CITY COUNCIL AGENDA
REGULAR MEETING
CITY OF HALF MOON BAY

TUESDAY, APRIL 20, 2021

REMOTE PARTICIPATION (SEE NEXT PAGE)

Robert Brownstone, Mayor
Debbie Ruddock, Vice Mayor
Joaquin Jimenez, Councilmember
Deborah Penrose, Councilmember
Harvey Rarback, 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. Those wishing to speak on a Public Hearing matter will be called forward at the appropriate time during the Public Hearing 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 and the Half Moon Bay Library where they are available for public inspection. If requested, the agenda shall be available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132.) Information may be obtained by calling 650-726-8271.

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

http://hmbcity.com/

SPECIAL REMOTE PARTICIPATION PROTOCOLS

In accordance with Governor Newsom's Executive Order No-29-20, this will be a teleconference meeting without a physical location to help stop the spread of COVID-19. This meeting will be conducted entirely by remote participation, in compliance with the Governor's Executive Order N-29-20 allowing for deviation of teleconference rules required by the Ralph M. Brown Act.

This meeting will be conducted via Zoom Webinar and live Spanish interpretation will be available within the Zoom platform. Members of the public are welcome to login into the webinar as Attendees. 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://zoom.us/j/91519378217 or join by phone at 669-900-9128, using Webinar ID 915-1937-8217.

CALL TO ORDER / ROLL CALL

PUBLIC FORUM

PROCLAMATIONS AND PRESENTATIONS

MIDCOAST COMMUNITY COUNCIL UPDATE
FRIDAY NIGHT LIVE MONTH PROCLAMATION
COUNTY AND COASTSIDE SHELTER OPERATOR PRESENTATION

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

CITY MANAGER UPDATES TO COUNCIL

COVID-19 UPDATE
EARTH DAY UPDATES
SHERIFF'S DEPARTMENT UPDATES

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B WARRANTS FOR THE MONTH OF MARCH 2021

Staff Recommendation: Accept the warrants list for the month of March 2021.

STAFF REPORT

ATTACHMENT 1

1.C ADOPT RESOLUTION ESTABLISHING JOB CLASSIFICATION AND SALARY SCHEDULE FOR MAINTENANCE ASSISTANT POSITION

Staff Recommendation: Adopt resolution establishing job classification and salary schedule for Maintenance Assistant position.

STAFF REPORT

RESOLUTION

1.D RECEIPT OF LEGISLATIVE POSITION LETTERS

Staff Recommendation: Receive and file position letters for AB 1500, SB 9, SB 45, and SB 612.

STAFF REPORT

ATTACHMENT 1

1.E BIOSWALE EDUCATION AND STEWARDSHIP TRAINING PILOT PROJECT

Staff Recommendation: By motion, authorize the City Manager to sign a license agreement with the Regents of the University of California for the Bioswale Education and Stewardship Training (BEaST) Pilot Project.

STAFF REPORT

ATTACHMENT 1

2. ORDINANCES AND PUBLIC HEARINGS

3. RESOLUTIONS AND STAFF REPORTS

3.A PUBLIC ART DEACCESSIONING POLICY

Staff Recommendation: Adopt a resolution adopting the Public Art Deaccessioning Policy which establishes clear guidelines regarding the removal or relocation of City owned public art.

STAFF REPORT

RESOLUTION

ATTACHMENT 2

COMMISSION / COMMITTEE UPDATES

CITY COUNCIL REPORTS

ADJOURNMENT IN MEMORY OF GENE MULLIN

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **April 20, 2020**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

From: Lisa Lopez, Administrative Services Director

TITLE: **WARRANTS FOR THE MONTH OF March 2021**

RECOMMENDATION:
Accept the warrants list for the month of March 2021.

STRATEGIC ELEMENT:
This recommendation supports the Fiscal Sustainability and Inclusive Governance Element.

DISCUSSION:
During this month, we processed 4 check runs. The first was on March 4, totaling $507,145.35 The second was on March 11, totaling $266,325.18. The third was on March 18, totaling $562,471.64. The fourth was on March 25, totaling $254,284.39. The total for the month was $1,590,226.56.

The City processed payments related to 13 capital improvement projects, in a total amount of $753,821.56. These projects include: Sewer Lift Upgrades, HWY 1 Safety/Traffic Reduction Improvements, HWY 1 Safety/Congestion, General Plan Update, Urban Forest Management Program, Facility Management Asset, Carter Park Improvement, Poplar Beach Gateways Plan, Main Street Bridge Rehabilitation, Climate Action and Adaptation, Poplar Street Parallel Path, Ocean Colony Pump Station Replacement, Inflow and Infiltration Program.

Staff is also including a list of all payments above $30,000 processed during this reporting period, as listed in the table below.

Over $30,000					
Check#	Vendor Number	Payee	Check Date	Check Amount	Description
49100	2941	CSG CONSULTANTS INC.	3/4/2021	42,466.25	JAN'20, FY20/21 NPDES STORMWATER SERVICES
49114	5165	RANGER PIPELINES INCORPORATED	3/4/2021	67,355.00	OCEAN COLONY REHAB AND REPLACE SEWER FORCE MAIN
49115	5178	REDGWICK CONSTRUCTION COMPAN	3/4/2021	268,130.51	HWY1 SOUTH SAFETY AND OPEARTIONAL IMPROVEMENTS
49118	4399	TOTAL FLOW INC.	3/4/2021	46,977.04	OCT'20-DEC'20, SMOKE TESTING - SANITARY SEWER SYSTEM
49133	5178	REDGWICK CONSTRUCTION COMPAN	3/11/2021	120,592.19	HWY1 SOUTH SAFETY AND OPEARTIONAL IMPROVEMENTS
49135	5212	SAN MATEO COUNTY DEPARTMENT C	3/11/2021	54,500.00	HOUSING ELEMENT
49157	1206	MARK THOMAS & CO. INC.	3/18/2021	51,226.13	JAN'21, DEVELOP SEWER MAINTENANCE STRATEGIES
49165	159	SEWER AUTHORITY MID-COASTSIDE	3/18/2021	363,963.67	MAR'21, SEWER COLLECTION SERVICE
49166	3085	SHUTE MIHALY & WEINBERGER LLP	3/18/2021	41,414.67	LEGAL SERVICES
49172	5225	CA STATE TREASURY CONDEMNATIOI	3/25/2021	91,000.00	EMINENT DOMAIN ACTION FILED, CASE NO. 21-CIV-01560
49185	5224	SMCU COMMUNITY FUND	3/25/2021	70,000.00	RESTAURANT GRANT PROGRAM

ATTACHMENTS:
Check Disbursement List by Check Date

Report Criteria:
Report type: Summary
Check.Type = "Calculated","manual"

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description
49093	2022	ACC BUSINESS	03/04/2021	776.44	INTERNET SERVICE
49094	3577	AMERIGAS	03/04/2021	1,038.69	PROPANE AND ACCESSORIES
49095	266	BAGG ENGINEERS	03/04/2021	10,805.00	JAN'21, HWY 1 SOUTH SAFETY AND OPEARTIONAL IMPROVEM
49096	4115	BIG BELLY SOLAR INC	03/04/2021	283.59	FEB'21, FY20/21 SMART TRASH RECEPTACLES
49097	481	BIG CREEK LUMBER	03/04/2021	2,182.06	MAINT SUPPLIES
49098	957	COASTSIDE.NET	03/04/2021	141.66	INTERNET SERVICE
49099	3643	CORODATA RECORDS MANAGEMENT INC	03/04/2021	304.81	RECORDS MANAGEMENT
49100	2941	CSG CONSULTANTS INC.	03/04/2021	42,466.25	JAN'20, FY20/21 NPDES STORMWATER SERVICES
49101	3086	DIRECTV LLC	03/04/2021	91.98	DIRECTV SERVICE
49102	70	GRAINGER	03/04/2021	7.41	MAINT SUPPLIES
49103	1645	HUFFMAN-BROADWAY GROUP INC	03/04/2021	1,957.50	SEP'20-DEC'20, UPDATE GENERAL PLAN & LOCAL COASTAL P
49104	4267	IMPEC GROUP INC.	03/04/2021	18,225.08	FEB'21, FY20/21 JANITORIAL & MAINTENANCE SERVICES
49105	1206	MARK THOMAS & CO. INC.	03/04/2021	6,185.17	JAN'21, HWY1 SOUTH SAFETY AND OPERATIONAL IMPROVEM
49106	4269	MAZIAR BOZORGINIA	03/04/2021	115.00	DCA/PE LICENSE RENEWAL
49107	2352	MMANC	03/04/2021	40.00	VIRTUAL SPEED COACHING & NETWORKING
49108	2014	MOORE IACOFANO GOLTSMAN INC.	03/04/2021	897.50	JAN'21, SUSTAINABILITY-CAAP
49109	4489	MTA PARTS INC.	03/04/2021	268.55	VEHICLE PARTS
49110	3726	NICHOLAS LASZKIEWICZ	03/04/2021	742.50	TRANSLATION SERVICES
49111	4472	ON POINT LANGUAGE SOLUTIONS LLC	03/04/2021	964.00	TRANSLATION SERVICES
49112	3951	PUBLIC PARKING ASSOCIATES INC	03/04/2021	165.00	MAINT SERVICE
49113	5020	QUADIENT FINANCE USA, INC	03/04/2021	12.00	POSTAGE
49114	5165	RANGER PIPELINES INCORPORATED	03/04/2021	67,355.00	RETENTION, OCEAN COLONY REHAB AND REPLACE SEWER F
49115	5178	REDGWICK CONSTRUCTION COMPANY	03/04/2021	268,130.51	RETENTION, HWY1 SOUTH SAFETY AND OPEARTIONAL IMPRO
49116	252	RICE TRUCKING-SOIL FARM INC.	03/04/2021	169.34	MAINT SUPPLIES
49117	4487	THE HOME DEPOT PRO	03/04/2021	443.03	MAINT SUPPLIES
49118	4399	TOTAL FLOW INC.	03/04/2021	46,977.04	OCT'20-DEC'20, SMOKE TESTING - SANITARY SEWER SYSTEM
49119	1497	TURBO DATA SYSTEMS	03/04/2021	637.32	CITATION PROCESSING
49120	3871	WEST COAST ARBORISTS INC	03/04/2021	25,000.00	FEB'21, TREE MAINTENANCE SERVICES
49122	4270	4LEAF INC.	03/11/2021	2,514.49	JAN'21, PLAN REVIEW AND BUILDING INSPECTIONS
49123	4300	AT&T	03/11/2021	1,586.98	PHONE SERVICE
49124	5213	BARBARA AYGUN	03/11/2021	185.00	CLASS REFUND DOG TRAINING 03/11/21-04/15/21
49125	3526	BIGGS CARDOSA ASSOCIATES INC	03/11/2021	21,313.00	JAN'21, PREPERATION OF PS&E AND ENVIRONMENTAL CLEAR
49126	4193	CASELLE INC.	03/11/2021	3,744.00	ERP CONTRACT SUPPORT & MAINTENANCE
49127	51	COASTSIDE COUNTY WATER DISTRICT	03/11/2021	4,945.44	555 KELLY AVE
49128	3975	COLANTUONO HIGHSMITH WHATLEY PC	03/11/2021	16,752.64	LEGAL SERVICES -SAM
49129	217	COUNTY OF SAN MATEO INFORMATION SVCS DE	03/11/2021	76.00	MICROWAVE SERVICE

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description
49130	103	KIKUCHI & ASSOC.	03/11/2021	3,096.25	FEB'21,HWY1 SOUTH SAFETY AND OPEARATIONAL IMPROVEM
49131	5214	MATT DAVIS	03/11/2021	185.00	CLASS REFUND, PUPPY KINDERGARDEN 03/10/21-04/14/21
49132	5020	QUADIENT FINANCE USA, INC	03/11/2021	438.06	POSTAGE
49133	5178	REDGWICK CONSTRUCTION COMPANY	03/11/2021	120,592.19	RETENTION, HWY1 SOUTH SAFETY AND OPEARTIONAL IMPRO
49134	5141	SAN MATEO COUNTY	03/11/2021	25,000.00	FY20/21 FLOOD AND SEA LEVEL RISE RESILIENCY DIST
49135	5212	SAN MATEO COUNTY DEPARTMENT OF HOUSING	03/11/2021	54,500.00	HOUSING ELEMENT
49136	3101	SHRED-IT USA LLC	03/11/2021	156.13	RECORDS MANAGEMENT
49137	3955	TOWNSEND PUBLIC AFFAIRS	03/11/2021	5,000.00	CONSULTING SERVICES
49138	5190	Wood Consulting Services	03/11/2021	6,240.00	FEB'21,ECONOMIC DEVELOPMENT CONSULTATION
49139	4270	4LEAF INC.	03/18/2021	13,086.15	FEB'21, BUILDING INSPECTIONS AND PLAN REVIEW SERVICES
49140	3332	AMERICAN PORTABLES	03/18/2021	2,387.88	MAR'21, FY20/21 PORTABLE RESTROOM FACILITIES
49141	444	ASSOCIATION OF BAY AREA GOVERNMENTS	03/18/2021	86.17	TRUE-UP ALLOCATION
49142	4115	BIG BELLY SOLAR INC	03/18/2021	1,269.56	MAR'21,FY20/21 SMART TRASH RECEPTACLES
49143	5168	BLEYLE ELEVATOR, INC	03/18/2021	190.00	MAINT SERVICE
49144	5216	COASTPRIDE, INC.	03/18/2021	5,000.00	GRANT FOR COASTSIDE COMMUNITY CENTER
49145	3977	CROSBY GROUP ENGINEERS ARCHITECTS	03/18/2021	6,267.68	APR'19, SHERIFF SUBSTATION FEASIBILITY AND IMPROVEMEN
49146	4398	ELS ARCHITECTURE & URBAN DESIGN	03/18/2021	15,425.00	FEB'21, CARTER PARK PHASE 2 DESIGN SERVICES
49147	3446	FLYERS ENERGY LLC	03/18/2021	1,218.99	VEHICLE FUEL
49148	70	GRAINGER	03/18/2021	37.22	MAINT SUPPLIES
49149	264	HALF MOON BAY NURSERY	03/18/2021	224.61	MAINT SUPPLIES
49150	82	HALF MOON BAY REVIEW	03/18/2021	378.00	PUBLIC NOTICE PDP-20-074
49151	2444	HOME DEPOT CREDIT SERVICES	03/18/2021	1,094.69	MAINT SUPPLIES
49152	3429	HUE & CRY	03/18/2021	259.50	SECURITY SERVICE
49153	1645	HUFFMAN-BROADWAY GROUP INC	03/18/2021	1,312.50	FEB'21, POPLAR BEACH GATEWAYS PLAN
49154	5201	KIMLEY-HORN AND ASSOCIATES, INC	03/18/2021	2,750.00	FEB'21, FILBERT STREET WARRANT ANALYSIS
49155	5218	LEADERSHIP COUNCIL SAN MATEO COUNTY	03/18/2021	2,500.00	CITY SPONSORSHIP
49156	4028	LORAL LANDSCAPING INC.	03/18/2021	1,875.00	MAR'21, MAINTENANCE FOR HWY 1 & HWY 92 MEDIANS
49157	1206	MARK THOMAS & CO. INC.	03/18/2021	51,226.13	JAN'21, DEVELOP SEWER MAINTENANCE STRATEGIES
49158	3934	MITEL	03/18/2021	2,750.17	SHERIFF SUBSTATION PHONE SERVICE
49159	137	PACIFIC GAS & ELECTRIC	03/18/2021	13,947.86	555 KELLY ST
49160	3479	PARKEON INC	03/18/2021	52.50	MAINT SERVICE
49161	3956	PENINSULA MUNICIPAL ENGINEERING INC.	03/18/2021	28,124.00	DEC'20, ENGINEERING SERVICES, HWY 1 SOUTH SAFETY AND
49162	5217	PUBLIC RELATIONS SOCIETY OF AMERICA, INC	03/18/2021	415.00	MEMBERSHIP RENEWAL
49163	29	READYREFRESH	03/18/2021	87.01	WATER FOR CORP YARD
49164	252	RICE TRUCKING-SOIL FARM INC.	03/18/2021	338.68	MAINT SUPPLIES
49165	159	SEWER AUTHORITY MID-COASTSIDE	03/18/2021	363,963.67	MAR'21, SEWER COLLECTION SERVICE
49166	3085	SHUTE MIHALY & WEINBERGER LLP	03/18/2021	41,414.67	GENERAL MATTERS
49167	3519	SWCA INCORPORATED	03/18/2021	1,189.00	FEB'21, OCEAN COLONY PUMP STATION & FORCE MAIN
49168	5190	Wood Consulting Services	03/18/2021	3,600.00	MAR'21, ECONOMIC DEVELOPMENT CONSULTATION
49169	4572	123-AWARDS.COM	03/25/2021	171.86	BRONZE OUTDOOR SIGN

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description	
49170	4270	4LEAF INC.	03/25/2021	13,447.09	FEB'21,PLAN REVIEW AND BUILDING INSPECTIONS	
49171	3526	BIGGS CARDOSA ASSOCIATES INC	03/25/2021	11,055.36	FEB'21, PS&E AND ENVIRONMENTAL CLEARANCE FOR MAIN S	
49172	5225	CA STATE TREASURY CONDEMNATION FUND	03/25/2021	91,000.00	EMINENT DOMAIN ACTION FILED, CASE NO. 21-CIV-01560	
49173	4086	COASTSIDE BUZZ	03/25/2021	250.00	COMMUNITY OUTREACH	
49174	3776	DAVID J POWERS & ASSOCIATES INC	03/25/2021	2,896.74	FEB'21, CARTER PARK IMPROVEMENTS	
49175	76	HALF MOON BAY BUILDING & GARDEN	03/25/2021	18.02	MAINT SUPPLIES	
49176	1853	HDL SOFTWARE LLC	03/25/2021	2,539.46	TOT AND BUSINESS LICENSE MANAGEMENT	
49177	3429	HUE & CRY SECURITY SYSTEMS INC.	03/25/2021	133.95	SECURITY SERVICE	
49178	96	JAMES FORD INC.	03/25/2021	2,025.25	VEHICLE SERVICE	
49179	5221	KC BRANSCOMB	03/25/2021	185.00	CLASS REFUND 03/10/21-04/14/21 PUPPY KINDERGARTEN	
49180	2699	KONICA MINOLTA BUSINESS SOLUTIONS	03/25/2021	2,270.63	PRINTER AND SCANNER LEASE AGREEMENT	
49181	5220	MATTEW BARBOUR	03/25/2021	185.00	CLASS REFUND 03/10/21-04/14/21 PUPPY KINDERGARTEN	
49182	3956	PENINSULA MUNICIPAL ENGINEERING INC.	03/25/2021	23,852.00	DEC'20, ENGENEERING TRAFFIC TRANSPORTATION SERVICES	
49183	5020	QUADIENT LEASING USA, INC.	03/25/2021	881.25	LEASE PAYMENT	
49184	3757	SCHAFF & WHEELER	03/25/2021	2,255.00	FEB'21, PELICAN POINT GENERATOR REPLACEMENT	
49185	5224	SMCU COMMUNITY FUND	03/25/2021	70,000.00	RESTAURANT GRANT PROGRAM	
49186	2710	STAR VISTA	03/25/2021	15,303.71	STAR VISTA-FIRST CHANCE PROGRAM	
49187	1760	STEPFORD	03/25/2021	5,595.00	MAY'21, FY20/21 IT SERVICES	
49188	3519	SWCA INCORPORATED	03/25/2021	7,993.27	POPLAR STREET PATHWAY	
49189	4487	THE HOME DEPOT PRO	03/25/2021	684.34	MAINT SUPPLIES	
49190	3004	VERIZON WIRELESS	03/25/2021	374.46	MOBILE SERVICES	
49191	4429	WESTERN EXTERMINATOR COMPANY	03/25/2021	1,167.00	FEB'21, EXTERMINATOR SERVICES	
49192	3923	WELLS FARGO	03/04/2021	10,762.92	02/01/21 ISTOCKPHOTO/COMMUNICATIONS	M
Grand Totals:						
99				1,590,226.56		

Report Criteria:
Report type: Summary
Check.Type = "Calculated","manual"

M = Manual Check, V = Void Check

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **April 20, 2021**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Lisa Lopez, Administrative Services Director
John Doughty, Public Works Director

TITLE: **ADOPT RESOLUTION ESTABLISHING JOB CLASSIFICATION AND SALARY SCHEDULE FOR MAINTENANCE ASSISTANT POSITION**

RECOMMENDATION:
Adopt resolution establishing job classification and salary schedule for Maintenance Assistant position.

FISCAL IMPACT:
Funding was allocated during the Fiscal year 2020-21 mid-year budget adjustments done in March 2021.

STRATEGIC ELEMENT:
This action supports the *Healthy Communities and Public Safety* and *Infrastructure and Environment elements* of the Strategic Plan.

BACKGROUND:
Chapter 2.50 of the Half Moon Bay Municipal Code establishes the procedures for the City Manager, as Personnel Officer, to create and revise a position classification plan. Requests for the creation of a new class or reclassification of an existing class can be made by a department head to the Personnel Officer, or by the Personnel Officer. After review, the Personnel Officer submits the new job specification, class title and salary range to the City Council to be considered for addition to the Classification Plan. The new class is officially established upon adoption by the City Council.

Over the past few years, there has been a significant increase in summertime weekend visitors to Half Moon Bay, which includes the local beaches. The result of this increase has been a significant increase in trash – both deposited in city-maintained cans as well as litter accumulation. The City's approach to dealing with this situation for the last two summers has been to rearrange Maintenance Worker's schedules for the summer months to have weekend coverage from May to September. These schedule changes are not only disruptive to

Maintenance staff, but they also significantly limit the amount of normally occurring maintenance work that be completed during the week due to reduced staffing.

DISCUSSION:
After much discussion, the City Council has directed staff to find ways of dealing with this ongoing problem and as a result the Summer Action plan was developed by Public Works. The "Action Plan" called for enhanced management, enforcement and litter controls for certain beaches and access points within the City limits including Poplar Beach Park (beach, parking lot and coastal trail) during the Spring and Summer of 2021.

A key part of this plan is the creation of a Public Works Maintenance Assistant position, which would be part-time and seasonal. This position would provide focused (Thursday, Friday, Saturday and Sunday) services to City beaches, parks and downtown during Spring/Summer seasons (May through October) while also assuming a variety of additional tasks when needed. This will also provide regular full-time maintenance staff the time during the week to address critical maintenance and capital repair of these and other facilities.

ATTACHMENTS:
1. Resolution
2. Job Specification

Resolution No. C-2021-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE ESTABLISHMENT OF THE CLASSIFICATION AND SALARY SCHEDULE FOR MAINTENANCE ASSISTANT

WHEREAS, Chapter 2.50 of the Half Moon Bay Municipal Code establishes a personnel system and procedures for the administration of personnel matters; and

WHEREAS, said Chapter requires that the City Manager, as personnel officer, prepare and recommend to the City Council a position classification plan, class specifications, and revisions thereto; and

WHEREAS, said Chapter requires that personnel rules and policies be adopted by resolution of the City Council; and

WHEREAS, the proposed classification have been prepared and is attached as EXHIBIT A.

NOW, THEREFORE, BE IT RESOLVED THAT the Classification Plan is hereby created for the Maintenance Assistant classification; the City Council of Half Moon Bay approves the classification specifications attached hereto as Exhibit A and incorporated herein by this reference

****

I, the undersigned, hereby certify that the foregoing resolution was duly passed and adopted on the 20th day of April, 2021 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:

_____
Robert Brownstone, Mayor

CITY OF HALF MOON BAY

Job Specification

Class Title: MAINTENANCE ASSISTANT
Status: Non-Exempt
Department: Public Works/ Maintenance
Reports To: Public Works Superintendent or designee
Employee Group: Temporary/Seasonal, Non-represented
Adopted by City Council/Resolution Number:
Modified:

DEFINITION
Under the close to general direction, perform a variety of unskilled and semi-skilled tasks in the maintenance of City parks, facilities, and equipment.

SUPERVISION RECEIVED/EXERCISED
The Maintenance Assistant receives supervision from the Public Works Superintendent or designees. May receive direction from a Senior Maintenance Worker.

DISTINGUISHING CHARACTERISTICS

IMPORTANT AND ESSENTIAL DUTIES
Essential responsibilities and duties may include, but are not limited to, the following:

1. Pick up and properly dispose of litter at City beaches and parks.
2. Assist in maintaining landscaped areas including parks and paths, playgrounds, and Town facilities such as tennis courts and various buildings used by the public.
3. May assist with building maintenance and light repairs.
4. Work varying days of the week and weekends, with some flexibility with start and end times, depending on available supervision and assignments.
5. Performs related duties and responsibilities as required.
6. Operate various City vehicles safely while driving in heavy traffic.

KNOWLEDGE, SKILLS AND ABILITIES
Knowledge of:

- Basic techniques, tools and equipment used in facilities maintenance.
- Basic methods and techniques of park maintenance.

- Basic customer service techniques.
- Basic safe work practices.

Ability to:

- Perform heavy physical labor in all weather conditions.
- Understand, respond to and follow written and verbal instructions in English.
- Write entries in work logs and report forms.
- Apply safe work practices including injury prevention.
- Lift a minimum of 60 pounds.
- Operate a variety of maintenance tools and equipment in a safe and effective manner.
- Establish and maintain effective working relationships with those contacted in the course of work.

EDUCATION AND EXPERIENCE

Sufficient education and experience to satisfactorily perform the duties of this classification are required. Any combination of experience and training that would likely provide the required knowledge and abilities would be qualifying.

PHYSICAL DEMANDS

Employees must be able to maintain physical condition necessary for sitting, walking, and standing for extended periods of time; some stooping, crawling, crouching, and climbing; maintain concentration and the capability to make sound decisions; maintain effective audio/visual discrimination and perception to the degree necessary for the successful completion of assigned duties.

WORKING CONDITIONS

Employees work outdoor; travel from site to site; exposure to noise, dust, grease, smoke, fumes, gases, traffic, and inclement weather conditions.

LICENSES, CERTIFICATES AND REGISTRATIONS

Possession a valid California Class “C” Driver's License and satisfactory driving record.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **April 20, 2021**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk
Jonathan Roisman, Deputy City Clerk

TITLE: **RECEIPT OF LEGISLATIVE POSITION LETTERS**

RECOMMENDATION:
Receive and file position letters for AB 1500, SB 9, SB 45, and SB 612.

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

STRATEGIC ELEMENT:
This action supports the Inclusive Governance element of the Strategic Plan.

DISCUSSION:
Annually, the City adopts a Legislative Platform to allow staff to send position letters regarding various bills of interest to the City. The 2021 Legislative Platform was adopted by the City Council on April 6, 2021. The platform provides staff direction and allows the City, on the Council's behalf, to respond in support of or opposition to bills and other legislative and administrative actions. The City Council has delegated its authority to the Mayor and / or City Manager to sign position letters consistent with the legislative platform.

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

ATTACHMENTS:
SB 9 Letter of Opposition Unless Amended and AB 1500, SB 45, and SB 612 Letters of Support

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THE CITY OF
HALF MOON BAY
CALIFORNIA

April 7, 2021

The Honorable Ben Hueso
Chair, Senate Energy, Utilities & Communications Committee
State Capitol, Room 4035
Sacramento, CA 95814

Re: SB 612 (Portantino) – Support from the City of Half Moon Bay

Dear Senator Hueso,

On behalf of the City of Half Moon Bay, I write in support of SB 612 (Portantino), a bill that seeks to ensure all customers of load-serving entities receive the energy benefits they pay for by providing that investor-owned utility (IOU), Community Choice Aggregator (CCA), and direct access customers have equal right to receive energy and attributes produced from legacy IOU generation assets.

Half Moon Bay is a member of Peninsula Clean Energy Authority, a joint powers authority running a community choice aggregator (CCA) program serving roughly 750,000 Californians in San Mateo County (and in 2022, the City of Los Banos). As a locally governed public entity, PCE is focused on providing cost effective clean electricity while improving the communities it serves through local reinvestment of PCE's revenues.

California's IOUs' early procurement of renewable energy generation resources allowed the state to be a leader in a clean electricity grid. The high prices paid early on have created billions of dollars of above-market costs that need to be recovered through the Power Charge Indifference Adjustment (PCIA). The PCIA is a mechanism adopted by the California Public Utilities Commission (CPUC) to ensure that when electric customers of an IOU elect to receive service from a non-IOU provider, such as a CCA, those customers remain responsible for resource costs previously incurred on their behalf by the IOUs. These resources produce valuable products such as renewable energy, greenhouse gas-free energy, and resource adequacy, which are needed by all energy providers to clean energy and reliability requirements.

Our constituents, as PCE customers, however, do not have access to any of these beneficial resources they pay for through the PCIA, and, as a result, PCE must procure additional resources to meet the state's clean energy and reliability requirements. Over a year ago, CalCCA (including PCE) and other IOUs proposed a solution to the CPUC to fix this inequity, but the CPUC has failed to act. Hence legislation is needed to expeditiously correct this inequity.

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THE CITY OF
HALF MOON BAY
CALIFORNIA

SB 612 provides that IOU, CCA, and direct access customers receive equal right to legacy resource products that were procured on their behalf in proportion to their load share if they pay the full cost of those products. Further, the bill seeks to optimize the PCIA by requiring the IOUs improve transparency.

We created PCE in order to control the decisions and reduce the costs for the electricity provided to our residents and businesses; SB 612 increases our ability to do just that.

For these reasons, we support SB 612 and thank Senator Portantino for his leadership. We respectfully request your "Aye" vote when the bill is heard in committee.

Sincerely,

Robert Brownstone
Robert Brownstone, Mayor

cc: The Honorable Josh Becker
The Honorable Scott Wiener
The Honorable Marc Berman
The Honorable Kevin Mullin
The Honorable Phil Ting

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THE CITY OF
HALF MOON BAY
CALIFORNIA

April 7, 2021

The Honorable Toni Atkins
President pro Tempore, California State Senate
State Capitol Building, Room 205
Sacramento, CA 95814

RE: SB 9 (Atkins) Increased Density in Single-Family Zones
Oppose Unless Amended (As Amended 4/5/2021)

Dear Senate President pro Tempore Atkins,

The City of Half Moon Bay writes to express an Oppose Unless Amended position on your SB 9, which would require a local government to ministerially approve a housing development containing two residential units in single-family residential zones. Additionally, this measure would require local governments to ministerially approve urban lot splits.

Housing affordability and homelessness are among the most critical issues facing California cities. Affordably priced homes are out of reach for many people and housing is not being built fast enough to meet the current or projected needs of people living in the state. Cities lay the groundwork for housing production by planning and zoning new projects in their communities based on extensive public input and engagement, state housing laws, and the needs of the building industry.

While your desire to pursue a housing production proposal is appreciated, unfortunately, SB 9 as currently drafted would not spur much needed housing construction in a manner that supports local flexibility, decision-making, and community input. State driven ministerial or by-right housing approval processes fail to recognize the extensive public engagement associated with developing and adopting zoning ordinances and housing elements that are certified by the California Department of Housing and Community Development (HCD). Such concerns are heightened in jurisdictions like Half Moon Bay, which also must submit its land use plans and zoning ordinances to the California Coastal Commission for certification.

Half Moon Bay is a city of approximately 12,500 residents located entirely within the Coastal Zone. Given the City's location along a narrow strip between the coast range and the Pacific Ocean, the ability of the City to provide additional road capacity, water supply, and sewer services is severely constrained. For instance, in our 2020 update to the City's Local Coastal Land Use Plan, we studied the City's ability to provide sufficient services and infrastructure to meet a maximum theoretical buildout, which did not take into account the possibility of further lot splits and duplex development. The City determined that as growth approaches buildout, demand would surpass known supplies of water and available sewage treatment capacity. Further, the water supply for Half Moon Bay and all other Bay Area Water Supply and Conservation Agency member jurisdictions could be significantly impacted by implementation of the

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Bay Delta Plan. Despite the outcome of the Tuolumne River Voluntary Agreement, near-term water shortages should be anticipated if unplanned development enabled by SB 9 is to proceed in jurisdictions where supply is already constrained relative to current buildout projections.

Likewise, the City determined that the *existing* highway capacity and congestion are significant constraints for both visitors—including those seeking coastal access—and residents. As the City reaches buildout conditions, traffic on Highway 1 and 92 will potentially result in untenable delays. While expanding capacity might be a short-term solution, the City also determined that such fixes would induce more traffic demand and have the potential to overwhelm the capacity of other public works systems.

These constraints, however, do not mean that Half Moon Bay takes lightly its responsibility to ensure adequate housing for current and future residents. The City has a robust accessory dwelling unit program, which has resulted in a significant increase in production in the last four years. The new LUP, once certified by the Coastal Commission, will put into place a workforce housing overlay to support affordable housing options for individuals who work in agricultural and service industries. The LUP update also includes expansion of a mobile home park designation. Mobile homes comprise about ten percent of Half Moon Bay's housing units and are an important housing type for our community. These strategies require careful local planning and cannot be accomplished through broad strokes policies, especially in a small town. And the City is regularly pursuing opportunities to bring sizable affordable housing projects into its downtown core. These efforts have been based on extensive public input and engagement and analyses of local constraints, always with a mindful eye toward the protection of the City's coastal act resources and the community's specific housing needs. If enacted, SB 9 is likely to result in infrastructure capacity going toward single-family lot splits and duplexes, rather than affordable housing options that are better suited to the City.

The City of Half Moon Bay requests the following amendments in order to address our concerns and remove our opposition:

- Impose affordability requirements on either urban lot splits or duplexes;
- Require a housing developer to acquire a building permit within one year of a lot split, so that speculators do not sell lots and never build homes;
- Allow local governments to require adequate access for police, fire and other public safety vehicles and equipment;
- Prohibit developers from using SB 9 in very high fire hazard severity zones;
- Allow cities to determine a range of lot sizes suitable for SB 9 development projects;
- Ensure HCD provides Regional Housing Needs Allocation (RHNA) credit for production of SB 9 units;
- Explicitly require each lot to meet the local jurisdiction's standards for utilities and infrastructure;
- Allow local governments to take into account local conditions such as hillsides, lot dimensions, natural hazards, lack of infrastructure including water or sewer service, coastal act protected resources, etc. when approving or denying housing project applications or urban lot splits;

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- Allow local governments to maintain lot development standards for lot coverage and floor area ratios to ensure proper stormwater management and scale relative to available infrastructure;
- Allow local governments to continue to determine parking standards; and
- Ensure large-scale investors and builders do not exploit SB 9 provisions.

The City of Half Moon Bay is committed to being part of the solution to the housing shortfall across all income levels and will continue to work collaboratively with you to spur much needed housing construction. Thank you for considering the above amendments.

For these reasons, the City of Half Moon Bay opposes SB 9 (Atkins) unless it is amended to address our concerns.

Sincerely,

Robert Brownstone

Robert Brownstone
Mayor of Half Moon Bay

CC: Senator Josh Becker
Assemblymember Marc Berman

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THE CITY OF
HALF MOON BAY
CALIFORNIA

April 13, 2021

The Honorable Eduardo Garcia
California State Assembly
State Capitol, Room 4140
Sacramento, CA 95814

Re: Assembly Bill 1500: Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022
Letter of Support from the City of Half Moon Bay

Dear Assemblymember Garcia:

On behalf of the City of Half Moon Bay, I write in strong support of Assembly Bill 1500, your measure which would place a $6.7 billion general obligation bond before voters in the November 8, 2022, general election.

The City of Half Moon Bay shares your commitment to protecting our environment and state's natural resources. As a small coastal community, we have seen firsthand the effects of coastal erosion, sea level rise, and various climate related changes such as growing wildfires. We recognize that without significant investments, our environment will continue to suffer, as will the health of tens of millions of Californians.

Our City fully supports this critical measure, and specifically appreciates the following provisions:

- **Section 80521.** "(a) Of the funds made available by Section 80520, three hundred million dollars ($300,000,000) shall be available to the Office of Emergency Services, upon appropriation by the Legislature, for a prehazard mitigation grant program." This will help local governments with critical hardening of local structures and systems in the event of an emergency.
- **Section 80531.** "(b) Of the funds made available by subdivision (a), three hundred million dollars ($300,000,000) shall be available for projects that are consistent with the San Francisco Bay Restoration Authority Act (Title 7.25 (commencing with Section 66700) of the Government Code), including, but not limited to, projects that address sea level rise, flood management, and wetland restoration."
- **Section 80532.** "Of the funds made available by Section 80530, thirty million dollars ($30,000,000) shall be available, upon appropriation by the Legislature, to the California

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Coastal Commission for grants for local adaptation planning and updating local coastal programs and twenty million dollars ($20,000,000) shall be available, upon appropriation by the Legislature, to the San Francisco Bay Conservation and Development Commission for coastal planning and projects within its jurisdiction."

- **Section 80533.** "(a) Of the fund made available by Section 80530, eighty million dollars ($80,000,000) shall be available for deposit into the California Ocean Protection Trust Fund for competitive grants consistent with Section 35650. Priority shall be given to projects that assist coastal communities, including those reliant on commercial fisheries, with adaptation to climate change, including projects that address ocean acidification, increasing ocean temperatures, sea level rise, or habitat restoration and protection. (b) Of the funds made available by Section 80530, twenty million dollars ($20,000,000) shall be available, upon appropriation by the Legislature, to the Ocean Protection Council for projects that increase the ability of ocean and coastal ecosystems to capture, sequester, and store carbon dioxide."
- **Section 80534.** "Of the funds made available by Section 80530, fifty million dollars ($50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Parks and Recreation to plan for and implement projects to reduce the risks of sea level rise for units of the state park system."

Again, I thank you for your commitment to this critical policy topic and am pleased to support Assembly Bill 1500.

Sincerely,

Robert Brownstone

Robert Brownstone
Mayor of Half Moon Bay

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THE CITY OF
HALF MOON BAY
CALIFORNIA

April 13, 2021

The Honorable Anthony Portantino
California State Senate
State Capitol, Room 3086
Sacramento, CA 95814

Re: Senate Bill 45: Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022
Letter of Support from the City of Half Moon Bay

Dear Senator Portantino:

On behalf of the City of Half Moon Bay, I write in strong support of Senate Bill 45, your measure which would place a $5.595 billion general obligation bond before voters in the November, 2022, general election.

The City of Half Moon Bay shares your commitment to protecting our environment and state's natural resources. As a small coastal community, we have seen firsthand the effects of coastal erosion, sea level rise, and various climate related changes such as growing wildfires. We recognize that without significant investments, our environment will continue to suffer, as will the health of tens of millions of Californians.

Our City fully supports this critical measure, and specifically appreciates the following provisions:

- **Section 80221.** "Of the funds made available by Section 80220, one hundred seventy-five million dollars ($175,000,000) shall be available to the Office of Emergency Services, in conjunction with the Department of Forestry and Fire Protection, for a prehazard mitigation grant program." This is especially important for the local installation of microgrids.
- **Section 80229.** "(c) Of the funds made available by subdivision (a), forty million dollars ($40,000,000) shall be allocated to the Strategic Growth Council for grants to local governments and joint powers authorities to develop or update general plans and zoning ordinances to facilitate timely investment in projects that address flood and fire resilience, sea level rise, climate adaptation, and environmental justice objectives, pursuant to Section 65302 of the Government Code."

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- **Section 80234.** "(b) Of funds allocated pursuant to subdivision (a), at least fifty million dollars ($50,000,000) shall be allocated for multibenefit flood management projects in urban coastal watersheds."
- **Section 80242.** "Twenty million dollars ($20,000,000) shall be available to the Department of Fish and Wildlife to improve the climate resilience of fish and wildlife habitat."
- **Section 80261.** "Of the funds made available by Section 80260, one hundred million dollars ($100,000,000) shall be available to the State Coastal Conservancy for projects that are consistent with the San Francisco Bay Restoration Authority Act (Title 7.25 (commencing with Section 66700) of the Government Code), including, but not limited to, projects that address sea level rise, flood management, and wetland restoration."
- **Section 80262.** "(c) Of the amount made available by subdivision (a), thirty million dollars ($30,000,000) shall be available to restore and protect coastal habitat, dunes, wetlands, uplands, estuary conditions, or forest habitat associated with estuarine and designated wildlife areas, including coastal conservation aquaculture for native California marine plants and wildlife in designated areas."
- **Section 80263.** "Of the funds made available by Section 80260, eighty-five million dollars ($85,000,000) shall be available for deposit into the California Ocean Protection Trust Fund for grants consistent with Section 35650 to increase resilience from the impacts of climate change. Priority shall be given to projects, including mapping ocean surface transport and circulation, providing new maritime research infrastructure needed to reduce emissions of maritime operations, and supporting state climate resilience and adaptation efforts, that conserve, protect, and restore marine wildlife, and healthy ocean and coastal-ecosystems, including, but not limited to, estuarine and kelp forest habitat, the state's system of marine protected areas, and sustainable fisheries. Funding may also be used to purchase and install coastal ocean current mapping infrastructure."

Again, I thank you for your commitment to this critical policy issue and am pleased to support Senate Bill 45.

Sincerely,

Robert Brownstone

Robert Brownstone
Mayor of Half Moon Bay

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **April 20, 2021**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: John Doughty, Public Works Director
Maziar Bozorginia, City Engineer
Veronika Vostinak, Sustainability Analyst

TITLE: **MOTION TO AUTHORIZE THE CITY MANAGER TO SIGN A LICENSE AGREEMENT FOR THE BIOSWALE EDUCATION AND STEWARDSHIP TRAINING PILOT PROJECT**

RECOMMENDATION:
By motion, authorize the City Manager to sign a license agreement with the Regents of the University of California for the Bioswale Education and Stewardship Training (BEaST) Pilot Project.

FISCAL IMPACT:
The Regents of the University of California will manage and operate the BEaST project at its sole cost. This pilot will enhance but not replace the maintenance activities of the City's Green Infrastructure currently performed by City staff and landscape maintenance contractors.

STRATEGIC ELEMENT:
This action supports the *Healthy Communities and Public Safety* and *Infrastructure and Environment elements* of the Strategic Plan.

BACKGROUND:

Green Infrastructure (GI) uses plants, soils, and other elements to manage water quality and mimic the natural water cycle by capturing rainwater. Green infrastructure projects act as sustainable systems that retain, detain, filter, harvest, infiltrate, and/or evapotranspirate stormwater runoff to create healthier urban environments. Examples of green infrastructure include stormwater planters or bioretention areas, infiltration systems, permeable pavement, green roofs, green walls, green gutters, and stormwater trees.

Green infrastructure provides many benefits such as improving water quality by removing trash and pollutants, reversing urbanization on local creeks and waterways, decreasing the chance of

localized flooding, biodiversity and habitat preservation for native plants and animals, traffic calming, and overall enhancement of neighborhood aesthetics.

On September 17, 2019, the City Council adopted Half Moon Bay's Green Infrastructure Plan. The Green Infrastructure Plan describes how the City will, over time, transition its existing "gray" infrastructure to "green" infrastructure. The plan also provides guidance to meet stormwater pollutant load reduction goals and creates a process for prioritizing the integration of GI into capital improvement projects.

DISCUSSION:

The BEaST project aims to educate residents and community groups on the function and value of GI, and to promote sustainable stormwater management by empowering residents and community groups to perform basic maintenance on their local GI in cooperation with the local municipal government agencies. The project includes an education and outreach component for adults and youth, a citizen science component with hands-on learning, and a community service component.

The project will proceed in three phases, potentially expanding to four. The program will start by training a dedicated group of UC Master Gardeners – the Green Infrastructure Gardeners (GIG) team – who will then adopt a single GI facility for maintenance and education events: the "Bioswale Blitz" (phase two). The bioswale events will include the citizen science component of the program that will collect data such as a trash and debris survey, photo-documentation of vegetation, and soil assessments. The first Bioswale Blitz will focus on the GI areas near the Half Moon Bay Library. Existing green waste bins on site will be utilized for any minor materials removed during demonstrations and maintenance. For implementation in other areas, green waste collection will be coordinated with the pilot program administrator and city staff.

The Master Gardeners will use their experience to teach 4-H youth members about the benefits of GSI and the maintenance needs (in phase three). Pending additional funding and contract extension, the 4-H youth members may adopt another GSI facility and organize their own Bioswale Blitz events (this is contingent on the availability and interest of 4-H youth members, given the current pandemic). In the final, fourth phase, the 4-H youth members together with UC Master Gardeners may work with local High Schools to organize Bioswale Blitzes for students and teachers in GSI facilities near schools, or will work with community-service organizations to accomplish the same.

ATTACHMENT:
BEaST Program Description

BEaST Program Description

1. *GSI Basics Training*: The recorded training presentation and materials (including pre/post evaluation materials) on stormwater in cities, GSI, regulations, etc. This can be used to train other groups, such as community volunteers, or 4-H, or corporate volunteer programs. The training presentation and materials will be hosted on the flowstobay.org website.

2. *Green Infrastructure Gardeners* (*GIGs*): A group of trained UC Master Gardeners (minimum of 3 volunteers) who will extend the information to other UC Master Gardeners in San Mateo County and to their clientele – home gardeners – in the regular course of other UCMG activities. The GIG will also train 4-H members to become ambassadors of the pilot program, to allow for the possibility for the program to scale-up and grow the stewardship base over time.

3. *Bioswale Blitz Element 1*: the Bioswale Blitz Protocol. The protocol describes the activities that comprise the Bioswale Blitz (stewardship, science, outreach) in some detail, especially the stewardship and the outreach elements. The Protocol also includes a Survey123 data entry form to be used by GIGs to collect data.

4. *Bioswale Blitz Element 2*: community science protocols. For this pilot year, we will develop preliminary protocols for the following (a) **Trash and debris survey**, (b) **Photo-documentation of vegetation**, (c) **Tree assessment** (DBH and estimated height; canopy opacity, vitality, quality), (d) **GSI soil texture assessment**, (e) **Comparative soil moisture assessment**, (f) **GSI soil compaction assessment**, (g) **GSI soil infiltration assessment**. The protocols for (f) and (g) will initially be focused on the GSI substrates, but will be developed as comparative protocols in year 2 (GSI vs. urban soils) if the project is extended.

5. *Bioswale Blitz Element 3*: the bioswale blitz event where MGs maintain the GSI, perform community science, and educate passersby on the importance of GSI and the need to maintain local GSI facilities. Master Gardeners will carry out three events during the project year, either on a single GSI facility, or on multiple GSI facilities. The details (location, timing, frequency) depend on collaboration with individual cities, and we will aim during this pilot year to both create a working partnership with one or two cities and to document the process of collaboration so it can be extended to other cities.

6. *GSI Basics Training for 4-H*: We will conduct a pilot training for 4-H youth members, to create interest and awareness among the 4-H program, in preparation for future 4-H Bioswale Blitz events.

7. *Pilot year report*: we will prepare an end-of-project report on June 30, 2021 (2-3 pages, detailing the results to date, and including a summary of the community science activities)

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **April 20, 2021**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Matthew Chidester, Deputy City Manager
Victor Gaitan, Management Analyst

TITLE: **PUBLIC ART DEACCESSIONING POLICY**

RECOMMENDATION:
Adopt a resolution adopting the Public Art Deaccessioning Policy which establishes clear guidelines regarding the removal or relocation of City owned public art.

FISCAL IMPACT:
There is no fiscal impact associated with the adoption of this policy. The policy establishes a process for the removal or relocation of City owned public art. The cost of the actual removal or relocation will vary and be considered on a case-by-case basis.

STRATEGIC ELEMENT:
This action supports the *Healthy Communities and Public Safety* and the *Infrastructure and Environment* elements of the Strategic Plan.

BACKGROUND:
The City of Half Moon Bay currently has several pieces of public art in its collection, most of which is comprised of sculptures which were donated to the City and installed on City owned property throughout the years.

Due to the construction of the Highway 1 South Safety and Operational Improvement Project at the south end of Main Street and Highway 1, and the new gateway signs being erected as part of the project, the Half Moon Gateway Sculpture, located between and near the intersection of South Main Street and Highway 1, will need to be removed.

Removing a piece of artwork from City property ("Deaccessioning") is a sensitive matter and should be managed according to clear criteria, typically adopted in a public art deaccession policy. By adopting a carefully crafted deaccessioning policy, the City would have a standard set of guidelines to follow whenever matters concerning the removal or relocation of public art should arise.

City staff has researched deaccessioning policies from other jurisdictions and drafted a policy that is tailored to the unique needs of Half Moon Bay. The draft policy was presented to the Parks and Recreation Commission on January 27, 2021. Commission members were supportive of the draft policy, but asked that staff reach out to local organizations for feedback, including the Coastal Arts League, the Half Moon Bay History Association, ALAS and the Half Moon Bay Beautification Committee. Several of these groups indicated that they would like to be notified and consulted when a piece of art is being considered for deaccession to provide important historical background and artistic input to aid in the process. The draft was updated to include this feedback, and presented an updated draft to the Commission at their meeting on March 24, 2021.

DISCUSSION:

The City's municipal code does not address the deaccession of City owned public art, and staff has drafted the attached policy for Council review and approval. The following is a summary of the different sections of the proposed policy:

Policy:

- Any proposal for deaccession of an artwork can be initiated by the City, the Parks and Recreation Commission (PRC), the Artist(s), the Artist's designated heirs or the Artist's legally appointed representatives
- As part of the policy, at regular intervals and at least annually, the City's Artwork collection shall be evaluated by the City to determine the condition of each piece of artwork and determine whether deaccession is necessary for any of the pieces.
- The PRC shall review and make recommendations on deaccession requests to the City Council
- The City Council shall review deaccession recommendations made by the PRC and make final determinations on the request.

Guidelines / Deaccession Criteria:

- The policy includes several guidelines and criteria for when a piece of artwork can be considered for review toward deaccessioning, including but not limited to:
    - The artwork's physical or structural condition poses a threat to public safety.
    - The artwork requires excessive maintenance, has faulty design or workmanship, and repair or remedy is impractical or unfeasible.
    - The artwork has been damaged, and repair or remedy is impractical or unfeasible.
    - The site where the work is located is undergoing privatization, or redevelopment or improvement for a public purpose.
    - A written request from the artist has been received to remove the work from public display.

Procedures:

- Deaccession shall begin with a formal Deaccession Request.
- Deaccession Requests shall be reviewed by staff, with outreach to appropriate art, history, cultural or religious groups, and will then be presented to the PRC at a public meeting.
- The PRC shall make a recommendation, with or without conditions, or reject the Deaccession Request based on the Deaccession Criteria described in this policy.
- The staff and PRC recommendations will be presented to the Council for consideration at a public meeting.

Disposition:

The City will take one of the following actions regarding the disposition of the deaccessioned artwork: Exchange, Transfer, Relocation, Destruction / Disposal

Nothing in the Policy shall limit the City's ability to take appropriate action to protect public health and safety in the event of an emergency.

The recommendation does not include any request, approval or authorization for deaccession of the Half Moon Gateway statue, which will be considered in accordance with the policy, if adopted, and brought back to the Council for approval.

ATTACHMENTS:

1. Resolution Adopting the Public Art Deaccessioning Policy
2. Draft Public Art Deaccessioning Policy

RESOLUTION NO. C-2021-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY APPROVING A COUNCIL POLICY REGARDING THE DEACCESSIONING OF PUBLIC ART

WHEREAS, the City of Half Moon Bay currently has several pieces of public art in its collection, most of which is comprised of sculptures which were donated to the City and installed on City owned property throughout the years; and

WHEREAS, removing a piece of artwork from City property ("deaccessioning") is a sensitive matter and should be managed according to clear criteria; and

WHEREAS, the City does not have a set of rules or guidelines regarding the deaccessioning of public art, and

WHEREAS, the City wishes to adopt a policy to provide clear guidelines about the deaccessioning of public art.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Half Moon Bay hereby adopts the Public Art Deaccessioning Policy.

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 20th day of April 2021 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:

_____
Robert Brownstone, Mayor

POLICY NO. _____

CITY OF HALF MOON BAY
Public Art Deaccessioning Policy

DRAFT

I. PURPOSE:

The City of Half Moon Bay's facilities, parks and open spaces contain a number of public art pieces. Removing a piece of artwork from City property ("Deaccessioning") is a sensitive matter and should be managed according to clear criteria. The City shall review the entire public art collection at regular intervals to assess conditions and shall make appropriate recommendations to the Parks and Recreation Commission (PRC). Deaccession will be cautiously applied only after careful and impartial evaluation of the artwork to avoid the influence of fluctuations of taste and the premature removal of artwork from the collection. This policy applies to permanent artwork in the City's collection existing as of the date of this policy and prospectively; it is not intended to apply to "Temporary Artworks" which will be addressed in a separate policy or agreement.

II. POLICY:

1. Any proposal for deaccession of an artwork can be initiated by the City, the PRC, the Artist(s), Artist's designated heirs or legally-appointed representatives

2. At regular intervals, at least annually, the City's Artwork collection shall be evaluated by the City and reported to the PRC to determine the condition of each piece of artwork and determine whether deaccession is necessary for any of the pieces.
3. The PRC shall review and make recommendations on deaccession requests to the City Council
4. The City Council shall review deaccession recommendations made by the PRC and make final determinations on the request..

III. DEFINITIONS:

For the purposes of this policy, the following definitions apply:

ARTIST: An individual generally recognized by critics and peers as a professional practitioner of the visual arts as judged by the quality of the professional practitioner's body of work, educational background and experience, past public commissions, sale of works, exhibition record, publications, and production of Artwork.

ARTWORK: Works in any style, expression, genre and media created by an artist and owned by the City of Half Moon Bay as a permanent piece. Artwork may be stand-alone and/or integrated into the architecture, landscaping, or other site development if such are designed by an artist as defined herein.

The following are not considered artwork:

1. Reproductions, by mechanical or other means, of original artwork, except in cases of film, video, photography, printmaking, theater, or other media arts;
2. Art objects that are mass produced (excluding artist-created, signed limited-edition works), ordered from a catalog, or of a standard design, such as playground sculpture or fountains; and
3. Directional or other functional elements such as signage, supergraphics, color coding, or maps unless specifically designed as artwork.

DEACCESSION: The procedure for the removal of an artwork owned by the City and the determination of its future disposition.

DEACESSION NOTIFICATION: A written letter to the artist or donor referencing the applicable condition(s) of the artwork and describing reasons why the deaccession review needs to be undertaken.

IV. GUIDELINES/DEACCESSION CRITERIA:

Any artwork owned by the City shall be eligible for deaccession with the exception of an artwork that is accompanied by verified legal stipulations that the artwork may not be deaccessioned. During the review process, artwork shall remain accessible to the public in its existing location unless it poses a threat to public safety.

Artwork may be considered for review toward deaccession if one or more of the following conditions apply:

1. The artwork's physical or structural condition poses a threat to public safety.
2. The artwork requires excessive maintenance, has faulty design or workmanship, and repair or remedy is impractical or unfeasible.
3. The artwork has been damaged and repair or remedy is impractical or unfeasible.
4. The condition or security of the artwork cannot be reasonably protected;
5. Significant, adverse public reaction to the artwork has continued unabated for a period of five years or more.
6. The artwork is of poor quality or is judged to have little aesthetic and/or historical or cultural value.
7. The artwork is proved to be inauthentic or in violation of existing copyright laws.
8. The artwork has exceeded its expected lifespan at the time of creation.
9. No suitable site is available for relocation or exhibition, or significant changes in the use, character or design of the site have occurred which affects the integrity of the artwork.
10. The site where the work is located is undergoing privatization, or redevelopment or improvement for a public purpose.
11. A written request from the artist has been received to remove the work from public display.

V. PROCEDURES:

Deaccession shall begin with a formal Deaccession Request which can be initiated by the City, members of the Parks and Recreation Commission, the artist, the artist's designated heir(s) or legally-appointed representative(s). The Deaccession Request shall be submitted to the City Manager's Office (CMO) and shall describe the applicable condition(s) outlined in the Guidelines above, and the reasons why the deaccession review should be undertaken. A Deaccession Request must also contain information about the requestor's relationship to the artwork and stake in deaccessioning the artwork.

Deaccession Requests shall be reviewed by CMO staff, who shall make every reasonable effort to contact the artist who created the artwork named in the Deaccession Request, and any other known parties with a vested interest in the artwork, and shall comply with any applicable state or federal notice requirements. When artwork is proposed for deaccession, staff shall place the matter on the PRC agenda for an initial review of the reasons deaccessioning is being considered and to gather feedback on the deaccession proposal. At a subsequent PRC meeting, staff shall then present a deaccession recommendation to the PRC.

In presenting the Deaccession Request, City staff will provide all <u>available</u> relevant corresponding materials to the PRC, including but not limited to:

1. Artist's name and biographical information.
2. A written description and images of the artwork.
3. Artist's statement about the artwork named in the Deaccession Request.
4. A description of the selection/acquisition process and related costs that were implemented at the time the artwork was selected.
5. A formal appraisal of the artwork provided by a qualified art appraiser.
6. Information about the origin, derivation, history, and past ownership of the artwork.
7. Information about the condition of the artwork and the estimated cost of its conservation provided by a qualified visual arts conservator.
8. Information about and images of the artwork's site.
9. Information about how community feedback about the artwork was collected and the outcome of that feedback.
10. A detailed budget for all aspects of conservation, maintenance, repair, removal, relocation, installation, operation, insurance, storage, and City staff support.
11. The artist's contract with donor or comparable legally binding document with Proof of Title.
12. Deed or gift restrictions, if any.

The PRC shall make a recommendation, with or without conditions, or reject the Deaccession Request based on the Deaccession Criteria described in this policy.

VI. DEACESSION CRITERIA

1. ARTISTIC EXCELLENCE: Qualifications and professional reputation of the artist; craftmanship, conceptual content, style, form.
2. VALUE OF ARTWORK as determined by a professional appraiser, if available.
3. RELATIONSHIP TO EXISTING COLLECTION OF ARTWORK: Style, form, scale, diversity, quantity, quality, longevity, and compatibility with the existing collection of artwork and goals of the Public Art Program.

4. AVAILABILITY OF CITY SUPPORT: The availability of necessary funding for conservation, maintenance, and/or repair; exhibition and storage space; real property for siting artwork; and staff support.
5. RELATIONSHIP TO SITE: Accessibility, public safety, and social, cultural, historical, ecological, physical, and functional context of the artwork in relation to the site, both existing and planned.
6. LEGAL CONSIDERATIONS: Issues related to liability, insurance, copyright, warranties, ownership, theft, vandalism, loss, indemnification, and public safety. The City Attorney shall review the recommendation of the CMO staff and PRC to determine whether there are any known legal restrictions that would prevent deaccessioning the artwork. The City Attorney's approval must be obtained prior to deaccessioning and artwork.
7. TIMING: Safety or hazard emergencies, relevant construction schedules, and the allowance of sufficient time for a normal review process.
8. ACQUISITION PROCESS: Method by which the artwork was acquired and accessioned into the collection of artwork (i.e. donation, loan, commission).
9. COMMUNITY FEEDBACK: Community feedback about the artwork, its site, and its condition solicited via a publicly-noticed meeting or placed on the agenda of the Parks and Recreation Commission.
10. RESTRICTIONS: Any recognized restrictions associated with the artwork.

VII. DISPOSITION:

The City will take one of the following actions regarding the disposition of the deaccessioned artwork:

1. Exchange:
   a. An exchange may be made with the artist, a gallery, museum, or other institution for one or more artwork(s) of comparable value by the same artist. The artist will be given the first opportunity to exchange the artwork.

2. Transfer:
   a. The artist or donor will be given priority for the transfer of ownership through either donation or sale.
   b. The artwork, or any part of the artwork, can be donated to the artist, the original donor, a non-profit organization or a conservator or scholar for educational purposes.
   c. The work may be sold through auction, gallery resale, or direct bidding by individuals, in compliance with city policies concerning surplus property.

3. Relocation:
   a. An artwork may be relocated to another location within the City if its current location is no longer suitable for whatever reason.
   b. City staff will determine a new appropriate location for the artwork based on a list of pre-determined locations for siting artwork in the City.

4. Destruction / Disposal

a. An artwork may be destroyed when it has deteriorated or been damaged, and the cost of repair is disproportionate to the value or when repair is unfeasible. Option for recycling will be pursued when possible.

*Nothing in this policy shall limit the City's ability to take appropriate action to protect public health and safety in the event of an emergency.