meeting to order at 5:30 p.m.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

PUBLIC COMMENT ON CLOSED SESSION ITEMS

None.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION (Govt. Code section 54956.9(d)(2)) Significant exposure to litigation based on receipt of a letter threatening litigation against the City from attorney representing the owners of 225 Valdez. The letter will be made available for public inspection upon request pursuant to Government Code Section 54957.5.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code section 54957) Annual performance evaluation of City Attorney Catherine Engberg

ADJOURNMENT

Mayor Penrose adjourned the meeting at 6:48 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, APRIL 4, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:03 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

APPROVAL OF AGENDA

MOTION

Councilmember Rarback moved and Vice Mayor Jimenez seconded a motion to approve the Agenda, with Item 3.D deferred to a future meeting. The motion carried unanimously.

PROCLAMATIONS AND PRESENTATIONS

MAKE IT MAIN STREET ANNOUNCEMENTS

Mayor Penrose announced the upcoming Make It Main Street event.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose announced the movie outside the San Benito House; Wine and Jazz Festival on April 13 and 14; and Dream Machines on April 30, 2023.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

City Attorney Engberg reported that the Council met in Closed Session, with no reportable action taken.

CITY MANAGER UPDATES TO COUNCIL

Public Works and Sustainability Program Manager Vostinak announced the upcoming Earth Day Community Recycling Day on April 15, 2023, and Climate Action Plan outreach events.

PUBLIC FORUM

The following individuals addressed the Council:

- Paul Grigorieff
- Caeli Collins
- Shauna Pickett-Gordon
- Krystlyn Giedt
- Suzanne Moore
- Brad Steinwede
- Rocio Avila
- Gloria Stofan

1. CONSENT CALENDAR

The Consent Calendar consisted of followings item:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF FEBRUARY 2023**
- 1.C PROFESSIONAL SERVICES AGREEMENT FOR ON-CALL GEOMORPHOLOGY SERVICES**
- 1.D ACCEPTANCE OF THE MIRAMONTES POINT SEA LEVEL RISE VULNERABILITY AND FISCAL IMPACT ASSESSMENT**
- 1.E RESOLUTION DESIGNATING THE CITY MANAGER, PUBLIC WORKS DIRECTOR, AND ADMINISTRATIVE SERVICES DIRECTOR, BY TITLE, AS APPLICANT’S AGENDA FOR NON-STATE AGENCIES FOR THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (CALOES) PUBLIC ASSISTANCE PROGRAM AND HAZARD MITIGATION GRANT PROGRAM**
- 1.F ACCEPTING DEDICATION OF A 3-FOOT PUBLIC UTILITY AND PEDESTRIAN ACCESS EASEMENT AT 419 GARCIA AVENUE**

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve the Consent Calendar. The motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTIONS AND STAFF REPORTS

3.A ADOPTION OF THE 2023 LEGISLATIVE PLATFORM

Communications Director / City Clerk Blair and Andres Ramirez, Townsend Public Affairs, presented the staff report.

The following individual addressed the Council:

- Carolina Carbajal

The Council discussed the item and asked questions of staff.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution establishing a Legislative Platform for 2023. The motion carried unanimously.

3.B WORK SESSION ON THE OPERATION OF E-BIKES AND OTHER ELECTRONIC DEVICES ON TRAILS AND PATHS

Management Analyst Nichols and Public Works Director Bozorginia presented the staff report.

The following individual addressed the Council:

- Maria Grigorieff
- Joyce Logan
- Michael Ferreira
- Carolina Carbajal
- Krystlyn Giedt

The Council asked questions of staff and discussed the item.

CONSENSUS

By consensus, the Council provided direction to staff on elements of a draft e-bike ordinance for introduction and adoption at a future meeting.

3.C MID-YEAR REVIEW AND ADOPTION OF RESOLUTION TO AMEND THE FISCAL YEAR 2022-23 BUDGET

Senior Accountant Stiles presented the staff report.

The Council discussed the item and asked questions of staff.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution to amend the FY 2022-23 Operating and Capital budget. The motion carried unanimously.

3.D CONSTRUCTION CONTRACT AWARD FOR THE 2023 STREET MAINTENANCE PROJECT (CIP PROJECT NO. 0514)

This item was deferred to a future meeting upon approval of the Agenda.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

Council Member Brownstone requested a discussion of the commute.org program to apply for express lane discounts. Councilmember Rarback concurred.

CITY COUNCIL REPORTS

None.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 9:05 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, APRIL 18, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:08 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

APPROVAL OF AGENDA

MOTION

Vice Mayor Jimenez moved and Councilmember Ruddock seconded a motion to approve the Agenda. The motion carried unanimously.

PROCLAMATIONS AND PRESENTATIONS

NATIONAL POETRY MONTH PROCLAMATION

Mayor Penrose presented the proclamation to Jorge Argueta, poet laureate.

Mr. Argueta read his poem, *Mother Earth*.

MIDCOAST COMMUNITY COUNCIL UPDATE / DIGITAL INFRASTRUCTURE PRESENTATION

Gregg Dieguez presented the Coastside Resilient Infrastructure Strategic Plan and MCC's communications analysis.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose announced the upcoming Priority Setting on April 19, 2023 and upcoming Earth Day events.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

None.

CITY MANAGER UPDATES TO COUNCIL

HOUSING ELEMENT UPDATE

Community Development Director Ekas provided an update on the Housing Element.

AFFORDABLE HOUSING UPDATE

Assistant City Manager Doughty discussed the recent meeting with the Cyprus Cove Community and potential affordable units at 880 Stone Pine Road and announced an upcoming meeting on May 8, 2023.

CITY CLERKS ASSOCIATION OF CALIFORNIA RECOGNITION

Mayor Penrose acknowledged Communications Director / City Clerk Blair for her City Clerks Association of California award for community engagement. Communications Director / City Clerk Blair thanked the Council for its recognition.

PUBLIC FORUM

The following individuals addressed the Council:

- Mary Bernier
- Chad Hooker
- Martin Gates
- Tony
- Michael Levin
- David Jerome
- Linda Goldstein
- John McNally
- Joanne Rokosky
- John Ullom
- Carlyle Young
- Carolina Carbajal

1. CONSENT CALENDAR

The Consent Calendar consisted of followings item:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF MARCH 2023**
- 1.C SMITHFIELD PARK IMPROVEMENT PROJECT – AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH FREYER AND LAURETA, INC. FOR ADDITIONAL DESIGN SUPPORT**
- 1.D SHUTE, MIHALY & WEINBERGER, LLP RATE SCHEDULE**

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve the Consent Calendar. The motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

None.

3. RESOLUTIONS AND STAFF REPORTS

Vice Mayor Jimenez recused himself at 8:26 p.m. due to a conflict of interest.

3.A COMMUNITY SERVICES FINANCIAL ASSISTANCE PROGRAM

Community Services Analyst Acosta presented the staff report.

RECESS

Mayor Penrose called a recess at 8:39 p.m. The meeting reconvened at 8:47 p.m. with all Councilmembers present.

3.B 2023 LISTENING SESSION SUMMARY, FY 2022-24 PRIORITY UPDATE, AND FY 2022-24 CIP UPDATE

Administrative Services Director Lopez Rossi and Public Works Director / City Engineer Bozorginia presented the staff report including a summary of the listening session; 2022-23 Council Priority update; and Capital Improvement Program.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to receive and file reports on the 2023 Listening Sessions, FY 2022-24 Priorities Update and the FY 2022-24 CIP Update. The motion carried unanimously.

3.C DOWNTOWN STREETScape MASTER PLAN

Economic and Community Vitality Manager Decker and Economic Development Consultant Wood presented the staff report.

The Council discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt a resolution: 1) authorizing the City Manager to execute a professional services agreement with TDG Design Group (dba Toole Design) to prepare a Downtown Streetscape Master Plan in the amount of \$232,730; and 2) authorizing the City Manager to negotiate and execute professional services agreements in an amount not to exceed \$100,000 for project management and other consultant services related to completion of the Downtown Streetscape Master Plan. The motion carried unanimously.

3.D GENERAL PLAN – SAFETY ELEMENT PREPARATION

Assistant City Manager Doughty presented the staff report.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt a resolution: 1) authorizing and accepting the Memorandum of Understanding (MOU) between the City of Half Moon Bay and San Mateo County for participation in a Multi-Jurisdictional Safety Element Project from May 1, 2023, to May 1, 2025; 2) authorizing the Mayor to sign and the City Manager to attest to the MOU; 3) authorizing the City Manager to issue payments per the MOU which includes \$79,399 in the current and subsequent fiscal year; and 4) committing to appropriating \$79,399 to the FY 2023-24 Capital Budget. The motion carried unanimously.

3.E CONSTRUCTION CONTRACT AWARD FOR THE 2023 STREET MAINTENANCE PROJECT (CIP PROJECT NO. 0514)

Public Works Director / City Engineer Bozorginia presented the staff report.

The Council discussed the item and asked questions of staff.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution authorizing the City Manager to award and execute a construction contract to the lowest responsive and responsible bidder, Dryco Construction Inc. (Dryco),

of Fremont, California in the amount of \$281,177 and approve a construction contingency amount not to exceed an amount of \$42,176.55 (15 percent) for potential change orders for the 2023 Street Maintenance Project (CIP Project No. 0514). The motion carried 4-1, Councilmember Ruddock dissenting.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

Mayor Penrose announced that she and Supervisor Mueller would be holding monthly office hours beginning April 27, 8:30 - 10 am, at Caffè Mezzaluna.

CITY COUNCIL REPORTS

None.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 9:48 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
WEDNESDAY, APRIL 19, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the special meeting to order at 9:05 a.m.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

INTRODUCTION AND WELCOME

City Manager Chidester presented the outline and purpose of the meeting.

BUDGET AND FISCAL YEAR 2022-2023 PRIORITY RECAP

Finance Manager Stiles presented the budget overview.

The Council asked questions of staff and discussed the item.

PUBLIC COMMENT

The following individuals addressed the Council:

- Colleen Henney
- Matt Oja
- Rod Spikes
- Walter Sensing
- Steve Ruddock
- Paulette Eisen
- Ann Mori

RECESS

Mayor Penrose called a recess at 10:07 a.m. The meeting reconvened at 10:15 a.m. with all Councilmembers present.

The following individuals addressed the Council:

- Aisha Baro
- Chad Hooker
- Krystlyn Giedt

Communications Director / City Clerk Blair encouraged residents to sign up to receive the weekly communications update.

City Manager Chidester summarized the existing priorities and explained the next steps for priority setting.

FISCAL YEAR 2023-2024 PRIORITY SETTING PLANNING

Councilmember Rarback requested adding rent stabilization; moving forward and working with LAFCO on annexation of Moonridge, Miramar, 92 Farms, and healthcare districts; proceeding with last year's priority of digital infrastructure, particularly community fiber; and adding feasibility study of a Coastside skyway.

Vice Mayor Jimenez prioritized housing; rent control; mental health, youth recreation; use of runoff water; and Reimagine Main Street; and discussed the existing priorities.

Councilmember Ruddock suggested adding clean-up of Pilarcitos Creek; flood water storage; communication such as Council look-ahead; internet coverage; broadband Downtown; more events Downtown; options for Sheriff's services; revenue enhancements by moving economic development projects along; preservation and maintenance of existing services; Kingdom Trails concept; and gathering data on a potential Coast skyway.

Councilmember Brownstone discussed affordable housing, including rent stabilization/rent control; adequate parking in new projects; continue to put energy into healthcare districts and mental health services; license plate readers; climate planning; events Downtown, such as wine tasting and music; collaborate with the schools; use of Coastside Buzz; and fiber internet.

RECESS

Mayor Penrose called a recess at 11:45 a.m. The meeting reconvened at 12:00 p.m. with all Councilmembers present.

Mayor Penrose expressed concern with the budget deficit; need to prioritize projects; over-extending staff; and requested a future item to discuss Carter Park redesign. She stated it was necessary to finish initiated projects and remove unnecessary projects. She prioritized welcome signage; rent stabilization; stormwater program; traffic enforcement handled by lay citizens; events Downtown; and citizen funded swimming pool.

The Council and staff discussed street maintenance; the Sherriff's contract; staffing and cost of rent stabilization/rent control; ALPRs; health care district; safe gun storage; off-leash dog pilot; Carter Park; memorial of shooting anniversary; and transportation projects and skyway project.

RECESS

Mayor Penrose called a recess at 1:48 p.m. The meeting reconvened at 1:57 p.m. with all Councilmembers present.

PUBLIC COMMENT

The following individual addressed the Council:

- Krystlyn Giedt

WRAP UP, SUMMARY, AND NEXT STEPS

City Manager Chidester commended staff for the accomplishments and upcoming great work.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 2:04 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, MAY 2, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

APPROVAL OF AGENDA

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to approve the Agenda. The motion carried unanimously.

PROCLAMATIONS AND PRESENTATIONS

MENTAL HEALTH AWARENESS MONTH PROCLAMATION

Mayor Penrose presented the proclamation to Sylvia Tang, San Mateo County Behavioral Health and Recovery Services Office of Diversity and Equity.

Ms. Tang thanked the Council for recognizing May as Mental Health Awareness Month and provided information on mental health awareness.

JEWISH AMERICAN HERITAGE MONTH PROCLAMATION

Mayor Penrose read the proclamation declaring May as Jewish American Heritage Month.

Sharon Turner, Coastside Jewish Community President, shared contributions of Jewish Americans on the Coastside.

MAYOR’S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose announced the successful Dream Machines event, Farmers Market on Saturday mornings; Make it Main Street; and May 13 Annual Wine and Jazz Festival.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

City Attorney Engberg reported that the Council met in Closed Session, with no reportable action taken.

CITY MANAGER UPDATES TO COUNCIL

MAY 8, 2023 AFFORDABLE HOUSING COMMUNITY MEETING ANNOUNCEMENT

Housing Coordinator Noce announced Community Meeting on potential affordable housing on Stone Pine Road on May 8.

MAY 9, 2023 JOINT HOUSING ELEMENT MEETING ANNOUNCEMENT

Housing Coordinator Noce discussed the release of the Housing Element for public review.

COASTAL TRAIL EROSION UPDATE

Public Works Director Bozorginia reported on Coastal Trail damage.

CARES Program RFQ

City Manager Chidester announced the request for qualified operators for CARES services.

COASTSIDE GIVES

City Manager Chidester reminded the community about Coastsides Gives.

PUBLIC FORUM

The following individuals addressed the Council:

- John Ullom
- Rocio Avila
- Carolina Carbajal
- Victoria Cormack
- Jan Hanson
- Joann Rokosky

- Shawna Picket Gordon
- Pastor Sue Holland

1. CONSENT CALENDAR

The Consent Calendar consisted of the following items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B AMENDED MAP OF CREEKSIDE COURT – FINAL MAP NO. 16-02**
- 1.C DISPLAY OF THE MENTAL HEALTH AWARENESS FLAG FOR THE MONTH OF MAY 2023 AT CITY HALL TO COMMEMORATE MENTAL HEALTH AWARENESS MONTH**
- 1.D RECEIPT OF LEGISLATION POSITION LETTER**
- 1.E 555 KELLY AVENUE AFFORDABLE HOUSING DEVELOPMENT – AMERICAN RESCUE PLAN ACT (ARPA) GRANT AGREEMENT WITH THE COUNTY OF SAN MATEO**

City Manager Chidester explained why Items 1.B and 1.E were on the Consent Calendar.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve the Consent Calendar. The motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

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

Assistant City Manager Doughty presented the staff report.

The following individuals addressed the Council:

- Kim
- Margaret Gossett
- James
- Leanne
- John Ullom
- David Eblovi
- Rocio Avila

The Council discussed the item.

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to introduce on first reading an ordinance adopting a new Chapter 8.08 entitled “Feeding of

Wildlife” to the Half Moon Bay Municipal Code. The question was called and the motion carried 4-1, Councilmember Rarback dissenting.

3. RESOLUTIONS AND STAFF REPORTS

3.A UPDATE ON JOHN L. CARTER PARK IMPROVEMENTS PROJECT (CIP NO. 011)

Public Works Director Bozorginia and City Manager Chidester presented the staff report.

The Council asked questions of staff and discussed the item.

3.B THE SPIRIT OF LIFE BELL SCULPTURE

Assistant City Manager Doughty and Erin Tormey presented the staff report.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt a 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. The question was called and the motion carried unanimously.

RECESS

Mayor Penrose called a recess at 9:10 p.m. The meeting reconvened at 9:15 p.m. with all Councilmembers present.

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

Finance Manager Stiles presented the staff report.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to accept the Financial Report and the Treasurer’s Report for the quarter ended on March 31, 2023. The motion carried unanimously.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

Assistant City Manager Doughty provided an update on the recent Parks and Recreation Commission meeting.

Councilmember Ruddock requested the Mayor send a letter to the County regarding issues with the dump. Mayor Penrose concurred.

CITY COUNCIL REPORTS

Councilmember Rarback discussed his work with Meals on Wheels.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 9:24 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL / PLANNING COMMISSION
SPECIAL JOINT MEETING
TUESDAY, MAY 9, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the special meeting to order at 7:05 p.m.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

Planning Commissioners David Gorn, Hazel Joanes, Steve Ruddock, Vice Chair Margaret Gossett, and Chair Rick Hernandez

1. SPECIAL WORK SESSION: CITY COUNCIL AND PLANNING COMMISSION

1.A. WORK SESSION – FIRST PUBLIC DRAFT HOUSING ELEMENT

Community Development Director Ekas and Housing Coordinator Noce presented the staff report.

The Planning Commission and Council asked questions of staff.

The following individuals addressed the Council and Planning Commission:

- Joy
- Rocio Avila
- Carolina Carbajal
- Crystal Avila
- Pastor Sue Holland
- Jan Hanson
- Alice Linsmeier
- Emily Glines
- Sean McPhetridge
- Mike Ferreira
- Joanne Rokosky
- Crystal

- Maria Garcia

RECESS

Mayor Penrose called a recess at 8:40 p.m. The meeting reconvened at 8:46 p.m. with all Councilmembers and Commissioners present.

The Planning Commission and City Council discussed the item, asked questions of staff, and provided input.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to direct staff to prepare revisions to the draft Housing Element and submit it to the California Department of Housing and Community Development (HCD) for its 90-day review. The motion carried unanimously.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 10:03 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, MAY 16, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:03 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

PROCLAMATIONS AND PRESENTATIONS

PUBLIC WORKS WEEK PROCLAMATION

Mayor Penrose presented the proclamation to Public Works staff.

Public Works Director Bozorginia thanked the Council for its recognition.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose announced the Farmworkers Summit on May 20.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

None.

CITY MANAGER UPDATES TO COUNCIL

Assistant City Manager Doughty reminded residents of Coastside Preparedness Day on June 10, 12-4 p.m. in Downtown Half Moon Bay.

SHORT-TERM RENTAL ORDINANCE HEARING ANNOUNCEMENTS

Community Development Director Ekas announced that the ordinance would be considered by the Council on June 6, 2023.

ENERGY PROJECT UPDATES

Public Works and Sustainability Programs Manager Vostinak provided an update on the Peninsula Clean Energy Power Purchase Agreement, Energy Watch Methane Gas Inventory, and Preliminary Engineering Study.

RECESS

Mayor Penrose called a recess at 7:22 p.m. The meeting reconvened at 7:27 p.m. with all Councilmembers present.

COMMUTE.ORG COMMUNITY TRANSPORTATION BENEFITS PROGRAM PRESENTATION

Christa Cassidy, Project Manager, HNTB, presented the US 101 Express Lanes Project; equity concerns; Equity Study Overview; community engagement approach; final equity program; program eligibility; distribution of benefits; demographics of program participants; and outreach and next steps.

The Council asked questions of staff and discussed the item.

MIDCOAST COMMUNITY COUNCIL UPDATE

The item was continued.

PUBLIC FORUM

The following individuals addressed the Council:

- Von Harrison
- Rocio Avila
- Rabbi Mosha Hein
- Sue Holland
- Leann Hurley
- Carolina Carbajal
- Krystlyn Giedt
- Joann Rokosky
- John Ullom
- Suzanne Moore
- Shawna Picket Gordon
- James Inglesbee

1. CONSENT CALENDAR

Mayor Penrose pulled Item 1C for separate vote.

The Consent Calendar consisted of followings items:

- 1A. WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1B. WARRANTS FOR THE MONTH OF APRIL 2023**
- 1D. DISPLAY OF THE LGBTQ FLAG FOR THE MONTH OF JUNE 2023 AT CITY HALL TO COMMEMORATE PRIDE MONTH**
- 1E. SB 1 LOCAL STREETS AND ROAD IMPROVEMENT PROJECT LIST - FY 2023-24**
- 1F. JOHN L. CARTER PARK IMPROVEMENTS PROJECT (CIP NO. 0611) – AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH SWCA, INC. FOR ADDITIONAL BIOLOGICAL AND ENVIRONMENTAL SERVICES**

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to approve the Consent Calendar, with the exception of Item 1C. The question was called and the motion carried unanimously.

The following item was pulled from the Consent Calendar for individual consideration:

1C. “FEEDING OF WILDLIFE” ORDINANCE – SECOND READING

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to waive second reading and adopt an ordinance adding a new Chapter 8.08 entitled “Feeding of Wildlife” to the Half Moon Bay Municipal Code. The question was called and the motion carried 4-1, Councilmember Rarback dissenting.

2. ORDINANCES AND PUBLIC HEARINGS

2A. SHORT-TERM VACATION RENTAL AND HOME OCCUPATION ORDINANCE

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to continue the public hearing to a date certain of June 6, 2023. The question was called and the motion carried unanimously.

3. RESOLUTIONS AND STAFF REPORTS

3A. UPDATE ON MAGNOLIA PARK IMPROVEMENT PROJECT

Senior Planner Philips and Tom Conroy, Kikuchi + Kankel Design Group, presented the staff report.

The Council asked questions and discussed the project.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to accept the conceptual design for Magnolia Park proposed within a City owned property located between Magnolia Street and Seymour Street. The motion carried unanimously.

RECESS

Mayor Penrose called a recess at 8:43 p.m. The meeting reconvened at 8:50 p.m. with all Councilmembers present.

3.B FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM WORKSHOP

Public Works Director Bozorginia presented the staff report.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve the Fiscal Year 2023-24 Capital Improvement Project List and authorize staff to present the FY 2023-24 Capital Improvement Project List to the Planning Commission for General Plan Consistency determination. The motion carried unanimously.

3.C HALF MOON BAY HOTEL BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT FOR 2022, RESOLUTION OF INTENTION TO CONTINUE TO LEVY ASSESSMENTS FOR FISCAL YEAR 2023-24, AND FUNDING REQUEST FOR FISCAL YEAR 2023-24

Economic and Community Vitality Manager Decker and Krystlyn Giedt, Chamber of Commerce, presented the report.

The Council asked questions and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to: 1) approve the Half Moon Bay Hotel Business Improvement District Annual Report for 2022; 2) adopt a resolution declaring the City's intention to continue the Half Moon Bay Hotel Business Improvement District, to continue the basis and to levy the assessment for the District, and to set a date (June 20, 2023) for the public hearing on the District and the assessment for FY 2023-24; and 3) consider a \$40,000 funding request to be included in the FY 2023-24 Recommended Budget. The motion carried unanimously.

3.D EARLY PAYOFF OF 880 STONE PINE ROAD IBANK LOAN

Senior Management Analyst Lopez and Administrative Services Director Lopez presented the staff report.

The following individuals addressed the Council:

- Beverly Davis

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution authorizing the City Manager or designee to: 1) submit a letter requesting an exception to the terms of the Financing Agreement with the California Infrastructure and Economic Development Bank ("IBank") allowing early pay-off of the loan and/or extension of time; and 2) commence negotiations of a lease-leaseback agreement with San Mateo County to facilitate payoff of the loan with the California Infrastructure and Economic Development Bank ("IBank"). The question was called and the motion carried unanimously.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

Vice Mayor Jimenez requested a discussion regarding rent control. Mayor Penrose seconded the request.

CITY COUNCIL REPORTS

None.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 10:28 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, JUNE 6, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:03 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

PROCLAMATIONS AND PRESENTATIONS

NET PARTICIPANT GRADUATION

Mayor Penrose discussed the program and honored the 2023 graduates.

Communications Director / City Clerk Blair acknowledged staff for the conducting the program.

PRIDE MONTH PROCLAMATION

Mayor Penrose read and presented the proclamation to CoastPride.

Jenny Walter, President of the Board of CoastPride, thanked the Council and invited the community to the Inaugural Pride Celebration on June 11, 2023.

SAMTRANS MICROTRANSIT PRESENTATION

Jonathon Steckedy, Manager of Operations/Planning for SamTrans, discussed implementation of Reimagine SamTrans, Microtransit implementation, goals for Ride Plus, features of Ride Plus, safety, marketing, outreach, and timeline.

The Council asked questions and indicated enthusiasm for the program.

ABUNDANT GRACE ANNUAL REPORT

Eric DeBode, Abundant Grace, provided the annual report.

The Council thanked Abundant Grace for its work.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

Mayor Penrose announced free swimming lessons at Half Moon Bay High School.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

City Attorney Enberg reported that the Council met in Closed Session and there was no reportable action.

CITY MANAGER UPDATES TO COUNCIL

City Manager Chidester announced Coastside Service Day in Downtown on June 10, 2023.

2023 LEADERSHIP AWARDS

Community Services Analyst Acosta recognized the 2023 Leadership Award recipients.

MEXICAN CONSULATE VISIT RECAP

Community Services Analyst Acosta reported on the Mexican Consulate visit and mobile services.

Community Development Director Ekas announced the Architectural Advisory Committee meeting on June 8, 2023, for design review of the 555 Kelly project.

PUBLIC FORUM

The following individuals addressed the Council:

- John Hutar
- Fata Aiden
- Krystlyn Giedt
- Matt Oja
- Rocio Avila
- Carolina Carbajal
- Joann Rokosky
- Blanca Romero

RECESS

Mayor Penrose called a recess at 8:25 p.m. The meeting reconvened at 8:30 p.m. with all Councilmembers present.

1. CONSENT CALENDAR

The Consent Calendar consisted of followings items:

- 1A. WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1B. RECEIPT OF LEGISLATIVE POSITION LETTERS**
- 1C. RESOLUTION GRANTING CONSENT TO THE CITY OF BURLINGAME TO FORM THE SAN FRANCISCO PENINSULA TOURISM MARKETING DISTRICT (SFPTMD) INCLUDING THE CITY OF HALF MOON BAY**
- 1D. CITIZEN’S OPTION FOR PUBLIC SAFETY GRANT PROGRAM FY 2022-23**

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to approve the Consent Calendar. The questions was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

- 2A. ORDINANCE ADOPTING CHAPTER 13.22 – REGULATING DISPOSAL OF FATS, OIL, GREASE, AND SAND**

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to continue the public hearing to a date certain of July 18, 2023. The motion carried unanimously.

2B. SHORT-TERM VACATION RENTAL AND HOME OCCUPATION ORDINANCE

Community Development Director Ekas and Assistant Planner Wilson presented the staff report.

The following individuals addressed the Council:

- Marianna Stark
- Carolina Carbajal

There being no additional speakers, Mayor Penrose closed the public hearing.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to waive first reading, and introduce an ordinance amending portions of Chapter 18 (Zoning) and Chapter 3 (revenue and Finance) of the Half Moon Bay Municipal Code to establish Short-Term Vacation Rental regulations and update the Home Occupation regulations to conform with the California Coastal Commission's conditional certification. The question was called and the motion carried unanimously.

2C. ADJUSTMENTS TO COST OF SERVICES SCHEDULE (USER FEES) FOR FISCAL YEAR 2023-24

Administrative Services Director Lopez Rossi presented the staff report.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt a resolution authorizing adjustments to the Cost of Services Schedule (User Fees) for Fiscal Year 2023-24. The motion carried unanimously.

3. RESOLUTIONS AND STAFF REPORTS

3A. CITY COUNCIL PRIORITIES WORK PLAN FOR FISCAL YEARS 2023-2025

Administrative Services Director Lopez Rossi and City Manager Chidester presented the staff report.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to receive and accept a report on the proposed staff work plan for the City Council Priorities for Fiscal Years 2023-2025. The question was called and the motion carried unanimously.

3.B FISCAL YEAR 2023-2024 RECOMMENDED BUDGET

Finance Manager Stiles presented the staff report.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to direct staff to return with the final proposed budget for adoption on June 20, 2023. The motion carried unanimously.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

Councilmember Ruddock suggested the Mayor send a letter regarding SB 423.

Communications Director / City Clerk Blair explained the practice regarding legislation and position letters.

CITY COUNCIL REPORTS

None.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 10:28 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, JUNE 20, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the special meeting to order at 5:30 p.m.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez and Mayor Penrose

OPEN SESSION IDENTIFICATION OF CLOSED SESSION ITEMS PUBLIC COMMENT ON CLOSED SESSION ITEMS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Govt. Code section 54956.9(d)(1))
Name of case: City of Half Moon Bay v. Granada CSD and Montara WSD, et al.
Santa Clara Superior Court Civil No. 17CIV316927; Court of Appeal Case No. H049896

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Govt. Code section 54956.8)
Property: 880 Stone Pine Road, Half Moon Bay, San Mateo County APN 056-260-180
City Negotiators: Matthew Chidester (City Manager) and Catherine Engberg (City Attorney)
Negotiating Parties: County of San Mateo
Under negotiation: Price and terms of potential acquisition

ADJOURNMENT

Mayor Penrose adjourned the meeting at 6:38 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, JUNE 20, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:01 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

PROCLAMATIONS AND PRESENTATIONS

MIDCOAST COMMUNITY COUNCIL UPDATE

Gregg Dieguez discussed recent activities of the Midcoast Community Council.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

None.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

City Attorney Enberg reported that the Council met in Closed Session and there was no reportable action.

CITY MANAGER UPDATES TO COUNCIL

Assistant City Manager Doughty provided an update on the activity at Poplar Beach and plans for additional patrol on July 4th. He provided background on the Poplar Beach gate.

City Manager Chidester discussed graffiti which was found on City property, including community murals.

PUBLIC FORUM

The following individuals addressed the Council:

- Elizabeth Honeyman
- John Ullom
- Rocio Avila
- Carolina Carbajal
- Crystal Avila
- Karin Meiswinkel
- Scott Amour
- Joanne Rokosky
- Carlisle Young
- Nancy Marguiles
- Caeli Collins

1. CONSENT CALENDAR

Councilmember Rarback pulled Items 1.I and 1.P.

Councilmember Ruddock pulled Item 1.O.

Staff requested pulling item 1.Q.

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF MAY 2023**
- 1.C SHORT-TERM VACATION RENTAL AND HOME OCCUPATION ORDINANCE SECOND READING**
- 1.D AGREEMENT WITH ABUNDANT GRACE FOR THE FY 2023-24 COASTAL CLEANUP PROGRAM**
- 1.E FINAL ACCEPTANCE OF THE PELICAN POINT GENERATOR REPLACEMENT PROJECT (CIP NO. 1284)**
- 1.F FIRST AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH SWCA ENVIRONMENTAL CONSULTANTS, INC. FOR ENVIRONMENTAL SERVICES FOR THE PILARCITOS CREEK RESTORATION AND REMEDIATION PROJECT**
- 1.G POPLAR STREET TRAFFIC CALMING AND SAFETY PROJECT – PHASE 1 (CIP PROJECT NO. 0593) – CALTRANS PROGRAM SUPPLEMENT AGREEMENT**
- 1.H SMCTA FUNDING AGREEMENT EASTSIDE TRAIL – NORTH SEGMENT 4 (CIP NO. 619)**
- 1.J 555 KELLY AVENUE AFFORDABLE HOUSING DEVELOPMENT – EXTENSION OF THE TERM OF THE EXCLUSIVE NEGOTIATIONS AGREEMENT WITH MERCY HOUSING**
- 1.K SALARY SCHEDULE FOR THE INTERNATIONAL UNION OF OPERATING ENGINEERS STATIONARY LOCAL 39, AFL-CIO; REPRESENTED MANAGEMENT TEAM MEMBERS, AND NON-REPRESENTED EMPLOYEES**
- 1.L PROPOSED CLASSIFICATION AND COMPENSATION CHANGES**
- 1.M CASELLE, INC. PROFESSIONAL SERVICES AGREEMENT**

1.N AUTHORIZE THE CITY MANAGER TO WAIVE SPECIAL EVENT PERMIT FEES FOR RESIDENTS WHO HOST BLOCK PARTIES ON NATIONAL NIGHT OUT

MOTION

Councilmember Brownstone moved and Vice Mayor Jimenez seconded a motion to approve the Consent Calendar, with the exception of Item Nos. 1.I, 1.O, 1.P and 1.Q. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

2A. RESOLUTION ASSESSING THE LEVY FOR THE HALF MOON BAY BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2023-24

Economic and Community Vitality Manager Decker presented the staff report.

Mayor Penrose opened the public hearing. There being no speakers, Mayor Penrose closed the public hearing.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt a resolution assessing the levy for the Half Moon Bay Business Improvement District for Fiscal Year 2023-24. The motion carried unanimously.

CONSENT CALENDAR (Continued)

The following items were pulled from the Consent Calendar for individual consideration:

1.I ANNUAL RENEWAL OF COMMUNITY DEVELOPMENT CONTRACTS

Councilmember Rarback stated he pulled Items 1.I and 1.P for the purpose of transparency and suggested information on performance and a potential discussion of the items.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt resolutions authorizing the City Manager to execute professional services agreements through June 30, 2024 with: 1. 4LEAF, Inc. (4Leaf) for building plan check and inspection services in an amount of \$318,997; and 2. Metropolitan Planning Group (M-Group) for contract planning services in an amount of \$137,500. The question was called and the motion carried unanimously.

1.P ANNUAL RENEWAL OF PUBLIC WORKS CONTRACTS

MOTION

Councilmember Brownstone moved and Vice Mayor Jimenez seconded a motion to adopt resolutions authorizing the City Manager to execute professional services agreements with:

1. 4LEAF, Inc. for Public Works Construction Inspection services in the amount of \$191,000;
2. American Debris Box to provide portable toilet services Citywide in the amount of \$85,000;
3. Impec Group for janitorial services in the amount of \$217,020;
4. Loral Landscaping for median maintenance in the amount of \$49,920;
5. Mark Thomas to provide operational assistance for the Fats Oils and Grease (FOG) program and CCTV inspections in the amount of \$79,175;
6. Peninsula Municipal Engineering, Inc. (PME) for project management of grant funded projects Pacific Coast Highway Bikeway North Project (aka: Eastside Parallel Trail Segment 4 (0619) and the Highway 1 Safety – North (0538) in the amount of \$245,000;
7. W. Housen & Associates for engineering services related to sewers in the amount of \$150,000; and
8. West Coast Arborists (WCA) to provide tree trimming and tree removal services in the amount of \$150,000.

The question was called and the motion carried unanimously.

1.O ON-CALL PROFESSIONAL SERVICES AGREEMENT WITH WOOD CONSULTING SERVICES

Councilmember Ruddock expressed concern about on-call agreements and questioned the open-ended nature of the contract.

MOTION

Councilmember Brownstone moved and Vice Mayor Jimenez seconded a motion to adopt a resolution authorizing the City Manager to execute an on-call Professional Services Agreement with Wood Consulting Services for project support in the following areas including, but not limited to, economic and business development and Coastside Recovery Initiative project implementation, with a not-to-exceed amount of \$80,000. The question was called and the motion failed 2-3, Mayor Penrose and Councilmembers Rarback and Ruddock dissenting.

1.Q AGREEMENT WITH EL CENTRO DE LIBERTAD FOR COMMUNITY RESPONDER PROGRAM (CARES)

City Manager Chidester indicated the item should not have been on the Consent Calendar.

Community Services Analyst Acosta presented the staff report.

The Council discussed the item and asked questions of staff.

The following individual addressed the Council:

- Gregg Dieguez

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to finalize and execute an agreement with El Centro de Libertad for a Community Responder program, at a cost not-to-exceed \$549,944, for a term beginning July 1, 2023, and ending June 30, 2024, including options for up to four annual renewals, conditional upon available funding. The question was called and the motion carried unanimously.

3. RESOLUTIONS AND STAFF REPORTS

3A. ACQUISITION OF ACCESS LICENSE AND EASEMENT LOCATED AT 20 STONE PINE ROAD FOR THE CARTER PARK IMPROVEMENT PROJECT

Public Works Director Bozorginia presented the staff report.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt a resolution authorizing the City Manager to execute the Agreement to Acquire Temporary Construction Access License and Permanent Pathway Easement over real property owned by Bahram Abolmoluki and Zohreh Abolmoluki, located at 20 Stone Pine Road in Half Moon Bay California (San Mateo County APN: 056-391-010), including: 1) a *nonexclusive* 12-month Temporary Construction Access License, 2) an *exclusive* 12-month Temporary Construction Access License, and 3) a Permanent Pathway Easement (collectively, Access). The question was called and the motion carried unanimously.

RECESS

Mayor Penrose called a recess at 8:19 p.m. The meeting reconvened at 8:25 p.m. with all Councilmembers present.

3.B AGREEMENT FOR LAW ENFORCEMENT SERVICES WITH COUNTY OF SAN MATEO SHERIFF'S OFFICE – AMENDMENT FIFTEEN

City Manager Chidester presented the staff report.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to authorize the City Manager to negotiate and execute Amendment Fifteen to the Agreement for Law Enforcement Services with the County of San Mateo Sheriff's Office, continuing services under the current Rates/Payments schedule, through September 2023. The motion carried unanimously.

3.C HALF MOON BAY SEWER COLLECTION SYSTEM MAINTENANCE – SEWER AUTHORITY MID-COASTSIDE

Public Works Director Bozorginia presented the staff report.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution approving the FY 2023-24 Sewer Authority Mid-Coastside (SAM) Collections Budget and authorizing the City Manager to execute Amendment No. 6 to the sewer collection system maintenance professional services agreement with the Sewer Authority Mid-Coastside (SAM) establishing the FY 2023-24 annual cost at \$263,824 and extending the Agreement for one (1) additional year (expiration of June 30, 2024). The question was called and the motion carried unanimously.

3.D SEWER AUTHORITY MID-COASTSIDE FISCAL YEAR 2023-24 OPERATIONS AND MAINTENANCE (GENERAL) BUDGET

Public Works Director Bozorginia presented the staff report.

The following individuals addressed the Council:

- Gregg Dieguez

MOTION

Councilmember Rarback moved and Councilmember Brownstone seconded a motion to adopt a resolution conditionally approving the General Budget of SAM for FY 2023-24 (included as Exhibit A to the resolution) as follows: 1. The City approves \$3,449,957, which is the full budgeted amount less 61.5% of the \$3.5 million FY 23-24 budgeted amount for the Montara Force Main infrastructure replacement project; and 2. The City approves the full \$9,109,686, of which the City's flow-based allocation for all costs is \$5,602,457 (61.5% of total) to be paid under protest but directs the Mayor and City Manager to refrain from delivering the resolution to SAM and paying, under protest, 61.5% of the Montara Force Main replacement project until all parties have executed the Stipulation Regarding Expenses and Assessments of Sewer Authority Mid-Coastside for 2023-24 Fiscal Year ("Stipulation") including any non-substantive changes as the City Attorney may approve. If this approval becomes effective, and the resolution is signed and delivered, it will supersede the partial approval of SAM's budget specified in paragraph 1 above. The question was called and the motion carried unanimously.

3.E FISCAL YEAR 2023-2024 RECOMMENDED BUDGET

Senior Accountant Stiles presented the staff report.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Rarback moved and Councilmember Brownstone seconded a motion to adopt resolutions to: 1) establish the GANN Appropriation Limit for FY 2023-24; 2) approve the City's Review of the Investment Policy; and 3) adopt the FY 2023-24 Annual Operating and Capital Budget. The question was called and the motion carried unanimously.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

None.

CITY COUNCIL REPORTS

None.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 9:12 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
WEDNESDAY, JUNE 28, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Councilmember Rarback called the special meeting to order at 4:35 p.m.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock

ABSENT: Mayor Penrose and Vice Mayor Jimenez

1.A SEWER AUTHORITY MID-COASTSIDE (SAM) FISCAL YEAR 2023-24 OPERATIONS AND MAINTENANCE (GENERAL) BUDGET

Assistant City Manager Doughty and City Manager Chidester presented the staff report.

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt a resolution: 1) Approving the Sewer Authority Mid-Coastside Revised General (Operations and Maintenance) Budget for FY2023-24 (included as Exhibit A to the resolution), without waiving its prior protest votes related to IPS projects, and 2) Rescinding Resolution C-2023-39. The question was called and the motion carried 3-02 Mayor Penrose and Vice Mayor Jimenez absent.

ADJOURNMENT

Councilmember Rarback adjourned the meeting at 4:45 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Harvey Rarback, Councilmember



**MINUTES
CITY OF HALF MOON BAY CITY COUNCIL
TUESDAY, JULY 18, 2023
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

CALL TO ORDER / ROLL CALL

Mayor Penrose called the meeting to order at 7:02 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Brownstone, Rarback, and Ruddock, Vice Mayor Jimenez, and Mayor Penrose

PROCLAMATIONS AND PRESENTATIONS

AL ADRAVENO 100TH BIRTHDAY PROCLAMATION

Mayor Penrose recognized Former Mayor Al Adraveno on his 100th Birthday.

Mr. Adraveno thanked the City Council for the recognition and discussed his service to the City.

Cameron Palmer commended Mr. Adraveno on his 100th Birthday and for his involvement in the City.

John Muller recognized Al Adraveno.

The Council recognized Mr. Adraveno.

MIDCOAST COMMUNITY COUNCIL UPDATE

Greg Dieguez provided an update on recent activities of the Midcoast Community Council.

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

None.

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

None.

CITY MANAGER UPDATES TO COUNCIL

WEBSITE REDESIGN ANNOUNCEMENT

Communications Program Manager Lettire discussed the new website.

NATIONAL NIGHT OUT REMINDERS

City Manager Chidester reminded the community of National Night Out on August 1, 2023.

PUBLIC FORUM

The following individuals addressed the Council:

- Mat Grabowski
- Mr. Pennington
- Tyler Hawes
- Krystlyn Giedt
- Carolina Carbajal
- Vaughn Harrison
- Steve Diers
- Julie Mell
- Pat Dyas
- Linda Goldstein
- Joanne Rokosky
- Nancy Marguiles
- Gloria Stofan
- Belinda Arriaga (3A)

City Manager Chidester reminded the community that the City Council directed staff to explore rent control / stabilization measures.

1. CONSENT CALENDAR

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF JUNE 2023**
- 1.C RECEIPT OF LEGISLATIVE POSITION LETTERS**
- 1.D PROFESSIONAL SERVICES AGREEMENT WITH THE HALF MOON BAY COASTSIDE CHAMBER OF COMMERCE TO PROVIDE ONSITE COORDINATION OF PROGRAMMING AND FACILITY OVERSIGHT FOR THE OPPORTUNITY CENTER OF THE COASTSIDE**
- 1.E JOHN L. CARTER PARK IMPROVEMENTS PROJECT (CIP NO. 0611) – AMENDMENT NO. TO**

**PROFESSIONAL SERVICES AGREEMENT WITH ELS ARCHITECTURE AND URBAN DESIGN, INC.
FOR ADDITIONAL DESIGN SERVICES**

1.F FINAL ACCEPTANCE OF THE KELLY AVENUE CROSSWALKS PROJECT (CIP NO. 1018)

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

2. ORDINANCES AND PUBLIC HEARINGS

2A. ORDINANCE ADOPTING CHAPTER 13.22 – REGULATING DISPOSAL OF FATS, OIL, GREASE, AND SAND

MOTION

Councilmember Ruddock moved and Vice Mayor Jimenez seconded a motion to continue the public hearing to a date certain of September 5, 2023. The motion carried unanimously.

2B. FISCAL YEAR 2023-24 SEWER SERVICE CHARGES AND ASSESSMENTS

Public Works Director Bozorginia and Finance Manager Stiles presented the staff report.

Mayor Penrose opened the public hearing. There being no speakers, Mayor Penrose closed the public hearing.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution approving the Fiscal Year 2023-24 Sewer Service Assessments and charges, direct staff to file the assessment roll, an authorize the County Controller to place the assessment charges on the County of San Mateo Property Tax Roll and direct staff to bill assessments directly that are not on the tax roll. The motion carried unanimously.

3. RESOLUTIONS AND STAFF REPORTS

3A. FY 2023-24 COMMUNITY SERVICES FINANCIAL ASSISTANCE PROGRAM

Vice Mayor Jimenez recused himself and left the dais at 8:16 p.m.

Community Services Analyst Acosta presented the staff report.

The following individuals addressed the Council:

- Nigel Taverner

- Kassi Talbot
- Judith Guerrero
- Sandi Winter
- Enrique Bazan
- Winsor Kinkade
- Juan Ruiz
- Juana Lopez
- Annie Berens
- Jill Jacobson

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to receive applicant funding recommendations from the Community Services Financial Assistance (CSFA) grant program subcommittee, determine final funding allocations for Fiscal Year 2023-24, and adopt a resolution authorizing the City Manager to finalize and execute agreements as listed in Exhibit A for the Community Services Financial Assistance program for FY 2023-24. The question was called and the motion carried 4-0-1, Vice Mayor Jimenez absent.

Vice Mayor Jimenez returned to the dais at 9:17 p.m.

RECESS

Mayor Penrose called a recess at 9:20 p.m. The meeting reconvened at 9:26 p.m. with all Councilmembers present.

3.B LEGISLATIVE ADVOCACY UPDATE

Communications Director / City Clerk Blair and Andres Ramirez, Townsend Public Affairs, presented the staff report.

3.C UPDATE ON THE JANUARY 23, 2023 MASS SHOOTING INCIDENT

City Manager Chidester provided an update on the January 23, 2023 Mass Shooting Incident.

The Council discussed the item.

3.D MEMORANDUM OF UNDERSTANDING WITH SAN MATEO COUNTY – 880 STONE PINE ROAD

City Manager Chidester presented the staff report.

The following individuals addressed the Council:

- Jack Dverkin
- Beverly Davis
- Rocio Avila
- Carolina Carbajal

The Council asked questions of staff and discussed the item.

MOTION

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to adopt a resolution: 1. authorizing the City Manager to execute a Memorandum of Understanding (Exhibit A to the Resolution) with San Mateo County affirming general terms and processes for re-finance of the City's loan with California IBank and outlining City and County collaboration on the design and development of an affordable housing project of up to 50 manufactured homes at 880 Stone Pine Road; and; and 2. Authorizing the City Manager to negotiate and execute agreements identified in the MOU to formally initiate early pay-off of IBank Loan with a target closing date of October 1, 2023. The question was called and the motion carried unanimously.

3.E ART DONATION – 1,000 CRANES

Administrative Services Director Lopez presented the staff report.

The following individuals addressed the Council:

- Aimee Yan
- Elizabeth B
- Danny Craddock
- Virginia Chang Kiraly

MOTION

Councilmember Brownstone moved and Councilmember Ruddock seconded a motion to adopt a resolution: 1. Accepting the donation of 1,000 Cranes created by the San Mateo Organization of Chinese Americans (OCA) and Self Help for the Elderly upon execution of the City's standard Public Art Agreement; and 2. Affirming the placement of the sculptures at the Half Moon Bay Public Library; and 3. Authorizing Public Works staff to develop a plan for installation. The motion carried unanimously.

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

None.

CITY COUNCIL REPORTS

None.

ADJOURNMENT

Mayor Penrose adjourned the meeting at 11:01 p.m.

Respectfully Submitted:

Approved:

Jessica Blair, City Clerk

Deborah Penrose, Mayor

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 5, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **MAYOR'S AMENDED LIST OF CITY COUNCIL REPRESENTATIVES AND
DESIGNATED ASSIGNMENTS FOR 2023**

RECOMMENDATION:

Accept Mayor Penrose's Amended List of City Council Representatives and Designated Assignments for 2023.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

STRATEGIC ELEMENT:

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

ATTACHMENTS:

Mayor's Amended List of City Council Representatives and Designated Assignments for 2023

**CITY COUNCIL ASSIGNMENTS
2023 - AMENDED**

A. Council Subcommittees

Subcommittee	Designated Representative	Meeting Schedule
CSFA Grant Selection	Penrose/Brownstone	As designated
Education	Jimenez/Ruddock	As designated
Emergency Preparedness	Penrose /Rarback	As designated
Finance	Ruddock/Brownstone	As designated
Human Resources	Brownstone/Jimenez	As designated
Legislative Affairs	Penrose/Ruddock	As designated
Mobility	Penrose/Brownstone	As designated
Public Safety	Penrose/Jimenez	As designated

B. City and Interagency

Organization	Designated Representative	Meeting Schedule
ABAG (Association of Bay Area Governments)	Penrose/Brownstone	Annual, 1 day
C/CAG (County/City Assoc. of Governments)	Ruddock/Brownstone	2 nd Thursday evenings
Chamber Government Affairs Committee	Rarback/Penrose	3 rd Thursdays 4:00 p.m.
Council of Cities Selection Committee	Penrose/Rarback	4 th Friday evenings
League of CA Cities – Coastal Cities Issue Group	Rarback/Brownstone	Quarterly, as designated
League of CA Cities – Coastal Cities Group – Leadership Committee	Penrose/Rarback	As designated
League of CA Cities – Peninsula Division	Brownstone /Penrose	Quarterly, as designated
Peninsula Clean Energy Authority	Rarback/Jimenez	4 th Thursday
Peninsula Congestion Relief Alliance	Brownstone/Rarback	Quarterly, as designated

Updated September 5, 2023

SAM (Sewer Authority Mid-Coastside)	Penrose / Ruddock Alt: Rarback	4 th Monday 7pm
SMCo Airport Community Roundtable	Jimenez/ Brownstone	1 st alt Wednesday 7 p.m.
SMCo Airport Land Use Committee	Brownstone/ Jimenez	Quarterly, 4 th Wednesday 4:00 pm
SMCo Council of Cities	All	4 th Friday evenings
SMCo Library JPA	Penrose/ Rarback	Quarterly, Monday evening
SMCo Office of Emergency Services	Penrose/Jimenez	Quarterly, 4 th Thursday evening

C. Council Liaisons

Organization / Ad Hoc Committee	Designated Representative	Meeting Schedule
Arts, Culture, and Events	Penrose/Jimenez	As designated
Beaches, Trails, and Parks	Jimenez/Penrose	As designated
Board of Supervisors	Rarback/Jimenez	2 nd /4 th Tuesdays, 9:00 am
Cannabis	Rarback/Brownstone	As designated
Chamber of Commerce / BID	Penrose/Ruddock	As designated
Homeless	Jimenez/Penrose	As designated
Housing and Human Services	Penrose/Rarback	As designated
Mid-Coast Community Council	Rarback/Brownstone	2 nd /4 th Wednesdays
Permit Streamline Process	Penrose/Rarback	As designated
Schools, Boys & Girls Club	Jimenez/Brownstone	As designated
Technology and Economic Develop.	Rarback/Brownstone	As designated

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

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

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Jessica Blair, Communications Director / City Clerk
Maggie Rodriguez, Assistant City Clerk

**TITLE: RESOLUTION IN OPPOSITION TO OFFSHORE DRILLING ACTIVITIES AND
EXPANSION OF OFFSHORE DRILLING IN THE PACIFIC OCEAN**

RECOMMENDATION: Adopt a resolution in opposition to offshore drilling activities and expansion of offshore drilling in the Pacific Ocean.

FISCAL IMPACT: There is no fiscal impact associated with this action.

STRATEGIC ELEMENT:

This action supports the *Infrastructure and Environment* Element of the Strategic Plan.

BACKGROUND:

Offshore drilling carries countless devastating negative effects of oil and gas development on frontline communities. This drilling pollutes our air with toxic emissions that are known to cause asthma, lung cancer, and other diseases.

In 2010, the Deepwater Horizon oil spill disaster killed 11 people and resulted in more than 200 million gallons of oil spewing into the Gulf of Mexico. Oil from the spill tarred hundreds of miles of Gulf Coast shoreline stretching from Texas to Florida and devastated coastal economies. Losses to the seafood industry alone were estimated at nearly \$1 billion. The disaster had deadly impacts for dolphins, whales, sea turtles, and more.

DISCUSSION:

An [analysis by Oceana](#) found that protecting all unleased federal waters from offshore drilling in the United States could prevent over 19 billion tons of greenhouse gas emissions. That is the equivalent of taking every car in the nation off the road for 15 years and ending new leasing could prevent more than \$720 billion in damages to people, property, and the environment.

Oil companies have stockpiled more than 8 million acres of the ocean for future drilling - more than 75% of the total leased acreage of public waters. Preventing new offshore drilling will

protect coastal communities from devastating pollution, support healthy marine ecosystems, safeguard ocean wildlife, and encourage a clean energy future.

At the federal level, no new offshore leasing has been permitted in federal waters since 1984. However, the Trump administration released a five-year offshore leasing plan in 2018 that proposed opening up the entire West Coast to new drilling despite widespread opposition in Pacific Coast states. That proposal was blocked by courts, but the threat of drilling remains as no permanent ban is enacted at the federal level. At the start of the 118th Congress, Senator Dianne Feinstein and Congressman Jared Huffman (CA-02) introduced the West Coast Ocean Protection Act.

This measure would permanently ban oil and gas drilling in federal waters off the coast of California, Oregon, and Washington.

Given the current make-up of congress it is unlikely this particular measure will move forward in the House as written, however, this is a measure that Congressman Huffman will continue to introduce and push for in future legislative sessions.

The bill is co-sponsored by:

Representatives

- Nanette Diaz Barragán (CA-44)
- Suzanne Bonamici (OR-01)
- Julia Brownley (CA-26)
- Ed Case (HI-01),
- Judy Chu (CA-28),
- Suzan K. DelBene (WA-01),
- Mark DeSaulnier (CA-10),
- Anna Eshoo (CA-16),
- Jimmy Gomez (CA-34),
- Raúl Grijalva (AZ-03),
- Val Hoyle (OR-04),
- Sara Jacobs (CA-51),
- Pramila Jayapal (WA-07),
- William Keating (MA-09),
- Derek Kilmer (WA-06),
- Rick Larsen (WA-02),
- Barbara Lee (CA-12),
- Mike Levin (CA-49),
- Ted. W. Lieu (CA-36),
- Doris Matsui (CA-07),
- Jimmy Panetta (CA-19),
- Scott Peters (CA-50),
- Katie Porter (CA-47),

- Deborah Ross (NC-02),
- Adam Schiff (CA-30),
- Eric Swalwell (CA-15),
- Mark Takano (CA-39),
- Mike Thompson (CA-04),
- Jill Tokuda (HI-02)
- Juan Vargas (CA-52.).

Senators

- Alex Padilla (D-Calif.),
- Ron Wyden (D-Ore.),
- Jeff Merkley (D-Ore.),
- Patty Murray (D-Wash.),
- Maria Cantwell (D-Wash.),
- Bob Menendez (D-N.J.),
- Cory Booker (D-N.J.),
- Edward J. Markey (D-Mass.)
- Bernie Sanders (I-Vt.).

Adding support from a coastal city in California will help make a statement and join in the support of this bill and any future efforts toward offshore drilling in the Pacific Ocean and elsewhere.

ATTACHMENTS:

Resolution

Resolution No. C-2023-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY IN
OPPOSITION OF OFFSHORE DRILLING ACTIVITIES AND EXPANSION OF OFFSHORE DRILLING IN
THE PACIFIC OCEAN**

WHEREAS, offshore drilling carries countless devastating negative effects of oil and gas development on frontline communities. This drilling pollutes our air with toxic emissions that are known to cause asthma, lung cancer and other diseases; and

WHEREAS, in 2010, the Deepwater Horizon oil spill disaster killed 11 people and resulted in more than 200 million gallons of oil spewing into the Gulf of Mexico. Oil from the spill tarred hundreds of miles of Gulf Coast shoreline stretching from Texas to Florida and devastated coastal economies. Losses to the seafood industry alone were estimated at nearly \$1 billion. The disaster had deadly impacts for dolphins, whales, sea turtles, and more; and

WHEREAS, an analysis by Oceana found that protecting all unleased federal waters from offshore drilling in the United States could prevent over 19 billion tons of greenhouse gas emissions. That is the equivalent of taking every car in the nation off the road for 15 years and ending new leasing could prevent more than \$720 billion in damages to people, property, and the environment; and

WHEREAS, oil companies have stockpiled more than 8 million acres of the ocean for future drilling - more than 75% of the total leased acreage of public waters. Preventing new offshore drilling will protect coastal communities from devastating pollution, support healthy marine ecosystems, safeguard ocean wildlife, and encourage a clean energy future; and

WHEREAS, the Trump administration released a five-year offshore leasing plan in 2018 that proposed opening up the entire West Coast to new drilling despite widespread opposition in Pacific Coast states. That proposal was blocked by courts, but the threat of drilling remains as no permanent ban is enacted at the federal level; and

WHEREAS, at the start of the 118th Congress, Senator Dianne Feinstein and Congressman Jared Huffman (CA-02) introduced the West Coast Ocean Protection Act; and

WHEREAS, this measure would permanently ban oil and gas drilling in federal waters off the coast of California, Oregon, and Washington; and

WHEREAS, adding support from a coastal city in California will help make a statement and join in the support of this bill and any future efforts toward offshore drilling in the Pacific Ocean and elsewhere.

NOW, THEREFORE, BE IT RESOLVED THAT by the City Council of the City of Half Moon Bay opposes any new and existing offshore drilling and adds it support of the West Coast Ocean Protection Act.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 5th day of September, 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: **September 5, 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: **FINAL ACCEPTANCE OF THE 2023 STREET MAINTENANCE PROJECT (CIP NO. 0514)**

RECOMMENDATION:

Adopt a resolution authorizing the City Manager or his designee to file a Notice of Completion, release the Performance and Labor and Materials Bonds, start the one-year warranty bond period, and release the retention funds thirty days after recordation of the Notice of Completion for the 2023 Street Maintenance Project.

FISCAL IMPACT:

The approved contract award was \$281,177 with an additional \$42,176 (15%) in contingency funding, totaling an authorized amount of \$323,353 for the project. The total cost of the construction of the project was \$290,817.

STRATEGIC ELEMENT:

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

BACKGROUND:

On April 18, 2023, by Resolution C-2023-25, the City Council awarded a construction contract to Dryco Construction, Inc. of Fremont, California, in the amount of \$281,177, including \$42,176.55 for contingencies, totaling a construction budget amount of \$323,353.55, for the 2023 Street Maintenance Project.

The 2023 Street Maintenance Project scope consisted of performing “dig-out” base repairs, surface milling, asphalt concrete overlay, slurry sealing, traffic markings, traffic striping, and other related work on the following streets:

- Jenna Lane between Pine Avenue and Kelly Avenue
- Arleta Way between Grove Street and Magnolia Street

- Alsace Lorraine Avenue/First Avenue between Granelli Avenue to Filbert Street
- Second Avenue between Metzgar Street and Grove Street

Staff also requested Dryco Construction to restripe the lines and numbers at the Poplar Beach Parking Lot, to which the additional work has been completed and funded through the allocated contingency.

In addition to this project, Dryco Construction is also under a separate contract completing the Main Street project, which consists of a slurry seal of Main Street from Highway 1 to Mill Street, then wrapping around Johnston Street to Correias Street to complete the bike connection to the HMB Library. That project is nearing completion and will be presented to the Council for final acceptance in a future meeting.

DISCUSSION:

This project is now complete, and the total cost of construction was \$290,817. The one-year warranty bond is adequate to ensure the work products perform as expected.

Staff recommends City Council authorize the City Manager or his designee to file a Notice of Completion, release the Performance and Labor and Materials Bonds, start the one-year warranty bond, and release the retention funds thirty (30) days after recordation of the Notice of Completion for the 2023 Street Maintenance Project.

ATTACHMENT:

Resolution

Resolution No. C-2023-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO FILE A NOTICE OF COMPLETION, RELEASE THE PROJECT PERFORMANCE AND LABOR AND MATERIALS BONDS, START THE ONE-YEAR WARRANTY BOND, AND RELEASE THE RETENTION FUNDS THIRTY (30) DAYS AFTER RECORDATION OF THE NOTICE OF COMPLETION FOR THE 2023 STREET MAINTENANCE PROJECT

WHEREAS, on April 18, 2023, the City Council adopted Resolution C-2023-25 to award a construction contract for the 2023 Street Maintenance Project to Dryco Construction, Inc., in the amount of \$281,177, including \$42,176.55 (15%) for contingencies, totaling a construction budget amount of \$323,353.55; and

WHEREAS, the total project remained under budget; and

WHEREAS, the Contractor has completed all improvements in compliance with the contract documents for a total amount of \$290,817; and

WHEREAS, the Contractor has provided a one-year maintenance bond for the work executed under the construction contract.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby:

- 1) Accepts the 2023 Street Maintenance Project as complete; and
- 2) Authorizes the City Manager or his designee to file a Notice of Completion; and
- 3) Authorizes staff to release the Performance and Labor and Material Bonds; and
- 4) Authorizes staff to start the one-year warranty bond; and
- 5) Authorizes staff to release the retention funds thirty (30) days after recordation of the Notice of Completion.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 5th day of September 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 CITY OF HALF MOON BAY CITY

COUNCIL AGENDA REPORT

For meeting of: **September 5, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Jill Ekas, Community Development Director
Benjamin Corrales, Permit Technician
Veronika Vostinak, Public Works Program Manager

**TITLE: ADOPTION OF ADDITIONAL FINDINGS TO JUSTIFY LOCAL MODIFICATIONS TO
THE 2022 CALIFORNIA BUILDING STANDARDS CODE**

RECOMMENDATION:

Adopt a resolution making the additional required findings justifying the City's modifications to the 2022 California Building Standards Code.

FISCAL IMPACT:

There is no direct fiscal impact associated with this action. Building Division staff have attended training sessions to prepare for implementation of the updated building standards. The training expenses are covered by the Community Development and Public Works department budgets.

STRATEGIC PLAN:

The resolution making findings of local necessity in support of local modifications to the state Building Standards Code supports all of the strategic elements: *Infrastructure and Environment, Healthy Communities and Public Safety, Fiscal Sustainability, and Inclusive Governance.*

BACKGROUND:

The State's Health and Safety Code (Section 17958) mandates that the California Building Standards Commission adopt and publish the California Building Standards Code, Title 24 of the California Code of Regulations (CBSC), every three years. Further, each City and County is required to adopt the new codes and to formally notify the CSBC of its intention to adopt local modifications to the Codes.

State law requires that all local amendments to building standards in the CBSC be filed with the California Building Standards Commission. When filed, the amendments must be accompanied by findings identifying the local climatic, geological, topographical, or environmental conditions necessitating the changes.

At the December 20, 2022, meeting, the City Council passed Resolution No. C-2022-117 and Ordinance No. C-2022-05 to adopt the 2022 CBSC with local amendments. As required by Health and Safety Code Section 17958.7, Resolution No. C-2022-117 made findings of local necessity for amendments to these codes. However, following its receipt of Ordinance No. C-2022-05 and Resolution No. C-2022-117, the California Building Standards Commission advised that findings specifically related to five modifications to the CBSC had been omitted.

These five modifications involve the adoption of appendices to the California Building and Residential Codes, Parts 2 and 2.5 of Title 24, respectively. These appendices are optional unless adopted by a state agency or the local adopting agency. In particular, Section 1.1.4 of Parts 2 and 2.5 states that “Provisions contained in the appendices of this code shall not apply unless specifically adopted by a state agency or adopted by a local enforcing agency in compliance with Health and Safety Code Section 18901 et seq. for Building Standards Law, Health and Safety Code Section 17950 for State Housing Law and Health and Safety Code Section 13869.7 for Fire Protection Districts.” Accordingly, in order to adopt the optional appendices in the Building and Residential Codes, the City must follow the requirements of Health and Safety Code Sections 17958.5 and 18941.5 by making findings of local necessity for the adoption.

The purpose of this action is to adopt the findings of local necessity that were previously inadvertently omitted from Resolution No. C-2022-117. After adopting these findings, the City will submit these findings to the California Building Standards Commission for its review and acceptance.

Findings of Local Necessity

As shown in Attachment A to the proposed resolution, the City of Half Moon Bay experiences the following local climatic, topographical, and geological conditions that justify the local modifications to the CBSC:

Climatic: The City is located on a coastal plain and as such is affected greatly by ocean changes. High winds are a factor in design considerations with expected three second gusts in excess of 90 miles per hour. Conditions are such as to require additional structural provisions for wind loading as well as provisions for electrical utility undergrounding. The City has an average annual rainfall of 27 inches and all storm water flows to the ocean. It is therefore necessary that the City provide special provisions to protect the environment, public safety, and comply with the regional storm water permit.

The City is situated along the Pacific Coastline and the potential impacts of sea level rise are anticipated to increase the City’s exposure to shoreline hazards. Human activities releasing greenhouse gas into the atmosphere that cause increases in rising sea levels are likely to affect the amount of area in the City at risk of coastal flooding, the rate of erosion along the shoreline and bluffs, the area of the City’s tsunami inundation zone, and potential seawater intrusion into riparian systems and groundwater supplies. Loss of shoreline due to rising waters may also threaten the stability of coastal habitats, recreation areas, public access, and infrastructure.

Vehicular traffic through Half Moon Bay is significant and continues to increase as Half Moon Bay is a tourism destination as well as the location of residential projects. The observed increase in plug-in electric vehicle adoption reduces the climate impact of vehicular greenhouse gas emissions.

Topographical: The City has many areas that are in the Tsunami Inundation Area and is also bordered by wildland areas. These conditions require the City to take the necessary precautions to protect the public from likely events of floods or wildland urban interface fires. In addition, the area has a highly expansive clay type soil that requires modifications to foundation and drainage design. Some areas of the City have a high water-table and necessitate special drainage considerations to protect facilities from flooding as well as providing for storm water runoff to the ocean.

Geological: The City is located in seismic Zone D. The San Andreas Fault, as well as faults that are not fully charted, affect the seismicity risks of the City. In the event of a major earthquake the City would in all likelihood be cut off from the rest of the Peninsula Cities. It is deemed reasonable that provisions be made to assure that the most conservative measures are designed into structures to protect the facilities, both residential and commercial, to provide time for emergency personnel and equipment to reach the coast and provide assistance.

Attachment A to the proposed resolution, the Findings Regarding the Need for Amendments to Provisions in the 2022 California Building Standards Code to be Adopted by Reference in the City Code for the City of Half Moon Bay, explains which of these local conditions justifies the adoption of each of the optional appendices.

Conclusion

Staff recommends that City Council adopt the resolution making the findings of local necessity that were previously inadvertently omitted from Resolution No. C-2022-117.

ATTACHMENT:

Resolution adopting findings of local necessity regarding the need for local modifications to the 2022 California Building Standards Code

RESOLUTION NO. C-2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY ADOPTING FINDINGS OF LOCAL NECESSITY REGARDING THE NEED FOR LOCAL MODIFICATIONS TO THE PROVISIONS OF THE 2022 CALIFORNIA BUILDING STANDARDS CODE

WHEREAS, The State of California has adopted the 2022 edition of Title 24 of the California Code of Regulations, also known as the California Building Standards Code (CBSC), containing construction standards applicable to local jurisdictions throughout the State including the City of Half Moon Bay ("City"); and

WHEREAS, when reasonably necessary due to local climatic, geological, or topographical conditions, Health and Safety Code Sections 17958.5 and 18941.5 authorize local jurisdictions to establish more restrictive building standards than those set forth in the CBSC; and

WHEREAS, before making local modifications to the CBSC, Health and Safety Code Sections 17958.5 and 18941.5 require the local jurisdiction to make express findings that such changes are reasonably necessary due to local climatic, geological or topographical conditions; and

WHEREAS, under Health and Safety Code Section 17958.7, modifications pursuant to Health and Safety Code Section 17958.5 may not become effective until the required findings and modifications have been filed with the California Building Standards Commission; and

WHEREAS, on December 20, 2022, the City Council of the City adopted an ordinance adopting by reference certain provisions of the CBSC and making modifications to certain of those provisions pursuant to Health and Safety Code Section 17958.5 ("Ordinance No. C-2022-05"); and

WHEREAS, at the December 20, 2022, meeting, the City Council also adopted Resolution No. C-2022-117, which accompanied Ordinance No. C-2022-05 and made required findings of local necessity for the modifications to the CBSC but inadvertently omitted certain findings of necessity for five such modifications; and

WHEREAS, the City Council has reviewed Attachment A, the Findings Regarding the Need for Amendments to Provisions in the 2022 California Building Standards Code to be Adopted by Reference in the City Code for the City of Half Moon Bay, which sets forth the five previously omitted local justifications for the proposed modifications to the CBSC contained in Ordinance No. C-2022-05.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby declare and find that the changes to the provisions of the CBSC set forth in Ordinance No. C-2022-05 are reasonably necessary because of the local climatic, geological, or topographical conditions set forth in Attachment A in accordance with Health and Safety Code Section 17958.7; and

BE IT FURTHER RESOLVED that a copy of this Resolution, including the Findings of Local Necessity (Attachment A), shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7; and

BE IT FURTHER RESOLVED that this Resolution is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, “CEQA”) because it has no potential for resulting in physical change in the environment. In the event that this Resolution is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the proposed action would have no or only a de minimis effect on the environment. The Resolution is also exempt from CEQA under CEQA Guidelines section 15308, because it is a regulatory action for the protection of the environment. The foregoing determination is made by the City Council in its independent judgment.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 5th day of September 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

ATTACHMENT A:**Findings Regarding the Need for Amendments to Provisions in the 2022 California Building Standards Code to be Adopted by Reference in the City Code for the City of Half Moon Bay**

Pursuant to Resolution No _____, the City of Half Moon Bay hereby adopts the following findings of local necessity for amendments to the 2022 California Building Standards Code that were previously inadvertently omitted from Resolution No. C-2022-117:

Matrix of Justifications for Local Amendments to 2022 California Building Code (Title 24, Part 2)						
Half Moon Bay Municipal Code Section(s)	State Code Section(s)	Title	Add	Deleted	Amended	Justification (see below)
14.04.020	Appendix C	Group U Agricultural Buildings	X			ii, iii
14.04.020	Appendix G	Flood Resistant Construction	X			i, ii
14.04.020	Appendix H	Signs	X			i, iii

Matrix of Justifications for Local Amendments to 2022 California Residential Code (Title 24, Part 2.5)						
Half Moon Bay Municipal Code Section(s)	State Code Section(s)	Title	Add	Deleted	Amended	Justification (see below)
14.04.130	Appendix J	Existing Buildings	X			i
14.04.130	Appendix K	Sound Transmission	X			i

Half Moon Bay Local Conditions:

i. *Climatic*: The City is located on a coastal plain and as such is affected greatly by ocean changes. High winds are a factor in design considerations with expected three second gusts in excess of 90 miles per hour. Conditions are such as to require additional structural provisions for wind loading as well as provisions for electrical utility undergrounding. The City has an average annual rainfall of 27 inches and all storm water flows to the ocean. It is therefore necessary that the City provide special provisions to protect the environment and comply with the regional storm water permit.

The City is situated along the Pacific Coastline and the potential impacts of sea level rise are anticipated to increase the City's exposure to shoreline hazards. Human activities releasing

greenhouse gas into the atmosphere cause increases in rising sea levels are likely to affect the amount of area in the City at risk of coastal flooding, the rate of erosion along the shoreline and bluffs, the area of the City's tsunami inundation zone, and potential seawater intrusion into riparian systems and groundwater supplies. Loss of shoreline due to rising waters may also threaten the stability of coastal habitats, recreation areas, public access, and infrastructure.

Vehicular traffic through Half Moon Bay is significant and continues to increase as Half Moon Bay is a tourism destination as well as the location of residential projects. The observed increase in plug-in electric vehicle adoption reduces the climate impact of vehicular greenhouse gas emissions.

ii. *Topographical*: The City has many areas that are in the Tsunami Inundation Area, and it is also bordered by wildland areas. These conditions require the City to take the necessary precautions to protect the public from likely events of floods or wildland urban interface fires. In addition, the area has a highly expansive clay type soil that requires modifications to foundation and drainage design. Some areas of the City have a high water-table and necessitate special drainage considerations to protect facilities from flooding and to provide for storm water runoff to the ocean.

iii. *Geological*: The City is located in seismic zone D. The San Andreas Fault, as well as faults that are not fully charted, affect the seismicity risks of the City. In the event of a major earthquake, the City would in all likelihood be cut off from the rest of the Peninsula Cities. It is deemed reasonable that provisions be made to assure that the most conservative measures are designed into structures to protect the facilities, both residential and commercial, to provide time for emergency personnel and equipment to reach the coast and provide assistance.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 5, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Lisa Lopez Rossi, Administrative Services Director

TITLE: **SIDE LETTER BETWEEN THE CITY OF HALF MOON BAY AND THE REPRESENTED MANAGEMENT TEAM TO ADD A CLASSIFICATION AND SPECIALIZED LICENSE PAY TO MEMORANDUM OF UNDERSTANDING**

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to enter into a Side Letter between the City of Half Moon Bay and the Represented Management Team to add a classification and specialized license pay to the Memorandum of Understanding.

FISCAL IMPACT:

The annual cost for the specialized license pay for FY 2023-24 will be \$12,512. Funding for the new classification/position was included in the Adopted Budget for FY 2023-24.

STRATEGIC ELEMENT:

This recommendation supports the *Infrastructure and Environment* Element of the Strategic Plan.

BACKGROUND:

On August 17, 2021, the City Council authorized the City Manager to execute a Memorandum of Understanding (MOU) with the Represented Management Team (RMT) for agreements effective from July 1, 2021 to June 30, 2026. MOU terms include a description of classifications represented by each labor group and salaries paid to each group's respective classifications. Since the MOU went into effect, staff, representatives from RMT, and the City Council have approved the modification and addition of classifications for RMT employee groups as follows:

- Public Works Supervisor - In June 2023, the City Council approved the Fiscal Year 2023-2024 budget that included the addition of two Public Works Supervisor positions to support the Public Works Maintenance and Engineering Divisions and the classification modification effective July 1, 2023.

DISCUSSION:

In July 2023, RMT requested the City memorialize the classification modifications and additions made through a Side Letter Agreement. The purpose of this Side Letter is to memorialize previously negotiated classification modifications and additions as follows:

1. Public Works Supervisor
 - a. Effective July 1, 2023, the position was added to the classification plan.
 - b. MOU Section 2.1 is amended to include these positions as positions represented by Represented Management Team Members.
 - c. **Add Specialized License Pay:** Subject to City Council approval, a ten percent (10%) wage differential, based on base pay, shall be provided for holding and maintaining an Inspector License for the classification of Public Works Supervisor.

Having a licensed inspector on staff is important to the continuity of City operations and is reflected in the 10% premium for having this licensing. There are instances when contract inspection staff are either unavailable or have multiple inspections on the same day that take up considerable amounts of time. Additionally, the contract inspector typically does not conduct inspections on Fridays. The Public Works Supervisor, when properly licensed, can assist with these vital inspections when time allows, ensuring these inspections occur in a timely manner.

ATTACHMENT:

Resolution authorizing the City Manager to enter into a Side Letter between the City of Half Moon Bay and the Represented Management Team

Resolution No. C-2023-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO ENTER INTO A SIDE LETTER BETWEEN THE CITY OF HALF MOON BAY AND THE REPRESENTED MANAGEMENT TEAM

WHEREAS, on August 17, 2021, the City Council authorized the City Manager to execute a Memoranda of Understanding with the Represented Management Team from July 1, 2021, to June 30, 2026; and

WHEREAS, the Memoranda of Understanding terms include a description of classifications represented by each labor group and salaries paid to each group's respective classifications; and

WHEREAS, the City wishes to memorialize City Council approved classification modifications and additions to the Represented Management Memoranda of Understanding during their respective effective dates through Side Letter; and

WHEREAS, the proposed side letter has been prepared and is included as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby authorize the City Manager to execute a Side Letter with the Represented Management Team for all represented classifications added or modified from June 2021 to date.

I, the undersigned, hereby certify that the forgoing Resolution was duly passed and adopted on the 5th day of September 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

**Side Letter Agreement
Between
The City of Half Moon Bay and
The Represented Management Team**

This agreement is a Side Letter to the current Memorandum of Understanding (MOU) effective from July 1, 2021, through June 30, 2026, entered into by the City of Half Moon Bay and the Represented Management Team Members. The purpose of this Side Letter is to memorialize previously negotiated classification modifications and additions as follows:

1. Public Works Supervisor
 - a. Effective July 1, 2023, the classification was added to the classification plan.
 - b. MOU Section 2.1 is amended to include these positions as positions represented by Represented Management Team Members.
 - c. **Add Specialized License Pay:** Subject to City Council approval, a ten percent (10%) wage differential, based on base pay shall be provided for holding and maintaining an Inspector License for the classification of Public Works Supervisor.

Todd Seeley
Represented Management

Date

Matthew Chidester
City Manager

Date

Lisa Lopez Rossi
Administrative Services Director

Date

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 5, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: John Doughty, Assistant City Manager

TITLE: **PARTNERSHIP AGREEMENT WITH MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to execute a Partnership Agreement (Exhibit A to the Resolution) with Midpeninsula Regional Open Space District affirming general terms and processes for partnering on the planning, design, environmental review and permitting at the Johnston House/Train Depot Site.

FISCAL IMPACT:

There is no fiscal impact associated with adoption of the Partnership Agreement (MOA). The Agreement commits the City to begin work on planning of the Johnston House Park with an anticipated start date of no earlier than July 1, 2024. This date coincides with the beginning of the FY 2024-25 Capital Budget. Phase 1 of the project will need to be added to the FY 2024-25 to FY 2027-28 Capital Improvement Program in conjunction with the normal City Operating Budget process.

STRATEGIC ELEMENT:

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

BACKGROUND:

In January 2019, the City adopted a Parks Master Plan for the entire City park network. The Plan recommends the evaluation of potential improvements to the Johnston House/Train Depot property during a focused master planning process, keeping in mind the importance of the historic and iconic Johnston House and adjacent farmlands. The Parks Master Plan did not commit to specific improvements, leaving the identification of possibilities to the master planning and community outreach process. The Johnston House/Train Depot property is located outside City limits and is subject to permitting by San Mateo County.

Following adoption of the Parks Master Plan, the District and City signed a partnership Letter of Intent (Attachment 3: Letter of Intent) in October 2019 to identify areas for collaboration and support at the City's Johnston House and the District's adjoining Johnston Ranch Uplands. The Letter of Intent expresses District support of the City's planned public use efforts for the Johnston House and an intention to collaborate and partner on trail planning, shared use, and funding of an expanded parking area and trailhead at the Park.

In November 2021, the District Board of Directors (Board) authorized the purchase of the Johnston Ranch Uplands property and adopted a Preliminary Use and Management Plan for the property that includes direction to develop a partnership agreement with the City to memorialize the Letter of Intent.

Over the course of the last several years, the City has sought to formalize a licensing agreement with the Johnston House Foundation for use and operation of the Johnston House for community and visitor benefit. The pandemic interrupted the negotiation efforts and limited the use of the facility which are only presently beginning to commence. The City and Johnston House Foundation have re-engaged in negotiations on a short-term (3 year) agreement. In addition to formalizing the Foundation's terms of use of the Johnston House, a short-term agreement would also clarify roles and responsibilities and provide the Foundation with the opportunity to actively engage in the master planning process. There is potential to integrate planned improvements to facilities and programming provided by the Foundation while also facilitating communication between stakeholders as part of the broader master planning of the site.

Over the last eighteen months, City and District staff have been working on developing a Partnership Agreement for presentation to both the City Council and MPROSD Board of Directors. The concept was presented and supported by the City's Parks and Recreation Commission.

On July 10, 2021, a Public Trail Easement was recorded providing an opportunity to develop an off-street path/trail from the intersection of Main Street/Higgins Canyon Road to the Johnston House/Train Depot property.

On July 26, 2023, the MPROSD Board of Directors authorized their General Manager to execute the Partnership Agreement.

DISCUSSION:

Beginning in fiscal year FY 2024-25, the City of Half Moon Bay (City) anticipates initiating a master planning effort for the Johnston House/Train Depot property consistent with the City Council adopted Parks Master Plan. Phase 1 work will include planning, conceptual level design, environmental planning covering the Johnston House/Train Depot area, the proposed extension of a pathway from the property westerly to Main Street, and an adjacent loop trail proposed by MPROSD. The work is anticipated to culminate in application and approval of a Coastal Development Permit from San Mateo County.

The Partnership Agreement provides the Midpeninsula Regional Open Space District (District) and City the opportunity to evaluate collocation of parking and establish a trailhead at the Johnston House/Train Depot to serve both the Park and the future trail network that will be located at the Johnston Ranch Uplands area of Miramontes Ridge Open Space Preserve. Per the proposed Partnership Agreement (Agreement), the City would lead the Planning Phase with District technical support and review, and the District would reimburse the City for one-half (50%) of the consultant costs up to an amount not-to-exceed \$350,000. The Agreement describes the various roles, responsibilities, and expectations during the Planning. As indicated previously, the master planning effort provides an opportunity for the Johnston House Foundation to communicate their vision and financial plans for the Johnston House.

Proposed terms of the Partnership Agreement between the District and the City include the following:

- The City will be responsible for the planning, environmental review, design, and permitting activities for the parking area and trailhead on the Johnston House property.
- The City will comply with all applicable federal, state, and local codes, laws, and regulations, as well as the California Environmental Quality Act.
- The District will reimburse the City for one-half of the project costs for the Planning Phase in an amount not to exceed \$350,000. This amount reflects the City's total cost estimate of \$700,000 for the Planning Phase, which is based on costs of their recent Smith Field Park project and similar efforts.
- The District will provide the City with a proposed loop trail alignment on the Johnston Ranch Uplands that will connect to the proposed parking area and trailhead on the Johnston House property.
- The District and City will collaborate on the consultant selection process and review of documents prepared by the consultant(s).
- The District and City will explore, identify, and apply for grant opportunities as co-applicants with assistance of the District's Grants Program staff.
- The City will transfer an easement to the District for use, patrol, and maintenance of the proposed parking area and trailhead at the Johnston House once a location and preliminary design for the parking area and trailhead is identified during the Planning Phase.

Following issuance of a Coastal Development Permit (completion of the Planning Phase) the District and City intend to pursue a subsequent Agreement to address the Construction Phase of the project including details of the scope of the improvements and the contributions

for the related construction costs. Under the proposed partnership agreement, City and District staff are authorized to approve technical revisions to the attached Agreement that do not involve any material change to any term of the Agreement.

ATTACHMENTS:

1. Resolution with Exhibit A (Partnership Agreement)
2. 2019 Letter of Intent
3. Location Map

**DRAFT PARTNERSHIP AGREEMENT BETWEEN
THE CITY OF HALF MOON BAY AND
THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT
FOR PLANNING, ENVIRONMENTAL REVIEW AND PERMITTING OF THE
JOHNSTON HOUSE PROPERTY AND RELATED TRAIL IMPROVEMENTS ON THE
ASSOCIATED JOHNSTON RANCH PROPERTY**

THIS AGREEMENT is entered into by and between the CITY OF HALF MOON BAY, a municipal corporation, ("CITY") and the MIDPENINSULA REGIONAL OPEN SPACE DISTRICT, a public DISTRICT under the laws of California, ("DISTRICT"), dated [REDACTED], 20[REDACTED].

RECITALS

WHEREAS, DISTRICT's coasts mission is to acquire and preserve in perpetuity open space land and agricultural land of regional significance, protect and restore the natural environment, preserve rural character, encourage viable agricultural use of land resources, and provide opportunities for ecologically sensitive public enjoyment and education; and

WHEREAS, DISTRICT'S Board of Directors approved the "*Miramontes Ridge: Gateway to the San Mateo Coast Public Access, Stream Restoration, and Agriculture Enhancement Projects*" as one of the Top 25 priority actions of the Open Space Vision Plan on January 29, 2014; and

WHEREAS, Measure AA is a General Obligation Bond approved by the voters in 2014 that provides funding to support the top 25 Vision Plan priority actions and includes Portfolio #01 *Miramontes Ridge: Gateway to the San Mateo Coast Public Access, Stream Restoration, and Agriculture Enhancement Projects* with dedicated funding for the development of a loop trail system and a parking area; and

WHEREAS, CITY owns and operates the existing Johnston House property; and

WHEREAS, CITY's Parks Master Plan (January, 2019) includes recommendations to complete a Master Plan for the Johnston House property (including a multi-use path between Property and South Main Street) and identifies the Johnston House property as an ideal location for a regional trailhead to service the DISTRICT's Miramontes Ridge Open Space Preserve and the nearby Purisima Creek Redwoods Open Space Preserve; and

WHEREAS, the CITY is planning to work with the community and stakeholder groups, including the Johnston House Foundation, Green Foothills, and Peninsula Open Space Trust on the planning of the Johnston House property; and

WHEREAS, the Johnston House property is owned by the City, but located within unincorporated San Mateo County "County" and therefore subject to permitting by the County; and

WHEREAS, California Public Resources Code section 5546 empowers DISTRICT'S Board of Directors to contribute money to a municipality for the purpose of assisting in the acquisition of lands or for improving the lands, when the acquisition or improvement is located and planned as to be of benefit to the District; and

WHEREAS, CITY and DISTRICT desire to further their common goal of providing public trails that increase access to open space and enhance the recreational opportunities of their constituents; and

WHEREAS, CITY and DISTRICT signed a partnership letter of intent (LOI) on September 26, 2019, which established DISTRICT support for CITY's future public use site planning efforts for the Johnston House property and DISTRICT and CITY's intention to collaborate and partner on trail planning, shared use, and funding of an expanded parking area and trailhead on the Johnston House Park property, and trail planning on the Uplands property south of Higgins Canyon Road; and

WHEREAS, the LOI establishes DISTRICT will contribute funding to the parking area and trailhead in exchange for the CITY granting non-exclusive rights for public use of the parking area and trailhead to the DISTRICT, and CITY and DISTRICT also intend to collaborate on informational displays and signage describing their partnership, the protected open space and agricultural lands, and sources of funding; and

WHEREAS, DISTRICT has managed the 644-acre Johnston Ranch Uplands property adjacent to the Johnston House property under a Lease and Management Agreement with the property owner, Peninsula Open Space Trust (POST), since 2021, and DISTRICT will purchase the Johnston Ranch Uplands property from POST in 2023 with the intention of preserving the Uplands and providing a loop trail from the Johnston House property; and

WHEREAS, CITY now plans to master plan, conduct environmental review, design, and obtain a County Planning Permit(s) for proposed improvements to the Johnston House property, including use of the site as a parking area and trailhead for trails on the DISTRICT's property (Project); and

WHEREAS, DISTRICT and CITY agree to collaboratively explore, identify, and apply for Project grant opportunities as co-applicants utilizing primarily DISTRICT Grants Program staff;

NOW, therefore, in consideration of the mutual promises, covenants and obligations contained herein, CITY and DISTRICT agree:

1. **Project Site.** CITY owns the real property in unincorporated San Mateo County (Assessor's Parcel Numbers 065-210-110 and 065-210-120) in fee title and DISTRICT is securing the Johnston Ranch Uplands property (Assessor's Parcel Numbers XXX-XXX-XXX) as shown on Exhibit A, attached hereto and incorporated herein ("Project Site").

2. **Project Description.** For purposes of this Agreement, the “Project” is the CITY’s project for a proposed trailhead and parking area on the CITY’s Johnston House property and a proposed loop trail on the DISTRICT’s Johnston Ranch Uplands property. This Agreement addresses only the CITY and DISTRICT’s cooperation on the planning, design, environmental review and permitting phases (collectively “Planning Phase”) of the Project; the Parties intend to execute a future agreement addressing the construction phase of the Project.
3. **Term.** The term of this Agreement shall commence upon execution hereof by the last signature of the duly authorized representative of the CITY or the DISTRICT and shall expire upon the earliest of: (a) completion of Planning Phase of the Project; or (b) termination by either Party in accordance with this Agreement.

CITY and DISTRICT may amend this Agreement in writing as necessary to accommodate evolving conditions to effectuate the purpose of the Agreement. The Parties agree to timely meet, and to negotiate in good faith toward an extension of this Agreement, if appropriate. The DISTRICT’s General Manager and the CITY’s City Manager are authorized to amend this agreement in writing to allow for delays or changes in the project schedule.

4. **Project Execution.** CITY agrees to lead the Planning Phase of the Project and the District will support the City as outlined below.
 - a. DISTRICT will provide a proposed loop trail alignment on the DISTRICT’s Johnston Ranch Uplands to connect to the proposed trailhead and parking area on the Johnston House property and to be included in the Project.
 - b. DISTRICT will provide City with reports and documents related to the trail loop completed to date.
 - c. CITY will be responsible for the planning, environmental review, design, and permitting activities for the parking area and trailhead on the Johnston House Property, which is estimated to cost \$700,000.
 - d. DISTRICT will reimburse CITY for one-half of the Project costs for the Planning Phase of the Project in an amount not to exceed \$350,000 for Eligible Expenses (as defined below).
 - e. CITY shall endeavor, as part of the FY 2024-25 Capital Improvement Program to allocate funds necessary to accomplish the Project. CITY shall obtain DISTRICT’S prior approval for any proposed material changes to the scope of the Project.
 - f. CITY and District agree to meet and confer should the total cost of the Planning Phase of the Project exceed 10-percent of the initial estimate of \$700,000.
 - g. CITY must comply with all applicable federal, state, and local codes, statutes, laws, regulations, and ordinances, including, but not limited to, financial requirements, legal requirements for construction contracts, building codes, and health and safety codes. CITY is the lead agency for purposes of complying with the California Environmental Quality Act (CEQA). For purposes of CEQA review, neither the DISTRICT nor the CITY has committed to a definite course of action by executing this Agreement and neither is limited in any way in exercising any discretion with respect to the Project, including but not limited

- to (i) considering other feasible alternatives and mitigation measures to avoid or minimize Project impacts, or (ii) determining not to proceed with one or more component of the Project.
- h. DISTRICT staff will provide technical support for the Project, including review of the master plan, design, and permit documentation prepared by CITY.
 - i. DISTRICT and CITY will explore, identify, and apply for Project grant opportunities as co-applicants utilizing primarily DISTRICT Grants Program staff.
 - j. Prior to the completion of the Planning Phase of the Project, DISTRICT and CITY will develop and execute an agreement for the construction phase of the Project. CITY will grant an easement to DISTRICT for its use, patrol, and maintenance of the proposed parking area and trailhead on the Johnston House property.
5. **District Review and Collaboration.** CITY and DISTRICT will jointly develop a scope of work for consulting services to be retained by City to assist with the Planning Phase. CITY will prepare and distribute a Request for Proposals, which may be reviewed by DISTRICT. CITY and DISTRICT will jointly review the proposals and DISTRICT will be invited to participate in any interviews. Once CITY's consultant commences work, CITY and DISTRICT will develop a protocol for tracking project status and coordinating their respective reviews of draft material. CITY agrees to provide planning project deliverables, including draft Project master plan, design, and permit documents for DISTRICT review and DISTRICT will provide comments and technical support. As Lead Agency under CEQA, CITY will provide courtesy copies of Project environmental review documents prepared by CITY, and DISTRICT, as CEQA Responsible Agency, agrees to promptly review environmental documents in accordance with CEQA.
6. **Scheduled Meetings.** CITY agrees to meet with DISTRICT staff on at regularly scheduled intervals, on a minimum quarterly basis, to discuss project progress. Scheduled meeting frequency may be increased, if requested by either Party.
7. **Reporting.** CITY will provide DISTRICT with quarterly reports at least five (5) working days in advance of each scheduled meeting describing progress on milestones/deliverables, planned work and budget in the next reporting segment. More frequent reporting may be required should meeting frequency increase. The Parties may elect to conduct unscheduled meetings between the scheduled meetings, but CITY reports will not be required unless the Parties agree.
8. **Eligible expenses.** DISTRICT will reimburse CITY for Eligible Expenses for Planning Phase work in accordance with this Agreement, which shall not exceed \$350,000. "Eligible Expenses" means the actual, direct costs and expenses for CITY to perform the tasks and activities that it is responsible for under this Agreement provided such costs and expenses are directly related to and reasonably necessary to complete the Planning Phase of the Project. Eligible Expenses includes the cost of consultants retained by CITY to assist in performing master plan, environmental review, design, and permitting activities. CITY shall submit invoices with CITY project manager signature to DISTRICT within sixty (60) days of payment of incurred costs or expenses eligible for reimbursement. Upon approval of CITY

submitted invoices, DISTRICT shall reimburse CITY within 60 days. Reimbursement requests should include the following:

- a. CITY's invoice, including any supporting documents such as receipts or consultant invoices for Eligible Expenses;
- b. Cover letter with a description of the Project activity during the reimbursement period; and
- c. Spreadsheet with Eligible Expenses shown against the budget, including the remaining reimbursement amount.

9. **Insurance.** At all times during the term of this Agreement, CITY shall carry general liability insurance, or a policy of self-insurance, including owned, non-owned and hired auto; property damage; and death and bodily injury, covering its risks arising out of the performance of any acts pursuant to this Agreement or relating to its operation of the Project. DISTRICT shall be named as additional insured on the policy. Said policy shall be in an amount not less than Two Million Dollars (\$2,000,000) for bodily injury and property damage liability in aggregate per occurrence combined single limit and One Million Dollars (\$1,000,000) combined single limit for auto liability. CITY shall furnish DISTRICT with a Certificate of Insurance evidencing such insurance coverage. At all times during the term of this Agreement DISTRICT shall carry general liability insurance, or a policy of self-insurance, including owned, non-owned and hired auto; property damage; and death and bodily injury, covering its risks arising out of the performance of any acts pursuant to this Agreement or relating to its operation of the Project. CITY shall be named as additional insured on the policy. Said policy shall be in an amount not less than Two Million Dollars (\$2,000,000) for bodily injury and property damage liability in aggregate per occurrence combined single limit and One Million Dollars (\$1,000,000) combined single limit for auto liability. DISTRICT shall furnish CITY with a Certificate of Insurance evidencing such insurance coverage.

10. **Indemnification.** In lieu of and notwithstanding the pro rata risk allocation, which might otherwise be imposed between the Parties pursuant to Government Code Section 895.6, the Parties agree that all losses or liabilities incurred by a Party shall not be shared pro rata but, instead, DISTRICT and CITY agree that, pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify and hold each of the other Parties, their officers, board members, employees, and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined in Government Code 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying Party, its officers, employees, or agents, under or in connection with or arising out of any work, authority, or jurisdiction delegated to such Party under this Agreement. No party, nor any officer, board member, employee or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Party hereto, its officers, board members, employees, or agents, under or in connection with or arising out of any work authority or jurisdiction delegated to such other Party under this Agreement. The rights, duties, and obligations of the Parties as set forth above in this section survive termination, expiration, and suspension of this Agreement.

11. **Termination, Failure to Perform, and Dispute Resolution.**

- a. CITY may unilaterally terminate this Agreement at any time prior to DISTRICT reimbursement of funds, by providing 30 days written notice to DISTRICT.
- b. DISTRICT may unilaterally terminate this Agreement at any time with 30 days written notice to CITY, provided that the DISTRICT reimburses Eligible Costs incurred on the Project up to the date of CITY's receipt of DISTRICT's notice of termination.
- c. Failure by CITY to comply with the terms of this Agreement may be cause for suspension or termination of funding by the DISTRICT at DISTRICT's sole discretion.
- d. If CITY fails to complete the project as required, or fails to fulfill any other obligations of this agreement prior to the termination date, CITY shall be liable for immediate repayment to DISTRICT of all amounts disbursed by DISTRICT under this agreement. DISTRICT may, at its sole discretion, consider extenuating circumstances and not require repayment for work partially completed. This paragraph shall not limit any other remedies that DISTRICT may have for breach of this agreement.
- e. In the event there is a breach of this Agreement by CITY or DISTRICT, the parties shall meet and confer to attempt to resolve the matter. If the parties remain unable to resolve the matter, DISTRICT or CITY may terminate this Agreement upon thirty days' advance written notice.

12. **Applicable Laws.** This Agreement shall be construed and enforced pursuant to the laws of the State of California.

13. **Notices:**

Any notice required to be given to DISTRICT shall be deemed to be duly and properly given if mailed, postage prepaid with a receipt and signature from the receiving party, and addressed to:

Midpeninsula Regional Open Space District
Planning Manager
cc: General Manager
5050 El Camino Real
Los Altos, CA 94022
(650) 691-1200

or personally delivered to DISTRICT at such address or at such other address as DISTRICT may designate in writing to CITY.

Any notice required to be given to CITY shall be deemed to be duly and properly given if mailed, postage prepaid with a receipt and signature from the receiving party, and addressed to:

City of Half Moon Bay
City Manager
501 Main Street

Half Moon Bay, CA 94019
(650) 726-8910

or personally delivered to CITY at such address or such other address as CITY may designate in writing to DISTRICT, with a receipt and signature from the receiving party.

14. **Waiver:** The failure of any party to insist upon a strict performance of any of the terms, conditions and covenants contained herein shall not be deemed a waiver of any rights or remedies that CITY or DISTRICT may have and shall not be deemed a waiver of any subsequent breach or default of the terms, conditions and covenants contained herein.
15. **Severability:** If any one or more of the covenants or agreements or portions thereof provided in this Agreement shall be held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such covenant or covenants, such agreement or agreements or such portions thereof shall be null and void and shall be deemed separable from the remaining covenants or agreements or portions thereof and shall in no way affect the validity or enforceability of the remaining portions of this Agreement.
16. **Captions:** The captions in the articles of this Agreement are inserted for convenience purposes only and shall not affect the terms of this Agreement.
17. **Counterparts.** This agreement may be executed in duplicate counterparts, each of which will be deemed an original.
18. **Authority.** Each of the parties represent and warrant that they have the right, power, legal capacity and authority to enter into and perform their respective obligations under this Agreement.

IN WITNESS WHEREOF, CITY and DISTRICT execute this Agreement.

For the CITY OF HALF MOON BAY

By: _____ Date: _____
City Manager

Attest: _____ Approved as to form for CITY: _____
City Clerk City Attorney

For the MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

By: _____ Date: _____
General Manager

Attest: _____
District Clerk

Approved as to form for DISTRICT: _____

General Counsel

950230.3



Midpeninsula Regional
OpenSpace

Midpeninsula Regional Open Space District

GENERAL MANAGER
Ana M. Ruiz

BOARD OF DIRECTORS
Pete Siemens
Yoriko Kishimoto
Jed Cyr
Curt Riffle
Karen Holman
Larry Hassett
Zoe Kersteen-Tucker

September 26, 2019

Bob Nisbet, City Manager
City of Half Moon Bay
501 Main Street
Half Moon Bay, CA 94019

Walter T. Moore, President
Peninsula Open Space Trust
222 High Street
Palo Alto, CA 94301

Ana M. Ruiz, General Manager
Midpeninsula Regional Open Space
District
330 Distel Circle
Los Altos, CA 94022

Re: Partnership Letter of Intent involving the City's Johnston House Park property and POST's Johnston Ranch property

This nonbinding letter of intent memorializes the agreement among Midpeninsula Regional Open Space District (District), City of Half Moon Bay (City) and Peninsula Open Space Trust (POST) to collaborate and partner on future public trail access relating to the City's Johnston House Park property and the surrounding Johnston Ranch property as detailed below:

POST and District Transaction:

1. POST and District are co-applicants in an application to the Planning Division of the County of San Mateo to reconfigure the 868-acre POST Johnston Ranch property into a 644-acre Uplands property and a 224-acre farm property.
2. District intends to purchase the 644-acre Uplands property from POST for open space, support of agriculture, Arroyo Leon Creek protection and future public access, subject to approval by the District's Board of Directors.
3. POST intends to retain the 224-acre farm property for future sale to a farmer. Farmer ownership of the farm property will require an affirmative agricultural conservation easement.

Collaboration on Local and Regional Trail Planning:

1. POST and District support the City's future public use site planning efforts for Johnston House Park property, consistent with protections of the existing agricultural operation on the adjacent farm and open space property.
2. The District and City intend to collaborate and partner on trail planning, shared use, and funding of an expanded parking area and trailhead on the Johnston House Park property, and trail planning on the Uplands property south of Higgins Canyon Road. In exchange for the District's funding contribution to the parking area and trailhead, the City will grant non-exclusive rights for public use of the parking area and trailhead to the District. The City and District also intend to collaborate with POST on informational displays and signage describing their partnership, the protected open space and agricultural lands, and sources of funding.
3. Upon transfer of the Uplands property to the District, the District intends to provide a patrol presence at the Johnston House Park property parking and trail improvements, in coordination with City, subject to approval by the District's Board of Directors.

4. The District and POST support the City's General Plan/LCLUP Update Guiding Principle 4: Promote pedestrian, bicycle, and transit mobility, increase connectivity between the city's neighborhoods, enhance coastal and open space access.
5. The City intends to support POST and the District's community and regional trail efforts, including future connections to Burleigh Murray Ranch State Park, Miramontes Ridge Open Space Preserve, the California Coastal Trail, the Bay Area Ridge Trail, the Bay to Sea Trail concept, and San Mateo County's 2001 Draft Trail Master Plan.
6. The City and District intend to memorialize the collaboration and partnership with memorandum of agreement (MOA) when the District acquires the Uplands property or within 2 years of this letter of intent, whichever occurs first.

City, POST and District Easement Exchange (see attached map):

1. To provide future public access and a waterline from the junction of Highway 1, Main Street and Higgins Canyon Road to the Johnston House Park property, POST intends to grant to the City a 30-foot wide pedestrian/bike trail and waterline license near or along the south side of Higgins Canyon Road right-of-way appurtenant to the City's Johnston House Park property. POST's surveyor will prepare a legal description and plat map of the license area.
2. In exchange, the City intends to grant the District and POST a road access license across the two existing roads from Higgins Canyon Road through the Johnston House Park property to access the adjacent farmed fields and to the southerly portion of the Johnston Ranch Uplands property. POST's surveyor will prepare legal descriptions and plat map of the access license areas.
3. After POST's transfer of the Uplands portion of Johnston Ranch to the District, the District will use the farm/Uplands access license through Johnston House Park for patrol and management access of the Uplands property and the farmer will continue to use it for access to the farm fields and reservoirs south of Higgins Canyon Road. Maintenance of the lower farm access road will be the sole responsibility of POST (or the farmer). Maintenance of the upper farm/Uplands access road will be shared based upon proportionate use basis between the District, the City, and POST.
4. Upon further development of the Johnston House Park property by the City, the City may require the road access license to be relocated to accommodate such development. Future road configurations may merge or be relocated, dependent upon the final site plan for the Johnston House Park, and final agreements between all affected parties.
5. The City's acceptance of a trail license and grant of a farm/Uplands access license is subject to approval by its City Council.
6. POST's grant of a trail/waterline license and acceptance of the farm/Uplands access license is subject to approval by its Board of Directors.
7. The access road and trail/waterline licenses will convert to easements after two years of successful operation of the access road or just before POST transfers the farm property to the farmer, whichever occurs first.

Support of Local Agriculture:

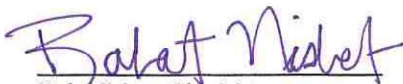
1. POST, City and District support the continuation of agriculture on the farm property and conservation grazing on the Uplands property.
2. The District and City will consult with POST (or current farm owner) and the farmer on the public trail plans on Higgins Canyon Road to avoid and deter visitors from making unauthorized entry onto farm fields, and to identify other issues that may impact agricultural uses.
3. The District will consult with POST (or current farm owner) and the farmer and rancher on future trail and natural resource planning on the Uplands property north of Higgins Canyon Road.

Public and Community Outreach: The parties agree to communicate, coordinate in scheduling, share information, and provide notice on any public meetings or community outreach efforts relating to this partnership on future public trail access relating to the City's Johnston House Park property and the Johnston Ranch property.

The parties agree that this collaboration and partnership is not intended to be legally binding and this letter of intent should not be construed as such.

The Undersigned organization representatives share the intention to support the partnership project as outlined in this letter of intent.

CITY OF HALF MOON BAY


Bob Nisbet, City Manager

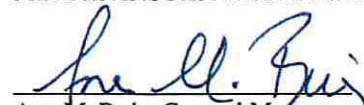
Date: 10/1/19

PENINSULA OPEN SPACE TRUST


Walter T. Moore, President

Date: 9/27/19

MIDPENINSULA REGIONAL OPEN DISTRICT


Ana M. Ruiz, General Manager

Date: 9-26-19

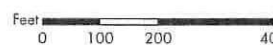


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 Created By: rjw

Johnston Ranch Access Easements

- 10' Water Line Easements
- 30' Trail Easements (Pedestrian/Bicycle)
- Existing Improved Access Road
- 30' Wide Farm Road License
- Future Relocation of Farm, Patrol, & Maintenance Easement
- Patrol & Maintenance Access Easement

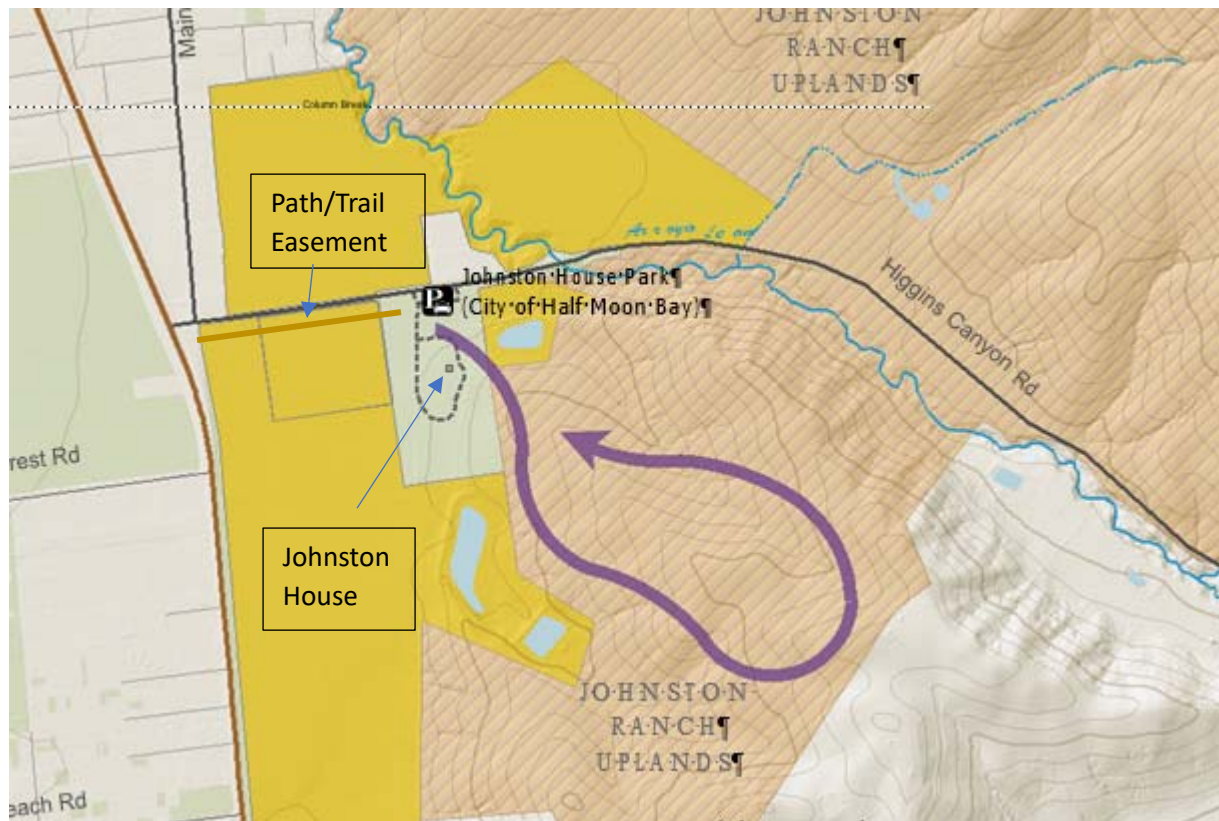
Midpeninsula Regional
 Open Space District
 (Midpen)
 7/26/2019



While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.

Attachment 3

Location Map



BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 5, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Karen Decker, Economic and Community Vitality Manager

TITLE: **OPPORTUNITY CENTER OF THE COASTSIDE--LEASE AGREEMENT FOR 637 MAIN STREET**

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to:

- 1) Execute a Lease Agreement for approximately 3,900 square feet of commercial space located on the first floor of 637 Main Street (Suites A, B and C) effective October 1, 2023, at an initial monthly rate of \$11,000, for a term of two years, with the option to extend for an additional three years, to serve as the physical site and support operations of the Opportunity Center of the Coastsides (OCC); and
- 2) Execute a sublease with the Half Moon Bay Chamber of Commerce and Visitors Authority for a portion of the premises to be determined at the same rate per square foot and terms as the Lease Agreement.

FISCAL IMPACT:

The lease and annual cost were anticipated as part of the award and execution of the \$2.5 million grant from San Mateo County to establish and operate the OCC. Under the lease, the monthly rent will be \$11,000 the first year with a 3-percent COLA increase each subsequent year. Rent will be paid from the County grant and the sublease of a portion of the space by the Half Moon Bay Coastsides Chamber of Commerce. There is no net fiscal impact to the City for the initial term. The City and its partners are currently identifying funding opportunities to cover year three of the lease option and beyond.

STRATEGIC ELEMENT:

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

BACKGROUND:

The Coastsides Recovery Initiative (CRI) is a comprehensive economic recovery effort sponsored by the City of Half Moon Bay in partnership and collaboration with the Half Moon Bay Coastsides

Chamber of Commerce and County of San Mateo. It launched in 2021 with the purpose of providing immediate relief to individuals and businesses impacted by COVID and positioning the Coastsides economy for long-term resiliency. Even before the pandemic, the Coastsides region was uniquely vulnerable due to its geographic isolation, lack of economic diversity and job growth, income inequality, high cost of housing, and lack of services and infrastructure. Informed by this and other data, the Initiative produced a set of strategic recommendations detailed in a public report, *Building a More Equitable, Vibrant and Resilient Coastsides Economy*. In response to recommendations in the report and informed by recent success of an economic advancement center in South San Francisco, the San Mateo County Board of Supervisors approved a \$2.5 million funding allocation to support the creation and operation of the OCC to serve the entire Coastsides. Programming will include supportive services for job seekers, small businesses, and entrepreneurs. There is flexibility to add a business incubator, another recommendation from the Coastsides Recovery Initiative, as part of the menu of offerings at the OCC. The purpose of the incubator is to harness the Coastsides's unique industries and assets, build entrepreneurship capacity and support business and job growth.

The City of Half Moon Bay and the Half Moon Bay Coastsides Chamber of Commerce have been evaluating commercial sites for the OCC. A downtown property located at 637 Main Street was identified as an ideal location easily accessible to public transit lines and highways and near supportive and complementary services such as those offered by the Half Moon Bay Library, City Hall, the College of San Mateo, core nonprofit services, restaurants, and retail. The City Manager and the HMBay Partners II LLC (property owners) signed a Letter of Interest on August 2, 2023. An outline of the terms of a Lease Agreement were reviewed by City Council in closed session on August 15, 2023. Since then, staff and property owners have met to finalize the lease terms.

DISCUSSION:

As noted previously, the City wishes to lease a portion of 637 Main Street to house a new grant funded Opportunity Center of the Coastsides. The City intends to sublease a portion of the space to the Half Moon Bay Chamber of Commerce. The Chamber of Commerce is a partner in the OCC and will provide operational and administrative support to the Center. The building space, while in excellent condition overall, requires modification to meet the needs of the OCC and Chamber of Commerce. Tenant improvements will include modest customization to support the use and flow of OCC services. Additionally, a Certified Access Specialist (CASP) identified several ADA accessibility related modifications which are necessary to be completed in conjunction with the OCC. The terms of the lease are as follows:

- Lease Agreement includes Suites A, B and C (ground floor of 637 Main Street).
- Suites A, B and C comprise approximately 3,900 square feet.
- The initial term of the lease is two (2) years with an option to extend for an additional three (3) years.
- The lease includes an annual 3-percent COLA adjustment.
- Property owner to complete certain baseline condition and ADA access-related improvements at their own cost.

- Property owner will provide an allowance of up to \$24 thousand towards tenant improvements, including floorplan reconfiguration, access related improvements, and finish upgrades.
- City will pay for any tenant improvements beyond the allowance, as well as furniture and fixtures.

The Half Moon Bay Coastsides Chamber of Commerce is poised to sublease the property to operate the Chamber and Visitors' Bureau in addition to providing the operational and facility support for OCC programming. On-site job seeker and small business development and entrepreneurial support will be delivered by qualified service providers in response to a request for proposals. Costs associated with the staffing, operation, and leasing of the OCC are funded by a grant from the County of San Mateo. Consequently, the OCC is open to Coastsiders within the City limits and beyond.

If approved, staff anticipates the Lease Agreement to be in effect October 1, 2023, with soft programming such as outreach and marketing to begin immediately. Tenant improvements will be phased in to support on-site programming anticipated to begin on-site in October. A boilerplate template of the lease template is attached and is currently being negotiated pursuant to the terms and conditions described in this staff report.

ATTACHMENTS:

1. Resolution
2. Lease Agreement Template

RESOLUTION NO. C-2023-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT FOR SUITES A, B AND C
OF 637 MAIN STREET EFFECTIVE OCTOBER 1, 2023, FOR A TERM OF TWO YEARS WITH THE
OPTION TO EXPAND FOR AN ADDITIONAL THREE YEARS FOR OPERATIONAL USE OF THE
OPPORTUNITY CENTER OF THE COASTSIDE AND EXECUTE A SUBLEASE WITH THE HALF MOON
BAY CHAMBER OF COMMERCE AND VISITORS' BUREAU FOR A PORTION OF THE PREMISES**

WHEREAS, the Coastside Recovery Initiative report released in March 2022, identified 15 recommendations to provide economic recovery and long-term resiliency to the Coastside community impacted by COVID; and

WHEREAS, one of the strategic recommendations called for the development of a small business assistance center at the Half Moon Bay Chamber of Commerce to provide entrepreneur and job seeker support services for the community, particularly to people with less formal education and minority business owners; and

WHEREAS, on October 4, 2022, the San Mateo County Board of Supervisors authorized the allocation of ARPA funds in the amount of \$2,500,000 for a project to develop and operate the Opportunity Center of the Coastside; and

WHEREAS, programming will include supportive services and technical assistance for job seekers, small businesses, and entrepreneurs with the flexibility of adding a business incubator; and

WHEREAS, the City and its partners including the Half Moon Bay Coastside Chamber of Commerce, evaluated potential commercial sites for a center and have identified the property located at 637 Main Street as an ideal location with easy access to public transit, highways and supportive and complementary services; and

WHEREAS, on August 2, 2023, the City Manager and HMBay Partners II LLC (property owners) signed a Letter of Intent outlining the terms of the Lease Agreement and which was brought to closed session of the City Council on August 15, 2023.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby authorizes the City Manager to execute:

- 1) A Lease Agreement for Suites A, B and C of 637 Main Street effective October 1, 2023, for a term of two years and with the option to extend for an additional three years, for operational use of the Opportunity Center of the Coastside; and
- 2) A sublease with the Half Moon Bay Chamber of Commerce and Visitor's Bureau for a portion of the premises.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 5th day of September 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

DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIP

(As required by the Civil Code)

When you enter into a discussion with a real estate agent regarding a real estate transaction, you should from the outset understand what type of agency relationship or representation you wish to have with the agent in the transaction.

SELLER'S AGENT

A Seller's agent under a listing agreement with the Seller acts as the agent for the Seller only. A Seller's agent or a subagent of that agent has the following affirmative obligations:

To the Seller: A fiduciary duty of utmost care, integrity, honesty and loyalty in dealings with the Seller.

To the Buyer and the Seller:

- (a) Diligent exercise of reasonable skill and care in performance of the agent's duties.
- (b) A duty of honest and fair dealing and good faith.
- (c) A duty to disclose all facts known to the agent materially affecting the value or desirability of the property that are not known to, or within the diligent attention and observation of, the parties.

An agent is not obligated to reveal to either party any confidential information obtained from the other party that does not involve the affirmative duties set forth above.

BUYER'S AGENT

A Buyer's agent can, with a Buyer's consent, agree to act as agent for the Buyer only. In these situations, the agent is not the Seller's agent, even if by agreement the agent may receive compensation for services rendered, either in full or in part from the Seller. An agent acting only for a Buyer has the following affirmative obligations:

To the Buyer: A fiduciary duty of utmost care, integrity, honesty and loyalty in dealings with the Buyer.

To the Buyer and the Seller:

- (a) Diligent exercise of reasonable skill and care in performance of the agent's duties.
- (b) A duty of honest and fair dealing and good faith.
- (c) A duty to disclose all facts known to the agent materially affecting the value or desirability of the property that are not known to, or within the diligent attention and observation of, the parties.

An agent is not obligated to reveal to either party any confidential information obtained from the other party that does not involve the affirmative duties set forth above.

AGENT REPRESENTING BOTH SELLER AND BUYER

A real estate agent, either acting directly or through one or more salesperson and broker associates, can legally be the agent of both the Seller and the Buyer in a transaction, but only with the knowledge and consent of both the Seller and the Buyer.

In a dual agency situation, the agent has the following affirmative obligations to both the Seller and the Buyer:

- (a) A fiduciary duty of utmost care, integrity, honesty and loyalty in the dealings with either the Seller or the Buyer.
- (b) Other duties to the Seller and the Buyer as stated above in their respective sections.

In representing both Seller and Buyer, a dual agent may not, without the express permission of the respective party, disclose to the other party confidential information, including, but not limited to, facts relating to either the Buyer's or Seller's financial position, motivations, bargaining position, or other personal information that may impact price, including the Seller's willingness to accept a price less than the listing price or the Buyer's willingness to pay a price greater than the price offered.

SELLER AND BUYER RESPONSIBILITIES

Either the purchase agreement or a separate document will contain a confirmation of which agent is representing you and whether that agent is representing you exclusively in the transaction or acting as a dual agent. Please pay attention to that confirmation to make sure it accurately reflects your understanding of your agent's role. The above duties of the agent in a real estate transaction do not relieve a Seller or Buyer from the responsibility to protect his or her own interests. You should carefully read all agreements to assure that they adequately express your understanding of the transaction. A real estate agent is a person qualified to advise about real estate. If legal or tax advice is desired, consult a competent professional. If you are a Buyer, you have the duty to exercise reasonable care to protect yourself, including as to those facts about the property which are known to you or within your diligent attention and observation. Both Sellers and Buyers should strongly consider obtaining tax advice from a competent professional because the federal and state tax consequences of a transaction can be complex and subject to change.

Throughout your real property transaction you may receive more than one disclosure form, depending upon the number of agents assisting in the transaction. The law requires each agent with whom you have more than a casual relationship to present you with this disclosure form. You should read its contents each time it is presented to you, considering the relationship between you and the real estate agent in your specific transaction. **This disclosure form includes the provisions of Sections 2079.13 to 2079.24, inclusive, of the Civil Code set forth on page 2. Read it carefully. I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS DISCLOSURE AND THE PORTIONS OF THE CIVIL CODE PRINTED ON THE BACK (OR A SEPARATE PAGE).**

☐ Buyer ☐ Seller ☐ Lessor ☐ Lessee _____ Date: _____

☐ Buyer ☐ Seller ☐ Lessor ☐ Lessee _____ Date: _____

Agent: _____ DRE Lic. #: _____
Real Estate Broker (Firm)

By: _____ DRE Lic. #: _____ Date: _____
(Salesperson or Broker-Associate)

THIS FORM HAS BEEN PREPARED BY AIR CRE. NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ADEQUACY OF THIS FORM FOR ANY SPECIFIC TRANSACTION. PLEASE SEEK LEGAL COUNSEL AS TO THE APPROPRIATENESS OF THIS FORM.

INITIALS

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AD-3.01, Revised 10-22-2020

INITIALS

Last Edited: 1/13/2021 10:35 AM

Page 1 of 3

DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIP
CIVIL CODE SECTIONS 2079.13 THROUGH 2079.24 (2079.16 APPEARS ON THE FRONT)

2079.13. As used in Sections 2079.7 and 2079.14 to 2079.24, inclusive, the following terms have the following meanings:

(a) "Agent" means a person acting under provisions of Title 9 (commencing with Section 2295) in a real property transaction, and includes a person who is licensed as a real estate broker under Chapter 3 (commencing with Section 10130) of Part 1 of Division 4 of the Business and Professions Code, and under whose license a listing is executed or an offer to purchase is obtained. The agent in the real property transaction bears responsibility for that agent's salespersons or broker associates who perform as agents of the agent. When a salesperson or broker associate owes a duty to any principal, or to any buyer or seller who is not a principal, in a real property transaction, that duty is equivalent to the duty owed to that party by the broker for whom the salesperson or broker associate functions. **(b)** "Buyer" means a transferee in a real property transaction, and includes a person who executes an offer to purchase real property from a seller through an agent, or who seeks the services of an agent in more than a casual, transitory, or preliminary manner, with the object of entering into a real property transaction. "Buyer" includes vendee or lessee of real property. **(c)** "Commercial real property" means all real property in the state, except (1) single-family residential real property, (2) dwelling units made subject to Chapter 2 (commencing with Section 1940) of Title 5, (3) a mobilehome, as defined in Section 798.3, (4) vacant land, or (5) a recreational vehicle, as defined in Section 799.29. **(d)** "Dual agent" means an agent acting, either directly or through a salesperson or broker associate, as agent for both the seller and the buyer in a real property transaction. **(e)** "Listing agreement" means a written contract between a seller of real property and an agent, by which the agent has been authorized to sell the real property or to find or obtain a buyer, including rendering other services for which a real estate license is required to the seller pursuant to the terms of the agreement. **(f)** "Seller's agent" means a person who has obtained a listing of real property to act as an agent for compensation. **(g)** "Listing price" is the amount expressed in dollars specified in the listing for which the seller is willing to sell the real property through the seller's agent. **(h)** "Offering price" is the amount expressed in dollars specified in an offer to purchase for which the buyer is willing to buy the real property. **(i)** "Offer to purchase" means a written contract executed by a buyer acting through a buyer's agent that becomes the contract for the sale of the real property upon acceptance by the seller. **(j)** "Real property" means any estate specified by subdivision (1) or (2) of Section 761 in property, and includes (1) single-family residential property, (2) multiunit residential property with more than four dwelling units, (3) commercial real property, (4) vacant land, (5) a ground lease coupled with improvements, or (6) a manufactured home as defined in Section 18007 of the Health and Safety Code, or a mobilehome as defined in Section 18008 of the Health and Safety Code, when offered for sale or sold through an agent pursuant to the authority contained in Section 10131.6 of the Business and Professions Code. **(k)** "Real property transaction" means a transaction for the sale of real property in which an agent is retained by a buyer, seller, or both a buyer and seller to act in that transaction, and includes a listing or an offer to purchase. **(l)** "Sell," "sale," or "sold" refers to a transaction for the transfer of real property from the seller to the buyer and includes exchanges of real property between the seller and buyer, transactions for the creation of a real property sales contract within the meaning of Section 2985, and transactions for the creation of a leasehold exceeding one year's duration. **(m)** "Seller" means the transferor in a real property transaction and includes an owner who lists real property with an agent, whether or not a transfer results, or who receives an offer to purchase real property of which he or she is the owner from an agent on behalf of another. "Seller" includes both a vendor and a lessor of real property. **(n)** "Buyer's agent" means an agent who represents a buyer in a real property transaction.

2079.14. A seller's agent and buyer's agent shall provide the seller and buyer in a real property transaction with a copy of the disclosure form specified in Section 2079.16, and shall obtain a signed acknowledgment of receipt from that seller and buyer, except as provided in Section 2079.15, as follows: **(a)** The seller's agent, if any, shall provide the disclosure form to the seller prior to entering into the listing agreement. **(b)** The buyer's agent shall provide the disclosure form to the buyer as soon as practicable prior to execution of the buyer's offer to purchase. If the offer to purchase is not prepared by the buyer's agent, the buyer's agent shall present the disclosure form to the buyer not later than the next business day after receiving the offer to purchase from the buyer.

2079.15. In any circumstance in which the seller or buyer refuses to sign an acknowledgment of receipt pursuant to Section 2079.14, the agent shall set forth, sign, and date a written declaration of the facts of the refusal.

2079.16 Reproduced on Page 1 of this AD form.

2079.17(a) As soon as practicable, the buyer's agent shall disclose to the buyer and seller whether the agent is acting in the real property transaction as the buyer's agent, or as a dual agent representing both the buyer and the seller. This relationship shall be confirmed in the contract to purchase and sell real property or in a separate writing executed or acknowledged by the seller, the buyer, and the buyer's agent prior to or coincident with execution of that contract by the buyer and the seller, respectively. **(b)** As soon as practicable, the seller's agent shall disclose to the seller whether the seller's agent is acting in the real property transaction as the seller's agent, or as a dual agent representing both the buyer and seller. This relationship shall be confirmed in the contract to purchase and sell real property or in a separate writing executed or acknowledged by the seller and the seller's agent prior to or coincident with the execution of that contract by the seller.

(c) CONFIRMATION: The following agency relationships are confirmed for this transaction.

Seller's Brokerage Firm DO NOT COMPLETE, SAMPLE ONLY License Number _____

Is the broker of (check one): ☐ the seller; or ☐ both the buyer and seller. (dual agent)

Seller's Agent DO NOT COMPLETE, SAMPLE ONLY License Number _____

Is (check one): ☐ the Seller's Agent. (salesperson or broker associate); or ☐ both the Buyer's Agent and the Seller's Agent. (dual agent)

Buyer's Brokerage Firm DO NOT COMPLETE, SAMPLE ONLY License Number _____

Is the broker of (check one): ☐ the buyer; or ☐ both the buyer and seller. (dual agent)

Buyer's Agent DO NOT COMPLETE, SAMPLE ONLY License Number _____

Is (check one): ☐ the Buyer's Agent. (salesperson or broker associate); or ☐ both the Buyer's Agent and the Seller's Agent. (dual agent)

(d) The disclosures and confirmation required by this section shall be in addition to the disclosure required by Section 2079.14. An agent's duty to provide disclosure and confirmation of representation in this section may be performed by a real estate salesperson or broker associate affiliated with that broker.

2079.18 (Repealed pursuant to AB-1289, 2017-18 California Legislative session)

2079.19 The payment of compensation or the obligation to pay compensation to an agent by the seller or buyer is not necessarily determinative of a particular agency relationship between an agent and the seller or buyer. A listing agent and a selling agent may agree to share any compensation or commission paid, or any right to any compensation or commission for which an obligation arises as the result of a real estate transaction, and the terms of any such agreement shall not necessarily be determinative of a particular relationship.

2079.20 Nothing in this article prevents an agent from selecting, as a condition of the agent's employment, a specific form of agency relationship not specifically

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prohibited by this article if the requirements of Section 2079.14 and Section 2079.17 are complied with.

2079.21 (a) A dual agent may not, without the express permission of the seller, disclose to the buyer any confidential information obtained from the seller. **(b)** A dual agent may not, without the express permission of the buyer, disclose to the seller any confidential information obtained from the buyer. **(c)** "Confidential information" means facts relating to the client's financial position, motivations, bargaining position, or other personal information that may impact price, such as the seller is willing to accept a price less than the listing price or the buyer is willing to pay a price greater than the price offered. **(d)** This section does not alter in any way the duty or responsibility of a dual agent to any principal with respect to confidential information other than price.

2079.22 Nothing in this article precludes a seller's agent from also being a buyer's agent. If a seller or buyer in a transaction chooses to not be represented by an agent, that does not, of itself, make that agent a dual agent.

2079.23 (a) A contract between the principal and agent may be modified or altered to change the agency relationship at any time before the performance of the act which is the object of the agency with the written consent of the parties to the agency relationship. **(b)** A lender or an auction company retained by a lender to control aspects of a transaction of real property subject to this part, including validating the sales price, shall not require, as a condition of receiving the lender's approval of the transaction, the homeowner or listing agent to defend or indemnify the lender or auction company from any liability alleged to result from the actions of the lender or auction company. Any clause, provision, covenant, or agreement purporting to impose an obligation to defend or indemnify a lender or an auction company in violation of this subdivision is against public policy, void, and unenforceable.

2079.24 Nothing in this article shall be construed to either diminish the duty of disclosure owed buyers and sellers by agents and their associate licensees, subagents, and employees or to relieve agents and their associate licensees, subagents, and employees from liability for their conduct in connection with acts governed by this article or for any breach of a fiduciary duty or a duty of disclosure.

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BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 5, 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: FUNDING AND CONTRACT APPROVAL FOR THE POPLAR STREET TRAFFIC
CALMING AND SAFETY PROJECT – PHASE I (CIP PROJECT NO. 593)**

RECOMMENDATION:

Adopt the following resolutions:

- 1) Authorize staff to proceed with requesting cost sharing participation by properties having a deferred street agreement adjacent to the project site of Poplar Street between Main Street and Highway 1 including future cost sharing for undeveloped lots.
- 2) Authorize the City Manager to award and execute a construction contract to the lowest responsive and responsible bidder, Half Moon Bay Grading and Paving, Inc., of Half Moon Bay, California in the amount of \$1,445,365.87, and approve a construction contingency not exceeding an amount of \$216,804.88 (15%) for the Poplar Street Traffic Calming and Safety Project – Phase I (CIP Project No. 593).

FISCAL IMPACT:

Based on the adopted Capital Improvement Program for Fiscal Year 2023-24, there are sufficient funds to award this contract. Allocated funding sources include a \$1,202,000 Federal Grant through the One Bay Area Grant (OBAG) – Cycle 2 Program, \$483,000 of Streets and Roads Fund 123, and \$265,000 allocated Measure M funds (reimbursable by C/CAG).

For properties subject to cost sharing through deferred street agreements (DSAs) within the boundaries of the Phase I project, contributions are estimated between \$17,000 and \$40,000 in the near term in the aggregate for seven current properties with a DSA and up to another \$60,000 in aggregate from undeveloped lots that come for building permits over the next 10 years based on applying a reimbursement requirement. Any cost share proceeds collected would be put back in the Streets and Roads Fund 123 for future street-related improvements within City limits.

STRATEGIC ELEMENT:

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

BACKGROUND:

The Poplar Street Traffic Calming and Safety Project- Phase 1 will provide frontage amenities to Poplar Street from Main Street to Highway 1 providing a consistent set of pedestrian & bicycle improvements and incorporates traffic calming measures for motorized vehicles along the same corridor. The project consists of the installation of concrete sidewalk along the north side and a decomposed granite (DG) pathway on the south side of the project area. Additional improvements include concrete curb and gutters, parking lane, new driveway aprons, stormwater improvements, green infrastructure, vegetated planting areas, bulb-outs, street trees, and pavement restoration.

On Thursday, June 22, 2023, the City advertised a request for public bids for the Poplar Street Traffic Calming and Safety Project.

BID SUMMARY:

The City received six (6) bids before the scheduled bid opening time and date of 2:00 PM on Tuesday, July 25, 2023. The bids and engineer's estimate are summarized as follows:

Bidder	Base Bid	Bid Alternate	Total
<i>Engineer's Estimate</i>	<i>\$1,622,641</i>	<i>19,800</i>	<i>\$1,642,441</i>
Half Moon Bay Grading & Paving, Inc.	\$1,430,606	\$14,760	\$1,445,365
Joseph J. Albanese, Inc.	\$1,813,990	\$72	\$1,814,062
Dryco Construction, Inc.	\$1,917,720	\$28,800	\$1,946,520
Redgwick Construction Co.	\$1,973,610	\$10,440	\$1,984,050
Andreini Brothers, Inc.	\$1,986,961	\$13,077	\$2,000,038
Granite Rock Company	\$2,899,192	\$72,000	\$2,971,192

DISCUSSION:

The lowest responsive and responsible bidder, Half Moon Bay Grading and Paving's base bid and bid alternate (total bid) totaling \$1,445,365.87 is approximately 12% below the Engineer's Estimate. City Staff have reviewed the bid from Half Moon Bay Grading and Paving, Inc., and have determined that it is acceptable and free from significant material discrepancies.

Geotechnical testing, design services, and construction contingencies will also be needed for the project.

In addition to on-site traffic control and messages, the community will receive information regarding construction through other channels, including e-news, social media, and direct flyers (for those in the project area). Construction is anticipated to commence in the Fall of 2023 with construction to be performed during the day, Monday through Friday, between the hours of

7:00 a.m. and 5:00 p.m. The contractor will also provide direct notices to properties with limited access in advance of construction. City Staff anticipates Poplar Street between Main Street and Highway 1 to be closed to through traffic for the duration of the project, anticipated to be approximately 12 months. Local traffic will be allowed to residents that require access from Poplar Street.

Deferred Street Agreements (DSA)

For several decades, Half Moon Bay's Municipal Code has required property owners to enter into DSAs for sites adjacent to partially improved or unimproved streets, as a condition of building permit approval. Back then, projects were discontinuous and adjacent to unimproved lots and developers would sign a "deferred street agreement" that was subsequently recorded to run with the property. The agreement provides that participation would occur at the time of the City initiating a public project to complete larger segments of improvements at a time. In current practice, the private developer is responsible for all the public frontage improvements associated with the length of the property frontage (distance which the lot runs parallel at the street level).

Using the lowest bid, staff is presenting options to implement the cost sharing through the use of DSA's which are presented below:

Option 1. Use the low-bid amount with a cost reduction based on the grant funding. The difference would be divided by the length of the street multiplied by two (2) for each side of Poplar Street (each side responsible for sharing frontage costs from property line to the street crown). The approximate amount that each property would participate in would be \$147 per linear foot – totaling between \$7,200 to \$8,400 from each of the impacted properties. The variation depends on the width of the lot.

$$\frac{\text{Amount}}{\text{Linear Foot}} = \frac{\text{Total Bid} - \text{Grant}}{2 \times \text{Length of Street}}$$

$$\text{Amount to Collect per Property} = \frac{\text{Amount}}{\text{Linear Foot}} \times \text{Property Frontage}$$

Option 2. Similar to the previous but includes an additional decrease for any traffic calming elements, such as bulb-outs and bioretention soils. This would decrease the participation amount of each impacted property. The approximate amount that each property would participate in would be \$63 per linear foot – totaling between \$3,100 to \$3,600 from each of the impacted properties. The variation remains dependent on lot width.

$$\frac{\text{Amount}}{\text{Linear Foot}} = \frac{\text{Total Bid} - \text{Grant} - \text{Traffic Calming Elements}}{2 \times \text{Length of Street}}$$

$$\text{Amount to Collect per Property} = \frac{\text{Amount}}{\text{Linear Foot}} \times \text{Property Frontage}$$

Option 3. Award the project with the allocated funding per the adopted FY 2023-24 CIP Budget (existing street funds and grant funding) and bring this discussion back to the City Council at a later date.

The properties impacted by the deferred street agreement decision have been notified by mail regarding this meeting. Staff have met with many of these residents and owners over the last several years and will continue to do so through the cost-sharing specifics with consideration of the fiscal impacts. To collect the contributions of DSA's, the City can review several alternatives to the cost recovery, including financing and reoccurring payment options to be considered by the Finance Director. Any agreements would be subject to review and approval by the City Attorney. In addition, there are several properties that are undeveloped to this day. The City would apply either option to those lots subject to their development bound to the property through recordation with the County of San Mateo.

Staff recommends the City Council select an option to implement cost sharing participation by properties having DSA's adjacent to the project site of Poplar Street between Main Street and Highway 1 as well as future cost sharing requirements for lots yet to be developed.

Staff also recommends awarding the contract to the lowest responsive and responsible bidder, Half Moon Bay Grading and Paving, Inc., in the amount of \$1,445,365.87 and approve a construction contingency amount not exceeding an amount of \$216,804.88 (15 percent) for potential change orders for the Poplar Street Traffic Calming and Safety Project (CIP Project No. 0593).

ATTACHMENTS:

1. Resolution – Construction Contract Award
2. Resolution – Deferred Street Agreement Method
3. Attachment 3 – Bid Tabulation

Resolution No. C-2023-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO AWARD AND EXECUTE A CONSTRUCTION CONTRACT WITH HALF MOON BAY GRADING AND PAVING, INC. OF HALF MOON BAY, CALIFORNIA, IN THE AMOUNT OF \$1,445,365.87 AND APPROVE A CONSTRUCTION CONTINGENCY IN AN AMOUNT NOT EXCEEDING 15 PERCENT, OR \$216,804.88, OF THE CONTRACT AWARD AMOUNT FOR THE POPLAR STREET TRAFFIC CALMING AND SAFETY PROJECT – PHASE I (CIP PROJECT NO. 0593)

WHEREAS, the Poplar Street Traffic Calming and Safety Project – Phase I scope installation of concrete sidewalk along the north side of Poplar Street, a decomposed granite pathway along the south side of the street, concrete curb and gutters, a parking lane, new concrete and decomposed granite driveway aprons, stormwater improvements, bioretention parking strip, bulb outs, street trees and the rehabilitation of asphalt concrete street; and

WHEREAS, the City advertised the project on Thursday, June 22, 2023, and opened six (6) bids that were received at the scheduled time, date, and place, as set forth in the Public Contract Code for the Poplar Street Traffic Calming and Safety Project – Phase I; and

WHEREAS, the lowest responsive and responsible bid for the base bid schedule plus the bid alternate was submitted by Half Moon Bay Grading and Paving, Inc., out of Half Moon Bay, California, in the amount of \$1,445,365.87.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby:

- 1) Accepts the submitted six (6) responsive bids; and
- 2) Authorizes the City Manager to award and execute a construction contract to the lowest responsive and responsible bidder, Half Moon Bay Grading and Paving, out of Half Moon Bay, California, in the total amount of \$1,445,365.87; and
- 3) Approves the construction contingency in an amount not exceeding 15 percent, or \$216,804.88, of the contract award amount for potential change orders for the Poplar Street Traffic Calming and Safety Project (CIP Project No. 0593).

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 5th day of September 2023 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

Jessica Blair, City Clerk

APPROVED:

Deborah Penrose, Mayor

Resolution No. C-2023-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY TO AUTHORIZE STAFF TO PROCEED WITH REQUESTING COST SHARING PARTICIPATION BY PROPERTIES WITH CURRENT DEFERRED STREET AGREEMENTS OR UNDEVELOPED PROPERTIES ADJACENT TO THE POPLAR STREET PROJECT FROM MAIN STREET TO HIGHWAY 1 (PHASE 1 - CIP NO. 593) BASED ON THE METHODOLOGY DESCRIBED HEREIN

WHEREAS, for several decades, Half Moon Bay's Municipal Code has required property owners to enter into DSAs for sites adjacent to partially improved or unimproved streets, as a condition of building permit approval; and

WHEREAS, on February 15, 2022, the City Council initiated dialogue to owners of Deferred Street Agreements along Poplar Street between Railroad Avenue to Main Street indicating the City's intent to seek payment for a portion of the deferred street frontage improvements in conjunction with the project and return to provide options of methodology of how much funding would be collected; and

WHEREAS, on November 15, 2022, staff provided an updated to the Poplar Street Traffic Calming and Safety Project that split the project into two phases, Phase I being between Main Street and Highway 1, and Phase II being between Highway 1 and Railroad Avenue; and

WHEREAS, using the lowest responsive and responsible bidder for construction of Phase 1, consideration was given to various methodologies regarding the calculation of cost-sharing based on the project scope and grant and presented them tonight; and

WHEREAS, to collect the contributions of DSA's, the City can review several alternatives to the cost recovery, including financing and reoccurring payment options to be considered by the Finance Director and any agreements would be subject to review and approval by the City Attorney; and

WHEREAS, there are several properties that are undeveloped to this day and the same methodology will apply to them subject to their development bound to the property through recordation with the County of San Mateo; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby:

1. Authorizes the City Manager to proceed with requesting cost sharing participation by properties having a deferred street agreement adjacent to the Poplar Street Project (Phase 1 - Main Street to Highway 1) based on the width of each lot

multiplied by the selected construction linear foot cost to be applied to the width of each lot; and

2. Authorizes the City Manager to apply a lien to any undeveloped properties within the project area above to be collected at the time of building permit issuance up to the end of Fiscal Year 2033-34.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 5th day of September 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

POPLAR STREET TRAFFIC CALMING AND SAFETY PROJECT - PHASE I
BID SUMMARY - THURSDAY, JULY 25, 2023, AT 2:00 PM

BASE BID																	
ITEM	ITEM DESCRIPTION	UNIT	QTY	ENGINEERS ESTIMATE		HALF MOON GRADING & PAVING, INC.		JOSEPH J. ALBANESE, INC.		DRYCO CONSTRUCTION, INC.		REDGWICK CONSTRUCTIN CO.		ANDREINI BROS., INC		GRANITE ROCK COMPANY	
				UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	Mobilization/ Demobilization	LS	1	\$ 149,311.00	\$ 149,311.00	\$ 85,800.00	\$ 85,800.00	\$ 125,000.00	\$ 125,000.00	\$ 103,500.00	\$ 103,500.00	\$ 99,500.00	\$ 99,500.00	\$ 35,200.00	\$ 35,200.00	\$ 300,000.00	\$ 300,000.00
2	Notification to Residents and Businesses	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 3,700.00	\$ 3,700.00	\$ 8,000.00	\$ 8,000.00	\$ 5,500.00	\$ 5,500.00	\$ 2,500.00	\$ 2,500.00	\$ 1,212.20	\$ 1,212.20	\$ 1,000.00	\$ 1,000.00
3	Water Pollution Control	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 7,280.00	\$ 7,280.00	\$ 25,000.00	\$ 25,000.00	\$ 2,550.00	\$ 2,550.00	\$ 12,500.00	\$ 12,500.00	\$ 3,251.60	\$ 3,251.60	\$ 30,000.00	\$ 30,000.00
4	Traffic Control	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 23,650.00	\$ 23,650.00	\$ 63,000.00	\$ 63,000.00	\$ 25,000.00	\$ 25,000.00	\$ 91,500.00	\$ 91,500.00	\$ 56,265.00	\$ 56,265.00	\$ 100,000.00	\$ 100,000.00
5	Construction Layout	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 22,380.00	\$ 22,380.00	\$ 15,000.00	\$ 15,000.00	\$ 12,500.00	\$ 12,500.00	\$ 12,500.00	\$ 12,500.00	\$ 17,424.00	\$ 17,424.00	\$ 30,000.00	\$ 30,000.00
6	Monument Preservation	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 1,200.00	\$ 1,200.00	\$ 3,100.00	\$ 3,100.00	\$ 3,520.00	\$ 3,520.00	\$ 1,200.00	\$ 1,200.00	\$ 550.00	\$ 550.00	\$ 1,300.00	\$ 1,300.00
7	Clearing & Grubbing	SF	3,025	\$ 2.00	\$ 6,050.00	\$ 10.00	\$ 30,250.00	\$ 11.00	\$ 33,275.00	\$ 7.25	\$ 21,931.25	\$ 18.00	\$ 54,450.00	\$ 10.45	\$ 31,611.25	\$ 15.00	\$ 45,375.00
8	Remove Asphalt	SF	25,900	\$ 5.00	\$ 129,500.00	\$ 1.10	\$ 28,490.00	\$ 3.00	\$ 77,700.00	\$ 1.30	\$ 33,670.00	\$ 0.75	\$ 19,425.00	\$ 1.24	\$ 32,116.00	\$ 3.00	\$ 77,700.00
9	3" Asphalt Grind	SF	26,718	\$ 1.50	\$ 40,077.00	\$ 0.95	\$ 25,382.10	\$ 1.00	\$ 26,718.00	\$ 1.15	\$ 30,725.70	\$ 0.75	\$ 20,038.50	\$ 1.15	\$ 30,725.70	\$ 3.00	\$ 80,154.00
10	Concrete Removal	SF	366	\$ 10.00	\$ 3,660.00	\$ 12.75	\$ 4,666.50	\$ 20.00	\$ 7,320.00	\$ 20.00	\$ 7,320.00	\$ 15.00	\$ 5,490.00	\$ 8.29	\$ 3,034.14	\$ 50.00	\$ 18,300.00
11	Miscellaneous Demolition	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 31,570.00	\$ 31,570.00	\$ 15,000.00	\$ 15,000.00	\$ 33,800.00	\$ 33,800.00	\$ 48,500.00	\$ 48,500.00	\$ 8,355.60	\$ 8,355.60	\$ 10,000.00	\$ 10,000.00
12	Earthwork and Grading	LS	1	\$ 62,503.00	\$ 62,503.00	\$ 97,970.00	\$ 97,970.00	\$ 180,000.00	\$ 180,000.00	\$ 144,220.00	\$ 144,220.00	\$ 196,250.00	\$ 196,250.00	\$ 150,458.00	\$ 150,458.00	\$ 525,000.00	\$ 525,000.00
13	Concrete Sidewalk	SF	3,975	\$ 25.00	\$ 99,375.00	\$ 21.88	\$ 86,973.00	\$ 21.00	\$ 83,475.00	\$ 28.00	\$ 111,300.00	\$ 15.00	\$ 59,625.00	\$ 28.27	\$ 112,373.25	\$ 13.00	\$ 51,675.00
14	Concrete Valley Gutter	SF	200	\$ 100.00	\$ 20,000.00	\$ 82.55	\$ 16,510.00	\$ 39.00	\$ 7,800.00	\$ 60.00	\$ 12,000.00	\$ 40.00	\$ 8,000.00	\$ 24.63	\$ 4,926.00	\$ 70.00	\$ 14,000.00
15	Asphalt Pavement	TON	58	\$ 275.00	\$ 15,950.00	\$ 160.00	\$ 9,280.00	\$ 280.00	\$ 16,240.00	\$ 965.00	\$ 55,970.00	\$ 480.00	\$ 27,840.00	\$ 332.74	\$ 19,298.92	\$ 600.00	\$ 34,800.00
16	Class II Aggregate Base	TON	150	\$ 75.00	\$ 11,250.00	\$ 35.00	\$ 5,250.00	\$ 185.00	\$ 27,750.00	\$ 400.00	\$ 60,000.00	\$ 244.00	\$ 36,600.00	\$ 168.64	\$ 25,296.00	\$ 600.00	\$ 90,000.00
17	Pavement Fabric	SY	3,080	\$ 4.00	\$ 12,320.00	\$ 8.49	\$ 26,149.20	\$ 5.00	\$ 15,400.00	\$ 5.95	\$ 18,326.00	\$ 4.60	\$ 14,168.00	\$ 8.56	\$ 26,364.80	\$ 4.55	\$ 14,014.00
18	3" Asphalt Fill	TON	600	\$ 275.00	\$ 165,000.00	\$ 181.00	\$ 108,600.00	\$ 175.00	\$ 105,000.00	\$ 200.00	\$ 120,000.00	\$ 145.00	\$ 87,000.00	\$ 228.53	\$ 137,118.00	\$ 330.00	\$ 198,000.00
19	Decomposed Granite Pathway	SF	3,580	\$ 10.00	\$ 35,800.00	\$ 12.44	\$ 44,535.20	\$ 15.00	\$ 53,700.00	\$ 20.65	\$ 73,927.00	\$ 18.00	\$ 64,440.00	\$ 11.21	\$ 40,131.80	\$ 40.00	\$ 143,200.00
20	Concrete Curb and Gutter	LF	536	\$ 65.00	\$ 34,840.00	\$ 106.89	\$ 57,293.04	\$ 99.00	\$ 53,064.00	\$ 105.00	\$ 56,280.00	\$ 140.00	\$ 75,040.00	\$ 116.84	\$ 62,626.24	\$ 100.00	\$ 53,600.00
21	Extended Curb and Gutter	LF	2,251	\$ 100.00	\$ 225,100.00	\$ 95.58	\$ 215,150.58	\$ 117.00	\$ 263,367.00	\$ 105.00	\$ 236,355.00	\$ 150.00	\$ 337,650.00	\$ 212.40	\$ 478,112.40	\$ 130.00	\$ 292,630.00
22	Accessible Ramp	SF	162	\$ 40.00	\$ 6,480.00	\$ 36.00	\$ 5,832.00	\$ 75.00	\$ 12,150.00	\$ 90.00	\$ 14,580.00	\$ 60.00	\$ 9,720.00	\$ 59.98	\$ 9,716.76	\$ 60.00	\$ 9,720.00
23	Decomposed Granite Driveway	SF	915	\$ 18.00	\$ 16,470.00	\$ 12.44	\$ 11,382.60	\$ 17.00	\$ 15,555.00	\$ 26.00	\$ 23,790.00	\$ 20.00	\$ 18,300.00	\$ 16.16	\$ 14,786.40	\$ 43.00	\$ 39,345.00
24	Concrete Driveway Depression	SF	3,350	\$ 35.00	\$ 117,250.00	\$ 21.19	\$ 70,986.50	\$ 26.00	\$ 87,100.00	\$ 35.00	\$ 117,250.00	\$ 25.00	\$ 83,750.00	\$ 34.88	\$ 116,848.00	\$ 16.16	\$ 54,136.00
25	Driveway Conform	SF	2,210	\$ 30.00	\$ 66,300.00	\$ 28.06	\$ 62,056.80	\$ 30.00	\$ 66,300.00	\$ 24.00	\$ 53,040.00	\$ 27.00	\$ 59,670.00	\$ 28.50	\$ 62,985.00	\$ 20.00	\$ 44,200.00
26	Gravel Parking Strip	SF	3,827	\$ 15.00	\$ 57,405.00	\$ 12.80	\$ 48,985.60	\$ 8.00	\$ 30,616.00	\$ 16.30	\$ 62,380.10	\$ 17.00	\$ 65,059.00	\$ 15.51	\$ 59,356.77	\$ 44.00	\$ 168,388.00
27	Pavement Striping and Markings	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 12,560.00	\$ 12,560.00	\$ 21,000.00	\$ 21,000.00	\$ 22,750.00	\$ 22,750.00	\$ 28,500.00	\$ 28,500.00	\$ 34,353.88	\$ 34,353.88	\$ 18,025.00	\$ 18,025.00
28	Relocate Street Signs	EA	2	\$ 1,500.00	\$ 3,000.00	\$ 350.00	\$ 700.00	\$ 755.00	\$ 1,510.00	\$ 450.00	\$ 900.00	\$ 700.00	\$ 1,400.00	\$ 974.60	\$ 1,949.20	\$ 665.00	\$ 1,330.00
29	Bioretention Class II Permeable	CY	130	\$ 75.00	\$ 9,750.00	\$ 142.00	\$ 18,460.00	\$ 235.00	\$ 30,550.00	\$ 350.00	\$ 45,500.00	\$ 288.00	\$ 37,440.00	\$ 193.60	\$ 25,168.00	\$ 300.00	\$ 39,000.00
30	Bioretention Soil	CY	130	\$ 150.00	\$ 19,500.00	\$ 240.00	\$ 31,200.00	\$ 240.00	\$ 31,200.00	\$ 390.00	\$ 50,700.00	\$ 327.00	\$ 42,510.00	\$ 242.00	\$ 31,460.00	\$ 300.00	\$ 39,000.00
31	Bioretention Mulch	CY	25	\$ 75.00	\$ 1,875.00	\$ 210.00	\$ 5,250.00	\$ 175.00	\$ 4,375.00	\$ 250.00	\$ 6,250.00	\$ 155.00	\$ 3,875.00	\$ 242.00	\$ 6,050.00	\$ 300.00	\$ 7,500.00
32	12" HDPE Storm Drain Pipe (including trenching & backfill)	LF	45	\$ 275.00	\$ 12,375.00	\$ 235.00	\$ 10,575.00	\$ 245.00	\$ 11,025.00	\$ 285.00	\$ 12,825.00	\$ 500.00	\$ 22,500.00	\$ 238.19	\$ 10,718.55	\$ 600.00	\$ 27,000.00
33	18" HDPE Storm Drain Pipe (including trenching & backfill)	LF	100	\$ 300.00	\$ 30,000.00	\$ 241.00	\$ 24,100.00	\$ 220.00	\$ 22,000.00	\$ 300.00	\$ 30,000.00	\$ 500.00	\$ 50,000.00	\$ 252.48	\$ 25,248.00	\$ 300.00	\$ 30,000.00
34	Energy Dissipater	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 2,820.75	\$ 2,820.75	\$ 5,700.00	\$ 5,700.00	\$ 850.00	\$ 850.00	\$ 12,000.00	\$ 12,000.00	\$ 5,627.60	\$ 5,627.60	\$ 25,000.00	\$ 25,000.00
35	Catch Basin	EA	2	\$ 7,000.00	\$ 14,000.00	\$ 4,872.00	\$ 9,744.00	\$ 3,500.00	\$ 7,000.00	\$ 3,500.00	\$ 7,000.00	\$ 11,500.00	\$ 23,000.00	\$ 8,367.92	\$ 16,735.84	\$ 18,800.00	\$ 37,600.00
36	Storm Drain Manhole	EA	1	\$ 12,000.00	\$ 12,000.00	\$ 11,170.00	\$ 11,170.00	\$ 7,000.00	\$ 7,000.00	\$ 6,500.00	\$ 6,500.00	\$ 18,000.00	\$ 18,000.00	\$ 15,491.30	\$ 15,491.30	\$ 27,200.00	\$ 27,200.00
37	Bulbout Planter Curb Inlet/Outlet Energy Dissipaters	EA	18	\$ 2,000.00	\$ 36,000.00	\$ 465.00	\$ 8,370.00	\$ 2,250.00	\$ 40,500.00	\$ 1,200.00	\$ 21,600.00	\$ 250.00	\$ 4,500.00	\$ 275.00	\$ 4,950.00	\$ 1,250.00	\$ 22,500.00
38	Street Trees	EA	35	\$ 1,200.00	\$ 42,000.00	\$ 1,194.00	\$ 41,790.00	\$ 2,100.00	\$ 73,500.00	\$ 2,445.00	\$ 85,575.00	\$ 1,995.00	\$ 69,825.00	\$ 2,453.16	\$ 85,860.60	\$ 1,800.00	\$ 63,000.00
39	Landscaping	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 119,493.00	\$ 119,493.00	\$ 135,000.00	\$ 135,000.00	\$ 163,585.00	\$ 163,585.00	\$ 141,995.00	\$ 141,995.00	\$ 182,105.00	\$ 182,105.00	\$ 126,000.00	\$ 126,000.00
40	Coastside County Water District Water Valve Cover (Adjust to Grade)	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 250.00	\$ 250.00	\$ 3,500.00	\$ 3,500.00	\$ 250.00	\$ 250.00	\$ 850.00	\$ 850.00	\$ 550.00	\$ 550.00	\$ 2,000.00	\$ 2,000.00
41	Coastside County Water District Fire Hydrant (Adjust to Grade)	EA	1	\$ 7,500.00	\$ 7,500.00	\$ 2,800.00	\$ 2,800.00	\$ 3,500.00	\$ 3,500.00	\$ 24,000.00	\$ 24,000.00	\$ 6,500.00	\$ 6,500.00	\$ 550.00	\$ 550.00	\$ 7,500.00	\$ 7,500.00
Base Bid Subtotal				\$ 1,622,641.00		\$ 1,430,605.87		\$ 1,813,990.00		\$ 1,917,720.05		\$ 1,973,610.50		\$ 1,986,961.80		\$ 2,899,192.00	
15% Contingency				\$ 243,396.15													
Base Bid Grand Total				\$ 1,866,037.15													

ITEM	ITEM DESCRIPTION	UNIT	QTY	ENGINEERS ESTIMATE		HALF MOON GRADING & PAVING, INC.		JOSEPH J. ALBANESE, INC.		DRYCO CONSTRUCTION, INC.		REDGWICK CONSTRUCTIN CO.		ANDREINI BROS., INC		GRANITE ROCK COMPANY	
				UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL

BID ALTERNATE

ITEM	ITEM DESCRIPTION	UNIT	QTY	ENGINEERS ESTIMATE		HALF MOON GRADING & PAVING, INC.		JOSEPH J. ALBANESE, INC.		DRYCO CONSTRUCTION, INC.		REDGWICK CONSTRUCTIN CO.		ANDREINI BROS., INC		GRANITE ROCK COMPANY	
				UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	Asphalt Concrete Pavement In Place of Gravel Parking Strip	TN	72	\$ 275.00	\$ 19,800.00	\$ 205.00	\$ 14,760.00	\$ 1.00	\$ 72.00	\$ 400.00	\$ 28,800.00	\$ 145.00	\$ 10,440.00	\$ 181.62	\$ 13,076.64	\$ 1,000.00	\$ 72,000.00
Base Bid Subtotal				\$	19,800.00		\$ 14,760.00		\$ 72.00		\$ 28,800.00		\$ 10,440.00		\$ 13,076.64		\$ 72,000.00
15% Contingency				\$	2,970.00												
Base Bid Grand Total				\$	22,770.00												

BID ADDITIVE

ITEM	ITEM DESCRIPTION	UNIT	QTY	ENGINEERS ESTIMATE		HALF MOON GRADING & PAVING, INC.		JOSEPH J. ALBANESE, INC.		DRYCO CONSTRUCTION, INC.		REDGWICK CONSTRUCTIN CO.		ANDREINI BROS., INC		GRANITE ROCK COMPANY	
				UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	PG&E Electric Pull box (Adjust Lid to Grade)	EA	3	\$ 5,000.00	\$ 15,000.00	\$ 350.00	\$ 1,050.00	\$ 1,100.00	\$ 3,300.00	\$ 2,500.00	\$ 7,500.00	\$ 850.00	\$ 2,550.00	\$ 575.00	\$ 1,725.00	\$ 7,500.00	\$ 22,500.00
2	Coastside County Water District Water Meter (Relocation)	EA	20	\$ 3,000.00	\$ 60,000.00	\$ 3,885.00	\$ 77,700.00	\$ 1,030.00	\$ 20,600.00	\$ 15,000.00	\$ 300,000.00	\$ 2,730.00	\$ 54,600.00	\$ 287.50	\$ 5,750.00	\$ 8,000.00	\$ 160,000.00
3	Coastside County Water District Water Meter (Adjust to Grade) (Service)	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 250.00	\$ 250.00	\$ 3,300.00	\$ 3,300.00	\$ 2,000.00	\$ 2,000.00	\$ 1,430.00	\$ 1,430.00	\$ 287.50	\$ 287.50	\$ 2,000.00	\$ 2,000.00
Base Bid Subtotal				\$	77,000.00		\$ 79,000.00		\$ 27,200.00		\$ 309,500.00		\$ 58,580.00		\$ 7,762.50		\$ 184,500.00
15% Contingency				\$	11,550.00												
Base Bid Grand Total				\$	88,550.00												

Base Bid + Bid Alternate (Basis of Award)				\$	1,699,641.00		\$ 1,445,365.87		\$ 1,814,062.00		\$ 1,946,520.05		\$ 1,984,050.50		\$ 2,000,038.44		\$ 2,971,192.00
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BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 5, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Maz Bozorginia, Public Works Director/City Engineer

TITLE: **SAM OPERATIONS AND MAINTENANCE BUDGET AMENDMENT REQUEST –
PRINCETON PUMP STATION CAPITAL REPLACEMENT PROJECT**

RECOMMENDATION:

Adopt a resolution deferring the requested budget augmentation increasing the prior approved IPS project (Princeton Pump Station Capital Replacement) pending a renewed stipulation to pay under protest or final resolution in the court action.

FISCAL IMPACT:

The potential fiscal impact to the City's sewer fund associated with this action is \$839,619. Per the Stipulation and Order, the City has agreed to fund the IPS project, under protest, pending the outcome of the City's request for declaratory relief.

STRATEGIC PLAN:

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

BACKGROUND:

SAM is preparing to replace the Princeton Pump Station which is part of the Intertie Pipeline System (IPS), a series of force mains, pump stations and wet weather storage facilities that convey effluent from sewer customers within the Montara and Granada special districts to the SAM operated treatment plant.

On August 8, 2023, SAM publicly opened and read aloud four (4) received bids for the replacement of the Princeton Pump Station. The lowest responsive bidder came in with a bid of \$1,637,650 which exceeds the original project budget amount of \$1,263,181. The original estimate was included in the adopted FY 2022-23 SAM budget and indicated at that time as full project delivery cost. The City approved the project in FY 2022-23 "under protest" per the Superior Court of the County of San Mateo Stipulation and Order Regarding Expenses and Assessments for the Sewer Authority Mid-Coastside in the matter of *City of Half Moon Bay v.*

Granada Community Services District et al. (Case No. 17 CV 03092) approved on September 13, 2017.

On August 14, 2023, the SAM Board of Directors was asked to award a construction contract to the lowest responsive and responsible bidder. The Board continued the item and requested the General Manager circulate a formal budget amendment/augmentation. Subsequently, the General Manager updated the budget and provided the revised budget to Agency Managers. The revised budget request for delivery of the Princeton Pump Station is currently \$2,593,415, which is more than \$1.3M over the originally adopted project budget of \$1,263,181.

As part of the updated funding request, an updated Princeton Pump Station Project CIP page (Attachment 2) was provided to Agency Managers that expanded the previously approved project scope. The purpose of the original project was to replace the buried package pump at the Princeton Station but was increased to also include upgrades to electrical and control equipment including, Variable Frequency Drive (VFD) controls, magnetic flow meter, wet-well floats, level controls, communications upgrades among others. Additional budget requests include project management and engineering consultant services.

DISCUSSION:

The California Appellate Court is scheduled to consider the City's appeal of the Santa Clara Superior Court decision in *City of Half Moon Bay v. Granada Community Services District et al.* The court date is set for October 5, 2023, with a decision to be rendered within 90-days of the hearing. Until recently, the City, Granada and Montara operated under a Stipulation and Order that allowed the City to pay "under protest" for the IPS related items. Meaning simply, the City would pay its "fair share" pending outcome of the litigation. In the event the City prevails, the Granada and Montara Districts would refund IPS capital costs (paid under protest) which the City believes do not benefit its ratepayers.

Granada and Montara have chosen to no longer recognize the Stipulation and Order. This issue became a source of contention with the adoption of the FY 2023-24 SAM operating budget. Granada and Montara chose to not negotiate a new Stipulation and Order which in turn forced the City to request modification of the capital infrastructure portion of the SAM budget.

In the process of reviewing and approving the FY 2023-24 SAM budget, there was no indication given that staff were moving forward with the Princeton Pump Station project and soliciting bids. In addition, despite increases in the Construction Cost Index (CCI) and Consumer Price Index (CPI), no additional funding was requested for the Princeton Pump Station Project. The current amended request to cover the additional project costs is \$1,330,234 (77.3% increase), of which the City's share would be \$818,094 (based on flow rate). That is a very significant budget increase just two months after budget adoption. The SAM General Manager initially requested authority to award the contract utilizing accrued capital project funds.

Given the upcoming Appellate Court date, staff is recommending the City Council defer the requested budget augmentation increasing the prior approved IPS project (Princeton Pump

Station Capital Replacement) pending either approval of a renewed stipulation to pay under protest or final resolution in the court action.

CONCLUSION:

SAM staff was prepared to proceed with the project absent a budget amendment and augmentation. The City's deferral should not impact on the award nor affect delivery of the project.

ATTACHMENTS:

- 1) Resolution
- 2) SAM FY 23-24 GENERAL BUDGET AMENDMENTS August 15, 2023
- 3) SAM CIP Project Data Sheet PPS Upgrades August 2023

Resolution No. C-2023-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
DEFERRING THE REQUEST FOR AUGMENTATION OF THE SEWER AUTHORITY MID-COASTSIDE
GENERAL (OPERATIONS AND MANAGEMENT) BUDGET FOR FISCAL YEAR 2023-24 RELATIVE TO
THE PRINCETON PUMP STATION CAPITAL REPLACEMENT PROJECT**

WHEREAS, City of Half Moon Bay representatives reviewed and provided input on the General Budget of the Sewer Authority Mid-Coast (SAM) Budget for Fiscal Year (FY) 2023-24; and

WHEREAS, on May 3, 2022, the City Council of the City of Half Moon Bay approved the General (O&M) Budget of SAM for FY 2022-23 of \$8,195,626 which included the Princeton Pump Station Replacement Capital Project with an estimated cost of \$1,263,181; and

WHEREAS, the City previously approved the Princeton Pump Station Replacement Project under protest per the then approved per the Superior Court of the County of San Mateo Stipulation and Order Regarding Expenses and Assessments for the Sewer Authority Mid-Coastside in the matter of *City of Half Moon Bay v. Granada Community Services District et al.* (Case No. 17 CV 03092) approved on September 13, 2017. Among other things, the Stipulation and Order provided that the City shall be deemed to have approved under protest that part of SAM's 2022-23 General Budget characterized as the "Infrastructure Division"; and

WHEREAS, the City requested and Granada CSD and Montara WSD denied the City's request for extension or restatement of the Stipulation and Order as part of the FY 2023-24 General Operating Budget approval; and

WHEREAS, on June 20, 2023, the City Council of the City of Half Moon Bay approved the General (O&M) Budget of SAM for FY 2023-24 of \$9,109,686 which included the carryover Princeton Pump Station Replacement Capital Project with an estimated budget of \$1,263,181; and

WHEREAS, SAM issued and received bids for the project immediately following the budget adoption which increased the project cost by \$1,330,234 which is 77.3-percent increase from the previous budget; and

WHEREAS, on August 14, 2023, the SAM Board of Directors was asked to award a construction contract to the lowest responsive and responsible bidder without a request for budget amendment and intention to use accrued capital project funds; and

WHEREAS, the item was continued by the Board of Directors to allow for circulation of a budget amendment/augmentation; and

WHEREAS, the SAM General Manager has submitted a revised budget request which includes capital improvements and contract project delivery costs totaling \$1,330,234 and raising the total project budget to \$2,593,415; and

WHEREAS, the City Council has reviewed the request for and determined that absent a Stipulation and Order acknowledging the additional requested funds are being approved under protest, it is not in the best interests of the ratepayers to approve the budget request at this time; and

WHEREAS, the SAM General Manager has the option of using accrued unexpended capital funds from FY 2023-24 budget for the Project, which was the original staff recommendation, and may award the contract at an upcoming SAM meeting.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay defers the requested budget augmentation increasing the prior approved Intertie Pipeline System (IPS) Princeton Pump Station Capital Replacement Project pending a renewed stipulation to pay under protest or final resolution in the court action.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 5th day of September 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

**FY 23-24 GENERAL BUDGET
BUDGET AMENDMENTS
AUGUST 15, 2023**

Attachment 2

Expense Category

Treatment:	<u>Original</u>	<u>Amended</u>	<u>Difference</u>
Line 11 - Professional Memberships/ Fees:	14,412	49,412	35,000

ERF Settlement:

A) \$15,000 Contribution to Rose Foundation

B) \$20,000 towards ERF attorney fees for compliance monitoring and reimbursement of ERF's fees and other associated costs.

Member Agency Contributions:	<u>Original</u>	<u>Amended</u>	<u>Difference</u>
Line 34 - Half Moon Bay	2,361,459	2,382,984	21,525
Line 35 - Granada CSD	731,476	738,144	6,668
Line 36 - Montara WSD	746,835	753,643	6,808

Infrastructure:	<u>Original</u>	<u>Amended</u>	<u>Difference</u>
Line 22 - Infrastructure:	1,720,000	3,050,234	1,330,234

Princeton Pump Station Rehabilitation Project:

Construction: \$1,637,650

Lighting, Electrical & Instrumentation & Control: \$470,000

Project Management & Engineering: \$250,000

10% contingency: \$25,342

Amendment Required: \$2,593,415

Previously approved: \$1,263,181

Amended budget: \$2,593,415 - 1,263,181 = \$1,330,234

Member Agency Contributions:	<u>Original</u>	<u>Amended</u>	<u>Difference</u>
Line 34 - Half Moon Bay	1,057,800	1,875,894	818,094
Line 35 - Granada CSD	327,660	581,070	253,410
Line 36 - Montara WSD	334,540	593,271	258,731

O & M General Budget Impact:	<u>Original</u>	<u>Amended</u>	<u>Difference</u>
Line 11 - Professional Memberships/ Fees:	57,421	92,421	35,000
Line 22 - Infrastructure:	1,720,000	3,050,234	1,330,234
Line 26 - Total:	7,425,027	8,790,261	1,365,234

Member Agency Contributions:	<u>Original</u>	<u>Amended</u>	<u>Difference</u>
Line 34 - Half Moon Bay	4,507,757	5,347,376	839,619
Line 35 - Granada CSD	1,396,305	1,656,382	260,077
Line 36 - Montara WSD	1,425,624	1,691,162	265,538

SEWER AUTHORITY MID-COASTSIDE
CAPITAL IMPROVEMENT PROGRAM FY2023 - FY2024

Project: Princeton Pump Station – Additional Upgrades for New Buried Package Pump Station

Priority: Regulatory and Safety

This project expands the scope of the original Princeton Pump Station replacement project. In addition to the new buried package pump station, essential upgrades to the associated electrical equipment and controls are required. The control panels for the new pumps will be relocated from the existing pump station room to the larger MCC building. Along with new VFD controls for the pumps, a new magnetic flow meter, new wet well floats, new level controls for wet well and a new transformer will give operators the accuracy and flexibility to manage the pump station efficiently. The project also is introducing new radio antennas to upgrade telemetry as existing radios are obsolete.

Other elements added to this project include outdoor lighting for increased safety, flexible pipe connections on the force main to allow for differential settlement, rehabbing an existing manhole by relining the interior, and additional fence and gate replacements for improved operator access and security. Lastly, the existing bladder-type surge tank will be replaced with an upgraded air-over-water 500-gallon surge tank which requires new electrical controls and wiring that provides more control for operations and increased reliability.



Interior View of New Buried Package Pump Station

CIP Total Cost: \$2,593,415

Project Funding: This project will be funded by SAM's Infrastructure Program

Basis of Priority: This project is required to comply with the ERF Consent Decree deadline of June 30, 2024. These upgrades support the new buried

SEWER AUTHORITY MID-COASTSIDE
CAPITAL IMPROVEMENT PROGRAM FY2023 - FY2024

package pump station that will eliminate the safety risk of confined entry.

Annual Cost Distribution and Schedule

CIP Total	FY2021	FY2022	FY2023	FY2024	FY2025
2,593,415		1,263,181	1,330,234		