CITY COUNCIL AGENDA
REGULAR MEETING
CITY OF HALF MOON BAY

TUESDAY, MARCH 15, 2022

REMOTE PARTICIPATION (SEE NEXT PAGE)

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

This meeting will be held entirely by teleconference. All Councilmembers and staff will only participate via the Zoom platform using the process described below. The meeting is being conducted pursuant to recent amendments to the teleconference rules required by the Ralph M. Brown Act allowing teleconferencing during a proclaimed state of emergency when local officials have recommended social distancing (AB 361). The purpose of AB 361 is to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

*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://us06web.zoom.us/j/95535614263 or join by phone at 669-900-9128, using Webinar ID 955-3561-4263. If joining by phone, use *9 to raise your hand, *6 to mute and unmute.*

CALL TO ORDER / ROLL CALL

APPROVAL OF AGENDA

PUBLIC FORUM

PROCLAMATIONS AND PRESENTATIONS

MIDCOAST COMMUNITY COUNCIL UPDATE

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

CITY MANAGER UPDATES TO COUNCIL

COASTSIDE RECOVERY INITIATIVE UPDATE
CORPORATION YARD UPDATE
CRV PILOT PROJECT

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B WARRANTS FOR THE MONTH OF FEBRUARY 2022

Staff Recommendation: Accept the warrants list for the month of February 2022.

STAFF REPORT

ATTACHMENT 1

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

Staff Recommendation: By motion, in accordance with Assembly Bill 361, 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.

STAFF REPORT

1.D REVOCABLE LICENSE AGREEMENTS FOR THE INSTALLATION OF A PARKLET ALONG THE EAST SIDE OF MAIN STREET FOR FATTORIA E MARE AND BARTERRA WINERY LLC IN FRONT OF 315 MAIN STREET

Staff Recommendation: Approve revocable License Agreements to allow installation of a parklet for Fattoria e Mare and Barterra Winery LLC within five vehicle parking spaces in the public right-of-way in front of 315 Main Street, as well as a limited sidewalk café seating area.

STAFF REPORT

ATTACHMENT 1

ATTACHMENT 2

ATTACHMENT 3

ATTACHMENT 4

1.E AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH CSW/STUBER-STROEH ENGINEERING GROUP, INC. FOR A BOUNDARY SURVEY, CENTERLINE STAKING AND POST CONSTRUCTION MONUMENTATION SERVICES FOR THE POPLAR STREET TRAFFIC CALMING AND SAFETY PROJECT (CIP PROJECT NO. 0593)

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

1) Authorize the Administrative Services Director to transfer $10,000 in unallocated Capital Budget to Capital Improvement Project No. 0593 (Poplar Street Traffic Calming and Safety Project) and
2) Execute Amendment No. 2 to the Professional Services Agreement with CSW/Stuber-Stroeh Engineering Group, Inc. (Consultant) for a boundary survey, centerline staking, and post construction monumentation services for the project increasing the contract amount not to exceed $137,757.

STAFF REPORT

RESOLUTION

1.F SECOND REVISED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT - SAN MATEO OPERATIONAL AREA EMERGENCY SERVICES

Staff Recommendation: Adopt a resolution authorizing the approval of the second revised and restated Joint Exercise of Powers Agreement - San Mateo County Operational Area Emergency Services Organization.

STAFF REPORT

RESOLUTION

ATTACHMENT 2

2. ORDINANCES AND PUBLIC HEARINGS

2.A INTRODUCTION OF AN ORDINANCE TO AMEND MUNICIPAL CODE CHAPTER 1.24 WITH RESPECT TO ELECTING MEMBERS OF THE CITY COUNCIL, REDRAWING BOUNDARIES, AND SEQUENCING OF ELECTIONS WITHIN THE DISTRICTS (8:15 PM)

Staff Recommendation:
Conduct a public hearing and receive additional public input; and

1. Introduce on first reading, an ordinance amending Chapter 1.24 of the Half Moon Bay Municipal Code with respect to electing members of the City Council, redrawing boundaries, and sequencing of elections within the districts for Map 504c; or
2. Introduce on first reading, an ordinance amending Chapter 1.24 of the Half Moon Bay Municipal Code with respect to electing members of the City Council, redrawing boundaries, and sequencing of elections within the districts for Map 503b; or
3. Direct staff as necessary.

STAFF REPORT

ORDINANCE 1

ORDINANCE 2

ATTACHMENT 3

ATTACHMENT 4

ATTACHMENT 4 - POST PUBLICATION SUPPLEMENT

3. RESOLUTIONS AND STAFF REPORTS

3.A HOUSING UPDATES

Staff Recommendation: Receive presentation regarding efforts underway for affordable housing development, take public comment, and provide direction to staff.

STAFF REPORT

3.B REGENERATIVE FARMING PRESENTATION - JIMENEZ

Staff Recommendation: Receive a presentation on regenerative farming and other farming methods that reverse climate change from Melinda MacNaughton MS RD, at Councilmember Jimenez's request.

STAFF REPORT

3.C APPOINTMENT TO PLANNING COMMISSION - BROWNSTONE

Staff Recommendation: Councilmember Brownstone to make an appointment to the Planning Commission to fill an unscheduled vacancy.

STAFF REPORT

ATTACHMENT

COMMISSION / COMMITTEE UPDATES

CITY COUNCIL REPORTS / FUTURE ITEMS

ADJOURNMENT

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **March 15, 2021**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

From: Lisa Lopez, Administrative Services Director

TITLE: **WARRANTS FOR THE MONTH OF February 2022**

RECOMMENDATION:
Accept the warrants list for the month of February 2022.

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

DISCUSSION:
During this month, we processed 5 check runs. The first was on February 3, totaling $86,259.00. The second was on February 4, totaling $17,470.90. The third was on February 10, totaling $235,223.53. The fourth was on February 17, totaling $447,184.22. The fifth was on February 24, totaling $240,154.91. The total for the month was $1,026,292.56.

The City processed payments related to 17 capital improvement projects, in a total amount of $214,832.92. These projects include: Street Resurfacing, HWY 1 Safety/Traffic Reduction Improvements, HWY1 Safety/Congestion, Citywide Sidewalk Assessment, Poplar Complete Street Project, Urban Forest Management Program, Facility Management Asset, Parks Master Plan Implementation, Carter Park Improvement, Poplar Beach Gateways Plan, Bikeway Connectivity Project- North, Main Street Bridge Rehabilitation, Climate Action and Adaption, Magnolia/Seymour Park, Smith Field Site Assessment, Corp Yard Improvements, 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
50572	5178	REDGWICK CONSTRUCTION COMPANY	2/10/2022	42,987.50	HWY1 SOUTH SAFETY AND OPEARTIONAL IMPROVEMENTS
50574	3085	SHUTE MIHALY & WEINBERGER LLP	2/10/2022	51,462.02	LEGAL SERVICES
50604	159	SEWER AUTHORITY MID-COASTSIDE	2/17/2022	378,244.94	FEB'22, FY21/22 SEWER COLLECTIONS
50631	5165	RANGER PIPELINES INCORPORATED	2/24/2022	110,127.94	OCEAN COLONY REHAB AND REPLACE SEWER FORCE MAIN

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
50517	2407	ARAMARK	02/03/2022	915.54	MAINT SERVICE
50518	3526	BIGGS CARDOSA ASSOCIATES INC	02/03/2022	783.95	JAN'22, PREPERATION OF PS&E AND ENVIRONMENTAL CLEAR
50519	5222	BOUCHER LAW	02/03/2022	2,568.90	NOV'21, LABOR & EMPLOYMENT LAW MATTERS
50520	5360	CAINE & WEINER COMPANY, INC	02/03/2022	1,676.50	MICROSOFT SUBSCRIPTION
50521	5223	CAPITAL ONE TRADE CREDIT	02/03/2022	3,257.15	REC MAINT SUPPLIES
50522	5318	COLUMN SOFTWARE, PBC	02/03/2022	396.00	PUBLIC NOTICE
50523	390	DFM ASSOCIATES	02/03/2022	131.55	2022 CA ELECTION CODE BOOK
50524	5355	DOUGLAS POMEROY	02/03/2022	60.00	PARTIAL CLASS REFUND 01/21/22 AND 01/28/22
50525	5357	EDGAR BIERDEMAN	02/03/2022	60.00	PARTIAL CLASS REFUND 01/21/22 AND 01/28/22
50526	5358	ERICA WOOD	02/03/2022	100.00	DEPOSIT REFUND 01/27/22 COMMUNITY ROOM
50527	4633	GRANICUS	02/03/2022	1,419.37	DEC'21, GRANICUS SERVICE
50528	3746	MALCOLM C SMITH	02/03/2022	935.00	JAN'22, COMMUNICATION CONSULTANT
50529	1206	MARK THOMAS & CO. INC.	02/03/2022	2,771.55	DEC'21, HWY1 NORTH SAFETY & OPERATIONAL IMPROVEMEN
50530	3305	MIRACLE PLAYSYSTEMS INC.	02/03/2022	22,912.15	JAN'22, OCEAN VIEW PARK PLAYGROUND EQUIPMENT INSTAL
50531	3726	NICHOLAS LASZKIEWICZ	02/03/2022	570.00	TRANSLATION SERVICES
50532	457	OFFICE DEPOT INC.	02/03/2022	184.80	FINANCE OFFICE SUPPLIES
50533	4472	ON POINT LANGUAGE SOLUTIONS LLC	02/03/2022	700.00	TRANSLATION SERVICES
50534	4598	PACIFIC BEACH COALITION	02/03/2022	2,500.00	EARTH DAY SPONSORSHIP
50535	3956	PENINSULA MUNICIPAL ENGINEERING INC.	02/03/2022	16,296.00	AUG'21, ENGINEERING SERVICES, HWY 1 SOUTH SAFETY AND
50536	3218	PRECISION CONCRETE CUTTING INC.	02/03/2022	10,500.00	JAN'22, SIDEWALK REPAIR PROJECT
50537	5177	PRINT INNOVATIONS, INC.	02/03/2022	425.59	PRINT SERVICE
50538	5020	QUADIENT FINANCE USA, INC	02/03/2022	133.34	POSTAGE
50539	3101	SHRED-IT USA LLC	02/03/2022	165.01	RECORDS MANAGEMENT
50540	50	THE CITIES GROUP	02/03/2022	1,999.68	01/01/22-03/31/22, WORKERS COMP & SAFETY/COMPLIANCE A
50541	4487	THE HOME DEPOT PRO	02/03/2022	820.01	MAINT SUPPLIES
50542	1497	TURBO DATA SYSTEMS	02/03/2022	557.17	CITATION PROCESSING
50543	2440	ULINE SHIPPING SUPPLIES	02/03/2022	331.34	MAINT SUPPLIES
50544	5356	VICTORIA CORSENTINO	02/03/2022	30.00	PARTIAL CLASS REFUND 01/21/22 AND 01/28/22
50545	3871	WEST COAST ARBORISTS INC	02/03/2022	1,178.40	JAN'22, FY21/22 TREE MAINTENANCE
50546	5190	Wood Consulting Services	02/03/2022	11,880.00	DEC'21, ECONOMIC DEVELOPMENT CONSULTATION
50547	4270	4LEAF INC.	02/10/2022	24,781.80	DEC'21, FY21/22 PUBLIC WORKS INSPECTION SERVICES
50548	4211	ABUNDANT GRACE COASTSIDE WORKER	02/10/2022	7,861.62	DEC'21, FY21/22 COASTAL CLEAN TEAM
50549	3954	ALTA PLANNING & DESIGN	02/10/2022	15,003.75	DEC'21, PACIFIC COAST BIKEWAY CONNECTIVITY NORTH PRO
50550	444	ASSOCIATION OF BAY AREA GOVERNMENTS	02/10/2022	346.52	LEVELIZED CHARGE NAT GAS
50551	4464	AVENU	02/10/2022	757.10	SUTA Q3 2021
50552	1912	BAY AREA AIR QUALITY MANAGEMENT DISTRICT	02/10/2022	571.00	PERMIT RENEWAL

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description
50553	481	BIG CREEK LUMBER	02/10/2022	2,851.04	MAINT SUPPLIES
50554	5168	BLEYLE ELEVATOR, INC	02/10/2022	190.00	MAINT SERVICE
50555	32	CA DEPT OF TRANSPORTION	02/10/2022	2,723.35	SIGNALS & LIGHTING
50556	3643	CORODATA RECORDS MANAGEMENT INC	02/10/2022	298.01	RECORDS MANAGEMENT
50557	5361	DEANNA BEYER	02/10/2022	180.00	CLASS REFUND 02/22/22-02/25/22 DISH OF DISNEY
50558	3189	DKS ASSOCIATES	02/10/2022	820.00	DEC'21-JAN'22 VMT CALCULATIONS
50559	3446	FLYERS ENERGY, LLC	02/10/2022	1,008.66	VEHICLE FUEL
50560	3703	GARAVAGLIA ARCHITECTURE INC.	02/10/2022	1,885.49	OCT'21-DEC'21, REDEVELOPMENT OF ANDREOTTI BARN
50561	4267	IMPEC GROUP INC.	02/10/2022	16,145.74	JAN'22, FY21/22 JANITORIAL & MAINTENANCE SERVICES
50562	5329	INTEGRAL CONSULTING INC.	02/10/2022	3,153.00	MIRAMONTES POINT ASSESSMENT AND PLAN
50563	108	LEAGUE OF CALIFORNIA CITIES	02/10/2022	6,355.00	2022 MEMBERSHIP DUES
50564	4110	LISA POPE	02/10/2022	3,800.00	TRANSCRIPTION SERVICE
50565	4028	LORAL LANDSCAPING INC.	02/10/2022	4,000.00	FEB'22, FY21/22 LANDSCAPE AND MAINTENANCE SERVICES
50566	3250	M-GROUP	02/10/2022	6,862.50	DEC'21, FY21/22 GIS/GRAPHIC SUPPORT
50567	2014	MOORE IACOFANO GOLTSMAN INC.	02/10/2022	217.50	DEC'21, SUSTAINABILITY-CAAP
50568	2449	NOWDOCS INTERNATIONAL INC.	02/10/2022	375.54	FINANCE OFFICE SUPPLIES
50569	4472	ON POINT LANGUAGE SOLUTIONS LLC	02/10/2022	1,450.00	TRANSLATION SERVICES
50570	3479	PARKEON INC	02/10/2022	354.75	MAINT SERVICE
50571	3951	PUBLIC PARKING ASSOCIATES INC	02/10/2022	165.00	MAINT SERVICE
50572	5178	REDGWICK CONSTRUCTION COMPANY	02/10/2022	42,987.50	RETENTION, HWY1 SOUTH SAFETY AND OPEARTIONAL IMPRO
50573	5354	SAE COMMUNICATIONS	02/10/2022	14,875.00	OCT'21-DEC'21, CITYWIDE CRISIS COMMUNICATIONS PLAN
50574	3085	SHUTE MIHALY & WEINBERGER LLP	02/10/2022	51,462.02	GEARING
50575	5301	SUBURBAN PROPANE LP	02/10/2022	2,364.22	PROPANE
50576	4429	WESTERN EXTERMINATOR COMPANY	02/10/2022	1,207.42	JAN'22, FY21/22 PEST MANAGEMENT PROGRAM
50577	3162	WHELEN CONSTRUCTION	02/10/2022	9,890.00	MAINT REPAIR
50578	5190	Wood Consulting Services	02/10/2022	10,280.00	JAN'21, ECONOMIC DEVELOPMENT CONSULTATION
50579	5364	ANGELA EKBERG	02/17/2022	180.00	CLASS REFUND 02/22/22-02/25/22 DISH OF DISNEY
50580	4300	AT&T	02/17/2022	1,753.12	PHONE SERVICE
50581	266	BAGG ENGINEERS	02/17/2022	340.00	JAN'22 CARTER PARK IMPROVEMENTS
50582	3626	BKF ENGINEERS	02/17/2022	6,653.50	FEB'22, CORP YARD IMPROVEMENT PROJECT
50583	5359	BLUEBEAM, INC.	02/17/2022	990.00	ANNUAL MAINTENANCE
50584	4193	CASELLE INC.	02/17/2022	3,744.00	ERP CONTRACT SUPPORT & MAINTENANCE
50585	51	COASTSIDE COUNTY WATER DISTRICT	02/17/2022	4,332.01	LIFT STATION FAIRWAY
50586	364	COASTSIDE TECHNICAL SERVICE	02/17/2022	240.00	MAINT SERVICE
50587	957	COASTSIDE.NET	02/17/2022	424.36	INTERNET SERVICE
50588	3643	CORODATA RECORDS MANAGEMENT INC	02/17/2022	339.20	RECORDS MANAGEMENT
50589	2941	CSG CONSULTANTS INC.	02/17/2022	1,901.25	JAN'22, NPDES STORMWATER SERVICES
50590	4338	ELECTRIC MD	02/17/2022	9,308.00	MAINT SERVICE
50591	5349	GATES AND ASSOCIATES	02/17/2022	3,320.00	JAN'22, SMITH FIELD FACILITIES MASTER PLAN
50592	76	HALF MOON BAY BUILDING & GARDEN	02/17/2022	41.56	MAINT SUPPLIES

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description
50593	2444	HOME DEPOT CREDIT SERVICES	02/17/2022	4,304.01	MAINT SUPPLIES
50594	3429	HUE & CRY INC	02/17/2022	562.95	SECURITY SERVICE
50595	103	KIKUCHI & ASSOC.	02/17/2022	1,005.00	JAN'21, DESIGN AND CDP FOR MAGNOLIA PARK
50596	1206	MARK THOMAS & CO. INC.	02/17/2022	10,205.98	DEC'21, DEVELOP SEWER MAINTENANCE STRATEGIES TRAINI
50597	3934	MITEL	02/17/2022	2,795.38	SHERIFF SUBSTATION PHONE SERVICE
50598	137	PACIFIC GAS & ELECTRIC	02/17/2022	8,762.27	NW HWY1 & MAIN ST
50599	5219	RED CAR ANALYTICS	02/17/2022	837.50	JAN'22, HMB LIBRARY ZERO NET ENERGY SUPPORT SERVICE
50600	252	RICE TRUCKING-SOIL FARM INC.	02/17/2022	2,625.00	MAINT SUPPLIES
50601	217	SAN MATEO COUNTY INFORMATION SVCS.	02/17/2022	164.50	MICROWAVE SERVICE
50602	5363	SARA NEALE	02/17/2022	180.00	CLASS REFUND 02/22/22-02/25/22 DISH OF DISNEY
50603	5362	SARAH HARKNESS	02/17/2022	180.00	CLASS REFUND 02/22/22-02/25/22 DISH OF DISNEY
50604	159	SEWER AUTHORITY MID-COASTSIDE	02/17/2022	378,244.94	FEB'22, FY21/22 SEWER COLLECTIONS
50605	1352	SWRCB ACCOUNTING OFFICE	02/17/2022	3,326.00	ANNUAL WATER PERMIT FEE
50606	4487	THE HOME DEPOT PRO	02/17/2022	423.69	MAINT SUPPLIES
50607	4270	4LEAF INC.	02/24/2022	5,822.21	DEC'21, FY21/22 PLAN REVIEW AND BUILDING INSPECTIONS
50608	3954	ALTA PLANNING & DESIGN	02/24/2022	16,162.00	JAN'22, PACIFIC COAST BIKEWAY CONNECTIVITY NORTH PROJ
50609	3332	AMERICAN PORTABLES	02/24/2022	3,830.61	FEB'22, FY21/22 PORTABLE RESTROOM FACILITIES
50610	4115	BIG BELLY SOLAR INC	02/24/2022	1,271.01	FEB'22, SMART TRASH RECEPTACLES
50611	866	BOYS & GIRLS CLUB OF THE COASTSIDE	02/24/2022	240.00	EVENT CENTER RENTAL
50612	220	CA DEPT OF CONSERVATION	02/24/2022	605.47	SMIP Q2 FY21/22 RESORT FEE
50613	3090	CALIFORNIA BUILDING STANDARDS COMMISSION	02/24/2022	196.20	BSASRF Q2 FY21/22 RETAINER
50614	3975	COLANTUONO HIGHSMITH WHATLEY PC	02/24/2022	13,788.50	LEGAL SERVICES -SAM
50615	4484	CSW/STUBER-STROEH ENGINEERING GROUP INC	02/24/2022	12,785.00	FEB'22, POPLAR STREET TRAFFIC CALMING AND SAFETY PRO
50616	5365	DANNY ACOSTA	02/24/2022	600.00	DEPOSIT REFUND 02/12/22 KITCHEN RENTAL
50617	5326	DON FOWLER CONSTRUCTION	02/24/2022	576.00	CALI BAMBOO FLOORING
50618	320	EWING IRRIGATION PRODUCTS INC.	02/24/2022	621.75	MAINT SUPPLIES
50619	3127	FREYER & LAURETA INC.	02/24/2022	15,320.00	JAN'22, KELLY AVE INTERSECTION IMPROVEMENTS PROJECT
50620	5366	GABRIELA NAVARRO	02/24/2022	500.00	DEPOSIT REFUND 02/12/22 DEPOT ROOM
50621	4267	IMPEC GROUP INC.	02/24/2022	16,408.24	CITY HALL EXTERIOR WINDOWS
50622	1283	KATHY OLER	02/24/2022	1,900.00	MAR'22, TEMPORARY CITY PARKING LOT RENTAL
50623	2699	KONICA MINOLTA BUSINESS SOLUTIONS	02/24/2022	2,273.21	FEB'22, FY21/22 KONICA MINOLTA LEASE
50624	3922	LLOYD A MCVICKER	02/24/2022	3,360.00	MAR'22 ANNEX RENT
50625	3069	MANAGED HEALTH NETWORK	02/24/2022	304.00	EAP
50626	4489	MTA PARTS INC.	02/24/2022	26.23	VEHICLE PARTS
50627	3726	NICHOLAS TRANSLATIONS & INTERPRETATIONS	02/24/2022	760.00	TRANSLATION SERVICES
50628	2997	NICHOLS CONSULTING ENGINEERS CHTD	02/24/2022	1,843.16	JAN'22, POPLAR BEACH GATEWAYS PLAN
50629	457	OFFICE DEPOT INC.	02/24/2022	171.82	SUPPLIES
50630	3328	PET WASTE ELIMINATOR	02/24/2022	568.75	MAINT SUPPLIES
50631	5165	RANGER PIPELINES INCORPORATED	02/24/2022	110,127.94	CHANGE ORDER 4, OCEAN COLONY REHAB AND REPLACE SE
50632	29	READYREFRESH	02/24/2022	75.11	WATER FOR CORP YARD

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description	
50633	252	RICE TRUCKING-SOIL FARM INC.	02/24/2022	21.88	MAINT SUPPLIES	
50634	165	STRAWFLOWER ELECTRONICS	02/24/2022	62.23	MAINT SUPPLIES	
50635	3519	SWCA INCORPORATED	02/24/2022	5,625.75	JAN'22, CORP YARD ON-CALL ENVIRONMENTAL CONSULTING	
50636	3004	VERIZON WIRELESS	02/24/2022	307.84	MOBILE SERVICES	
50637	3162	WHELEN CONSTRUCTION	02/24/2022	24,000.00	FEB'22, SHERIFF SUBSTATION RENOVATIONS	
50638	3923	WELLS FARGO	02/04/2022	17,470.90	12/26/22 EVVNT INC/SUBSCRIPTION	M
Grand Totals:						
122				1,026,292.56		

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: **March 15, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **RE-RATIFICATION OF RESOLUTION TO CONTINUE HOLDING PUBLIC MEETINGS REMOTELY (AB 361)**

RECOMMENDATION:
By motion, in accordance with Assembly Bill 361, 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.

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

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

BACKGROUND:
On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for a broader spread of COVID-19.

Thereafter, on March 17, 2020, the City Council adopted Resolution 2020-16 declaring a local emergency due to COVID-19. The same day, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act to allow local legislative bodies to conduct meetings telephonically or by other means. Additionally, the State implemented a shelter-in-place order, requiring all non-essential personnel to work from home.

Staff quickly worked to set up remote meetings via Zoom for all City Council and Planning Commission meetings. The Zoom meetings have allowed the Council, Commissions, and Committees to continue to conduct City business from the safety of members' homes. The City has been utilizing Zoom for the past 18 months to conduct nearly all public meetings. The usage of Zoom for public meetings has allowed the City to ensure the public's continued access to government meetings while also ensuring the public's safety.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which extended the ability of agencies to hold remote meetings through September 30, 2021, after which agencies anticipated transitioning back to public meetings held in full compliance with the Brown Act. In preparation for the return to in-person meetings, staff has been working on acquiring audio and visual upgrades for City facilities to conduct hybrid meetings. Although hybrid meetings would help to keep the public safe by allowing them to continue accessing the meetings from their own home, Councilmembers, Commissioners, Committee members, and staff would need to meet in person.

Since the Governor issued Executive Order N-08-21, the Delta variant has emerged, causing a spike in cases throughout the state. As a result, the San Mateo County Health Department issued a Health Order requiring masks indoors in public places, regardless of vaccination status, starting August 3, 2021.

On September 16, 2021, Governor Newson signed Assembly Bill 361 (AB 361), which allows cities to continue to meet remotely during proclaimed states of emergency under modified Brown Act requirements that are similar but not identical to the rules and procedures established by the previous Executive Orders.

AB 361 authorizes local agencies to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act during a declared state of emergency, when state or local health officials have imposed or recommended measures to promote social distancing during the proclaimed state of emergency, or when there is an imminent risk to the health or safety of attendees.

On October 5, 2021, the City Council adopted Resolution No. 2021-80 under the requirements of AB 361 to continue conducting meetings remotely. AB 361 requires the City Council to make the findings every 30 days, necessitating the need for this item.

On December 15, 2021, a statewide mask mandate went into effect due to a rise in cases across the state.

On January 10, 2022, in response to the surge of COVID-19 cases, Omicron variant, City Hall closed to the public moving services to remote services.

On March 1, 2022, the statewide requirement that unvaccinated individuals mask in indoor public settings moved to a strong recommendation that all persons, regardless of vaccine status, continue indoor masking. The San Mateo Chief Health Officer has likewise recommended the CDC's masking guidance.

DISCUSSION:
AB 361 will allow local legislative bodies to continue to meet remotely after the September 30, 2021 expiration of the Governor's executive orders. A local agency will be allowed to continue to meet remotely when:

- The local agency holds a meeting during a declared state of emergency
- State or local health officials have imposed or recommended measures to promote social distancing
- Legislative bodies declare the need to meet remotely due to present imminent risks to the health or safety of attendees

The City meets the requirements to continue holding meetings remotely to ensure the health and safety of the public due to the following:

- The City is still under a local state of emergency
- County health orders require that all individuals in public spaces maintain social distancing and wear masks
- The City can't maintain social distancing requirements for the public, staff, Councilmembers, Commissioners, and Committee Members in their meeting spaces

The City cannot ensure social distancing requirements are met inside City facilities where the City Council, Planning Commission, Parks and Recreation Commission, Redistricting Advisory Committee, Bicycle and Pedestrian Advisory Committee, and Main Street Bridge Advisory Committee meet.

Councilmembers, Commissioners, Committee Members, and staff sit well within six feet of each other. Moreover, the County's indoor mask order is still in effect, making it difficult to hear what Councilmembers, Commissioners, Committee Members, staff, and public speakers are saying. Furthermore, while speaking through masks may be understandable in person, picking up speech on microphones for those attending remotely and those watching any livestreams would be difficult.

Per AB 361, the City Council would need to declare every 30 days that the City's legislative bodies must continue to meet remotely to ensure the health and safety of the public. Staff recommends that the City Council declare these findings are true so these bodies can continue to meet remotely. Staff will return with this resolution for re-ratification at the Council's 1st Tuesday meeting each month, at which time the Council can reassess as various health orders and COVID-19 parameters change.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **March 15, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jill Ekas, Director, Community Development
Scott Phillips, Associate Planner

TITLE: **REVOCABLE LICENSE AGREEMENTS FOR THE INSTALLATION OF A PARKLET ALONG THE EAST SIDE OF MAIN STREET FOR FATTORIA E MARE AND BARTERRA WINERY LLC IN FRONT OF 315 MAIN STREET**

RECOMMENDATION:
Approve revocable License Agreements to allow installation of a parklet for Fattoria e Mare and Barterra Winery LLC within five vehicle parking spaces in the public right-of-way in front of 315 Main Street, as well as a limited sidewalk café seating area.

FISCAL IMPACT:
The parklet improvements would be funded by the owners of the two commercial businesses on Main Street: Fattoria e Mare ("Fattoria") and Barterra Winery LLC ("Barterra"). Staff is recommending that the annual fee associated with this License Agreement be waived for the first year to reflect the current transitional period of economic recovery. In future years, Fattoria's annual fee would be $1,200, and Barterra's annual fee would be $800.

STRATEGIC ELEMENT:
This action supports the Healthy Communities Element of the Strategic Plan.

BACKGROUND:
In 2020 the COVID-19 virus created challenges for Half Moon Bay's local businesses. In response, the City provided options for temporary use regulations and improvements that would allow businesses to use exterior spaces for retail operations and dining throughout the City. For Downtown, these temporary allowances served as a pilot program for use of outdoor spaces, including within the public right-of-way, in Heritage Downtown in the form of "parklets" (located in the street) and sidewalk cafés. The City encouraged these installations and secured grant funding to support these temporary provisions. Community feedback has been positive, and some businesses have sought more permanent installations, as is the subject of this City Council consideration.

Two businesses located in the building at 315 Main Street are now seeking to use a portion of the public right-of-way for a more permanent parklet installation adjacent to their storefronts for a parklet to expand their service areas and enhance the pedestrian orientation of Heritage Main Street. A temporary installation has been in place in the same area for the past year, and would be wholly replaced with an architecturally design installation (Attachment 3). In addition to the parklet seating area within the parking spaces, the Barterra Winery frontage will also include a small sidewalk café seating area near curb.

The Fattoria/Barterra parklet proposal was presented to the Architectural Advisory Committee (AAC) on October 21, 2021. The AAC was supportive of the parklet concept and provided design recommendations which were incorporated into the proposal (use this link to refer to AAC meeting materials). Subsequently, on January 11, 2022 the Planning Commission reviewed the application and conditionally approved a Coastal Development Permit to allow its installation) (use this link to refer to Planning Commission public hearing materials). Because the parklet will be located within the public right-of-way, the Planning Commission's approval is further subject to a License Agreements which require City Council approval. Attachment 4 includes the Planning Commission's resolution and conditions of approval.

DISCUSSION:

To help further support Downtown's economic vitality and enhance the pedestrian environment, staff has been working on a "master" program for parklets and sidewalk cafés in a defined portion of Heritage Downtown. Staff sought design input from the AAC in fall 2021, and most recently the Planning Commission conducted a study session for the draft program on February 22, 2022. Both the AAC and Planning Commission expressed support for the program. The Commission directed staff to expand the program to also address retail businesses and allow for activities in parklet spaces (e.g. chess). Staff is currently revising the program for additional public review.

Fattoria and Barterra were made aware of the pending program, but were ready to proceed in advance of program implementation. Thus, the Fattoria/Barterra parklet application review has served as something of a pilot for the City's pending program. The AAC and Planning Commission's oversight has assisted staff in developing the program and structuring a template for associated License Agreement terms and fees.

The draft License Agreements for Fattoria and Barterra are revocable and have received legal review. They address indemnification, insurance, maintenance, annual fee, and requirements for extension or termination of the agreement. As proposed, the License Agreements would allow parklet improvements for an initial 3-year term. A Building Permit is required prior to installation. Maintenance and upkeep of the parklet improvements will be the responsibility of the two business owners. The agreements indemnify the City with respect to damages caused by construction and/or use of the parklet. The applicants will need to produce updated

certificates of insurance annually naming the City as additionally insured. Insurance limits meet the minimums required for various types of special events held within Downtown.

To determine an appropriate fee, staff has inquired about parklet programs in other cities and found that rates and approaches to administration vary significantly. In many cases, other cities are continuing in a COVID response mode and their programs for temporary installations do not include any fees or rely on refundable deposits. For example, Morgan Hill's three-year pilot program currently charges $615 for an encroachment permit and holds a $2,000 deposit for each parklet. Other cities are starting to implement longer-term approaches for more permanent installations. For example, Burlingame charges $1,500 per parklet with additional charges of about $250/month for cleaning. Redwood City is currently conducting a fee study for their forthcoming program. The City of San Mateo currently charges $250/parking space converted to parklet area. These fee rates do not include associated application fees which also vary. Some cities also have business improvement districts and property owners contribute to improvements in the district that may include development and maintenance of public parking spaces. Due to the wide variation and range of approaches to fee rates and program administration, the results of the survey of other cities are not especially instructive. Also, many cities are in flux with respect to maintaining their temporary COVID-oriented response programs or establishing more permanent programs, which is the intent of Half Moon Bay's pending parklet program.

For Half Moon Bay, staff recommends a straight-forward, predictable, and business-friendly approach based on fair market value of a public parking space, or about 200 square feet of land. The City pays $800/space in the Mill Street parking lot which equates to about $4/square foot. This is a low, but reasonable per square foot valuation and would serve as the base rate for parklet area used exclusively by the adjacent business. The AAC and Planning Commission have encouraged some public use of these spaces during non-business hours, and Fattoria and Barterra have agreed to allow such use. Staff recommends a 50 percent reduction from the base rate when public use is accommodated. For this case, staff is further recommending, as stated in the fiscal impact section of this report, that the fee be waived for the first year in acknowledgement of the continuing COVID transition period and due to the fact that Fattoria and Barterra did not have the benefit of the forthcoming parklet and sidewalk café program in place. The program could have streamlined the review process for Fattoria and Barterra and be less expensive to administer, in part because it does not require Planning Commission review.

Annual Fee	**Fattoria ~ 3 spaces**	**Barterra ~ 2 spaces**
Base Fee: $800/space	$2,400	$1,600
Reduced Fee with Public Use: $400/space	$1,200	$800
First year fee waived	$0	$0

Staff has reviewed the License Agreement terms and fees with Fattoria and Barterra and both businesses are amenable. As proposed, starting in year two, an annual fee of $1,200 for Fattoria and $800 for Barterra will be assessed. Terms of the draft License Agreement establish that

public use of this parklet shall be allowed during non-business hours. Staff is recommending that no additional fee be attributed to sidewalk café space for businesses that are paying for parklet space. No cleaning or maintenance fees are included because the businesses will be responsible for these requirements.

Should Council approve the License Agreements, the applicants may proceed to secure a Building Permit. Building Permit review will ensure use of proper materials and construction methods. Drainage, electrical installations, and fire code matters will also be considered. The City Building Inspector will oversee the installation and make a determination about completion before the parklet can be put into operation. Subsequent to such inspections, the Community Preservation Specialist will review parklet operations on a regular basis to ensure compliance with conditions of approval of the Coastal Development Permit and License Agreements. Any concerns received about the operation of this facility will be evaluated and taken into consideration if renewal of either License Agreement is pursued. If renewal of the License Agreements is not pursued, removal of the parklet improvements by the applicant will be required at the end of the 3-year term. If either business discontinues or moves, the City may opt to waive deadlines to allow time for the property owner to secure a new tenant who may wish to enter into a new License Agreement.

Next Steps

If City Council approves these License Agreements and associated fee rates, they will establish a template to be incorporated into the forthcoming parklet and sidewalk café program. That program will be brought to the Planning Commission later this spring following additional public outreach.

ATTACHMENTS:

1. License Agreement for Fattoria e Mare
2. License Agreement for Barterra Winery LLC
3. Project Plans
4. Coastal Development Permit Resolution and Conditions of Approval

LICENSE AGREEMENT FOR TEMPORARY USE OF THE PUBLIC RIGHT OF WAY AND USE BY AND BETWEEN THE CITY OF HALF MOON BAY AND FATTORIA E MARE

THIS AGREEMENT is dated _____, 2022, ("Effective Date"), by and between THE CITY OF HALF MOON BAY, a municipal corporation and FATTORIA E MARE.

RECITALS

WHEREAS, FATTORIA E MARE (hereinafter referred to as "Licensee") is the tenant of the property located at 315 Main Street, Half Moon Bay, California 94019, and THE CITY OF HALF MOON BAY (hereinafter referred to as "Licensor") controls the public-right-of-way located in front of 315 Main Street in the City of Half Moon Bay, California (hereinafter referred to as the "Property"); and

WHEREAS, Licensee seeks to acquire the right to enter upon Licensor's Property, more particularly described in the attached Exhibit A, which is incorporated by reference, for the purpose specified in Paragraph 1 below.

WHEREAS, Licensor desires to provide Licensee with access to and use of the public right-of-way indicated on the attached plans, more particularly described in the attached Exhibit A, by way of a license agreement for purposes specified in Paragraph 1 below, subject to the terms and limitations set forth herein.

NOW, THEREFORE, the parties to this License Agreement, upon the mutual execution and delivery of this Agreement, plus other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the covenants Licensee and Licensor expresses herein, agree as follows:

NOW, THEREFORE, intending to be legally bound, the parties agree as follows:

1. Use. Licensor hereby grants to Licensee, its agents and contractors, a nonexclusive, revocable license (the "License") to enter upon and use the public right-of-way and the right to install, construct, maintain, modify, repair and remove the improvements identified in Exhibit A ("Parklet Improvements"), including storage of construction materials, subject to the terms and conditions herein, for the purpose of developing a temporary parklet within 3 parking spaces along Main Street in front of 315 Main Street.

2. Term. This License shall commence _____ __, 2022 ("Commencement Date") and shall continue for 3 years until _____ __, 2025 ("Term"), unless extended by separate written agreement.

3. Consideration. As total consideration for this License, Licensee shall pay to Licensor on an annual basis starting one year after the Commencement Date a sum of four hundred dollars ($400.00) per vehicle parking space within the public right-of-way that is occupied by the parklet. The Parklet Improvements (Exhibit A) would occupy 3 vehicle parking spaces. Therefore, Licensee shall make annual payments to Licensor of one thousand, two hundred dollars ($1,200.00), the receipt and sufficiently of which are hereby acknowledged. The first payment is due one year after the Commencement Date. The second and last payment (unless the License is extended) is due two years after the Commencement Date.

4. Conditions Applicable to License. This License is subject to all existing covenants, conditions, reservations, contracts, leases, licenses, easements, encumbrances, restrictions and rights of way with respect to the Property, whether or not of record. Licensee agrees to pay all costs incurred by Licensor in enforcing the terms of this License, including reasonable attorney's fees and costs, and that the Licensor may record such costs as a special assessment against the Licensee's property or as a lien on that property is Licensee fails to pay such costs within thirty (30) days of Licensor providing Licensee with an invoice detailing such costs. Failure to make such payments shall also be grounds for revocation of this Permit.

5. No Transfer or Assignment. This License is personal to Licensee. Any attempt to transfer or assign this License shall terminate it.

6. Permits and Regulations. Licensee shall be responsible for securing any required approvals, permits and authorizations from any federal, state or local agencies. Licensee shall comply with all terms and conditions of all applicable laws, regulations and permits including, but not limited to, the conditions in Planning Commission Resolution P-22-02 approving Coastal Development Permit (dated January 11, 2022). No material modification, upgrading, or reconstruction of Parklet Improvements covered by this License is authorized without prior approval by Licensor. Notwithstanding the foregoing, the Licensor's prior written approval shall not be required for maintenance or repair of the Improvements or in the case of emergency. Nothing contained herein limits Licensee's obligations to obtain and comply with any additional City permitting requirements.

7. Public Use During Off-Business Hours. Licensee shall be responsible for maintaining public access to the parklet during off-business hours for no cost to the public.

8. Stormwater Maintenance. The licensee is responsible for maintaining the existing nature of stormwater. Stormwater, sediment, and debris shall be maintained and clear of the parklet throughout the entirety of the license agreement.

9. Repair and Restoration.

a. If Licensee, its agents or contractors cause any damage to the public right-of-way, or to Licensor's property and improvements (collectively "Public Right of Way") in connection with the exercise of this License, Licensee shall, at no cost to Licensor, repair and restore the Public Right of Way to its original condition prior to and as a condition of Licensee's ongoing use of the Public Right of Way pursuant to this License.

b. Licensee shall remove the Parklet Improvements and restore the Property to its pre-License condition at no cost to the City prior to the expiration of this License, or within ten (10) days of the earlier termination of Licensee's rights hereunder. The restoration work must be completed to the satisfaction of the Public Works Director or designee and may include street resurfacing, curb and gutter repair, striping, etc. If Licensee has not completed removal of the Improvements within the specified time, Licensor shall have the right to remove the Improvements and restore the Property to its pre-license condition, and Licensee agrees to reimburse Licensor for the costs incurred. Licensor retains the right to extend or waive deadlines, such as in the event that a subsequent tenant seeks to maintain the Parklet Improvements under a new license agreement.

c. In the event that repair and/or restoration work described in this License is performed following the termination of this License, the Licensee's Indemnity and Insurance obligations in paragraphs 11 and 12 shall continue until repair and restoration is completed as provided herein.

10. Breach and Cure. In the event that Licensee breaches any of its obligations under this License, Licensor shall send Licensee written notice specifying the nature of such breach. Licensee shall have ten (10) days from the receipt of such notice within which to cure such breach. If more time is reasonably required for Licensee's performance, then Licensee shall notify Licensor in writing of its proposed schedule for performance and commence performance within such ten (10) day period; thereafter, Licensee shall diligently proceed to completion. If Licensee fails to cure or to commence cure within such ten (10) day period, then Licensor shall have the right to terminate this License immediately by serving Licensee with written notice of termination. Licensor shall have all rights and remedies available under California law including, but not limited to, actions for damages and specific performance and for any breach of Licensee's obligations hereunder.

11. Modifications; Entire Agreement. This License supersedes any and all prior understandings and agreements, whether written or oral, between the parties with respect to the subject matter of this License. No alteration or variation of this License shall be valid unless made in writing and signed by Licensor and Licensee.

12. Notice. Any notice required hereunder shall be in writing and shall be addressed as follows:

Licensor: City of Half Moon Bay
501 Main Street
Half Moon Bay, CA 94019

with a copy to:

Licensee: Fattoria E Mare
Attn: Samira Cuevas
1095 Rollins Road
Burlingame, CA 94010

with a copy to:

Robert Mascall
1700 Sherman Ave
Burlingame, CA 94010

or to such other address as either party may indicate in a written notice to the other. All notices and communications given under this License Agreement shall be deemed to have been duly given and received: (i) upon personal delivery, or (ii) as of the third business day after mailing by United States certified mail, return receipt requested, postage prepaid, addressed as set forth above, or (iii) the immediately succeeding business day after deposit (for next day delivery) with Federal Express or other similar overnight courier system, or (iv) 24 hours after facsimile transmittal with confirmation of receipt and followed by personal delivery, United States mail, or overnight delivery as specified in this Paragraph.

14. Indemnification and Hold Harmless.

To the fullest extent permitted by law, Licensee shall hold harmless, defend (with counsel agreed to by Licensor), and indemnify Licensor and its officers, officials, agents, employees, and volunteers (collectively and/or individually "Licensor") from and against any and all liability, claim, loss, damage, expense, costs (including, without limitation, costs, attorneys' fees, and expert fees of litigation) of every nature including but not limited to claims for loss or damage to any property, or for death or personal injury, arising out of, related to, or in connection with this License, or the failure of the same to comply with any of the obligations contained in this Agreement, except such loss or damage which was caused by the sole negligence or sole willful misconduct of Licensor. Licensee's duty to defend applies immediately, whether or not liability is established. An allegation or determination that persons other than Licensee, including City, are responsible for the claim does not relieve Licensee from its separate and distinct obligation to immediately defend Licensor as stated herein.

15. Insurance.

Licensee shall cause to be procured and maintained liability and property damage insurance with a minimum of $2,000,000 (two million dollars) bodily injury, and $2,000,000 (two million dollars) property damage for each occurrence, and $2,000,000 (two million dollars) comprehensive general liability insurance in full force and effect for the duration of this Agreement. Licensee shall cause to be provided a Certificate of Insurance evidencing same, to Licensor prior to exercising their rights and duties under this Agreement. Licensor shall cause to be named as an additional insured on all policies required by this License Agreement.

Licensee shall require its contractor(s) who are responsible for the undertaking the work specified in Paragraph 1 to procure and maintain statutory limits of workers' compensation insurance coverage, motor vehicle liability insurance, and a minimum of $1,000,000 (one million dollars) employer's liability insurance for the duration of this Agreement.

IN WITNESS WHEREOF, the parties have executed this License Agreement the day and year first above written.

LICENSOR:	**LICENSEE**:
THE CITY OF HALF MOON BAY	Fattoria E Mare, Attn: Samira Cuevas
By:_____	By: _____
Its: _____	Its: _____

LICENSE AGREEMENT FOR TEMPORARY USE OF THE PUBLIC RIGHT OF WAY AND USE BY AND BETWEEN THE CITY OF HALF MOON BAY AND BARTERRA WINERY LLC

THIS AGREEMENT is dated _____, 2022, ("Effective Date"), by and between THE CITY OF HALF MOON BAY, a municipal corporation and BARTERRA WINERY, LLC.

RECITALS

WHEREAS, BARTERRA WINERY LLC (hereinafter referred to as "Licensee") is the tenant of the property located at 315 Main Street, Half Moon Bay, California 94019, and THE CITY OF HALF MOON BAY (hereinafter referred to as "Licensor") controls the public-right-of-way located in front of 315 Main Street in the City of Half Moon Bay, California (hereinafter referred to as the "Property"); and

WHEREAS, Licensee seeks to acquire the right to enter upon Licensor's Property, more particularly described in the attached Exhibit A, which is incorporated by reference, for the purpose specified in Paragraph 1 below.

WHEREAS, Licensor desires to provide Licensee with access to and temporary use of the public right-of-way indicated on the attached plans, more particularly described in the attached Exhibit A, by way of a license agreement for purposes specified in Paragraph 1 below, subject to the terms and limitations set forth herein.

NOW, THEREFORE, the parties to this License Agreement, upon the mutual execution and delivery of this Agreement, plus other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the covenants Licensee and Licensor expresses herein, agree as follows:

NOW, THEREFORE, intending to be legally bound, the parties agree as follows:

1. Use. Licensor hereby grants to Licensee, its agents and contractors, a nonexclusive, revocable license (the "License") to enter upon and use the public right-of-way and the right to install, construct, maintain, modify, repair and remove the improvements identified in Exhibit A ("Parklet Improvements"), including storage of construction materials, subject to the terms and conditions herein, for the purpose of developing a temporary parklet within 2 parking spaces along Main Street in front of 315 Main Street.

2. Term. This License shall commence _____ __, 2022 ("Commencement Date") and shall continue for 3 years until _____ __, 2025 ("Term"), unless extended by separate written agreement.

3. Consideration. As total consideration for this License, Licensee shall pay to Licensor on an annual basis starting on year after the Commencement Date a sum of four hundred dollars ($400.00) per vehicle parking space within the public right-of-way that is occupied by the parklet. The Parklet Improvements (Exhibit A) would occupy 2 vehicle parking spaces. Therefore, Licensee shall make annual payments to Licensor of eight hundred dollars ($800.00) , the receipt and sufficiently of which are hereby acknowledged. The first payment is due one year after the Commencement Date. The second and last payment (unless the License is extended) is due two years after the Commencement Date.

4. Conditions Applicable to License. This License is subject to all existing covenants, conditions, reservations, contracts, leases, licenses, easements, encumbrances, restrictions and rights of way with respect to the Property, whether or not of record. Licensee agrees to pay all costs incurred by Licensor in enforcing the terms of this License, including reasonable attorney's fees and costs, and that the Licensor may record such costs as a special assessment against the Licensee's property or as a lien on that property is Licensee fails to pay such costs within thirty (30) days of Licensor providing Licensee with an invoice detailing such costs. Failure to make such payments shall also be grounds for revocation of this Permit.

5. No Transfer or Assignment. This License is personal to Licensee. Any attempt to transfer or assign this License shall terminate it.

6. Permits and Regulations. Licensee shall be responsible for securing any required approvals, permits and authorizations from any federal, state or local agencies. Licensee shall comply with all terms and conditions of all applicable laws, regulations and permits including, but not limited to, the conditions in Planning Commission Resolution P-22-02 approving Coastal Development Permit (dated January 11, 2022). No material modification, upgrading, or reconstruction of Parklet Improvements covered by this License is authorized without prior approval by Licensor. Notwithstanding the foregoing, the Licensor's prior written approval shall not be required for maintenance or repair of the Improvements or in the case of emergency. Nothing contained herein limits Licensee's obligations to obtain and comply with any additional City permitting requirements.

7. Public Use During Off-Business Hours. Licensee shall be responsible for maintaining public access to the parklet during off-business hours for no cost to the public.

8. Stormwater Maintenance. The licensee is responsible for maintaining the existing nature of stormwater. Stormwater, sediment, and debris shall be maintained and clear of the parklet throughout the entirety of the license agreement.

9. Repair and Restoration.

a. If Licensee, its agents or contractors cause any damage to the public right-of-way, or to Licensor's property and improvements (collectively "Public Right of Way") in connection with the exercise of this License, Licensee shall, at no cost to Licensor, repair and restore the Public Right of Way to its original condition prior to and as a condition of Licensee's ongoing use of the Public Right of Way pursuant to this License.

b. Licensee shall remove the Parklet Improvements and restore the Property to its pre-License condition at no cost to the City prior to the expiration of this License, or within ten (10) days of the earlier termination of Licensee's rights hereunder. The restoration work must be completed to the satisfaction of the Public Works Director or designee and may include street resurfacing, curb and gutter repair, striping, etc. If Licensee has not completed removal of the Improvements within the specified time, Licensor shall have the right to remove the Improvements and restore the Property to its pre-license condition, and Licensee agrees to reimburse Licensor for the costs incurred. Licensor retains the right to extend or waive deadlines, such as in the event that a subsequent tenant seeks to maintain the Parklet Improvements under a new license agreement.

c. In the event that repair and/or restoration work described in this License is performed following the termination of this License, the Licensee's Indemnity and Insurance obligations in paragraphs 11 and 12 shall continue until repair and restoration is completed as provided herein.

10. Breach and Cure. In the event that Licensee breaches any of its obligations under this License, Licensor shall send Licensee written notice specifying the nature of such breach. Licensee shall have ten (10) days from the receipt of such notice within which to cure such breach. If more time is reasonably required for Licensee's performance, then Licensee shall notify Licensor in writing of its proposed schedule for performance and commence performance within such ten (10) day period; thereafter, Licensee shall diligently proceed to completion. If Licensee fails to cure or to commence cure within such ten (10) day period, then Licensor shall have the right to terminate this License immediately by serving Licensee with written notice of termination. Licensor shall have all rights and remedies available under California law including, but not limited to, actions for damages and specific performance and for any breach of Licensee's obligations hereunder.

11. Modifications; Entire Agreement. This License supersedes any and all prior understandings and agreements, whether written or oral, between the parties with respect to the subject matter of this License. No alteration or variation of this License shall be valid unless made in writing and signed by Licensor and Licensee.

12. Notice. Any notice required hereunder shall be in writing and shall be addressed as follows:

Licensor: City of Half Moon Bay
501 Main Street
Half Moon Bay, CA 94019

with a copy to:

Licensee: Barterra Winery LLC
Attn: Ginger C. and Paul G. Minoletti
315-B Main Street
Half Moon Bay, CA 94019

with a copy to:

Robert Mascall
1700 Sherman Ave
Burlingame, CA 94010

or to such other address as either party may indicate in a written notice to the other. All notices and communications given under this License Agreement shall be deemed to have been duly given and received: (i) upon personal delivery, or (ii) as of the third business day after mailing by United States certified mail, return receipt requested, postage prepaid, addressed as set forth above, or (iii) the immediately succeeding business day after deposit (for next day delivery) with Federal Express or other similar overnight courier system, or (iv) 24 hours after facsimile transmittal with confirmation of receipt and followed by personal delivery, United States mail, or overnight delivery as specified in this Paragraph.

14. Indemnification and Hold Harmless.

To the fullest extent permitted by law, Licensee shall hold harmless, defend (with counsel agreed to by Licensor), and indemnify Licensor and its officers, officials, agents, employees, and volunteers (collectively and/or individually "Licensor") from and against any and all liability, claim, loss, damage, expense, costs (including, without limitation, costs, attorneys' fees, and expert fees of litigation) of every nature including but not limited to claims for loss or damage to any property, or for death or personal injury, arising out of, related to, or in connection with this License, or the failure of the same to comply with any of the obligations contained in this Agreement, except such loss or damage which was caused by the sole negligence or sole willful misconduct of Licensor. Licensee's duty to defend applies immediately, whether or not liability is established. An allegation or determination that persons other than Licensee, including City, are responsible for the claim does not relieve Licensee from its separate and distinct obligation to immediately defend Licensor as stated herein.

15. Insurance.

Licensee shall cause to be procured and maintained liability and property damage insurance with a minimum of $2,000,000 (two million dollars) bodily injury, and $2,000,000 (two million dollars) property damage for each occurrence, and $2,000,000 (two million dollars) comprehensive general liability insurance in full force and effect for the duration of this Agreement. Licensee shall cause to be provided a Certificate of Insurance evidencing same, to Licensor prior to exercising their rights and duties under this Agreement. Licensor shall cause to be named as an additional insured on all policies required by this License Agreement.

Licensee shall require its contractor(s) who are responsible for the undertaking the work specified in Paragraph 1 to procure and maintain statutory limits of workers' compensation insurance coverage, motor vehicle liability insurance, and a minimum of $1,000,000 (one million dollars) employer's liability insurance for the duration of this Agreement.

IN WITNESS WHEREOF, the parties have executed this License Agreement the day and year first above written.

LICENSOR:

THE CITY OF HALF MOON BAY

By:_____

Its: _____

LICENSEE:

Barterra Winery LLC,
Attn: Ginger C. Minoletti

By: _____

Its: _____

LICENSEE:

Barterra Winery LLC,
Attn: Paul G. Minoletti

By: _____

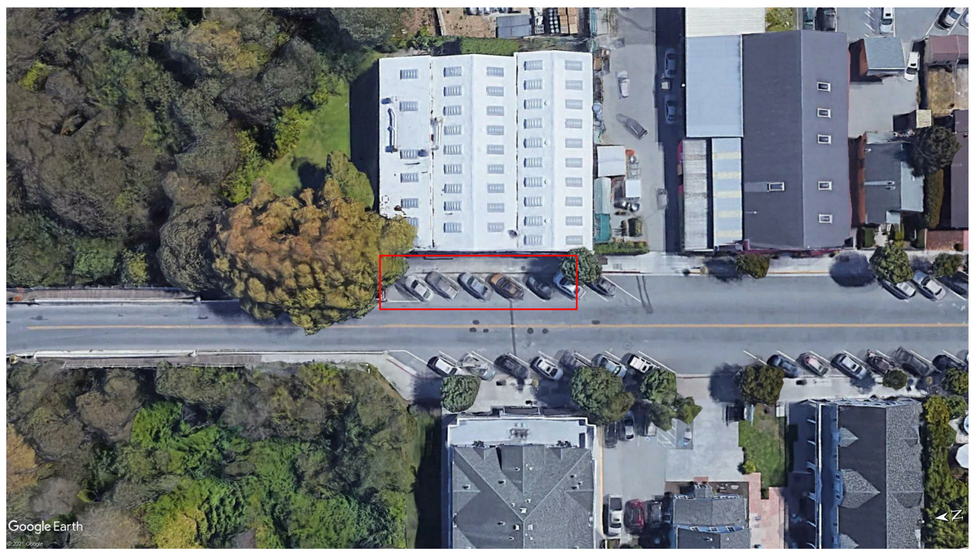
Its: _____

ATTACHMENT 2



Scope of Work:

- Construction of proposed parklet in front of Fattoria e Mare (Restaurant) & Barrtera (Winery)
- Riser Enclosure



REVISIONS

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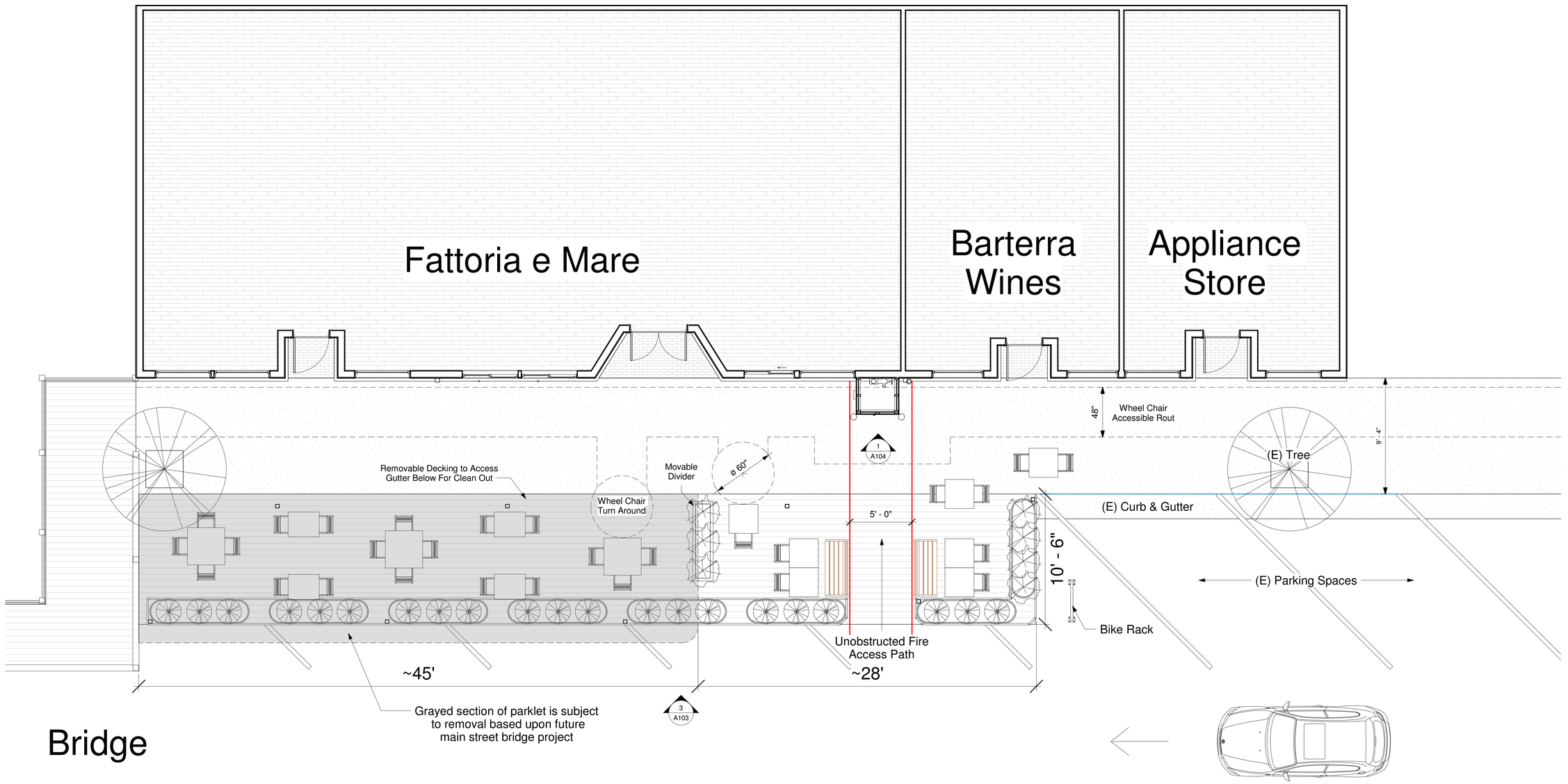
New Parklet
315 Main St
Half Moon Bay

Cover Sheet

LICENSED ARCHITECT
EDWARD C. LOVE
No. C23077
Ren. 1/31/21
STATE OF CALIFORNIA

DATE: 11/22/21
SCALE:
DRAWN: CJP
JOB: Fattoria Parklet
SHEET: A101
OF SHEETS

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1 Level 1 Proposed
1/4" = 1'-0"

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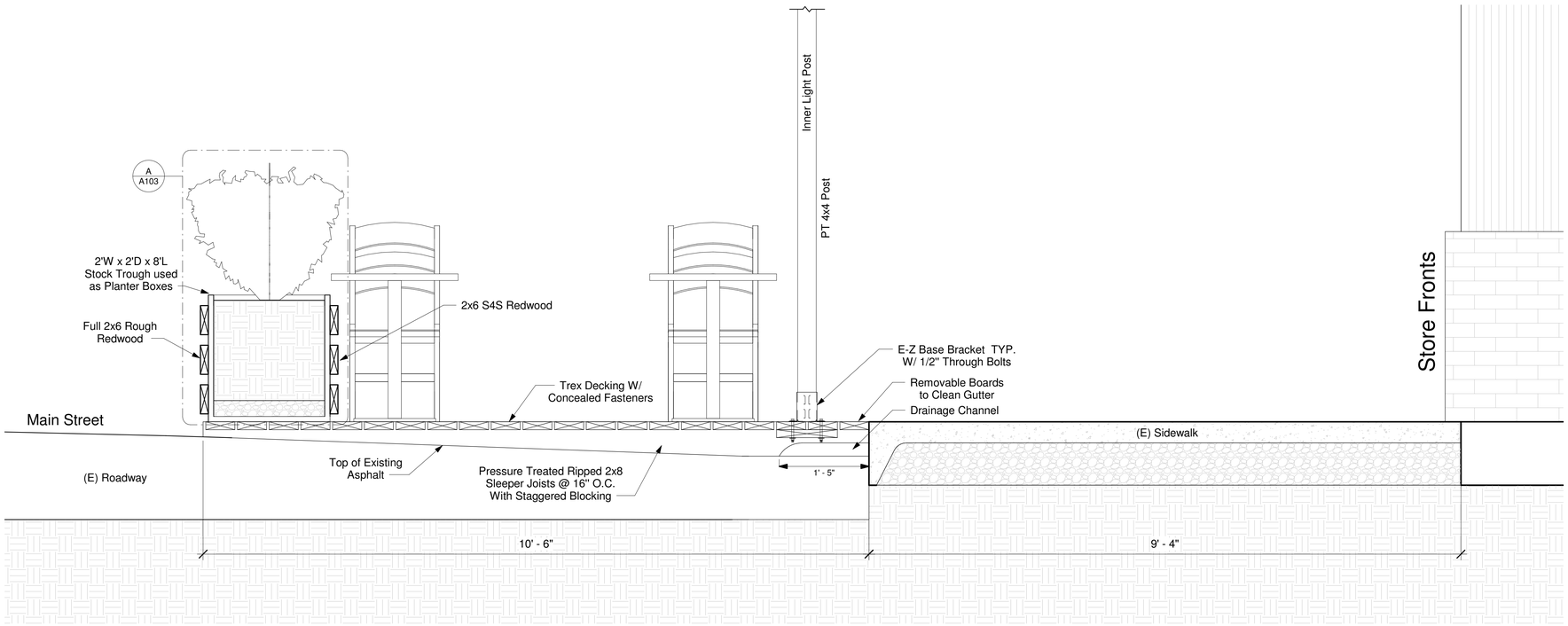
New Parklet
315 Main St
Half Moon Bay

Parklet Plan View

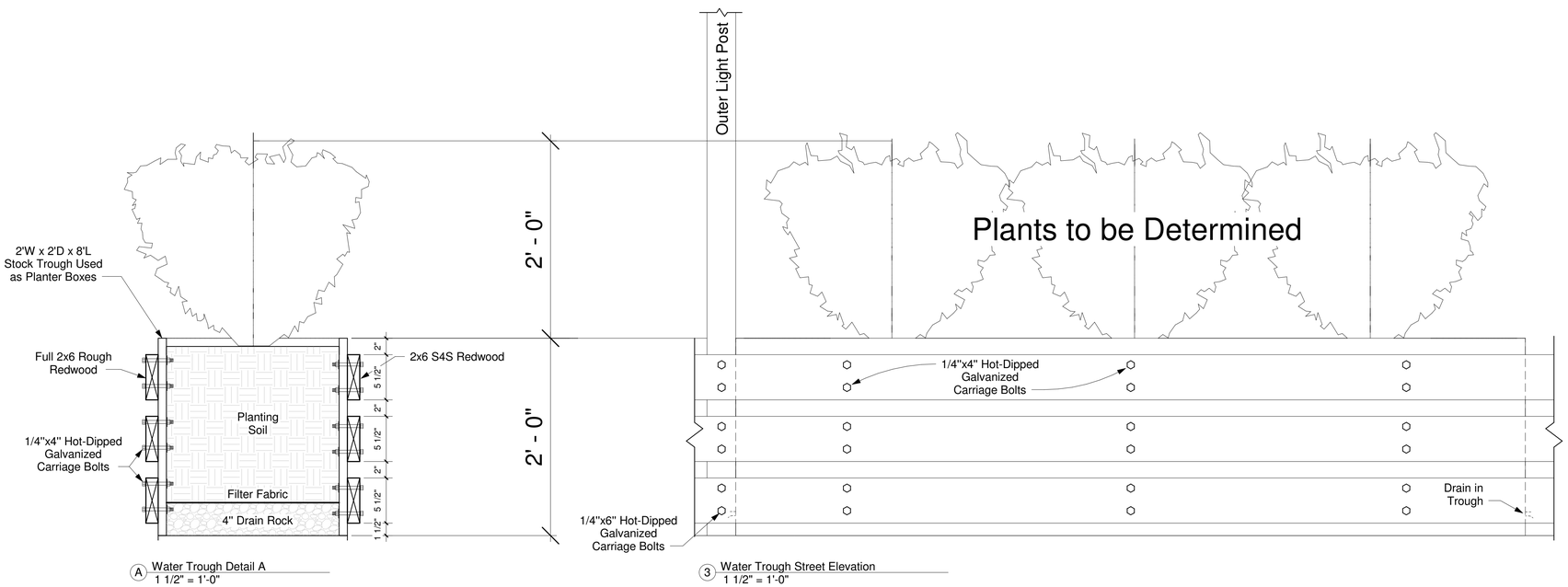
LICENSED ARCHITECT
EDWARD C. LOVE
No. C23077
Ren. 1/31/21
STATE OF CALIFORNIA

DATE: 11/22/21
SCALE: 1/4" = 1'-0"
DRAWN: CJP
JOB: Fattoria Parklet
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1 Section 1
1" = 1'-0"



A Water Trough Detail A
1 1/2" = 1'-0"

3 Water Trough Street Elevation
1 1/2" = 1'-0"

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New Parklet
315 Main St
Half Moon Bay

Sectional View

LICENSED ARCHITECT
EDWARD C. LOVE
No. C23077
Ren. 1/31/21
STATE OF CALIFORNIA

DATE: 11/22/21
SCALE: As indicated
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New Parklet
315 Main St
Half Moon Bay

Front Elevation View

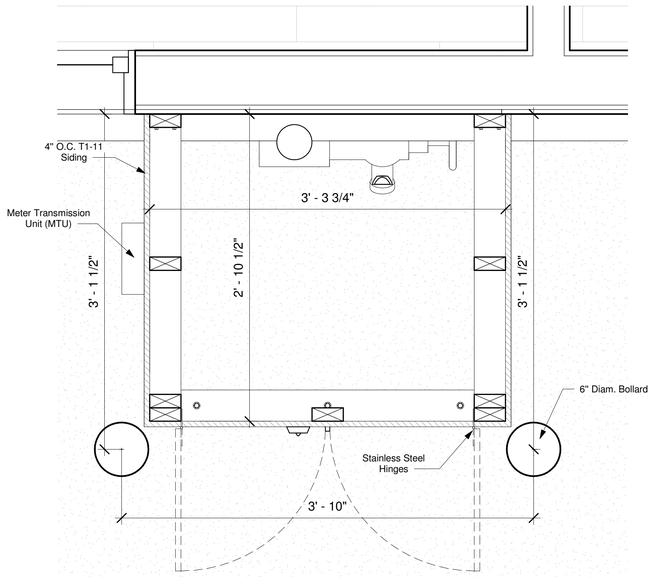
LICENSED ARCHITECT
EDWARD C. LOVE
No. C23077
Ren. 1/31/21
STATE OF CALIFORNIA

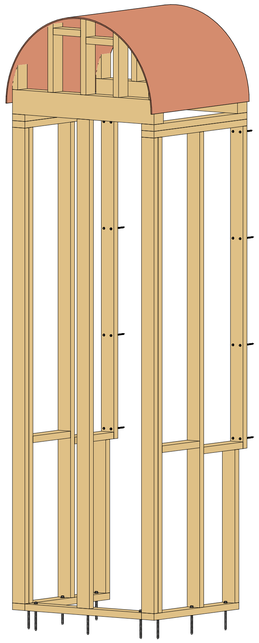
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JOB: Fattoria Parklet
SHEET: A104
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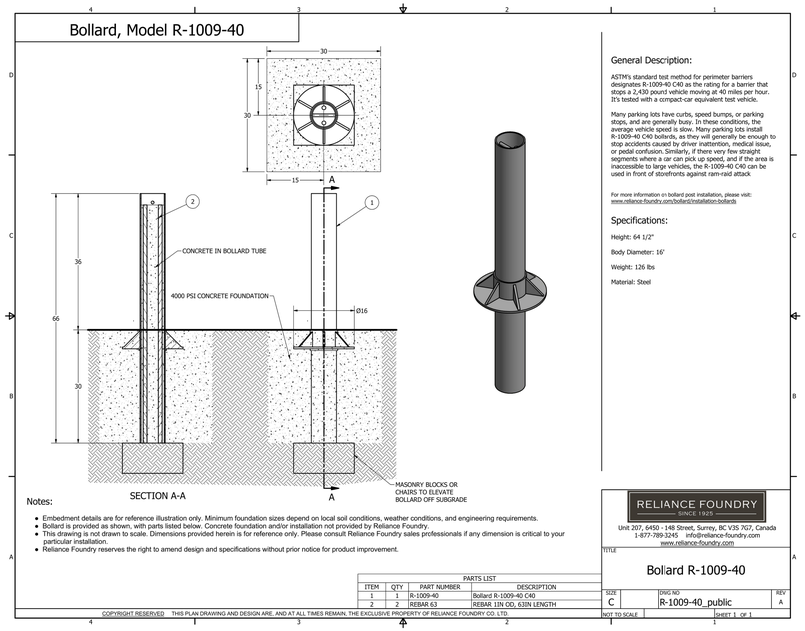
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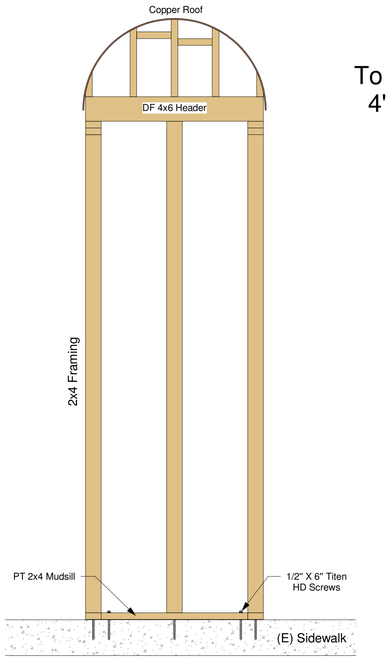
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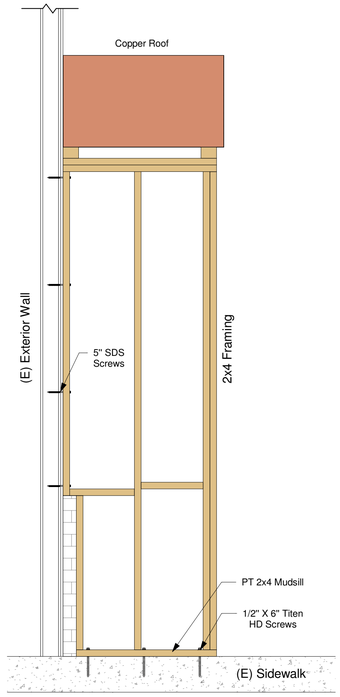








To be sided with 4" O.C. T1-11



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Half Moon Bay

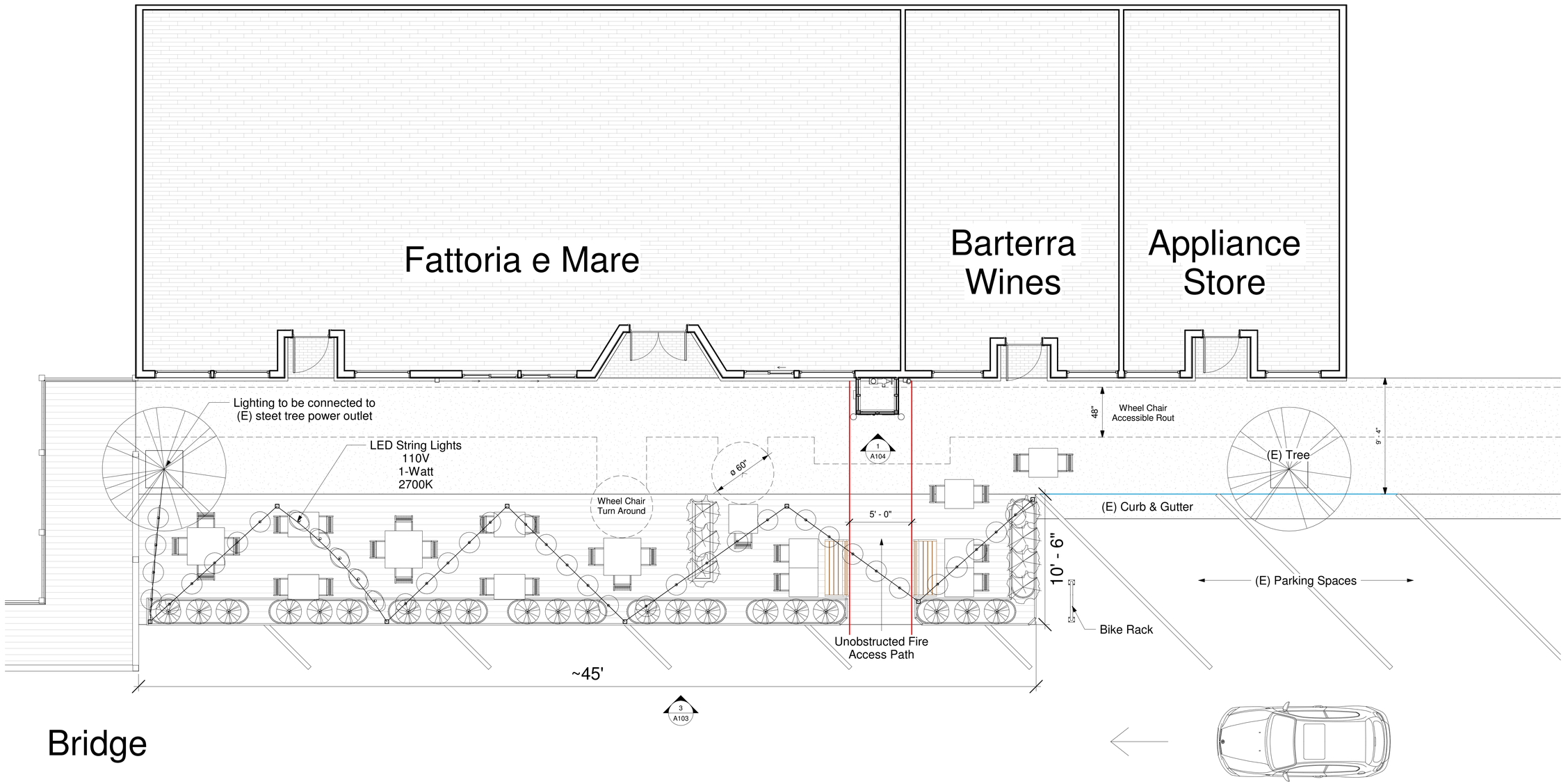
Fire Riser
Construction Docs

LICENSED ARCHITECT
EDWARD C LOVE
No. C23077
Ren. 1/31/21
STATE OF CALIFORNIA

DATE: 11/22/21
SCALE: As indicated
DRAWN: Author
JOB: Fattoria Parklet
SHEET: A105
OF SHEETS

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1 Lighting Plan
1/4" = 1'-0"

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New Parklet
315 Main St
Half Moon Bay

Lighting Plan

LICENSED ARCHITECT
EDWARD C. LOVE
No. C23077
Ren. 1/31/21
STATE OF CALIFORNIA

DATE: 11/22/21
SCALE: 1/4" = 1'-0"
DRAWN: Author
JOB: Fattoria Parklet
SHEET: A201
OF SHEETS

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New Parklet
315 Main St
Half Moon Bay

Day Time Render

LICENSED ARCHITECT
EDWARD C. LOVE
No. C23077
Ren. 1/31/21
STATE OF CALIFORNIA

DATE: 11/22/21
SCALE:
DRAWN: CJP
JOB: Fattoria Parklet
SHEET: A301
OF SHEETS

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New Parklet
315 Main St
Half Moon Bay

Night Time Render

LICENSED ARCHITECT
EDWARD C. LOVE
No. C23077
Ren. 1/31/21
STATE OF CALIFORNIA

DATE: 11/22/21
SCALE:
DRAWN: CJP
JOB: Fattoria Parklet
SHEET: A302
OF SHEETS

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PLANNING COMMISSION RESOLUTION P-22-02
RESOLUTION FOR APPROVAL
PDP-21-047

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HALF MOON BAY APPROVING A COASTAL DEVELOPMENT PERMIT AND ARCHITECTURAL REVIEW TO ALLOW FOR A PARKLET WITHIN 5 ANGLED VEHICULAR PARKING SPACES AND FIRE RISER SCREENING WITHIN THE PUBLIC RIGHT-OF-WAY ALONG THE 315 MAIN STREET PROPERTY FRONTAGE IN THE COMMERCIAL DOWNTOWN ZONING DISTRICT AND THE COMMERCIAL GENERAL LAND USE DESIGNATION

WHEREAS, an application for a Coastal Development Permit and Architectural Review to allow the installation of a parklet within 5 angled parking spaces and fire riser screening within the public right-of-way in compliance with accessibility requirements in the Commercial-Downtown (C-D) Zoning District and the Commercial General Land Use designation (the "Project"); and

WHEREAS, the parklet design was reviewed by the City Engineer with respect to appropriate use of the public right-of-way, safety for all modes of circulation, storm water management, and future public improvements; and

WHEREAS, the parklet design was reviewed by the Architectural Advisory Committee (AAC) on October 21, 2021 and found to be satisfactory by the AAC; and

WHEREAS, the procedures for processing the application have been followed as required by law; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on January 11, 2022 at which time those desiring to be heard on the matter were given an opportunity to be heard; and

WHEREAS, the Planning Commission considered the recommendations by the AAC when reviewing this project and determined that the project was in substantial conformance with the applicable policies and recommendations within the Downtown Specific Plan; and

WHEREAS, the Planning Commission considered all written and oral testimony presented for consideration; and

WHEREAS, the Planning Commission has determined that the project is categorically exempt from the California Environmental Quality Act pursuant to California Administrative Code Section 15303 (new construction or conversion of small structures), Section 15304 (minor alterations to land); and

WHEREAS, the Planning Commission has made the required findings for approval of the project, set forth in Exhibit A to this resolution;

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NOW, THEREFORE, BE IT RESOLVED that the Planning Commission takes the following actions:

1. Finds that, on the basis of the whole record before it, there is no substantial evidence that the Project as proposed will have a significant effect on the environment.

2. Approves the Project, based upon the Findings in Exhibit A and subject to the Conditions of Approval contained in Exhibit B.

PASSED AND ADOPTED by the City of Half Moon Bay Planning Commission at a duly noticed public hearing held January 11, 2022.

AYES, Benjamin, Gorn, Hernandez, Polgar, Ruddock
NOES,
ABSENT,
ABSTAIN,

APPROVED:

Steve Ruddock, Chair

Jill Ekas

Jill Ekas, Community Development Director

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EXHIBIT A
FINDINGS AND EVIDENCE
Planning Commission Resolution P-22-02
PDP-21-047

Coastal Development Permit – Findings for Approval

The required Coastal Development Permit for this project may be approved or conditionally approved only after the approving authority has made the following findings per Municipal Code Section 18.20.070:

1. **Local Coastal Program –** *The development as proposed or as modified by conditions, conforms to the Local Coastal Program.*

   Evidence: The project consists of a temporary parklet within 5 existing vehicle parking spaces in the Downtown where public services and infrastructure are provided to the site. The project conforms to all City requirements, will not impact coastal resources and is consistent with the policies of the City's Land Use Plan (LUP).

   Coastal Act 30240(b) and Policy 3-3 (b): *Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

   Compliance: The new parklet would be built entirely within the existing roadway of Main Street and drainage patterns will not be affected. Therefore, biological resources would not be affected by the temporary parklet improvements.

   Coastal Act 30244: *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

   Compliance: The new parklet is not located at or near identified archaeological or paleontological resources. Excavation of the existing sidewalk and roadway is not included in the project. Therefore, encountering during subsurface archeological or paleontological resources during construction is not possible.

   Policy 2-33: *Establish Heritage Main Street between the Main Street Bridge and Correas Street, located within the heart of Heritage Downtown, and require retail, eating and drinking establishments, and other similar active ground floor dependent uses at the first floor to foster a distinctive, vibrant pedestrian-oriented atmosphere.*

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Compliance: The new parklet would provide a visitor and resident serving use, primarily focused on dinning, that is appropriately located in the downtown core.

Policy 9-3: *Visual Quality. Preserve and enhance the unique visual quality that contributes to Half Moon Bay's coastal and small-town character, including its open, expansive views from the coastal terrace to the beaches, bluffs, ocean, and upland slopes.*

Compliance: The proposed parklet has been reviewed by the City's Architectural Advisory Committee (AAC). The AAC was supportive of the parklet proposal and had minor suggestions related to the lighting post detail and fire riser screening cap. The AAC recommended approval of the revised parklet proposal to the Planning Commission. The proposal is subject to design review by the Planning Commission.

Policy 9-25. *Heritage Downtown. Preserve and enhance the architecture, landscape, scale and ambience of the Heritage Downtown visual resource area through design review of new development, redevelopment, and streetscape improvements. Design review shall consider:*

a. Compatibility with scale and style of predominant older structures;
b. Continuity in building lines maintained along Main Street;
c. Maintaining key architectural features in proposed alterations to existing older buildings; and
d. Avoiding demolition of existing older buildings that contribute significantly to the character of the area.

Compliance: The proposed parklet will improve the appearance of the streetscape with landscaping and provide for an active outdoor use; furthermore, the parklet design is compatible and in scale with the adjacent heritage building.

Policy 9-31. *Lighting Plan Review. Require submittal of lighting plans with applications for new development, including subdivisions, for review of lighting characteristics.*

Compliance: The parklet includes exterior lighting. The light fixtures are required to be dark night skies compliant and/or lot intensity string lighting. Cut sheets including photometrics for the light fixtures will be submitted with plans for building permits and will be reviewed to ensure that the light will be contained within the parklet and sidewalk area without introducing glare to the Pilarcitos Creek riparian corridor or to vehicular traffic on Main Street.

2. **Growth Management System –** *The development is consistent with the annual population limitation system established in the Land Use Plan and Zoning Ordinance.*

Evidence: The project does not include a residential unit. Therefore, the project is exempt from the annual population limitation system of the City.

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3. **Zoning Provisions** – *The development is consistent with the use limitations and property development standards of the base district as well as the other requirements of the Zoning Ordinance.*

   Evidence: Café and restaurant facilities are a permitted use in the C-D Commercial Downtown Zoning District. The parklet improvements would expand the restaurant facilities within the Downtown, for the increased enjoyment of the residents.

   More specifically, Chapter 18.07 Commercial Land Use (C-D, C-R) 18.07.025.A-27 Use Regulations provides the following for outside dining uses:
   b. Outdoor Retail. Outdoor display of merchandise on a temporary basis shall be subject to approval by the community development director. Permanent outdoor sales operations, such as sidewalk cafes, flower and produce stands, hot dog carts, coffee/pastry stands, T-shirts, outdoor furniture gardens, are permitted on an ongoing basis only if not located on state right-of-way, and only after (1) receiving a determination by the planning commission that the proposed use and operational characteristics are consistent with the underlying zoning designation and development standards, (2) securing approval of a business license in accordance with the provisions of the municipal code, and (3) securing an encroachment permit and/or license agreement with the city if the display area is located on city property or located within a city right-of-way.

   Evidence: The Planning Commission reviewed the proposed parket at a public hearing and found that the proposed use and operational characteristics and consistent with the C-D zoning designation and development standards; the co-applicants possess business licenses in good standing; and the applicant will be required through conditions of approval to obtain a license agreement subject to City Council approval for use of land within the City's right-of-way.

4. **Adequate Services** – *The proposed development will be provided with adequate services and infrastructure in a manner that is consistent with the Local Coastal Program.*

   Evidence: The parklet site is within the Downtown. No additional water or other utilities are included with the parklet improvements.

5. **California Coastal Act** – *Any development to be located between the sea and the first public road parallel to the sea conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act.*

   Evidence: The project site is not located between the sea and the first public road parallel to the sea but is adjacent to an inland waterway (Pilarcitos Creek). Given the proximity to the waterway, the final decision on the parklet proposal is appealable to the California Coastal Commission.

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Architectural Site and Design Review – Findings

The required Architectural and/or Site and Design Review for this project may be approved or conditionally approved only after the approving authority has made the findings per Municipal Code Section 14.37.040. In making these findings, the Planning Commission has considered the design approval criteria set forth in Municipal Code Section 14.37.035.

1. *That such buildings, structures, planting, paving and other improvements shall be so designed and constructed that they will not be of unsightly or obnoxious appearance to the extent that they will hinder the orderly and harmonious development of the city;*

   Evidence: The design of the parklet has been reviewed by the AAC and found to be acceptable. Minor changes suggested by the AAC to improve durability and drainage have been incorporated into the project design.

2. *That such buildings, structures, planting, paving and other improvements will not impair the desirability or opportunity to attain the optimum use and the value of the land and the improvements, or otherwise impair the desirability of living or working conditions in the same or adjacent areas; and*

   Evidence: The proposed project will expand the recreational opportunities within the Downtown by creating additional active open space that is open to the public.

3. *The project has been designed in conformance and consistency with the Single-Family Residential Design Guidelines (where applicable).*

   Evidence: not applicable

Visual Resource Protection Standards - Findings

Scenic Corridor Standards – Public views within and from scenic corridors shall be protected and enhanced according to the following criteria per Municipal Code Section 18.37.040(A):

1. Scale and style shall be similar to that of the predominant older structures within the immediate vicinity.

   Planning Commission Evidence: With the exception of the decorative lighting, the parklet improvements do not exceed four feet in height. The low nature of the parklet is subordinate to the existing buildings along Main Street. The parklet is of scale consistent with sidewalk café and typical streetscape furnishings.

2. Continuity in building lines shall be maintained along Main Street.

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Planning Commission Evidence: The proposed development expands the pedestrian access that currently exists along the sidewalk. The continuity of the building lines would not change with the installation of the parklet.

3. Existing older buildings which contribute significantly to the character of the area, as described in the historic resources ordinance and inventory, shall not be demolished or altered in a manner which eliminates key architectural features, unless it is shown on a case by case basis that it is financially unfeasible to maintain such buildings due to requirements for seismic retrofitting of unreinforced masonry or for Americans with Disabilities Act requirements.

   Planning Commission Evidence: The parklet would not alter the existing buildings along Main Street. The new parklet would enhance the pedestrian experience by providing a activated parklike setting adjacent to the sidewalk, including additional seating and landscaping. The new parklet would be constructed in compliance with Americans with Disabilities Act requirements. Therefore, the parklet is in compliance with this Visual Resource Protection Standard.

Environmental Review – Finding

California Environmental Quality Act (CEQA) – The project will not have a significant effect on the environment.

Evidence: The project consists of a small new structure (new parklet). The parklet improvements are categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303 – New Construction or Conversion of Small Structures; and Section 15304 – Minor Alterations to Land.

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EXHIBIT B
CONDITIONS OF APPROVAL
Planning Commission Resolution P-22-02
PDP-21-047

A. The following Conditions shall apply to the subject site:

1. CONFORMANCE WITH APPROVED LAYOUT AND DETAIL. Development of the site shall conform to the approved site layout and details received November 22, 2021, except for any revisions required by this permit. The Community Development Director shall review and may approve any deviation from the approved plans that is determined minor in nature. Any other change shall require the submittal of a major modification application and fees and shall be subject to a public hearing as required by Title 18. (Planning)
2. CONFORMANCE WITH CONDITIONS OF APPROVAL. The Community Development Director shall review and may approve any deviation from the Conditions of Approval that is determined minor in nature. Any other change shall require the submittal of a major modification application and fees and shall be subject to a public hearing as required by Title 18. (Planning)
3. CONFORMANCE WITH THE MUNICIPAL CODE. No part of this approval shall be construed to permit a violation of any part of the Half Moon Bay Municipal Code. (Planning)
4. PARKLET MAINTENANCE. The applicant shall ensure that the parklet and associated landscaped areas are continuously maintained, and all plant material is maintained free of refuse and weeds and in a healthy growing condition. (Planning)
5. PARKLET HOURS OF OPERATION AND NOISE. Operational hours of the new parklet shall be limited to the open hours of the businesses associated with the parklet. Activity within the parklet shall be conducted in conformance with Chapter 9.23 (Noise) of the Half Moon Bay Municipal Code. (Planning)

B. The following Conditions shall be fulfilled prior to the issuance of the building permit and/or license agreement:

1. SIGNED CONDITIONS OF APPROVAL. The City shall submit a signed copy of the conditions of approval to the Planning Division prior to issuance of a building permit. (Planning)
2. CONSTRUCTION PLANS. File Number PDP-21-047 and the Conditions of Approval for this project shall be provided on the cover page of the plans included with the license agreement. All plans, specifications, engineering calculations, diagrams, reports, and other data for construction of the building and required improvements shall be submitted with the appropriate permit application to the City's Building and Engineering Divisions for

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review and approval. Computations and back-up data will be considered a part of the required plans. (Planning)

3. ACCESSIBILITY REQUIREMENTS. The proposed project shall comply with State of California and federal (ADA) accessibility standards and with the line of sight requirements of Half Moon Bay Zoning Code Section 18.06.040(B).

4. PARKLET SIGNAGE. Signs shall be added to the parklet indicating the times that the parklet will be available for use as public space. The location, size, and language of the signage shall be reviewed and approved by Community Development Director and City Engineer prior to the issuance of the license agreement. (Planning)

5. PARKLET LANDSCAPING. Landscaping shall be planted within the new planter boxes surrounding the parklet. The species, size, and quantity of the landscaping shall be reviewed and approved by Community Development Director and City Engineer prior to the issuance of the license agreement. (Planning)

6. PARKLET LIGHTING. A lighting plan shall be included with the application for the building permit and/or license agreement. The lighting plan shall include cutsheets for all proposed exterior light fixtures and the plan is subject to City review to ensure lighting is dark night skies compatible and/or low intensity string lights, will be contained within the parklet and sidewalk area, and will not introduce glare to Pilarcitos Creek riparian corridor or vehicular traffic on Main Street.

7. VEHICLE PARKING SPACE STRIPING. Existing vehicle parking space striping west of the new parklet shall be painted or removed to match the color of the existing asphalt. (Planning)

C. The following conditions shall be implemented prior to and during construction:

1. AIR QUALITY BEST MANAGEMENT PRACTICES. The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site:

   - All active construction areas shall be watered twice daily or more often if necessary. Increased watering frequency shall be required whenever wind speeds exceed 15 miles-per-hour.
   - Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads and parking and staging areas at construction sites.
   - Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials shall be covered.
   - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day or as often as necessary to keep them free of dust and debris associated with site construction. The use of dry power sweeping is prohibited.

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- Subsequent to clearing, grading, or excavating, exposed portions of the site shall be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more.
- Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replanting of vegetation in disturbed areas as soon as possible after completion of construction.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the City of Half Moon Bay regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

2. HAZARDOUS MATERIALS. Any materials deemed hazardous by the San Mateo County Department of Health that are uncovered or discovered during the course of work under this permit shall be disposed in accordance with regulations of the San Mateo County of Health. (Building)

3. COMPLIANCE WITH CBC. All structures shall be constructed in compliance with the standards of the 2019 California Codes of Regulations Title 24, including Building Code, Residential Code, Administrative Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Fire Code and Green Building Code to the satisfaction of the Building Official. (Building)

4. CONSTRUCTION HOURS. Construction work shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturdays; and 10:00 a.m. to 6:00 p.m. Sundays and holidays, except as expressly authorized by the City Engineer in conformance with Section 14.40.020 of the Half Moon Bay Municipal Code. (Engineering)

5. NOTICE OF DISRUPTION. The permittee shall provide written notice to affected property and business owners and a copy of such notice to the City Engineer a minimum of two business days prior to any planned disruption of pedestrian or vehicular traffic, parking, or public service facilities. (Engineering)

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D. Validity and Expiration of Permits

1. EFFECTIVE DATE. This site is located within the California Coastal Commission's Appeal Jurisdiction. This permit shall take effect after expiration of the California Coastal Commission appeal period. (Planning)
2. ACCURACY OF APPLICATION MATERIALS. The permittee shall be responsible for the completeness and accuracy of all forms and material submitted for this application. Any errors or discrepancies found therein may be grounds for the revocation or modification of this permit and/or any other City approvals. (Planning)
3. PERMIT EXPIRATION. The Coastal Development Permit (CDP) and Architectural Review shall expire in the event of noncompliance with or expiration of the license agreement. (Planning)
4. LICENSE AGREEMENT. City Council approval of the license agreement shall take place before the installation of the parklet. The license agreement shall specify that modifications to the parklet will be required prior to commencement of work on the Main Street Bridge. The license agreement shall also cover insurance, indemnification, safety, compliance with ABC requirements, and all other provisions deemed necessary by the City Council for appropriate and revokable use of the public right-of-way. Pedestrian use of the sidewalk shall be maintained. Any violation of the license agreement shall be considered a violation of the Coastal Development Permit and Architectural Review approval.
5. PERMIT RUNS WITH THE LAND. The approval runs with the land and the rights and obligations thereunder, including the responsibility to comply with conditions of approval, shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned or revoked. (Planning)
6. HOLD HARMLESS. The permittee agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against an and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, any review by the California Coastal Commission conducted under the California Coastal Act Public Resources Code Section 30000 et seq., or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this

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application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee's duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City. (City Attorney).

OWNER'S/PERMITTEE'S CERTIFICATION:

I have read and understand and hereby accept and agree to implement the foregoing conditions of approval of the Coastal Development Permit.

APPLICANT:

_____ _____

(Signature) (Date)

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: March 15, 2022

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

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

TITLE: **AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH CSW/STUBER-STROEH ENGINEERING GROUP, INC. FOR A BOUNDARY SURVEY, CENTERLINE STAKING AND POST CONSTRUCTION MONUMENTATION SERVICES FOR THE POPLAR STREET TRAFFIC CALMING AND SAFETY PROJECT (CIP PROJECT NO. 0593)**

RECOMMENDATION:
Adopt a resolution authorizing the City Manager to:

1) Authorize the Administrative Services Director to transfer $10,000 in unallocated Capital Budget to Capital Improvement Project No. 0593 (Poplar Street Traffic Calming and Safety Project) and
2) Execute Amendment No. 2 to the Professional Services Agreement with CSW/Stuber-Stroeh Engineering Group, Inc. (Consultant) for a boundary survey, centerline staking, and post construction monumentation services for the project increasing the contract amount not to exceed $137,757.

FISCAL IMPACT:
The FY 2021/22 Capital budget initially allocated $129,932 in the CIP Budget for remaining design, environmental, and permitting aspects for the project. With an additional allocation of $10,000, the City will have sufficient funds for this second amendment.

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

BACKGROUND:
On May 7, 2019, the City Council approved and authorized the City Manager to execute a professional services agreement with the consultant in the amount of $156,000.

Due to the COVID-19 pandemic that started in March of 2020, the project was suspended and delayed until a future date. The project was reauthorized by the City Council on April 6, 2021.

On August 17, 2021, City Council approved and authorized the City Manager to execute the professional services agreement with the consultant for the continuation of the design and environmental services for the project in the amount of $98,000.

Since then, City Staff and the consultants have been working on the design and environmental documents in order to present and seek Coastal Development Permit approval from the Planning Commission. City Staff first presented the project to the Bicycle Pedestrian Advisory Committee (BPAC), on November 4, 2022, and received many comments from committee members and attending public. City Staff and the consultants worked to revise the design to reflect as much of the comments as possible from this meeting.

On December 14, 2021, City Staff then presented the project design to the Planning Commission and received additional comments from both the Commission and attending public. The comments provided resulted in the project being continued to a later date set for February 8, 2022.

Based on the comments, changes were required prior to the continued Planning Commission meeting. City Staff negotiated with the consultant for an amendment not to exceed $9,800, for a new contract total of $107,800. Based on the City's Purchasing Policy, this increase falls within the City Manager's purview as they have the ability to approve change orders of up to 20% of the original contract amount.

On February 8, 2022, the Planning Commission and attending public provided additional feedback on the updated plans. After the comments were received, the Planning Commission ultimately approved the Coastal Development Permit allowing City Staff to continue working on the design. City Staff strongly encouraged community members residing on Poplar Street to schedule meetings with staff to discuss any concerns, comments, or questions about the project improvements in City's Right-of-Way near their property. To date, City Staff have met with five property owners and are scheduling additional meetings with others. Staff will also continue to reach out to residents to encourage meeting with us to review proposed changes to their property frontages.

DISCUSSION:

After the Planning Commission approval, city staff and the project consultants started to have more on-site meetings with residents to help explain the project and how it impacts their property. Although Poplar Street has a 60' public right-of-way, many residents have encroached into that space given many frontages did not have any improvements.

Although this task was to be completed during construction, it was determined that it would be best to establish the street centerline at this stage in order to aid residents in understanding where project limits will be in relation to property frontages. In addition, the post construction

monumentation for the centerline of Poplar Street will be useful for future surveying in the area by the City or others.

Staff recommends that the City Council adopt a resolution authorizing the City Manager to authorize the Administrative Services Director to transfer $10,000 in unallocated Capital Budget to Capital Improvement Project No. 0593 (Poplar Street Traffic Calming and Safety Project) and execute Amendment No. 2 to the Professional Services Agreement with CSW/Stuber-Stroeh Engineering Group, Inc. (Consultant) for a boundary survey, centerline staking, and post construction monumentation services for the project increasing the contract amount not to exceed $137,757.

ATTACHMENT:
Resolution

Resolution No. C-2022-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2 TO THE ORIGINAL PROFESSIONAL SERVICES AGREEMENT WITH CSW/STUBER-STROEH ENGINEERING GROUP, INC. FOR A BOUNDARY SURVEY, CENTERLINE STAKING AND POST CONSTRUCTION MONUMENTATION SERVICES FOR THE POPLAR STREET TRAFFIC CALMING AND SAFETY PROJECT (CIP NO. 0593) IN AN AMOUNT NOT TO EXCEED $10,000 FOR A TOTAL CONTRACT AMOUNT OF $137,757

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, on May 7, 2019, the City Council approved an authorized the City Manager to execute a professional services agreement with the CSW/Stuber-Stroeh Engineering Group, Inc. (Consultant) for the design and environmental services for the project; and

WHEREAS, on August 17, 2021, the City Council approved an authorized the City Manager to execute the professional services agreement with the consultant for the continuation of the design and environmental services for the project; and

WHEREAS, on December 14, 2021, City Staff presented the updated project plans to the Planning Commission, and received comments from the Commission and the attending public, which ultimately resulted in the project being continued to a later date; and

WHEREAS, Amendment No. 1 did not require City Council action, and was approved by the City Manager, due to the change order amount falling less than 20% of the original contract amount, as stated in the City's purchasing policy; and

WHEREAS, on February 8, 2022, City Staff presented the updated project plans to the Planning Commission, and received more comments, but the Planning Commission ultimately approved the Coastal Development Permit for the project with Conditions of Approval; and

WHEREAS, City Staff and the consultants are currently working on the design to accommodate the conditions of approval; and

WHEREAS, boundary surveying, centerline staking, and post construction monumentation will provide confidence to City Staff and the residents that no improvements will occur within private property; and

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

1) Authorize the Administrative Services Director to transfer $10,000 in unallocated Capital Budget to Capital Improvement Project No. 0593 (Poplar Street Traffic Calming and Safety Project) and
2) Execute Amendment No. 2 to the Professional Services Agreement with CSW/Stuber-Stroeh Engineering Group, Inc. (Consultant) for a boundary survey, centerline staking, and post construction monumentation services for the project increasing the contract amount not to exceed $137,757.

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 15th day of March, 2022 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:

_____
Debbie Ruddock, Mayor

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **March 15, 2021**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Matthew Chidester, Deputy City Manager
Corie Stocker, Management Analyst

TITLE: **ADOPT A RESOLUTION AUTHORIZING THE APPROVAL OF THE SECOND REVISED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT SAN MATEO OPERATIONAL AREA EMERGENCY SERVICES**

RECOMMENDATION:
Adopt the Resolution authorizing the approval of the second revised and restated Joint Exercise of Powers Agreement San Mateo County Operational Area Emergency Services Organization

FISCAL IMPACT:
The new estimated cost for Half Moon Bay, should the Emergency Services Council JPA use reserves, is $23,850. Last fiscal year the City paid $24,544 for our share. The proposed total budget for FY 21/22 for the JPA is $3,183,349, a 0.5% decrease from last fiscal year's total of $3,199,536.

STRATEGIC ELEMENT:
This action supports all elements of the Strategic Plan.

BACKGROUND:

The first version of the Joint Powers Agreement (JPA) was entered into in 1997, establishing the San Mateo Operational Area Emergency Services Organization, pursuant to the provisions of the Joint Exercise of Powers Act.

In January of 2013, the Emergency Services Council (ESC) directed staff to review and revise the JPA. It was realized that there were changes in the Homeland Security and Emergency Services field that occurred in 2001 and the agreement that governs how San Mateo County provides Emergency Services needed to reflect current laws, rules, directives, orders, and trends. A committee was formed to revise and draft the new agreement. The revised agreement had been updated to reflect current relationships between the County of San Mateo and the participating cities and other partners to provide a clear understand of the mission of the Emergency Services Council and Emergency Coordinators within the County, cities, and other participating partner agencies/jurisdictions.

In 2014, the City of Half Moon Bay, along with 20 other participating cities, and San Mateo County Office of Emergency Services, executed the first revised and restated the JPA with San Mateo County Operational Area Emergency Services Organization. The revised JPA had been updated to reflect the current relationships between the County of San Mateo and the participating cities/towns and other partners, to provide a clear understanding of the mission to the ESC and the Emergency Managers/Coordinators within the County, cities/towns, and other participating partner agencies/jurisdictions.

The City previously had an additional contract with The Office of Emergency Services for a Coastside District Coordinator, which began in 2013. The City paid 50% of the fees for this position, while under contract. The Coastside Coordinator was under contract for the City from 2013 to 2019. The Coastside Coordinator contract is separate from this OES Joint Exercise of Powers Agreement.

DISCUSSION:

The Office of Emergency Services (OES) was previously housed in the San Mateo County Sheriff's Office. In 2020, OES was transferred into the Department of Emergency Management (DEM), a division of the Office of the County Manager. The department is led by the Director of Emergency Management.

The DEM provides essential services that prepare and assist San Mateo County agencies in the event of disaster and other emergencies. The Emergency Services Council's collective goal is to provide coordinated plans for the protection of persons and property based on the five phases of emergency management including: prevention, protection, response, recovery, and mitigation; and support existing regional public information and notification systems to include SMC Alert and TENS, as well as other situational awareness tools; and to continue support to the regional hazardous materials emergency response program. DEM is funded through an agreement between the 20 incorporated cities and the County of San Mateo. The cities contribute money to fund the Joint Powers Authority (JPA) based upon a formula that accounts for population and assessed property value of each city. The County matches the contributed funds and has been funded through State and Federal Emergency Management Assistance program funds, and a contribution from the San Francisco International Airport.

DEM assists the City with numerous efforts and has provides support to staff. DEM has previously supported the City's 2019 Coastside Emergency Preparedness Day. They provided apparatus, staffing and marketing support. DEM led all local jurisdictions and provided consultant support for the Multijurisdictional Hazard Mitigation Plan to completion and is currently leading the Debris Management Plan. They are currently working Coastside-wide to create an evacuation plan and Tsunami notification response. With the recent tsunami scare across the Pacific from Tonga, DEM, CalFire, City of Pacifica and the City of Half Moon Bay have discussed tsunami notifications and how best to prepare and alert our community. Given any emergency, DEM will be a main resource for the City to call for mutual aid or request supplies or after-action services. DEM will be the connection for State funding and resources as well. Until 2020, DEM has cost shared a 50% Coastside Coordinator with the City, which is a different contract, that assisted as an Emergency Preparedness subject matter expert. This individual attending meetings, coordinated trainings and provided support to internal staff EOC operations

The services provided under the JPA also include:

- **Emergency Response** - coordination and planning during any regional emergency in accordance with adopted emergency plans.

- **Plans and Operations** - preparation, development, coordination, and integration of compatible and complimentary unified area wide emergency plans for approval by the State of California and adoption by the Council.
- **Communications** - coordination, development, and maintenance of an area-wide emergency communications service, including public alert and warning, and other situational awareness tools.
- **Public Education and Information** - coordination and support of an area-wide public education and information program.
- **Training and Exercise** - coordination and assistance in the training and exercising of all County employees identified as Disaster Service Workers, as defined by Sect. 3100CGC and volunteers. The member cities will be responsible for the training and exercise of their identified employees; however, OES will provide needed support as requested.
- **Grant Program Administration** - coordination and assistance with designated emergency coordinators within the Operational Area in the securing and distribution of grant funds for regional emergency management initiatives and program support.
- **General Administration** - coordination and assistance in the procurement and inventory of emergency equipment, management of, maintenance and distribution of area-wide inventories of vital supplies and equipment.

ATTACHMENT:

1. Resolution authorizing the City Manager to approve the second revised and restated Joint Exercise of Powers Agreement San Mateo County Operational Area Emergency Services Organization

Resolution No. C-2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY TO ADOPT A RESOLUTION AUTHORIZING THE APPROVAL OF THE SECOND REVISED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT SAN MATEO OPERATIONAL AREA EMERGENCY SERVICES

WHEREAS, in January 2013, the Emergency Services Council (ESC) directed staff to review and revise the JPA to reflect changes in the Homeland Security and Emergency Services field; and

WHEREAS, In 2014, the City of Half Moon Bay, along with 20 other participating cities, and San Mateo County Office of Emergency Services (OES), executed the first revised and restated the JPA with San Mateo County Operational Area Emergency Services Organization; and

WHEREAS, In 2020, OES was transferred into the Department of Emergency Management (DEM), a division of the Office of the County Manager, OES was previously housed in the San Mateo County Sheriff's Office; and

WHEREAS, the City must approve the second revised restated Joint Exercise of Powers Agreement.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby approves the second revised and restated Joint Exercise of Powers Agreement San Mateo County Operational Area Emergency Services Organization, with a new estimated cost of $23,850.

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 15th day of March, 2022 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ATTEST:

_____

Jessica Blair, City Clerk

APPROVED:

_____

Debbie Ruddock, Mayor

Second Revised and Restated
Joint Exercise of Powers Agreement
San Mateo County Operational Area Emergency Services Organization

THIS JOINT POWERS AGREEMENT ("Agreement") is made as of the Effective Date by and between the public entities set forth below, creating the San Mateo County Operational Area Emergency Services Organization Authority ("Organization").

Each public entity executing this Agreement shall be referred to individually as a "Member Agency," with all referred to collectively as "Member Agencies."

RECITALS

Whereas the Member Agencies' goal is to establish a unified emergency services organization; and

Whereas the Member Agencies agree that the purpose of this Organization will be to operate pursuant to Presidential Directive 5, the National Response Framework, National Incident Management System (NIMS), Presidential Directive 8, the National Preparedness Goal and California's Standardized Emergency Management System (SEMS) and local adopted Emergency Operations Plans and Annexes.

Whereas the Member Agencies agree that the participants within this Organization may include all local governments within the geographic area of the County, special districts, unincorporated areas, and participating non-governmental entities; and

Whereas the Member Agencies agree that the collective goal is to provide coordinated plans for the protection of persons and property based on the phases of emergency management; and

Whereas the Member Agencies have the authority to enter into this Agreement under the Joint Exercise of Powers Act, California Government Code Section 6500 *et seq*. ("Act").

NOW, THEREFORE, in consideration of the recitals and mutual obligations of the Member Agencies as herein contained, the Member Agencies agree as follows:

Article I - GENERAL PROVISIONS

1.01 Purpose

This Agreement creates an entity to exercise the powers shared in common by the Member Agencies to engage in local and regional cooperative planning and coordination and delivery of incident and event supporting services. As part of this Organization's purpose, Member Agencies seek to meet or exceed the current standard of service in Emergency Response Planning and Management Capabilities within the Operational Area. Further, Member Agencies seek to support the regional Public Information and Notification Systems, and to support the regional hazardous materials emergency response program. Such purposes are to be accomplished and the Members Agencies' common powers exercised as set forth in this Agreement.

1.02 Creation of Authority
Pursuant to the Joint Exercise of Powers Act, the Member Agencies hereby reaffirm creation of a public entity to be known as the "San Mateo County Operational Area Emergency Services Organization Authority" ("Organization.") The Organization shall be a public entity separate and apart from the Member Agencies. The geographic jurisdiction of the Organization is all territory within the geographic boundaries of the Member Agencies; however, the Organization may undertake any action outside those geographic boundaries as is necessary and incidental to accomplishing its purpose.

1.03 Membership in the Organization
Membership in the Organization is limited to public entities, as defined by the Joint Exercise of Powers Act, located or operating within San Mateo County that have approved and executed this Agreement, and contributed resources of any kind toward establishing and supporting the Organization (including, but not limited to financial, personnel, equipment, or other resources) as approved by the Emergency Services Council.

1.04 Participating Members/Partners in the Organization
Participation in the Organization is intended to ensure cooperative emergency planning and response; all participating Member Agencies and partners are expected to attend all regular and special meetings of the Emergency Services Council, encourage active participation by their jurisdictions in the development of plans and training programs, drills, exercises and training opportunities, and otherwise assist in supporting the implementation of this Agreement.

1.05 Powers of the Organization
The Organization may purchase, lease, own and/or dispose of property and equipment and enter into contract(s), as required to satisfy the purposes of this Agreement. The Organization may employ agents and/or employees, operate works and improvements, sue and be sued in its own name, and invest surplus funds.

Article II – GOVERNANCE

2.01 Composition of the Council
The Organization shall be administered by the Emergency Services Council ("Council") consisting of the following members:

a) A member of the San Mateo County Board of Supervisors, who shall be designated by the Supervisors.
b) Each governing body of a Member Agency shall annually select and appoint a representative to serve on the Council and may select and appoint an alternate representative. Each representative and alternative representative must be a member of the governing body of the Member Agency.
c) The Chair of the Emergency Services Council shall be the representative from the Board of Supervisors.
d) A Vice-Chair shall be selected by the Council.

2.02 General Purpose of the Organization
The general purpose of the Organization is to:

a) Provide structure for administrative and fiscal policies and procedures;
b) Identify and pursue funding sources;
c) Set policy;
d) Maximize the utilization of available resources; and
e) Oversee all committee activities.

2.03 Specific Responsibilities of the Council
The specific responsibilities of the Council shall be as follows:

a) To review and recommend adoption by the Board of Supervisors and City Councils of each City, Emergency Plans, programs and agreements, in addition to the basic agreements as deemed necessary to carry out the purpose of the Organization.
b) To approve an annual budget in an amount necessary to carry out the purposes of the Organization. Upon review and approval of the annual budget by the Council, each Member Agency shall recommend the budget to the governing body of the Member Agency for the purpose of securing from each the appropriations in accordance with each Member Agency's identified allocation (via Budget Sheets.)
c) Each Member Agency's Executive Officer shall identify and designate at the beginning of each fiscal year, a local coordinator for regular participation in the San Mateo County Emergency Managers Association. Should the identified Coordinator change at any time during the year, the Member Agency shall advise the Director of Emergency Management within 30 days.
d) If a Member Agency participates in a contract relationship for the provision of emergency services, it is still required to name a local emergency coordinator to the Emergency Managers Association who will assure the continuity of communication between the Member Agency, the San Mateo County Department of Emergency Management (DEM) and the Organization.

2.04 Meetings of the Organization.
a) **Regular Meetings:** The Council shall approve a schedule for its regular meetings provided, however, that the Council shall hold at least one regular meeting quarterly. The Council shall fix the date, hour and location of regular meetings by resolution and the Secretary shall transmit a copy of the resolution to each Member Agency at the first meeting of the fiscal year.
b) **Special Meetings:** Special meetings of the Council may be called in accordance with the Brown Act by the Chair, a majority of the Council or the Director.
c) **Call, Notice and Conduct of Meetings:** All meetings of the Council, including without limitation, regular, adjourned regular and special meetings, shall be noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act, California Government Code section 54950 *et seq.* As soon as practicable, but no later than the time of posting, the Secretary shall provide notice and the agenda to each Member Agency**.** Any Member Agency may request that an item be considered for placement on the Agenda by submitting the request to the Director of Emergency Management.

d) Meetings of the Council shall be conducted by the Chair or by the Vice-Chair in the absence of the Chairperson. In the absence of both Chair and Vice-Chair, the meeting shall be chaired by member of the Council selected by a majority vote of the Council.

2.05 Minutes
The Secretary of the Organization shall cause to be kept a digital recording of each meeting, which shall be posted on the San Mateo County Department of Emergency Management Website. The Secretary will create brief summary written minutes for approval by the Council.

2.06 Voting
All power of the Organization shall reside with the Council. Each Member Agency shall have one vote. A Member Agency's alternate representative may participate and vote in the proceedings of the Council only in the absence of that Member Agency's regular representative. No absentee ballot or proxy voting is permitted.

2.07 Quorum; Required Votes; Approvals
A quorum of the Council is a majority of the representatives of the Member Agencies of the Organization. If the number of Member Agencies is an even number, a majority is fifty percent of the Member Agencies, plus one. The Council may not take any substantive action without a majority of the Member Agencies voting to take that action. Action on non-substantive procedural matters may be taken by a majority of a quorum.

Article III – PARTICIPATING PARTNERS, EMPLOYEES AND ADVISORY COMMITTEES

3.01 Participating Partners
In order to ensure cooperative emergency planning and response, the following may be invited to attend, as non-voting members, all regular and special meetings of the Council, participate in the development of plans and training programs, and otherwise assist in supporting the implementation of this Agreement:

a) One representative of the American Red Cross may be invited by the Chair with the approval of the Council.
b) One representative each from the San Mateo County Fire Chiefs Association and the San Mateo County Police Chiefs and Sheriff Association as may be invited by the Chair with approval of the Council.
c) One representative for Water Districts as may be invited by the Chair with approval of the Council.
d) One representative for Sanitary Districts as may be invited by the Chair with approval of the Council.
e) One representative for the San Mateo County Harbor District as may be invited by the Chair with approval of the Council.
f) One representative for the Port Authority as may be invited by the Chair with approval of the Council.
g) One representative for San Mateo County Transit District as may be invited by the Chair with approval of the Council.

h) One representative for Pacific, Gas and Electric Company as may be invited by the Chair with approval of the Council.
i) One representative for the Office of Education as may be invited by the Chair with approval of the Council.
j) One representative for the Hospital Consortium as may be invited by the Chair with approval of the Council.
k) One representative for the EMS Agency as may be invited by the Chair with approval of the Council.
l) One representative for the San Mateo Emergency Managers Association as may be invited by the Chair with approval of the Council.

Should other interested parties be identified for participation, the Organization shall consider a written request for participation and may be invited by the Chair with approval of the Council.

3.02 Treasurer
The Treasurer of the County of San Mateo shall be the Treasurer of the Organization. The Treasurer shall be the depository, shall have custody of the accounts, funds and money of the Organization from whatever source, and shall have the duties and obligations set forth in the Joint Exercise of Powers Act.

3.03 Auditor and Financial Accountability
The Organization will ensure financial accountability as required by Section 6505 of the Government Code. The Organization will ensure that audits are conducted as required by that Section. Unless the Council votes to appoint a separate auditor, audits will be conducted in accordance with existing County policy, and by the auditor selected by the Office of the County Manager. In the event that the Council selects a separate auditor, the full cost of the audit will be the responsibility of the Organization.

The Auditor shall perform the functions of auditor for the Organization and shall make or cause an independent annual audit of the accounts and records of the Organization by a certified public accountant, in compliance with the requirements of the Joint Exercise of Powers Act and generally accepted auditing standards.

3.04 Legal Counsel
The San Mateo County Counsel's Office shall be the legal counsel for the Organization. To the extent permitted by the Joint Exercise of Powers Act, the Organization may change, by resolution, the legal counsel to the Organization. The full cost of outside legal counsel will be the responsibility of the Organization.

3.05 Secretary to the Organization
The San Mateo County Department of Emergency Management shall provide a Secretary and administrative support to the Organization.

3.06 Contractors
The Organization shall have the power by resolution to appoint and employ such other consultants and independent contractors as may be necessary to carry out the purposes of the Organization. The Organization will be responsible for any/all incurred costs.

3.07 Committees
The Organization may form and dissolve Committees as determined by the Council.

3.08 Director of Emergency Management
The County Manager or his/her designee is the Director of the San Mateo County Department of Emergency Management ("Director"). The SMC DEM is responsible for the on-going operation of the San Mateo County Operational Area and is also responsible for achieving the purposes of the Organization as follows:

a) Emergency Response Support - coordination and planning during any regional emergency in accordance with adopted emergency plans.
b) Emergency Plans - preparation, development, coordination, and integration of compatible and complimentary unified area-wide emergency plans for approval by the State of California and adoption by the Council.
c) Communications - coordination, development and maintenance of an area-wide emergency communications service, including public alert and warning systems, and other situational awareness tools.
d) Public Education and Information - coordination and support of an area-wide public education and information program.
e) Training and Exercise -coordination and assistance in the training and exercising of all County employees identified as Disaster Service Workers, as defined by Sect. 3100 of the California Government Code and volunteers. The Member Agencies will be responsible for the training and exercise of their identified employees; however, DEM will provide needed support as requested.
f) Grant Program Administration - coordination and assistance with designated emergency coordinators within the Operational Area in the securing and distribution of grant funds for regional emergency management initiatives and program support.
g) General Administration - coordination and assistance in the procurement and inventory of emergency equipment, management of, maintenance and distribution of area-wide inventories of vital supplies and equipment.
h) The Organization does not intend to acquire title to any property. But in the event that it does, pursuant to Section 6505.1 of the Government Code, the Organization designates the Director to handle that property. In the event that the Organization does acquire title to property, the Director will obtain a bond in the amount determined by the contracting parties.

3.09 Staffing Reimbursement
The County Department of Emergency Management is a division of the County Manager's Office, staffed by employees of the County of San Mateo. The DEM supports the purposes of the Organization. A portion of the cost of DEM staff is reimbursed by the Organization in an amount determined by the funding allocation in this Agreement.

Article IV – BUDGET AND COST-SHARING
In consideration of the mutual promises herein contained, it is hereby agreed that the cost of maintaining the Organization will be shared as described below.

a) From the total amount of the annual budget there shall be deducted estimated revenue from federal "matching funds," state grants, and other service revenues.

b) The balance of the annual budget remaining after anticipated revenues have been deducted shall be paid as follows:
    1. The county shall pay 50% of the remaining balance.
    2. The cities shall pay the remaining 50% of the balance, apportioned in accordance with the following formula:
        i. One half of said 50% to be apportioned by people units or population.
            a) Total population of all member cities divided into one-half of the total of the cities' share of the budget equals a factor in cents.
            b) Population of each member city times the factor in cents equals the share for each city.
        ii. The remaining one-half of said 50% to be apportioned on the basis of assessed valuation as follows:
            a) Total assessed value of real and personal property in all member cities divided into one-half of the total of the city's share of the budget equals a factor in mils.
            b) Assessed value of real and personal property of each member city times the factor in mils equals the share for each city.

c) For the purpose of this Agreement the total assessed valuation of real and personal property in all Member Agencies shall be the most recent such total maintained by the offices of the County Assessor.

d) The figures used for population in each city shall be determined by a method and from a source that is mutually acceptable to the majority of members.

e) It is understood and agreed that the financial obligations incurred by the Member Agencies under the provisions of this Agreement will be incurred annually, subject to the limitation that the county and cities are financially able to make funds available.

f) If the Member Agencies representing 25% or more of the county's population do not approve the budget in any fiscal year, the proposed budget will be referred back to the Director and a finance committee for revision and recommendation. If no resolution can be reached by the committee, the Member Agencies may proceed to adopt budgets that provide those services they deem necessary for adequate emergency services protection as a whole, but any Member Agency shall be financially responsible for that portion of the budget unilaterally adopted. Any Member Agency that does not meet its financial commitment under the adopted budget will lose its voting status and/or other such privileges of membership as determined by the Council.

g) It is further agreed that any excess in federal or state funds, in any year, shall be reviewed by a finance committee, who will then make a recommendation to the Council, as to the disposition of the excess funds.

h) With respect any Member Agency that is not a City or the County, the amount to be contributed is determined by a negotiation between those Member Agencies and the Director of Emergency Management and must be approved by the Council. A letter memorializing the agreed contribution will be an attachment to this Agreement.

Article V - INSURANCE

a) The County shall add the Organization and Emergency Services Council to its existing excess liability insurance coverage and shall maintain such coverage in full force and effect during the life of the Agreement. Member Agencies understand that the County is partially

self-insured. Unless the Organization decides otherwise, County shall provide for the defense of any claims or litigation within the self-insured retention. Legal representation by the County will ordinarily be provided by the County Counsel.

b) Any out-of-pocket expense or loss, by way of judgment or settlement, arising out of the operation of this Agreement, within the limits of the County's self-insured retention shall be shared by the parties in accordance with the formula as described in Article V (b).

Article VI - EFFECTIVENESS

This Agreement shall be effective upon its execution by all Member Agencies. It is effective as to new Members Agencies upon adoption and approval by the Council and by the new Member Agency's governing body. This Agreement shall continue in effect until terminated as provided herein.

Article VII – TERM AND TERMINATION

7.01 Withdrawal by Members

a) Any Member Agency may withdraw from this Agreement by written notice given by such Member Agency to all other Member Agencies, which notice shall be given at least 120 days prior to the commencement of the fiscal year in which it is to take effect. For the purpose of such notice, a fiscal year is defined as July 1 of a calendar year through June 30 of the succeeding calendar year.

b) Any former or prospective Member Agency may enter or re-enter the organization by petition to the Council by its governing body, and majority approval of the petition by the Council. Upon approval, the new Member Agency must agree in writing to all terms of this Agreement.

c) Should a Member Agency withdraw less than 120 days prior to the commencement of the fiscal year, the withdrawal will be effective, but that Member Agency will be responsible for its calculated contribution for that year pursuant to Article V.

d) Should a Member Agency give required notice and withdraw from the Agreement, the prior contribution of that Member Agency will be divided equally by formula among the remaining Member Agencies.

7.02 Termination of Organization and Disposition of Surplus Money and Property

This Agreement shall terminate effective upon a vote of the Council, the County and by at least eleven (11) cities representing the majority of the population of the County. In the event that the Organization ceases to exist, surplus funds will be returned consistent with Section 6512 of the Government Code in proportion to the contributions made. The Organization does not intend to acquire title to any property. But in the event that it does, title to all property acquired by the Organization, shall be owned by the County of San Mateo to be used for "County Wide" purposes.

7.03 Amendments

Any proposed Amendments to this Agreement may be recommended by the Council but must be ratified by each Member Agency's governing body.

7.04 Bylaws

The Council may, from time to time, adopt and/or amend Bylaws for the conduct of its affairs; provided the purpose is consistent with this Agreement and/or are necessary and appropriate.

Article VIII - MISCELLANEOUS PROVISIONS

8.01 Notices
It shall be the responsibility of the County Manager or his/her designee to ensure all notices are provided to Member Agencies and posted in compliance with the legal requirements of the Agreement.

8.02 Severability
If any one or more of the terms, provisions, promises, covenants, or conditions of this Agreement were, to any extent, adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, promises, covenants, and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

8.03 Supersession
It is mutually understood and agreed by the Member Agencies that this Agreement supersedes the 2014 San Mateo County Operational Area Joint Powers Agreement, any previous agreements on this subject matter and any amendments thereto.

8.04 Assignment
No Member Agency shall assign any rights or obligations under this Agreement without the prior written consent of the Council.

8.05 Governing Law
This Agreement is made and to be performed in the State of California, and as such, California substantive and procedural law shall apply. Venue for any litigation under this Agreement shall be in the County of San Mateo.

8.06 Headings
The section headings herein are for convenience only and are not to be construed as modifying or governing the language of this Agreement.

8.07 Counterparts
This Agreement may be executed in counterparts, each of which will be deemed an original and all of which shall constitute this Agreement.

8.08 No Third Party Beneficiaries
This Agreement and the obligations hereunder are not intended to benefit any party other than the Authority and its Members Agencies, except as expressly provided otherwise herein. No entity that is not a signatory to this Agreement shall have any rights or causes of action against any party to this Agreement as a result of that party's performance or non-performance under this Agreement, except as expressly provided otherwise herein.

8.09 Filing of Notice of Agreement
Within 30 days after the Effective Date, the Secretary shall cause to be filed with the Secretary of State the notice of Agreement required by the Act. Within 30 days after any amendment to this Agreement, the Secretary shall file the amendment with the Secretary of State.

8.10 Conflict of Interest Code
The Organization has adopted a conflict of interest code as required by law. Member Agencies understand that representatives and alternate representatives are listed on the Organization's Conflict of Interest Code and will be responsible for filing a Form 700 with the Organization.

8.11 Indemnification
The Organization shall defend, indemnify and hold harmless each Member Agency (and each Member Agency's officers, agents, and employees) from any and all liability, including but not limited to claims, losses, suits, injuries, damages, costs and expenses (including attorney's fees,) arising from or as a result of any acts, errors or omissions of the Organization or its officers, agents or employees.

Each Member Agency shall defend, indemnify and hold harmless the other Member Agencies (and their officers, agents, and employees) from any and all liability, including but not limited to claims, losses, suits, injuries, damages, costs and expenses (including attorney's fees,) arising from or as a result of any acts, errors or omissions of that party or its officers, agents or employees.

8.12 Dispute Resolution/Legal Proceedings
Disputes regarding the interpretation or application of any provision of this Agreement shall, to the extent reasonably feasible, be resolved through good faith negotiations between the Member Agencies and/or the Organization.

8.13 Authorization to Enter Into Agreement
Each party warrants that the person signing this Agreement on its behalf is authorized to bind that party to this Agreement.

8.14 Confirmation of Jurisdictional Authority
By signing this Agreement, the Member Agencies retain all authority granted to them by the State and/or their respective Charters. The powers and/or authority granted pursuant to this Agreement shall in no way serve to limit or restrict an individual Member Agency's jurisdictional authority.

(SIGNATURES ARE ON FOLLOWING PAGE)

IN WITNESS WHEREOF, each Member Agency has caused this Agreement to be executed and attested by its proper officers thereunto duly authorized, as follows:

Signatories	Resolution/Action Number	Date of Adoption
Atherton		
Belmont		
Brisbane		
Burlingame		
Colma		
Daly City		
East Palo Alto		
Foster City		
Half Moon Bay		
Hillsborough		
Menlo Park		
Millbrae		
Pacifica		
Portola Valley		
Redwood City		
San Bruno		
San Carlos		
San Mateo		
South San Francisco		
Woodside		
County of San Mateo		

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **March 15, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **INTRODUCTION OF AN ORDINANCE TO AMEND MUNICIPAL CODE CHAPTER 1.24 WITH RESPECT TO ELECTING MEMBERS OF THE CITY COUNCIL, REDRAWING BOUNDARIES, AND SEQUENCING OF ELECTIONS WITHIN THE DISTRICTS (8:15 PM)**

RECOMMENDATION:

Conduct a public hearing and receive additional public input; and

1. Introduce on first reading, an ordinance amending Chapter 1.24 of the Half Moon Bay Municipal Code with respect to electing members of the City Council, redrawing boundaries, and sequencing of elections within the districts for Map 504c; or
2. Introduce on first reading, an ordinance amending Chapter 1.24 of the Half Moon Bay Municipal Code with respect to electing members of the City Council, redrawing boundaries, and sequencing of elections within the districts for Map 503b; or
3. Direct staff as necessary.

FISCAL IMPACT:

The City Council approved an agreement with National Demographics Corporation on January 19, 2021 for demographer services for this process at a cost of roughly $45,000. Additional costs have been incurred for necessary public outreach and were incorporated into the Fiscal Year 2021-2022 budget.

STRATEGIC ELEMENT:

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

BACKGROUND:

The City Council transitioned to district elections in 2018, following a threat of litigation claiming the City's at-large election system was in violation of the California Voting Rights Act.

Once a City has transitioned to district elections, state law requires the City Council to examine and, if necessary, adjust the City Council district boundaries every 10 years following the Federal Census to ensure compliance with the Voting Rights Act. Adoption of the new map must occur sometime between August 1, 2021 and April 17, 2022.

At its April 6, 2021 meeting, the City Council opted to appoint a Redistricting Advisory Committee to conduct much of the public input and map drawing process, members of which were appointed on June 15, 2021.

For a full summary of the timeline of the Redistricting Advisory Committee's meetings, as well as the community outreach and survey on this process conducted by the City, please see the January 19, 2022 staff report.

DISCUSSION:

At its January 19, 2022 meeting, the City Council conducted its first map drawing public hearing to review draft maps and the recommendations of the Redistricting Advisory Committee. Following the public hearing, the Council voted 3-2 to direct staff to return with an ordinance adopting Map 504c.

At its February 15, 2022 meeting, the City Council conducted its second map drawing public hearing and received additional testimony. Rather than introduce the draft ordinance on first reading, the City Council directed staff to conduct additional public outreach, specifically to those voters who would be affected by deferrals for both Maps 504c and 503b and return at this meeting for map selection.

City staff produced a mailer (Attachment 3) which was mailed to all owners / occupants within the deferral areas for both maps. Additionally, staff placed ads in the HMB Review, KHMB, Coastside Buzz, as well as the City's social media channels, in addition to sending out a Special eNews and updating the City's website alerting all residents and voters of the status of the redistricting process and how to participate.

Staff has responded to numerous questions from interested parties and has received a number of additional correspondence letters which are included as Attachment 4.

Previous correspondence can be found as attachments to the January 19, 2022 and February 15, 2022 City Council agenda reports on redistricting. Additionally, the Redistricting Advisory Committee received a number of correspondence submittals during its work which are available by request.

The two focus maps, along with deferrals / accelerations, and the City's current district boundaries from the 2018 transition, are included as part of the packet sent out to affected voters, Attachment 3.

MAP ANALYSIS

As included in the January 19, 2022 staff report, the Redistricting Advisory Committee recommended four focus maps for the Council's review - Map 504c, Map 503b, Map 402, and Map 403b. Additionally, the final report from the Committee, as submitted by a subcommittee appointed at its January 27, 2022 meeting (Chair Holt, Vice Chair Gater, and Committee Member P. Marshall), was included as Attachment 4 to the February 15, 2022 report.

Election Sequencing

As part of map selection, election sequencing must be determined. Election sequencing is determining which districts are up for election in which order, beginning with the next regular election. There are criteria included in the FAIR MAPS Act; for example, the redrawing of district lines may not change the term of an already elected councilmember.

Given that Districts 2 and 3, with the boundaries adopted in 2018 as part of the transition to district elections, voted in November 2020, those two districts must wait to elect again until 2024. The three remaining districts will elect representatives in November 2022.

November 2022 Election – Districts 1, 4, and 5 will elect a representative to a four-year term.
November 2024 Election – Districts 2 and 3 will elect a representative to a four-year term.

This sequencing will repeat until such time the City is required to redraw its district boundaries, which is expected following the 2030 U.S. Census.

Voter Deferrals / Acceleration

With map drawing and election sequencing, a natural byproduct of that process is that some voters will move districts from those they were in previously. This will cause those voters to either have their votes deferred (skip an election) or accelerated (vote in back-to-back elections). Consideration of this effect is not one of the four map-drawing criteria outlined in the FAIR MAPS Act and is therefore looked at during election sequencing.

For City Council Focus Map 504c, 993 voters (1,351 population) will be deferred to the November 2024 election, and 2,334 residents (population) will be accelerated to November 2022.

For Map 503b, 695 voters (843 population) will be deferred to the November 2024 election and 1,534 residents (population) will be accelerated to November 2022.

FREQUENTLY ASKED QUESTIONS

Several questions have been raised in the community following the January 19, 2022 City Council meeting regarding proper procedures and redistricting criteria under voting rights laws, including the Fair And Inclusive Redistricting for Municipalities And Political Subdivisions (FAIR MAPS) Act (AB 849, Government Code section 21500 *et seq.*). Specifically, questions regarding:

- Redistricting criteria, including “communities of interest”
- Definitions of “gerrymandering” and “disenfranchisement”
- Definitions of voter deferral and voter acceleration

In 2019, the California Legislature passed the FAIR MAPS Act to improve redistricting criteria, transparency, and public engagement. According to the Senate Committee Report on Elections and

Constitutional Amendments, “AB 849 demonstrates our State’s commitment that representative and inclusive democracy matters at all levels of government, including city and county. These reforms will result in a redistricting process that is fairer to California’s diverse communities, more transparent, better organized, and more consistently-applied across city and county governments.”

The Act standardized redistricting procedures and requirements for cities and counties, including imposing significant new public hearing, outreach, notice, and transparency requirements. Specifically, cities are required to hold at least four hearings, including at least one hearing or workshop on a weekend or after 6 p.m. on a weekday. (Gov. Code 21607.1). All public hearings for this process have been held after 6 p.m. on a weekday.

FAIR MAPS Act Criteria – (Including Communities of Interest)

Regarding substantive criteria, the FAIR MAPS Act established ranked criteria for adopting new city council district boundaries. These criteria are as follows:

> (a) Following each decennial federal census, and using that census as a basis, the council shall, by ordinance or resolution, adopt boundaries for any or all of the council districts of the city so that the council districts shall be substantially equal in population as required by the United States Constitution.
> (1) Population equality shall be based on the total population of residents of the city as determined by that census.
> (2) Notwithstanding paragraph (1), an incarcerated person as that term is used in Section 21003, shall not be counted as part of a city’s population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the city, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.
> (b) The council shall adopt council district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).
> (c) The council shall adopt district boundaries using the following criteria as set forth in the following order of priority:
> (1) To the extent practicable, council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.
> (2) To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. **A “community of interest” is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.**

> (3) Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.
> (4) To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.
> (d) The council shall not adopt council district boundaries for the purpose of favoring or discriminating against a political party.

(Elections Code § 21601 [emphasis **added** to call out the definition of "community of interest"]).

The California Constitution defines community of interest:

> As community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

Cal. Const. article XXI, section 2.

These shared interests can be in "immigration, language, culture, and persistent socioeconomic disparities," among others. (*Luna v. County of Kern* (E.D. Cal. 2018) 291 F.Supp.3d 1088, 1110). "Parties can even be adverse for some purposes and share a community of legal interest for other purposes." (*DC Comics v. Pacific Pictures Corp*. (C.D. Cal. 2012) 2012 WL 12878651, *2).

Race alone cannot be the predominant factor in districting without subjecting the plan to strict scrutiny. (*Miller v. Johnson* (1995) 515 U.S. 900, 902 [115 S.Ct. 2475, 2481, 132 L.Ed.2d 762]). The community must share more than race but "some common thread of relevant interests," as within social, political, and economic contexts. (*Id*. at 920).

Gerrymandering and Disenfranchisement

The FAIR MAPS Act does not expressly refer to "gerrymandering" but effectively prohibits it with respect to political parties. Gov. Code § 21601(d) ("The council shall not adopt council district boundaries for the purpose of favoring or discriminating against a political party.")

While not defined under the Act, "gerrymandering" refers to the act of manipulating the redistricting process to achieve political gain, at the expense of other groups or individuals. (Santa Clara County Redistricting Manual (2021) at p. 11; *see also* 2020 California Citizens Redistricting Commission

["Gerrymandering generally refers to the drawing of district lines by who will benefit from the way the districts are drawn."]) The process was named after Governor Elbridge Gerry, a signer of the Declaration of Independence, produced a map for state senate districts in Massachusetts that would reward his political allies. This map was parodied in a political cartoon as looking like a salamander, thus the "Gerry-mander."

In a letter including in the Senate Committee Report on Elections and Constitutional Amendments, California Common Cause stated its support for the FAIR MAPS Act in part because it would prevent gerrymandering:

> *When it comes to state legislative and Congressional redistricting, California is a national model. The state Citizens Redistricting Commission – with its transparent process, commitment to genuine public engagement, and application of fair and clear criteria – has been praised by reformers and academics alike for keeping communities intact and eliminating partisan bias in redistricting.*
>
> *However, in strong contrast, when it comes to local redistricting, there are only minimal transparency and public outreach requirements and no mandatory criteria other than equal population. As a result, many communities never engage with, or feel excluded from, the local redistricting process. The weakness of our local redistricting laws also enables racially-discriminatory, partisan, and pro-incumbent gerrymandering to persist at the local level in California.*

"Disenfranchisement" is typically defined as the deprivation of a franchise, of a legal right, or of some privilege or immunity especially the right to vote (Merriam-Webster). In the context of redistricting, concerns regarding "disenfranchisement" are generally considered in the context of voter deferrals.

Voter Accelerations and Deferrals

The Santa Clara County Redistricting Manual (2021)[1] defines voter accelerations and deferrals as follows:

> **Accelerations** – *In an election area where there are four-year terms and elections every two years, a redistricting will result in a situation where a voter just recently elected a representative, then a redistricting happens, their district changes, and they get to again elect a representative just two years later. Technically, in this situation, they have two representatives – the one they elected before the redistricting, and the one they just voted for. Their opportunity to vote has been accelerated by two years.*
>
> **Deferrals** – *In an election area where there are four-year terms, and elections every two years, a redistricting will result in a situation where a voter is set to elect a representative in the coming election, then a redistricting happens and their district changes to one that is not up for two more years. When their incumbent representative retires, they don't have the opportunity to vote on a new representative. Technically, in this situation, they have no*

[1] Available at: https://countyexec.sccgov.org/sites/g/files/exjcpb621/files/2021-08/County%20of%20Santa%20Clara%20Redistricting%20Manual%202021.pdf. Staff is not aware of a similar manual for San Mateo County.

representative – their old representative moved to a different area and they have not yet had a chance to elect a new representative under the redistricted system. Their right to representation has been deferred for two years.

As discussed above, the FAIR MAPS Act does not use accelerations or deferrals as a criteria for map selection. In fact, it is inevitable that some voters will be deferred and others will be accelerated. The California Supreme Court has suggested that an excessive number of deferred/accelerated voters could indicate an improper purpose (such as racial gerrymandering). *See Vandermost v. Bowen* (2012) 53 Cal.4th 421, 482 ("The Commission concludes that as a result, under petitioner's nesting proposal, "the brunt of double-deferral will fall on voters of color who would be unable to vote for their senators of choice in 2012 elections and could be further deferred under an as-yet determined set of maps."). However, staff is not aware of any guidance regarding the percentage of deferred voters that would give rise to an inference of pretextual motive.

CONCLUSION AND NEXT STEPS

The final map must be adopted by the City Council and all associated administrative work must be completed by City staff no later than April 17, 2022. Second reading and adoption of the ordinance must occur on April 5, 2022.

Two ordinances are included which include specific findings, related to the differing communities of interest, for each of the two maps. If the City Council selects one of these two maps, they would then introduce the corresponding ordinance on first reading and it would return for second reading on April 5.

If the City Council does not move forward with adoption of this ordinance, thus not meeting the April 17, 2022 deadline, the City must then petition the Superior Court within 10 days for a Judge to draw the City's boundaries.

ATTACHMENTS:

1. Ordinance Amending Chapter 1.24, 504c
2. Ordinance Amending Chapter 1.24, 503b
3. Voter Packet, Including Focus and Deferral Maps (504c, 503b) and Current District Map (2018)
4. Correspondence Received

ORDINANCE NO. C-2022-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AMENDING CHAPTER 1.24 OF THE HALF MOON BAY MUNICIPAL CODE TO WITH RESPECT TO ELECTING MEMBERS OF THE CITY COUNCIL, REDRAWING BOUNDARIES, AND SEQUENCING OF ELECTIONS WITHIN DISTRICTS

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

WHEREAS, in September 2018, the City Council adopted Ordinance No. 2018-03, establishing the election of councilmembers by district; and

WHEREAS, Ordinance No. 2018-03 added section 1.24.090 of the Half Moon Bay Municipal Code establishing the boundaries of four districts and an at-large elected mayor; and

WHEREAS, Elections Code section 21620 et seq. requires the City Council to adjust the boundaries of each City Council district following each decennial federal census; and

WHEREAS, the decennial federal census was completed in 2020; and

WHEREAS, on April 6, 2021, the City Council directed staff to move forward with the creation of a Redistricting Advisory Committee to assist with the process for adopting boundaries for council districts of the City. The 7-member committee was appointed on June 15, 2021 and met eight times from July 2021-January 2022. The Committee received public input on communities of interest and considered testimony from members of the public regarding draft district maps. Additionally, the Committee educated the public on the overall redistricting process and how to access and use available public mapping tools; and

WHEREAS, the City conducted a Community Survey in late 2021, which sought input on 4 or 5-district models and sought input on what the community and public at large considered to be communities of interest within Half Moon Bay. A copy of the survey was sent out to each household within Half Moon Bay and the City received roughly 350 responses. Many neighborhoods such as Ocean Colony, Frenchman's Creek, Arleta Park, Downtown, Canada Cove, and Oak Park were mentioned several times as constituting a community of interest. Additionally, some responses included certain demographic groups such as renters and owners, seniors, Latino/Hispanic neighborhoods, and those with similar traffic issues along Highway 92 as constituting a community of interest; and

WHEREAS, in compliance with Elections Code 21627.1, the City has held four public hearings where the City reviewed draft maps, and solicited and received public input concerning the adjustment of City Council district boundaries according to the draft maps. Said hearings were held on November 8, 2021 (Redistricting Advisory Committee), December 16, 2021 (Redistricting Advisory Committee), January 19, 2022, and February 15, 2022; and

WHEREAS, at its February 15th meeting, the City Council directed staff to solicit additional public input on its final two focus maps – Map 504c and 503b. Specifically, Council sought input from those voters who would be affected by voter deferrals; and

WHEREAS, staff conducted targeted outreach to voters that would be affected by voter deferrals via mailed notice and FAQs. Staff also solicited broad feedback from the entire community on focus maps 504c and 503b via web postings, the City's weekly e-news, and social media; and

WHEREAS, the City Council held an additional public hearing (the fifth in total) on March 15, 2022 to consider all public input on focus maps 504c and 503b, consider "communities of interest" of the focus maps, and select a preferred map for the Half Moon Bay City Council districts as required under federal and state law;

WHEREAS, in compliance with Elections Code section 21628, the City provided language translations services at each of the public hearings as well as interpretation of qualifying materials in English and Spanish.

WHEREAS, in compliance with Elections Code section 21608(d)(1), the City has published the draft maps at least seven days before the hearings held before the City Council on January 19, 2022, February 15, 2022, and March 15, 2022;

WHEREAS, the City Council of the City of Half Moon Bay finds as follows with respect to Map 504c ("the Preferred Map"):

1. ***To the extent practicable, the districts are geographically contiguous***. None of the five districts meet only at the points of adjoining corners and each of the five districts are arrayed without any islands.

2. ***To the extent practicable, the Preferred Map respects the geographic integrity of local neighborhoods and communities of interest***.
   The Redistricting Advisory Committee and the City Council heard many hours of testimony and received substantial written correspondence from the public regarding what constitutes communities of interest in Half Moon Bay in the public eye. The City conducted a Community Survey which provided information regarding communities of interest and received roughly 350 responses. The Preferred Map's communities of interest include the following features:
   a. Maintains the Casa del Mar Avenue neighborhood in one district and avoids dividing the Oak Park area;
   b. Combines Canada Cove, a senior community, with the senior housing complex on Main Street, which share similar demographics and transportation needs;
   c. Maintains existing neighborhoods such as Ocean Colony and Frenchman's Creek, in single districts.

The City Council did not consider relationships with political parties, incumbents, or political candidates as features of any community of interest and to the extent practicable, the Preferred Map preserves the geographic integrity of local communities of interest that share common social or economic interests in a single district for purposes of its effective and fair representation.

3. ***The district boundaries are easily identifiable and understandable by residents and to the extent practicable, districts are bounded by natural and artificial barriers, by streets, or by the boundaries of the city***. To the extent practicable, the districts are bounded by Highway 1 and Highway 92. However, in some instances, districts cross Highway 1 in order to achieve districts substantially equal in population. The Pacific Ocean forms a natural barrier to the west. The City limits are long and narrow, which creates some unusual shaped census tracts. The Preferred Map's districts 2 and 3 long, narrow census tracts, reflect the City's long, narrow shape.

4. ***To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts are drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations***. The district configurations are for the most part compact, simple shapes, with nearby populations included in the same district. District 3 is the least compact shape. This is because the City has identified respecting the geographic integrity composed of neighborhoods with similar demographics of senior citizens and transportation needs as a superior community of interest criteria to geographical compactness. In light of the shape of the City's census tracts and in the interest of minimizing the division of this community of interest, it is not feasible to draw District 3 with a more compact shape.

5. ***The districts are balanced in terms of total population and voting age population***. The districts have been adopted to achieve districts that are substantially equal in population and are well within the one-person/one-vote deviations permitted under federal and state voting rights laws.

6. ***The City Council did not adopt council district boundaries for the purpose of favoring or discriminating against a political party.***

WHEREAS, if the CVRA is amended and/or interpreted by the California Supreme Court in a manner which qualifies the City to return to at-large elections, the City Council declares its desire to revisit the ordinance.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF HALF MOON BAY, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 2. Section 1.24.090 of the Half Moon Bay Municipal Code is hereby amended as follows:

a. Beginning with the municipal election in 2022, members of the City Council shall be elected in the electoral districts established in Section 1.24.090(c) and subsequently reapportioned as provided by state law. Elections shall take place by-district as that term is defined in California Government Code Section 34871, meaning one member of the City Council shall be elected from each district, by the voters of the district alone. Each member of the City Council shall serve a four-year term.
b. Members of the City Council shall be elected on a by-district basis from the five City Council districts hereby established. The boundaries and identifying number of each district shall be as described on the City Council District Map attached hereto as "Exhibit A" and incorporated by reference.
c. Commencing with the general municipal election in November 2022 and thereafter, the voters in districts 1, 3, and 5 shall elect members of the City Council by-district for full four (4) year terms. At the general municipal election in November 2024, and thereafter, the voters in districts 2 and 3 shall elect members of the City Council by-district for full four (4) year terms.
d. Registered voters signing nomination papers or voting for a member of the City Council shall be residents of the geographical area making up the district from which the candidate is to be elected.
e. A candidate for City Council must live in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued, pursuant to Elections Code Section 10227. Termination of residency in a district by a councilmember shall create an immediate vacancy for that district unless the councilmember immediately declares and establishes another residence within the district within 30 days.

Section 3. Constitutionality and Severability
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. Publication. The City Clerk of the City of Half Moon Bay is hereby directed to publish this Ordinance, or the title hereof as a summary, pursuant to Government Code Section 36933, once within fifteen (15) days after its passage in the Half Moon Bay Review, a newspaper of general circulation published in the city of Half Moon Bay.

Section 5. Effective date.
The ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 15th day of March 2022.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the ___ day of _____ 2022, by the following vote:

Ayes, Councilmembers:
Noes, Councilmembers:
Absent, Councilmembers:
Abstain, Councilmembers:

ATTEST:

_____ _____

Jessica Blair, City Clerk Debbie Ruddock, Mayor

1475207.5

ORDINANCE NO. C-2022-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AMENDING CHAPTER 1.24 OF THE HALF MOON BAY MUNICIPAL CODE TO WITH RESPECT TO ELECTING MEMBERS OF THE CITY COUNCIL, REDRAWING BOUNDARIES, AND SEQUENCING OF ELECTIONS WITHIN DISTRICTS

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

WHEREAS, in September 2018, the City Council adopted Ordinance No. 2018-03, establishing the election of councilmembers by district; and

WHEREAS, Ordinance No. 2018-03 added section 1.24.090 of the Half Moon Bay Municipal Code establishing the boundaries of four districts and an at-large elected mayor; and

WHEREAS, Elections Code section 21620 et seq. requires the City Council to adjust the boundaries of each City Council district following each decennial federal census; and

WHEREAS, the decennial federal census was completed in 2020; and

WHEREAS, on April 6, 2021, the City Council directed staff to move forward with the creation of a Redistricting Advisory Committee to assist with the process for adopting boundaries for council districts of the City. The 7-member committee was appointed on June 15, 2021 and met eight times from July 2021-January 2022. The Committee received public input on communities of interest and considered testimony from members of the public regarding draft district maps. Additionally, the Committee educated the public on the overall redistricting process and how to access and use available public mapping tools; and

WHEREAS, the City conducted a Community Survey in late 2021, which sought input on 4 or 5-district models and sought input on what the community and public at large considered to be communities of interest within Half Moon Bay. A copy of the survey was sent out to each household within Half Moon Bay and the City received roughly 350 responses. Many neighborhoods such as Ocean Colony, Frenchman's Creek, Arleta Park, Downtown, Canada Cove, and Oak Park were mentioned several times as constituting a community of interest. Additionally, some responses included certain demographic groups such as renters and owners, seniors, Latino/Hispanic neighborhoods, and those with similar traffic issues along Highway 92 as constituting a community of interest; and

WHEREAS, in compliance with Elections Code 21627.1, the City has held four public hearings where the City reviewed draft maps, and solicited and received public input concerning the adjustment of City Council district boundaries according to the draft maps. Said hearings were held on November 8, 2021 (Redistricting Advisory Committee), December 16, 2021 (Redistricting Advisory Committee), January 19, 2022, and February 15, 2022; and

WHEREAS, at its February 15th meeting, the City Council directed staff to solicit additional public input on its final two focus maps – Map 504c and 503b. Specifically, Council sought input from those voters who would be affected by voter deferrals; and

WHEREAS, staff conducted targeted outreach to voters that would be affected by voter deferrals via mailed notice and FAQs. Staff also solicited broad feedback from the entire community on focus maps 504c and 503b via web postings, the City's weekly e-news, and social media; and

WHEREAS, the City Council held an additional public hearing (the fifth in total) on March 15, 2022 to consider all public input on focus maps 504c and 503b, consider "communities of interest" of the focus maps, and select a preferred map for the Half Moon Bay City Council districts as required under federal and state law;

WHEREAS, in compliance with Elections Code section 21628, the City provided language translations services at each of the public hearings as well as interpretation of qualifying materials in English and Spanish.

WHEREAS, in compliance with Elections Code section 21608(d)(1), the City has published the draft maps at least seven days before the hearings held before the City Council on January 19, 2022, February 15, 2022, and March 15, 2022;

WHEREAS, the City Council of the City of Half Moon Bay finds as follows with respect to Map 503b ("the Preferred Map"):

1. ***To the extent practicable, the districts are geographically contiguous***. None of the five districts meet only at the points of adjoining corners and each of the five districts are arrayed without any islands.

2. ***To the extent practicable, the Preferred Map respects the geographic integrity of local neighborhoods and communities of interest***.
   The Redistricting Advisory Committee and the City Council heard many hours of testimony and received substantial written correspondence from the public regarding what constitutes communities of interest in Half Moon Bay in the public eye. The City conducted a Community Survey which provided information regarding communities of interest and received roughly 350 responses. The Preferred Map's communities of interest include the following features:
   a. Maintains the Casa del Mar Avenue neighborhood in one district and avoids dividing the Oak Park area;
   b. Combines Ocean Colony with Canada Cove as a community of interest in light of similar coastal access issues, rates of home ownership, and emergency preparation needs.
   c. Maintains existing neighborhoods such as Ocean Colony, Frenchman's Creek, and the Heritage Downtown in single districts.

d. Maximized the majority of the Arleta Park and Alsace Lorraine neighborhoods in a single district.

The City Council did not consider relationships with political parties, incumbents, or political candidates as features of any community of interest and to the extent practicable, the Preferred Map preserves the geographic integrity of local communities of interest that share common social or economic interests in a single district for purposes of its effective and fair representation.

3. ***The district boundaries are easily identifiable and understandable by residents and to the extent practicable, districts are bounded by natural and artificial barriers, by streets, or by the boundaries of the city***. To the extent practicable, the districts are bounded by Highway 1 and Highway 92. However, in some instances, districts cross Highway 1 in order to achieve districts substantially equal in population. The Pacific Ocean forms a natural barrier to the west. The City limits are long and narrow, which creates some unusual shaped census tracts. The Preferred Map's districts 2 and 3 long, narrow census tracts, reflect the City's long, narrow shape.

4. ***To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts are drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations***. The district configurations are compact, simple shapes, with nearby populations included in the same district.

5. ***The districts are balanced in terms of total population and voting age population***. The districts have been adopted to achieve districts that are substantially equal in population and are well within the one-person/one-vote deviations permitted under federal and state voting rights laws.

6. ***The City Council did not adopt council district boundaries for the purpose of favoring or discriminating against a political party.***

WHEREAS, if the CVRA is amended and/or interpreted by the California Supreme Court in a manner which qualifies the City to return to at-large elections, the City Council declares its desire to revisit the ordinance.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF HALF MOON BAY, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 2. Section 1.24.090 of the Half Moon Bay Municipal Code is hereby amended as follows:

a. Beginning with the municipal election in 2022, members of the City Council shall be elected in the electoral districts established in Section 1.24.090(c) and subsequently

reapportioned as provided by state law. Elections shall take place by-district as that term is defined in California Government Code Section 34871, meaning one member of the City Council shall be elected from each district, by the voters of the district alone. Each member of the City Council shall serve a four-year term.

b. Members of the City Council shall be elected on a by-district basis from the five City Council districts hereby established. The boundaries and identifying number of each district shall be as described on the City Council District Map attached hereto as "Exhibit A" and incorporated by reference.
c. Commencing with the general municipal election in November 2022 and thereafter, the voters in districts 1, 3, and 5 shall elect members of the City Council by-district for full four (4) year terms. At the general municipal election in November 2024, and thereafter, the voters in districts 2 and 3 shall elect members of the City Council by-district for full four (4) year terms.
d. Registered voters signing nomination papers or voting for a member of the City Council shall be residents of the geographical area making up the district from which the candidate is to be elected.
e. A candidate for City Council must live in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued, pursuant to Elections Code Section 10227. Termination of residency in a district by a councilmember shall create an immediate vacancy for that district unless the councilmember immediately declares and establishes another residence within the district within 30 days.

Section 3. Constitutionality and Severability
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. Publication. The City Clerk of the City of Half Moon Bay is hereby directed to publish this Ordinance, or the title hereof as a summary, pursuant to Government Code Section 36933, once within fifteen (15) days after its passage in the Half Moon Bay Review, a newspaper of general circulation published in the city of Half Moon Bay.

Section 5. Effective date.
The ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 15th day of March 2022.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the ___ day of _____ 2022, by the following vote:

Ayes, Councilmembers:
Noes, Councilmembers:
Absent, Councilmembers:
Abstain, Councilmembers:

ATTEST:

_____	_____
Jessica Blair, City Clerk	Debbie Ruddock, Mayor

1478612.3

THE CITY OF
HALF MOON BAY
CALIFORNIA

February 28, 2022

RE: Redistricting Voter Information – **The Timing of Your Vote for City Council May Be Affected**

Dear Half Moon Bay Voter:

You are one of the voters who may be affected by the redistricting maps the City Council is considering. The City Council has requested additional input on two five-district maps – Map 504c and Map 503b. Both maps are enclosed. With each of these maps, a set of voters will be affected by voter deferral or voter acceleration. We are seeking input from those voters who would be affected by deferral.

Voter deferral occurs when the district in which a voter lives is changed as part of redistricting, and that change alters their voting cycle causing them to skip an election. Your current voter cycle, and the current district map (adopted in 2018) would have you voting in the November 2022 election. However, if the map showing deferral in your area is adopted (see enclosures), you would not vote again until the November 2024 election, then every four years thereafter.

While agencies do try to limit the number of voters affected by deferrals and accelerations as a result of redistricting, it is typically impossible to not have any at all. Further, the City Council has moved away from the current four-district model with an elected mayor, to a five-district model with an alternating mayor. Shifting the community from four districts to five has of course caused additional impacts to individual districts.

We have prepared a set of FAQs which are enclosed in this package. I encourage you to read through them as they contain answers to many questions we have heard throughout this process. If you have additional questions that are not covered in the FAQs, please don't hesitate to reach out to me. My goal is to make sure everyone affected has as much information as they need to be fully informed and has ample opportunity to provide input as they see fit.

Please provide us with any input and thoughts you may have regarding the two maps. The City Council will hold a public hearing on Tuesday, March 15, 2022 at 8:15 p.m. via Zoom (https://us06web.zoom.us/j/95535614263). There will be an opportunity for public comment at that meeting. Additionally, or alternatively, you are welcome to provide written comments to be included in the agenda packet, by emailing me your comments at jblair@hmbcity.com. All comments received by Thursday, March 10 will be attached to the staff report for this item. Any received after that date will be forwarded to the City Council prior to the meeting.

Thank you for your consideration. You can read more about the redistricting process at https://drawhmb.org. Please contact me at jblair@hmbcity.com if you have any questions or need additional information.

Sincerely,

Jessica Blair
Communications Director / City Clerk

Enclosures:
FAQ Sheet
Map 504c
Map 504c Deferrals / Accelerations
Map 503b
Map 503b Deferrals / Accelerations
Current District Map

28 de febrero de 2022

RE: Redistribución de información para votantes: el momento de su voto para el Concejo Municipal puede verse afectado

Estimado votante de Half Moon Bay:

Usted es uno de los votantes que puede verse afectado por los mapas de redistribución de distritos que está considerando el Concejo Municipal. El Ayuntamiento ha solicitado información adicional sobre dos mapas de cinco distritos: el Mapa 504c y el Mapa 503b. Se adjuntan ambos mapas. Con cada uno de estos mapas, un conjunto de votantes se verá afectado por el aplazamiento o aceleración de votantes. Estamos buscando la opinión de aquellos votantes que se verían afectados por el aplazamiento.

El aplazamiento de votantes ocurre cuando se cambia el distrito en el que vive un votante como parte de la redistribución de distritos, y ese cambio altera su ciclo de votación y hace que se salten una elección. Su ciclo electoral actual y el mapa del distrito actual (adoptado en 2018) lo harían votar en las elecciones de noviembre de 2022. Sin embargo, si se adopta el mapa que muestra el aplazamiento en su área (consulte los anexos), no votará nuevamente hasta las elecciones de noviembre de 2024, luego cada cuatro años a partir de entonces.

Si bien las agencias intentan limitar la cantidad de votantes afectados por los aplazamientos y aceleraciones como resultado de la redistribución de distritos, generalmente es imposible no tener ninguno. Además, el Ayuntamiento se ha alejado del modelo actual de cuatro distritos con un alcalde electo, a un modelo de cinco distritos con un alcalde alterno. Por supuesto, cambiar la comunidad de cuatro distritos a cinco ha causado impactos adicionales en los distritos individuales.

Hemos preparado un conjunto de preguntas frecuentes que se incluyen en este paquete. Los animo a leerlos, ya que contienen respuestas a muchas preguntas que hemos escuchado a lo largo de este proceso. Si tiene preguntas adicionales que no están cubiertas en las preguntas frecuentes, no dude en comunicarse conmigo. Mi objetivo es asegurarme de que todos los afectados tengan tanta información como sea necesario para estar completamente informados y tengan amplias oportunidades para proporcionar información cuando lo consideren adecuado.

Por favor, proporciónenos cualquier aporte y opinión que pueda tener con respecto a los dos mapas. El Concejo Municipal realizará una audiencia pública el martes 15 de marzo de 2022 a las 8:15 p.m. a través de Zoom (https://us06web.zoom.us/j/95535614263). Habrá una

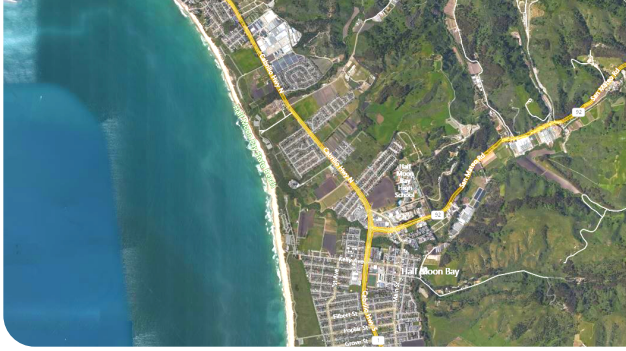
oportunidad para comentarios públicos en esa reunión. Además, o alternativamente, puede proporcionar comentarios por escrito para incluirlos en el paquete de la agenda, enviándome sus comentarios por correo electrónico a jblair@hmbcity.com Todos los comentarios recibidos hasta el jueves 10 de marzo se adjuntarán al informe del personal para este tema. Cualquier recibido después de esa fecha será remitido al Concejo Municipal antes de la reunión.
Gracias por su consideración. Puede leer más sobre el proceso de redistribución de distritos en https://drawhmb.org Comuníquese conmigo en jblair@hmbcity.com si tiene alguna pregunta o necesita información adicional.

Atentamente,

Jéssica Blair
Director de Comunicaciones / Secretaria Municipal

Adjuntos:
Hoja de preguntas frecuentes
Mapa 504c
Mapa 504c Aplazamientos/Aceleraciones
Mapa 503b
Mapa 503b Aplazamientos / Aceleraciones
Mapa del distrito actual

THE CITY OF
HALF MOON BAY
CALIFORNIA



Redistricting FAQ

1. What is Redistricting?

Redistricting takes place every ten years following the Federal Census. During redistricting, election district lines for state, county, and other local elected offices are redrawn to reflect new population data and shifting populations. There must be as-near-as-possible equal population in each of the districts. New district lines determine which communities are placed in each district. Voters within each district will elect someone from that district as a city councilmember.

2. Why is this required?

The City transitioned to district elections in 2018 as a result of a threat of litigation for violation of the California Voting Rights Act. The City held its first district election in November 2020. Following each Census, the City must redraw its boundaries, which is what we are doing now. The City is aware many feel that Half Moon Bay is too small for districts, but an at-large voting system leaves the City at litigation risk. If at some point an avenue to go back to at-large elections exists, either through case law or legislative changes at the state level, the City Council has expressed a desire to do so.

3. What if we do not adopt a new district map?

If the City does not adopt a new district map by April 17, 2022, a Superior Court Judge will draw the City's map for us. A new map has to be in place for the November 2022 election.

4. What criteria are used to redraw maps?

The FAIR MAPS Act (CA Elections Code Section 21600) lays out the following four criteria, in ranked order, that must be used when drawing district lines:

(1) To the extent practicable, council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.

(4) To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

5. What is a Community of Interest?

A population that shares common social and economic or other interests that should be included within a single district for purposes of its effective and fair representation.

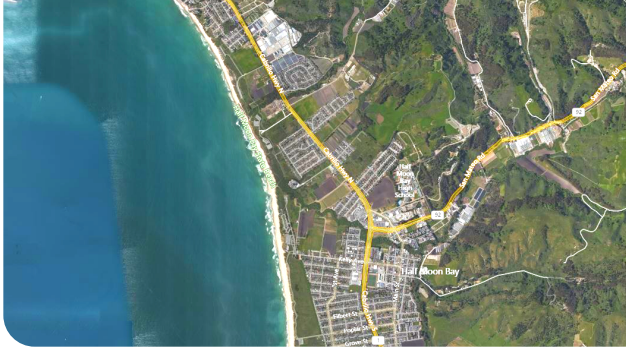
6. What defines a neighborhood?

Physical features that define a neighborhood include natural neighborhood dividing lines, such as highways or major roads, rivers, canals and/or hills, areas around parks or schools, or other neighborhood landmarks.

For more information, vsit our website at www.hmbcity.com/redistricting or email the City Clerk at jblair@hmbcity.com.

THE CITY OF
HALF MOON BAY
CALIFORNIA

Redistricting FAQ



7. What have we done so far?

The City's Redistricting Advisory Committee (see below) has held meetings and public workshops from July 2021 - January 2022. They took in public input and worked with the City's demographer consultant to learn about redistricting and review draft maps. Following their work, they recommended fours maps to the City Council. The City Council met on January 19th and again on February 15th and has asked staff to solicit additional public input on its final two focus maps - Map 504c and 503b. Specifically, input from those voters who will be affected by Voter Deferrals.

8. What are Voter Deferrals?

As agencies are required to redraw their lines, a natural side effect is that some voters will move districts from the one they were in previously. This has two separate effects - in some instances, it causes something known as voter acceleration. Acceleration means that voter will vote in back-to-back elections. The other effect is voter deferral. This means that voters who were due to vote in the next election won't vote until the election after, causing a six-year gap between eligible elections. Both focus maps have both accelerations and deferrals, though in different areas depending on the map. The City Council is looking for input from all affected areas to help guide its decision.

9. What is the Redistricting Advisory Committee?

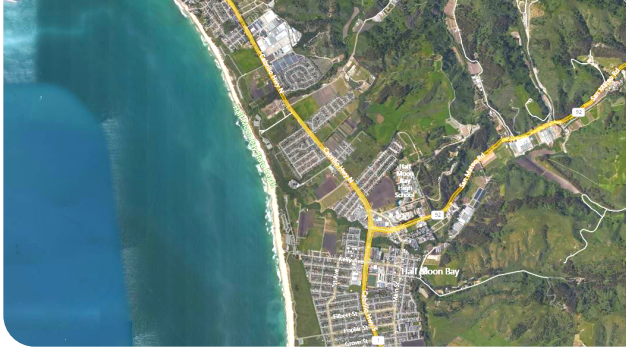
The City Council established the Half Moon Bay Redistricting Advisory Committee (RAC) at its April 6, 2021 meeting to study and recommend updated draft boundaries for City Council districts based on results of the 2020 Census. The Redistricting Advisory Committee is comprised of seven members who were appointed June 15, 2021. The Committee received public input on communities of interest and allowed members of the public to present ideas and draft district maps for consideration. Additionally, they educated the public on the overall redistricting process and how to access and use available public mapping tools.

10. What's next? What do you need from me?

If you received this notice via mail, you are one of the voters potentially affected by deferral. Please carefully review the maps enclosed and submit any comments you may have to jblair@hmbcity.com. The City Council will be holding a public hearing on March 15, 2022 at 8:15 p.m. to receive and review public input, select a map, and introduce an ordinance adopting that map. The ordinance would then appear for second reading and adoption on April 5, 2022, prior to being sent to the County for implementation into the voter system. The adopted map will be used for the upcoming election this November, with Districts 1, 4, and 5 electing this year, and Districts 2 and 3 electing in November 2024. Please attend the meeting and participate if you can or submit any comments you may have via email prior to the public hearing.

For more information, vsit our website at www.hmbcity.com/redistricting or email the City Clerk at jblair@hmbcity.com.

THE CITY OF HALF MOON BAY CALIFORNIA



Redistricting FAQ

1. ¿Qué es la redistribución de distritos?

La redistribución de distritos se lleva a cabo cada diez años después del Censo Federal. Durante la redistribución de distritos, las líneas de los distritos electorales para los cargos electos estatales, del condado y otros locales se vuelven a dibujar para reflejar los nuevos datos de población y las poblaciones cambiantes. Debe haber una población lo más equitativa posible en cada uno de los distritos.
Las nuevas líneas de distrito determinan qué comunidades se colocan en cada distrito. Los votantes dentro de cada distrito elegirán a alguien de ese distrito como concejal de la ciudad.

2. ¿Por qué se requiere esto?

La Ciudad hizo la transición a las elecciones de distrito en 2018 como resultado de una amenaza de litigio por violación de la Ley de Derechos Electorales de California. La Ciudad celebró su primera elección de distrito en noviembre de 2020. Después de cada censo, la Ciudad debe volver a trazar sus límites, que es lo que estamos haciendo ahora. La Ciudad es consciente de que la mayoría siente que Half Moon Bay es demasiado pequeño para los distritos, pero un sistema de votación en general deja a la Ciudad en riesgo de litigio. Si en algún momento existe una vía para volver a las elecciones generales, ya sea a través de la jurisprudencia o cambios legislativos a nivel estatal, el Concejo Municipal ha expresado su deseo de hacerlo.

3. ¿Qué pasa si no adoptamos un nuevo mapa del distrito?

Si la Ciudad no adopta un nuevo mapa del distrito antes del 17 de abril de 2022, un juez del Tribunal Superior dibujará el mapa de la Ciudad para nosotros. Debe existir un nuevo mapa para las elecciones de noviembre de 2022.

4. ¿Qué criterios se utilizan para redibujar los mapas?

La Ley FAIR MAPS (Código Electoral de CA, Sección 21600) establece los siguientes cuatro criterios, en orden de clasificación, que deben usarse al trazar las líneas de los distritos:
(1) En la medida de lo posible, los distritos del consejo serán geográficamente contiguos. Las áreas que se encuentran solo en los puntos de las esquinas contiguas no son contiguas. Las áreas que están separadas por agua y no conectadas por un puente, túnel o servicio regular de ferry no son contiguas.
(2) En la medida de lo posible, se respetará la integridad geográfica de cualquier vecindario local o comunidad local de interés de manera que se minimice su división. Una “comunidad de interés” es una población que comparte intereses sociales o económicos comunes que deben incluirse dentro de un solo distrito para efectos de su representación efectiva y justa. Las comunidades de interés no incluyen relaciones con partidos políticos, titulares o candidatos políticos.
(3) Los límites de los distritos municipales deben ser fácilmente identificables y comprensibles para los residentes. En la medida de lo posible, los distritos municipales estarán delimitados por barreras naturales y artificiales, por calles o por los límites de la ciudad.
(4) En la medida de lo posible, y cuando no entre en conflicto con los criterios anteriores de esta subdivisión, los distritos municipales se trazarán para fomentar convenios geográficos de manera que las áreas de población cercanas no se pasen por alto en favor de poblaciones más distantes.

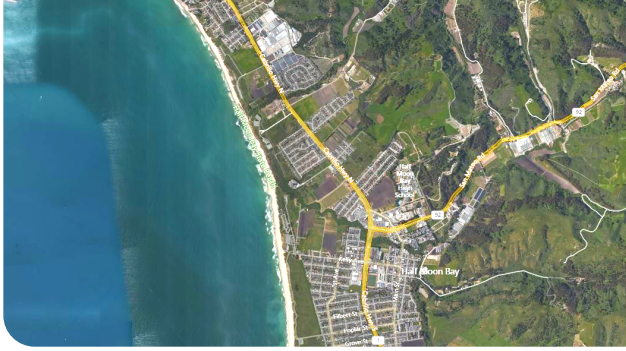
5. ¿Qué es una Comunidad de Interés?

Una población que comparte intereses sociales y económicos comunes o de otra índole que deben incluirse dentro de un solo distrito para efectos de su representación efectiva y justa.

Visite nuestro sitio web en www.hmbcity.com/redistricting o envíe un correo electrónico a la Secretaria Municipal a jblair@hmbcity.com

THE CITY OF HALF MOON BAY CALIFORNIA

Redistricting FAQ



6. ¿Qué define a un vecindarion?
Las características físicas que definen un vecindario incluyen las líneas divisorias naturales del vecindario, como autopistas o carreteras principales, ríos, canales y/o colinas, áreas alrededor de parques o escuelas, u otros puntos de referencia del vecindario.

7. ¿Qué hemos hecho hasta ahora?
El Comité Asesor de Redistribución de Distritos de la Ciudad (ver a continuación) ha realizado reuniones y talleres públicos desde julio de 2021 hasta enero de 2022. El Comité recibió comentarios del público y trabajaron con el consultor demógrafo de la Ciudad para aprender sobre la redistribución de distritos y revisar los borradores de mapas. Tras su trabajo, recomendaron cuatro mapas a la alcaldía. El Concejo Municipal se reunió el 19 de enero y nuevamente el 15 de febrero y le pidió al personal que solicite comentarios públicos adicionales sobre sus dos mapas de enfoque finales: Mapa 504c y 503b. Específicamente, aportes de aquellos votantes que se verán afectados por los aplazamientos de votantes.

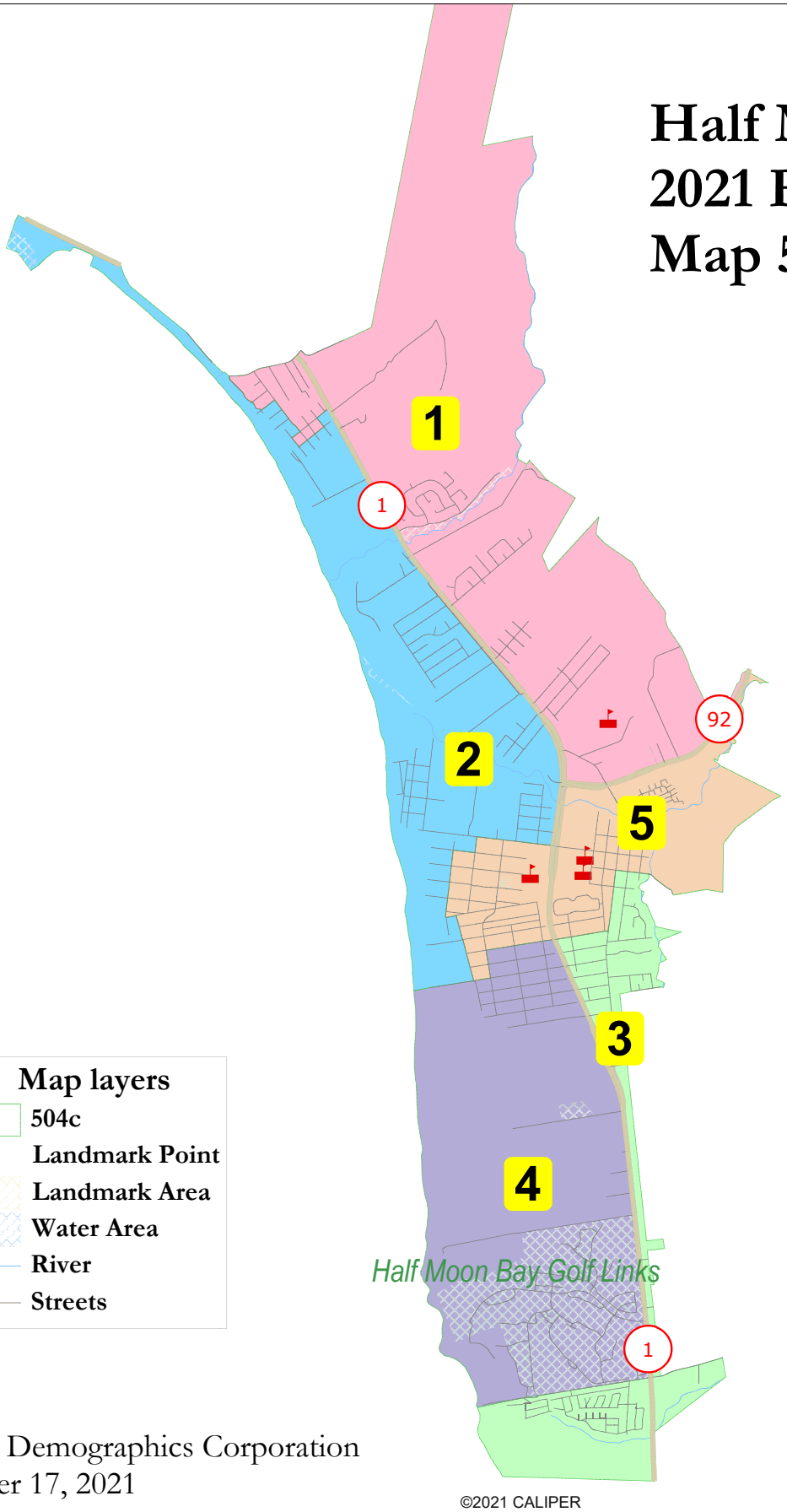
8. ¿Qué son los aplazamientos de votantes?
Dado que las agencias deben volver a trazar sus líneas, un efecto secundario natural es que algunos votantes cambiarán de distrito en el que estaban anteriormente. Esto tiene dos efectos separados: en algunos casos, provoca algo conocido como aceleración de votantes. Aceleración significa que el votante votará en elecciones consecutivas. El otro efecto es el aplazamiento de votantes. Esto significa que los votantes que debían votar en las próximas elecciones no votarán hasta las elecciones posteriores, lo que genera una brecha de seis años entre las elecciones elegibles. Ambos mapas de enfoque tienen aceleraciones y aplazamientos, aunque en diferentes áreas según el mapa. El Concejo Municipal está buscando aportes de todas las áreas afectadas para ayudar a guiar su decisión.

9. ¿Qué es el Comité Asesor de Redistribución de Distritos?
El Concejo Municipal estableció el Comité Asesor de Redistribución de Distritos (RAC, por sus siglas en inglés) de Half Moon Bay en su reunión del 6 de abril de 2021 para estudiar y recomendar límites preliminares actualizados para los distritos del Concejo Municipal en función de los resultados del Censo de 2020. El Comité Asesor de Redistribución de Distritos está compuesto por siete miembros que fueron designados el 15 de junio de 2021. El Comité recibió comentarios del público sobre las comunidades de interés y permitió que los miembros del público presentaran ideas y borradores de mapas de distritos para su consideración. Además, educaron al público sobre el proceso general de redistribución de distritos y cómo acceder y utilizar las herramientas públicas de mapeo disponibles.

10. ¿Qué sigue? ¿Qué necesitas de mí?
Si recibió este aviso por correo, usted es uno de los votantes potencialmente afectados por el aplazamiento. Revise detenidamente los mapas adjuntos y envíe cualquier comentario que pueda tener a jblair@hmbcity.com. El Concejo Municipal llevará a cabo una audiencia pública el 15 de marzo de 2022 a las 8:15 p. m. para recibir y revisar los aportes del público, seleccionar un mapa e introducir una ordenanza que adopte ese mapa. Luego, la ordenanza aparecería para segunda lectura y adopción el 5 de abril de 2022, antes de enviarse al condado para su implementación en el sistema de votantes. El mapa adoptado se utilizará para las próximas elecciones de noviembre, con los Distritos 1, 4 y 5 eligiendo este año, y los Distritos 2 y 3 eligiendo en noviembre de 2024. Asista a la reunión y participe si puede o envíe cualquier comentario que pueda tener por correo electrónico antes de la audiencia pública.

Visite nuestro sitio web en www.hmbcity.com/redistricting o envíe un correo electrónico a la Secretaria Municipal a jblair@hmbcity.com

Half Moon Bay 2021 Redistricting Map 504c

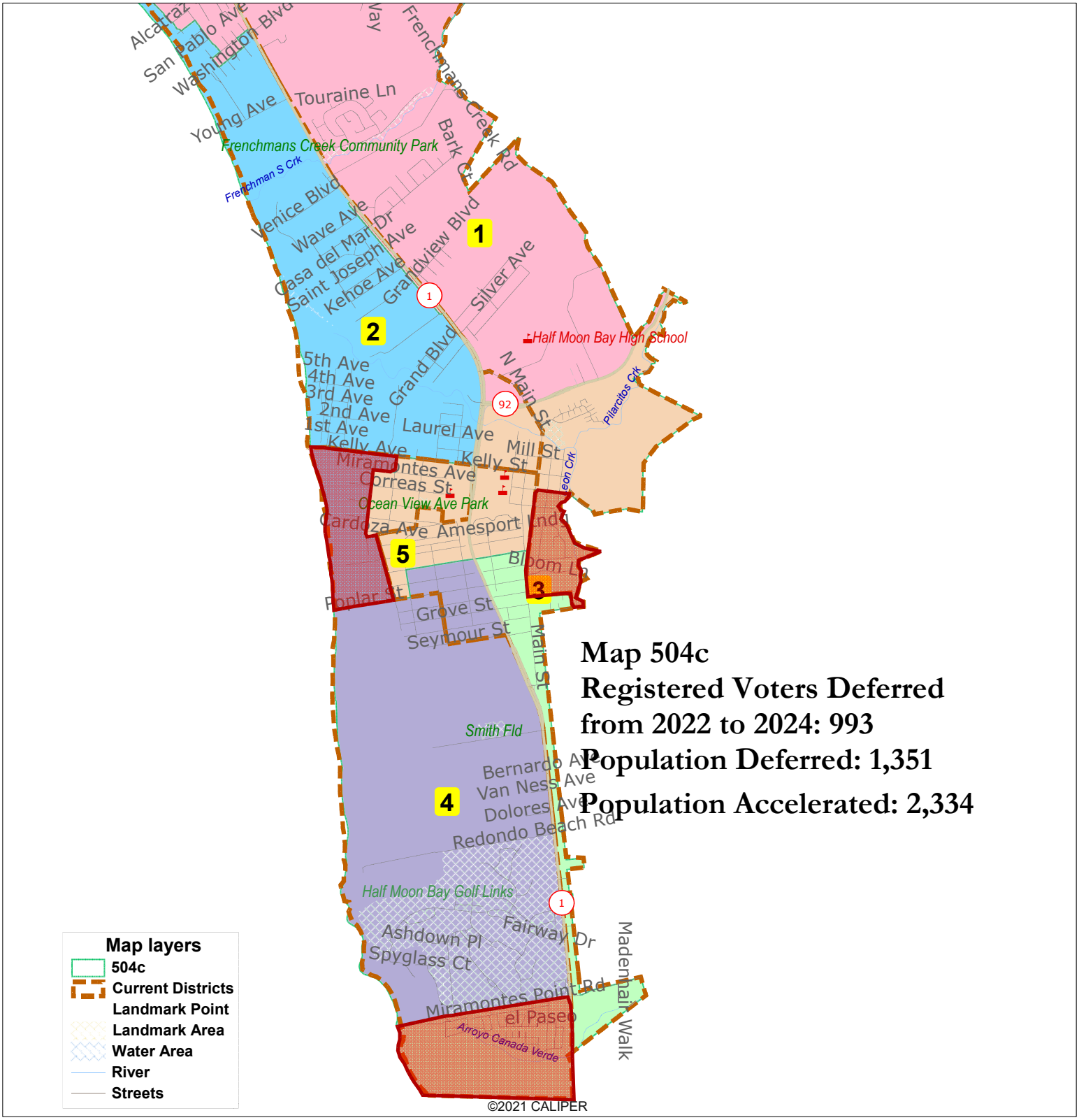


Map layers

- 504c
- Landmark Point
- Landmark Area
- Water Area
- River
- Streets

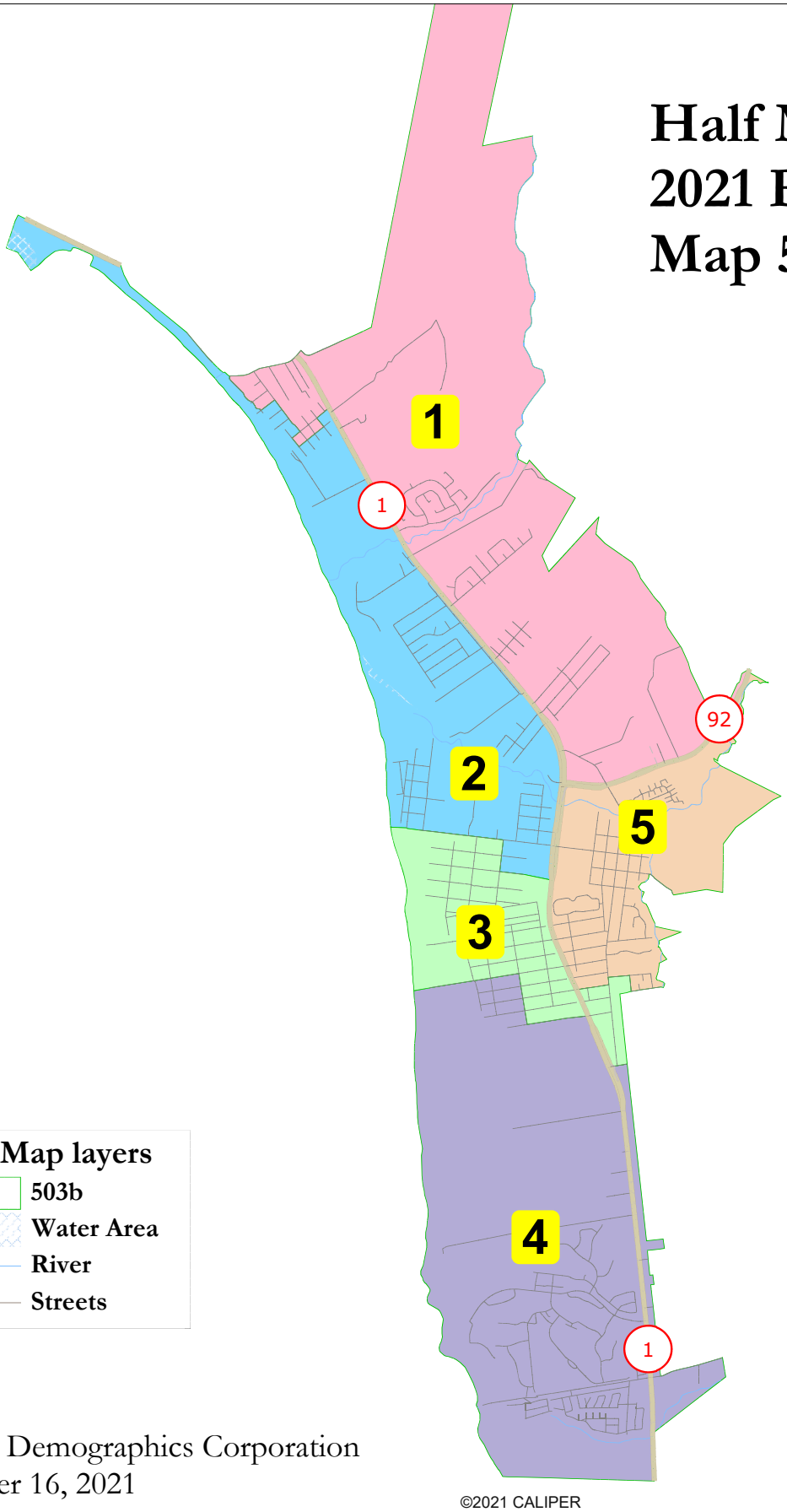
National Demographics Corporation
December 17, 2021

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Map 504c
Registered Voters Deferred from 2022 to 2024: 993
Population Deferred: 1,351
Population Accelerated: 2,334

Half Moon Bay 2021 Redistricting Map 503b

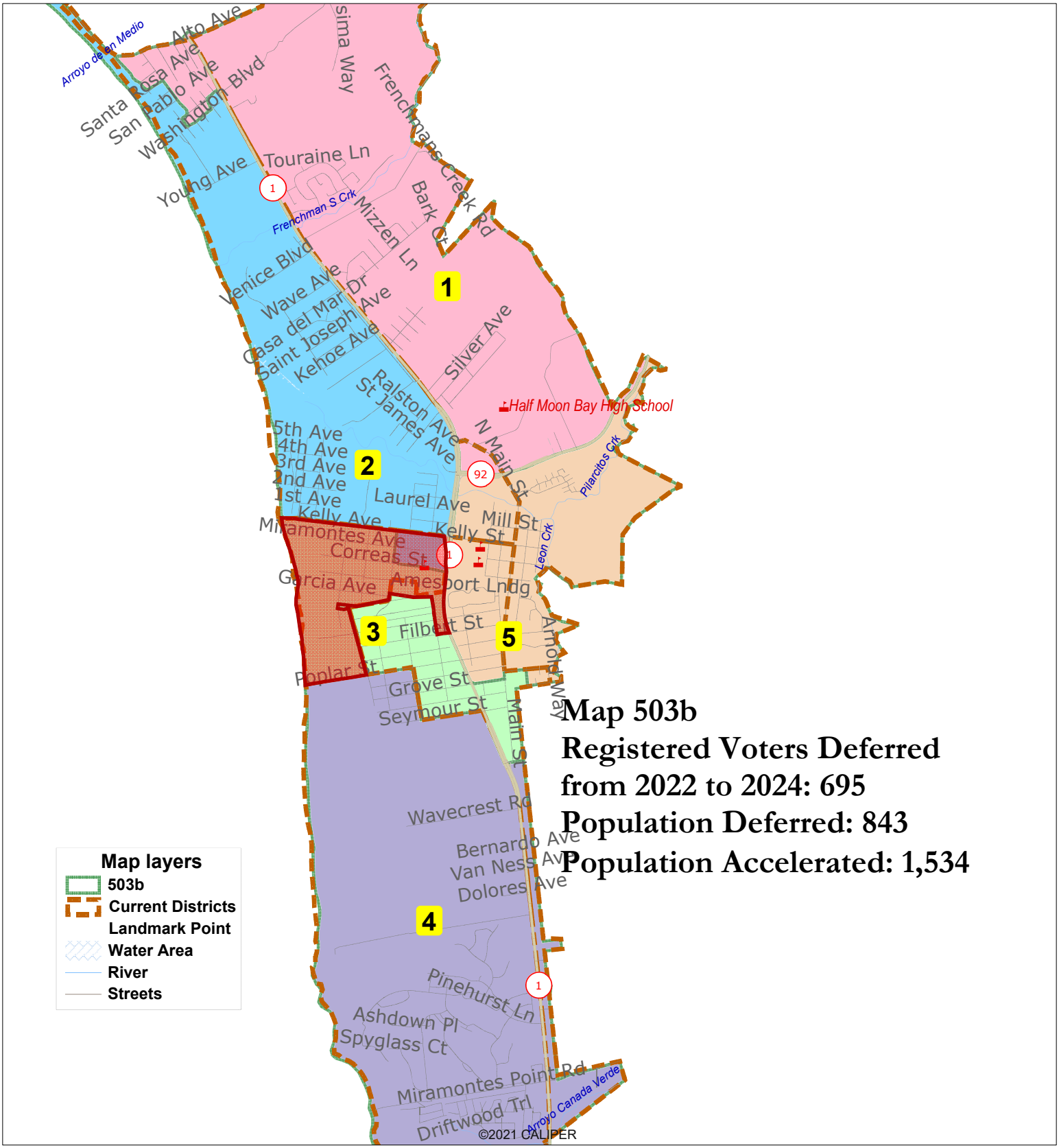


Map layers

- 503b
- Water Area
- River
- Streets

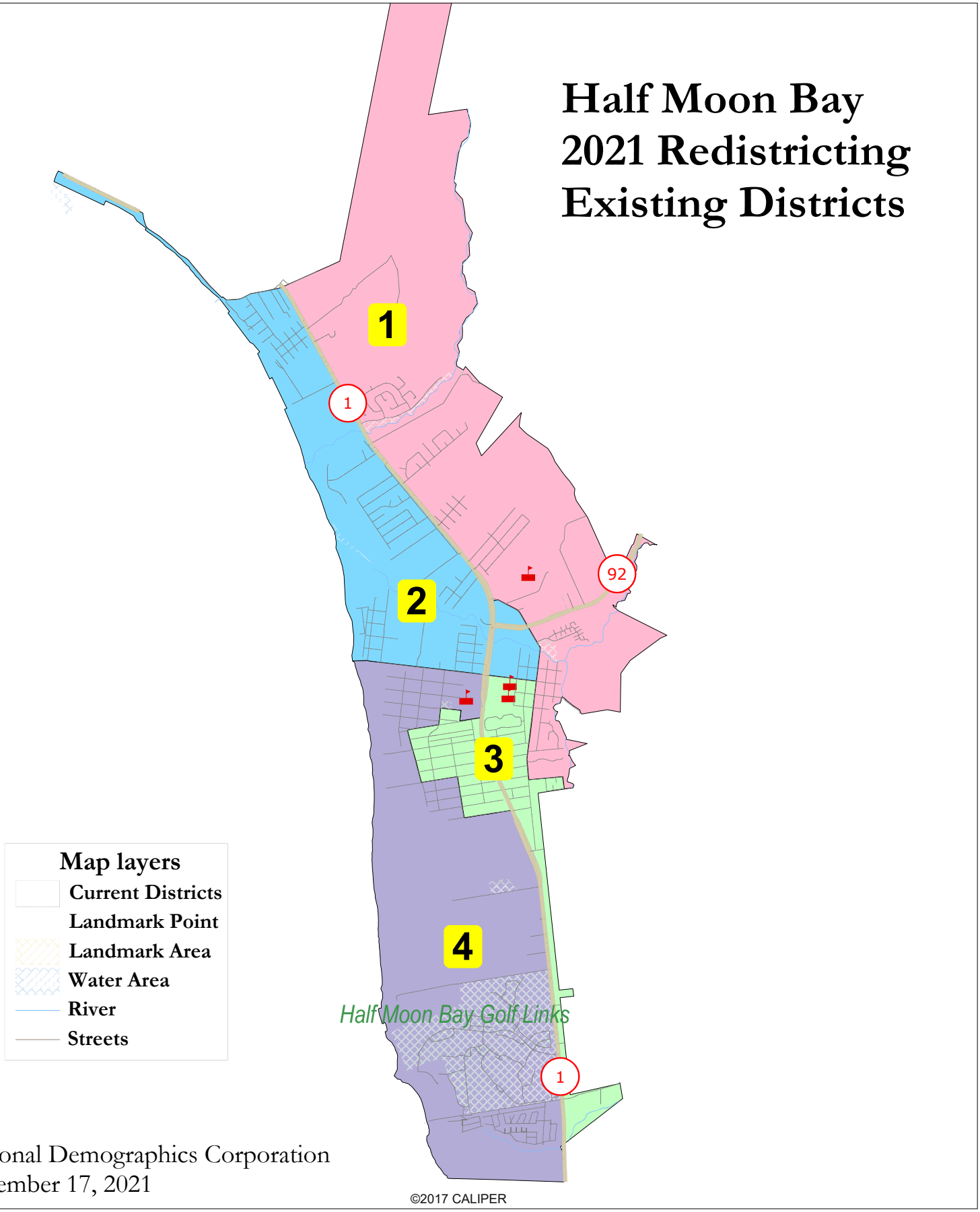
National Demographics Corporation
December 16, 2021

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Map 503b
Registered Voters Deferred from 2022 to 2024: 695
Population Deferred: 843
Population Accelerated: 1,534

Half Moon Bay 2021 Redistricting Existing Districts



National Demographics Corporation
December 17, 2021

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From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Comments for Tuesday March 15 City Council Meeting
Date: Friday, March 11, 2022 2:24:58 PM

Begin forwarded message:

From: David Eblovi
Date: March 11, 2022 at 4:02:21 PM EST
To: Debbie Ruddock <DRuddock@hmbcity.com>, Deborah Penrose <DPenrose@hmbcity.com>, Harvey Rarback <HRarback@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>, Robert Brownstone <RBrownstone@hmbcity.com>
Cc: Jessica Blair <JBlair@hmbcity.com>
Subject: Comments for Tuesday March 15 City Council Meeting

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Hello Fair Councilmembers-

I know you are probably getting buried under a pile of lengthy emails regarding redistricting, so I'm going to act in the interests of basic humanity and keep this very short. I'm simply going to assume at this point that you are aware of the main arguments being proffered by Canada Cove Residents and go from there. SO with that said here you go:

1. I get it- as do you I suspect, that a small contingent of Canada Cove residents think they are joined at the hip economically, socially and in other ways with Ocean Colony. To any impartial third party this is an entirely ridiculous assertion to make- which (if you are being unbiased instead of working towards your own benefit) should end the argument from Canada Cove right there.

2. But it won't, because CONTGUITY and GERRYMANDERING!! I have seen one letter which goes so far as to define contiguity for us- as though we don't know what it means. The problem here is that people refuse to accept that the strip along the east side of HWY 1 has both people in it, and is a part of HMB. In Imaginary-Land ™ (Which is where these arguments come from…) census blocks only count if they have a minimum number of people in them, or some other criteria with which I am not familiar. In the real world Canada Cove is contiguous

with the census blocks that run up Highway 1, and those blocks are contiguous with those adjacent to them etc. Rinse and Repeat- just like everywhere else in the City.

3. On GERRYMANDERING- Here people once again have no idea what they are speaking about, unless once again they are in Imaginary-Land ™. People repeatedly cry "Gerrymandering" (Even the Mayor has done this- and Madam Mayor- you know better…) when they have no idea what the word even means. ***Gerrymandering has nothing to do with what a map looks like***. Instead gerrymandering is the act of drawing map lines to discriminate or otherwise dilute the vote of a population or community of interest. ***Literally no one has alleged that the map lines were drawn to dilute the voting power of anyone!!*** Instead, a committee of seven carefully and anonymously selected people did their best to create a map which represents the voting interests ***of all of Half Moon Bay,*** instead of just one special interest- as Canada Cove residents are now demanding that the City do.

4. **Finally this: Pelican Point.** What we are seeing from of a few of you is a blatant display of intentional voter disenfranchisement, with the larger and more politically powerful Canada Cove attempting to force Pelican Point residents into a district with Ocean Colony. Even if one wants to accept that Canada Cove residents do have relevant commonalities with Ocean Colony, no demographic similarities can be made between Pelican Point and Ocean Colony. Were the City to adopt Map 503b you would be totally flushing those residents out of any effective representation. ***Which is the very definition of gerrymandering and/or disenfranchisement.*** The fact that (I'm betting) not a single Canada Cove resident has brought this small fact up, as well that you five are all wrought over Canada Cove without having said a word publicly about Pelican Point is all you need to know to understand how corrupted this process has now become. (The people screaming (or observing) "Gerrymandering" are actually the ones trying to gerrymander a map that is more to their liking by disenfranchising entirely the community of Pelican Point. If that isn't irony I don't know what is…)

With all that said, and despite what I am sure will be a firestorm of (self-inflicted and generated) anger on Tuesday, please recognize your own internal bias in this discussion and simply accept Map 504c. It is the only decent thing to be done.

Thank you as always for listening-
dce

Qui defendat nos sumus…

From: Jessica Blair
To: Maggie Rodriguez
Subject: FW: Redistricting Maps
Date: Thursday, March 10, 2022 10:38:42 PM

Jessica Blair, MMC
Communications Director / City Clerk
501 Main Street, Half Moon Bay, CA 94019
(650) 726-8271
www.hmbcity.com

From: Stuart Hansen
Sent: Sunday, March 6, 2022 4:44 PM **To:**
Jessica Blair <JBlair@hmbcity.com> **Cc:**
'James Henderson' <\>
Subject: Redistricting Maps

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City Mgr: re request for comments on proposed maps:
1. Are we to assume that the "brown" areas on 504c and 504b are those who are Reg Voter Deferred/Population Deferred?
2. Why were opaque district # labels used? Hard to locate our house on maps..
3. We vote for adoption of Map 504c.
4. Hope there is a way to get back to "at large" elections…..HMB is too small for this map method.

To Jessica Blair, for the HMB City Counsel,
When looking at map 504c, we noticed that some of Alsace Lorraine is being paired with the downtown area. I do not believe the community of interest are the same.
I am in favor of Map 503b, the Alsace Lorraine neighborhood is contiguous.
I believe our neighborhood should stay together even if we don't get to vote for city council until 2024.

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: CORRECTED VERSION - Please disregard earlier with typo - Support for 503b
Date: Thursday, March 10, 2022 5:34:41 PM

Begin forwarded message:

From: Nina Hamberg <
Date: March 10, 2022 at 8:32:03 PM EST
To: Debbie Ruddock <DRuddock@hmbcity.com>, Deborah Penrose <DPenrose@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>, Robert Brownstone <RBrownstone@hmbcity.com>, Harvey Rarback <HRarback@hmbcity.com>, Jessica Blair <JBlair@hmbcity.com>
Subject: CORRECTED VERSION - Please disregard earlier with typo - Support for 503b

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Dear Half Moon Bay Council Members:

I am writing to voice my choice for map 503b. This is the first time I've contacted any of the Council members or engaged in the local political process since moving to Half Moon Bay. I am a resident of Canada Cove, and despite having loved other areas, this community and this town surpass anywhere I've been. It may sound trite, but I am grateful to live here every day. Part of what I cherish is the small town feeling we share.

Seeing the proposed Map 504c made me question how much that sense of civic cohesion is shared. This proposed version not only isolates Canada Cove as a neighborhood, it asks its residents to carry the burden of disenfranchisement for two years.

Map 504c also repeatedly violates the criteria laid out for new districts. The Fair Maps Act uses the phrase "to the extent practicable" in setting up each requirement. Map 503b addresses that dictate consistently. Map 504c not only ignores that instruction, but it also violates three of the four criteria laid out.

Here's why I believe that Map 503b is the only viable alternative.

Criteria #1 – Geographically contiguous

- District 4 - Map 503b meets this foremost criterion. Map 504c, by nature

of the division imposed by US Highway 1 fails to do so.

Criteria #2 – Preserving geographic integrity of a neighborhood and respecting a community of interest

- Geographic integrity of a neighborhood
  District 4 – Map 503b successfully meets the definition of a neighborhood by keeping communities on the West side of US Highway 1 as a unified district. Map 504c disregards the definition of neighborhood by imposing a new district on neighborhoods on opposite sides of a highway.

- Community of Interest
  Community of Interest is a clearly a malleable term. An argument could be advanced that the economically more privileged communities, like Ocean Colony, should have a distinct district that is independent of their less affluent neighbors, like Canada Cove, to represent their interests more fully or fairly. However, alternative views of Community of Interest could be advanced just as easily. Both these neighboring communities deal with questions of coastal access and will be grappling with issues around sea rise due to climate change in the future.

  If this was the only debatable point, an argument could be made both ways. But given the overwhelming strength of Map 503b over Map 504c on all the other criteria, this sub-criterion cannot be afforded substantially disproportionate weight in making the map selection.

Criteria #3 – Easily identifiable and understandable by residents – and bounded by natural and artificial barriers (such as streets)

- District 4 – Map 503b successfully meets each of these criteria. Canada Cove is represented as part of a contiguous stretch of residential properties on the west side of Highway 1, south of the downtown area of Half Moon Bay.

- District 4, as plotted in Map 504c, would be almost impossible to explain to a family member. Additionally, the clearly stated guidelines of “natural and artificial boundaries, by streets ..” is ignored.

Criteria #4 – Geographic compactness

- District 4 – Map 503b successfully meets this requirement. The district is logical and cohesive geographically.

- District 4, as plotted in Map 504c, creates a bizarrely shaped district of two distinct areas connected by a narrow stretch of largely non-residential property. It fails to meet the clear intention of this clause.

Lastly, I am also concerned about the legal liability consequences if the Council selects Map 504c. If it decides to use this version, I urge the City to obtain three objective legal opinions before officially doing so, asking for a review of the legal liability should the redistricting be challenged. Only law firms that have neither represented the City or have expectations that they will do so in the

future, nor relations to any interest group or individual in Half Moon Bay should be considered.

Respectfully,

Nina Hamberg, MSW

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: CORRECTION to previous email regarding redistricting
Date: Thursday, March 10, 2022 6:19:13 PM

Begin forwarded message:

From:
Date: March 10, 2022 at 9:00:41 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: CORRECTION to previous email regarding redistricting

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C O R R E C T I O N

The email that just preceded this one contained errors in the names of the maps due to a search-and-replace error. Please disregard that email. My apologies for the confusion. The corrected email follows

---

TO: Half Moon Bay City Council
RE: HMB Redistricting

I would like to register my support for the redistricting Map 503b and my strong objection to Map 504c. Map 503b appears to be fully compliant with the criteria for redistricting stipulated in CA Elections Code 21600, whereas Map 504c appears to violate all four of the stated criteria.

The possible violations are as follows.

1. Map 504c appears to violate Criterion 1 by creating a non-contiguous district (District 3) by combining the Canada Cove community with a clearly separate area within the City proper. The inclusion of a thin strip of land along Highway 1 to connect the two may satisfy the legal wording of the law but is clearly in

violation of its intent.

2. Map 504c appears to violate Criterion 2 by needlessly breaking up a contiguous area that includes Canada Cove and Ocean Colony and shares common interests regarding coastal access and related concerns.
3. Map 504c appears to violate Criterion 3 by creating a District 3 that is non-contiguous and does not share common interests. It combines three diverse areas: (1) an area within the city proper that is mostly dedicated to low-income housing, (2) a thin strip of land along Highway 1 that is mostly commercial in nature and (3) the Canada Cove mobile home community, each of which has its own set of concerns.
4. Map 504c appears to violate Criterion 4 by extending the total length of the boundaries separating the districts. According to Google Maps, the thin corridor connecting the two primary regions of the proposed District 3 is approximately 2.2 miles long, which means that the proposed boundary lines of 504c must be at least 3-4 miles longer than those of Map 503b.

In addition, I would like to note that Map 504c clearly disadvantages the residents of Canada Cove by grouping them with a distinctly different region separated from them by at least 2 miles, and by removing them from the list of communities that will be able to vote in the next election. I understand that a statement was made to the effect that Map 504c was created to benefit those who live in the Canada Cove, but the harm Map 504c would cause this community clearly outweighs any potential advantages. The fact that you have received many heart-felt objections from the residents of Canada Cove should be ample evidence that the residents of that community perceive Map 504c to be more harmful than beneficial.

A final point is that given the apparent violations of California elections law, the city would be exposed to legal liability if it were to choose Map 504c. The potential for expensive litigation alone should rule out 504c as a viable option.

Respectfully,

David A. Taylor, PhD

cognitive scientist and
business consultant (ret.)
Resident of Canada Cove, HMB

From: Jessica Blair
To: Maggie Rodriguez
Subject: FW: Description of Canada Cove and Previous Comments about Redistricting
Date: Thursday, March 10, 2022 1:01:06 PM
Attachments:
Importance: High

Jessica Blair, MMC
Communications Director / City Clerk
501 Main Street, Half Moon Bay, CA 94019
(650) 726-8271
www.hmbcity.com

From:
Sent: Monday, March 7, 2022 12:01 AM
To: Debbie Ruddock <DRuddock@hmbcity.com>; Deborah Penrose <DPenrose@hmbcity.com>; Robert Brownstone <RBrownstone@hmbcity.com>; Joaquin Jimenez <jjimenez@hmbcity.com>; Harvey Rarback <HRarback@hmbcity.com>
Cc: Jessica Blair <JBlair@hmbcity.com>; Bob Nisbet <BNisbet@hmbcity.com>
Subject: Description of Canada Cove and Previous Comments about Redistricting
Importance: High

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Ruddock, Vice Mayor Penrose, and Councilmembers Brownstone, Jimenez and Rarback,

This email contains four parts. Please read all four parts. I apologize for its length, but three minutes is not sufficient to make complete comments, and I hope that you will be able to read this before the rush of the next agenda packet arrives in your inboxes later this week.

PART ONE: DESCRIPTION OF CANADA COVE

As part of my January 14, 2022 written comments submitted for the Council's January 19, 2022 meeting, I included this description of Canada Cove. From subsequent statements made by some Council members, I think perhaps they did not read my comments or forgot what I wrote. So I have copied my earlier description of Canada Cove here. Since Canada Cove has been the subject of so much Council discussion, I think it is important to have an accurate portrayal of the community where I have lived since 2015:

“To correct some factual misperceptions stated in recent public comments, Canada Cove is an over-55 manufactured home community with approximately 360 single family homes and a population of approximately 600 people. The primary criteria for living here are that one occupant be at least 55 years old and that the home owner can pay the monthly space rent. Other than that, there is no required minimum or maximum limit on income. Canada Cove is not a “low income” or “fixed income” community.

The homes in Canada Cove range from quite old (many with recent renovations) to brand new, and sale or resale prices usually range from $350,000 to $550,000. Most of the homes have two or three bedrooms with two full bathrooms and contain approximately 1,000 to 1,500 square feet. Newer homes have many custom features with designer finishes including high ceilings, recessed lighting, skylights, granite counters, fireplaces, laminate and tile floors, and jacuzzi bathtubs in addition to walk-in showers.

Each home has some private outdoor space, and many have beautifully landscaped patios and gardens. In addition, there are areas of common green space, a heated outdoor swimming pool, a sauna, a well-equipped gym, an upgraded bocce court and a common-use barbeque area next to the large clubhouse. Our close neighbor is the Ritz Carlton, and we can easily walk to the beach. Professional management makes sure that the common areas and each home’s exteriors are well maintained. This is not your typical “grandmother’s mobile home park.”

Each home in Canada Cove must be owner occupied, and short-term rentals are not permitted. As such, neighbors know and respect each other, and in recent years, we have had the largest number of “National Night Out” gatherings sponsored by the City. In addition, working with other neighborhoods and agencies, we have one of the best emergency preparedness programs in Half Moon Bay. We also have historically had very high voter turnout.

The demographic makeup up Canada Cove is very diverse. Some people have lived here for decades, while others have moved here recently. Canada Cove residents include undergraduate and post-graduate alumni of Stanford, Yale and other major universities. There are doctors, lawyers, professors, nurses, physical and speech therapists, software engineers, small business owners, professional musicians and public officials. Some are retired, and many are still working and commuting to jobs in San Francisco, Stanford, and other locations “over the Hill.” Almost all homeowners in Canada Cove drive their own cars, and in most driveways you can see one or two late model sedans or SUVs. There is a Sam Trans bus route that runs through Canada Cove, but unfortunately the bus is usually quite empty.

In making my own decision about moving to Half Moon Bay when I retired from my legal career in San Francisco, I searched for a location that was not for the very rich or for the very poor. After much due diligence, I decided that Canada Cove would allow me to “upsize” from my San Francisco condo unit while costing a small fraction of the price of nearby homes. Combined with the amenities and the friendly neighbors in Canada Cove, I think I made a wise decision and got good “bang for my retirement buck.” I think that many of my neighbors have made a similar decision, including some of them who have lived lives of service rather than banking millions in huge retirement accounts. “

PART TWO: PREVIOUS COMMENTS FROM CANADA COVE RESIDENTS

As I mentioned during the March 1 public forum, at that time no one in Canada Cove had yet received the City's mailing asking for additional public input about voter deferral or acceleration. The mailing did arrive in our mailboxes on Thursday, March 3. This left a very short turnaround time of one week, since comments must be received by this Thursday, March 10 to be included in the agenda packet for the Council's March 15 meeting.

In light of this timing, and in light of the fact that Canada Cove residents have been commenting on the redistricting process consistently at every Redistricting Advisory Committee (RAC) meeting and every Council meeting since Dec. 16, 2021 and may not feel that they need to comment again, I have asked City staff twice whether our earlier comments would be included in the final tally or report. I have not received a response to this question, so I am including in this email a description of previous Canada Cove comments, and I am including copies of the 10 written comments from Canada Cove for the January 27 RAC meeting and the 21 written comments from Canada Cove for the Feb. 15 Council meeting. **By copy of this email, I am requesting the City Clerk to include these previous comments in the final tally of comments received**.

Even though some of the Canada Cove comments were intercepted by third parties and posted on social media with derogatory annotations, and even though we were the target of an unofficial "survey" posted on Nextdoor by an Ocean Colony resident, the **vast majority of ALL comments received citywide to date have been from Canada Cove residents, and nearly ALL (over 90 percent) of those comments have expressed a preference for voting this year and not being joined in a district with South Main Street.** And yet the Council still seems unclear on what is "best" for Canada Cove and what Canada Cove residents "want." I'm not sure why, because Canada Cove residents have spoken loudly and clearly.

Please listen to us and take our comments seriously, if you really want to respect the preferences of this entire senior community, rather than the opinion of an out of town consultant from Southern California or a one paragraph "judgment" of the RAC about what is "best" for Canada Cove, while ignoring many comments received from Canada Cove residents to the contrary. **And I hope the Council recognizes that, if Canada Cove's vote is "deferred" until 2024, Canada Cove will be the largest entire neighborhood in Half Moon Bay not voting as scheduled this year. As an entire community of "seniors," this is a significant statement the City would be making.** (And it is unfortunate that Councilmember Rarback has at least twice publicly described Canada Cove's concerns as a "red herring." If a "red herring" is a distraction, I would ask what our concerns are a distraction from. I would agree that there is a fishy smell, but the smell is not coming from Canada Cove.)

Here is a summary of comments already received from Canada Cove residents:

Aug. 19 RAC: Jan Hanson mentioned a 2019 attempt to create a "senior" district that met criticism for gerrymandering [ironically from Ocean Colony residents] and was rejected by the Council

Dec. 16 RAC: Jan Hanson spoke to correct factual inaccuracies and negative portrayal of

Canada Cove by Ocean Colony resident David Eblovi.

Jan. 19 Council: One detailed written comment and 2 oral comments from Canada Cove.

Jan 27 RAC: 10 written comments and 3 oral comments from Canada Cove. (David Eblovi also submitted a written comment saying the meeting should not be happening, although it had been scheduled for many months, and saying that Canada Cove residents had no right to comment.)

Feb. 1 Council Public Forum: 2 oral comments from Canada Cove residents.

Feb. 15 Council: 21 written and 3 oral comments. All 21 written were from Canada Cove residents, and 19 of those favored Map 503b and voting as scheduled this year.

For your reference, here is a link to Attachment 5 to the Feb.15 Council agenda packet for the redistricting item, which contains the 21 comments submitted by Canada Cove residents (19 favoring Map 503b and 2 favoring Map 504c).

https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/1247166/ATTACHMENT_5.pdf

PART THREE: COMMENTS SENT TO REDISTRICTING ADVISORY COMMITTEE:

When the final report of the RAC was sent to the Council in the Feb. 5 agenda packet, I was very surprised to see that none of the comments sent by Canada Cove residents to the RAC for its January 27 meeting were described or attached to that report. This was especially remarkable because about 60 minutes of the 85 minute January 27 RAC meeting were spent discussing the comments received from Canada Cove residents, especially concerning gerrymandering and voter deferral. During that January 27 RAC meeting, at least four of the six RAC members present expressed surprise and disappointment for not having this information previously when they made their recommendation that the Council then prematurely approved on January 19, before the public input phase of the schedule occurred.

Instead, the RAC report (in Attachment 4 to the Feb. 15 Council agenda packet) stated:

“In our judgment the challenges faced by the seniors living in Canada Cove are more similar to those living on Main St than those living in Ocean Colony, and so it makes sense to consider them as a single “community of interest” and place them in the same district where collectively they will have a stronger voice. Ocean Colony has quite different demographics, and is physically separated from both Canada Cove and Main Street. Ocean Colony has quite different demographics, and is physically separated from
both Canada Cove and Main Street.”

When this paragraph was read to the hastily assembled “town hall” in Canada Cove on Feb. 12, the entire room of Canada Cove residents broke out in laughter. (Councilmember Rarback had attended that meeting at the suggestion of Ocean Colony resident David Eblovi (as evidenced in a Feb. 12 text from Mr. Eblovi to a Canada Cove resident that said,

“The only reason that meeting happened is I asked Harvey to meet with Canada Cove residents (and whomever else wanted to be there) this weekend. The only reason I both wasn't there and stayed out of the planning processes was specifically to allow you and other folk in your position to participate in a comfortable setting.”)

Attached to this email, as a PDF, are the scanned 10 Canada Cove written comments submitted to the RAC for its Jan, 27 meeting. (If the attachment is too large to open or read, I’d suggest you ask the City Clerk to send them to you. She sent them to me when I requested them on Feb. 17.)

PART FOUR: NOTES FROM VIDEO OF JANUARY 27 ADVISORY COMMITTEE MEETING

After watching the video of the January 27 RAC meeting, that had been scheduled as a “public workshop” for many months, I made some notations, with markers to the points in the video where certain statements were made. I have copied those notations below, for your reference. Perhaps you will agree that it was strange that, given the amount of time and concern devoted to reacting to the comments from Canada Cove residents, those comments were not described in the RAC’s final report and were not attached to the report that was sent to the Council.

Here is a link to the January 27, 2022 RAC video that appears on the City’s website in the Redistricting section:

https://civplus.tikiliveapi.com/embed?scheme=embedVod&videoId=148109&autoplay=no%22%20allowfullscreen=%22

Here are some specific **minute markers to the points in the video** when some important statements were made by various RAC members:

MINUTES INTO MEETING (approximate):

Meeting starts at 7:00 pm. First 15 minutes are a presentation by NDC demographer consultant.

Minute 16-32: Public comment (4 speakers: 3 from Canada Cove, 1 from Ocean Colony). The Advisory Committee had received 8 emailed comments from Canada Cove residents prior to the meeting, and 2 were received after the meeting.

Minute 35: Vice Chair Gater says there were **important policy questions that the Council did not get to at its January 19 meeting.**

Minute 36: Member Maller says he is **disappointed that voter deferment was not disclosed**, that he **definitely would have changed his recommendation**, and that a 6 year gap for Canada Cove feels **unacceptable.**

Minute 37 to 43: Member Bogner says he was **surprised at the lack of policy discussion at the Council meeting,** that the **RAC had provided an alternative maps** for

both 4 and 5 district maps, and that it was **up to the Council to hold two public workshops** as had been advertised. He says he agrees that a **voter deferral feels like disenfranchisement**. He also says the **RAC does not control any decision**; that it is the Council's job to make policy decisions.

Minute 49: Member Settles says she is **concerned about voter deferral** and **asks if Canada Cove has any legal recourse. NDC consultant says "No, not unless a different map is used**." Member Settles asks NDC what other neighborhoods would have voting deferred. NCD says it doesn't know.
Member Settles urges Council to include discussion of voter deferral in its further deliberations.

Minute 52: Member Bogner says that **RAC was NOT unanimous about whether Canada Cove should be separated from Ocean Colony and that is a policy decision to be made by the Council**.

Minute 53: Vice Chair Gater says **Council has made its decision to move ahead with Map 504b.**

Minute 55: Member Phil Marshall says current Dist. 3 representative will **need to make outreach to Canada Cove** residents and understand their issues.

Minute 56: Member Phil Marshall says public comment mentioned **gerrymandering**, and he is sure **the City is going to be worried about legal challenges**. He asks NDC consultant why Map 504c is not gerrymandering.

Minute 57-58: NDC consultant says Map 504c is legally defensible and meets all criteria, and she states that there are large differences between east and west of Hwy 1… [Note: Ocean Colony and Canada are both west of Hwy 1, while the Main Street senior campus is east of Hwy 1.] NDC consultant says that **a largely unpopulated narrow [2 mile] strip from the Main Street Senior Campus continues south to Miramontes Point Road and "picks up the rest of the neighborhood."**

Minute 59: Member Phil Marshall agrees it's **better NOT to have seniors concentrated in one district.**

One Hour, Minute 1: Vice Chair Gater says he **also has a question about gerrymandering** and repeats a public commenter's **suggestion that City Attorney weigh in** on question of gerrymandering.
City clerk replies that City Attorney will respond if a question is asked during Council meeting.
NDC consultant says it's best to leave the gerrymandering question up to City Attorney .

One Hour, Minute 2: Vice Chair Gater says he **shares the concern about Canada Cove vote being delayed until 2024**, "but perhaps it is the "inevitable consequence" of RAC's recommendation.

One Hour, Minute 3: City Clerk Jessica Blair describes other neighborhoods that will have vote deferred or accelerated.

One Hour, Minute 4: Vice Chair Gater says the purpose/goal of this meeting, **after hearing public comment**, is to finalize the RAC's recommendation formally and to back to Council on Feb. 15. **"Given all that's been said, it is important that we state that we stand by our recommendation OR NOT."**

One Hour, Minute 6: Member Maller thanks Member Phil Marshall for reminding him that people can be "represented" although they did not vote for a representative. Then he says that it came as a **"bit of a shock" that this was a repercussion of RAC's recommendation.**

One Hour, Minute 7: Member Claudia Marshall says some will be deferred, some will be accelerated. Says **"It's very unfortunate we were not aware of that aspect of this process in the beginning**, but it is what it is."

One Hour, Minute 8: Member Bogner says there is **still time left for the Council to discuss and decide**. Asks if there are any ways to not have some people have a 6 year gap in voting, but says that is a Council decision, and he **hopes Council would hear and discuss that issue**, including returning to at-large elections. Says that is a Council issue, not a RAC issue. Says **"This is a new issue, the question of Canada Cove being put out for 6 years."** Says "We did our best at carrying out an errand that had a lot of limitations in it."

One Hour, Minute 11: City Clerk explains next step: Submit RAC's final report to Council. Member Bogner asks if RAC members can submit written comments to be included. City Clerk says yes.

One Hour, Minute 12: **Vice Chair Gater suggests a 3-member subcommittee** to work with City Clerk in finalizing report, to make sure RAC comments and issues are included. **He suggests himself and Chair Holt [who was not present at this meeting**], then Member Phil Marshall volunteers to be the third committee member.

[Members raise other issues to include in report, such as annexing Moonridge, outreach to community and to Latinos, how it was not possible to draw a district with over 50% of voting age Latino citizens.]

One Hour, Minute 22: City Clerk suggests language for motion to appointment a subcommittee to finalize the Committee's recommendation for the City Council staff report.

One Hour, Minute 23: **Member Maller says "I would like to move that a subcommittee be founded to finalize the recommendations: Paul Gater, Phil Marshall and Chair Holt."**
Member Settles seconds motion, unanimous vote of 5 members present [after Member Bogner needed to leave before conclusion of meeting.]

One Hour, Minute 24: City Clerk says Committee will continue to exist until adoption of ordinance. Currently scheduled for first reading on Feb. 15, second reading on March 1.

One Hour, Minute 25: Meeting adjourned.

CONCLUSION:

Thank you for taking the time to read through this long email. I think it contains some important information. Please feel free to contact me if you feel that I have not stated any facts accurately or have not been objective in my comments.

Respectfully,

Jan Hanson

Jan Hanson
Half Moon Bay, CA 94019

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Comment to City Council on Redistricting for tonight"s meeting
Date: Thursday, March 10, 2022 7:04:05 AM

Begin forwarded message:

From: Kathleen Ferenz
Date: March 10, 2022 at 9:50:40 AM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Comment to City Council on Redistricting for tonight's meeting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm unable to attend. Please consider my public comment via email to the city council on redistricting for the upcoming meeting in your decision.

I'm Kathleen Ferenz resident in Canada Cove. Please don't take our vote away. This is Canada Cove's year to vote for Council. I'm requesting that you adopt Redistricting Map 503b and keep my community in District 4.

Sincerely

Kathleen Ferenz
Half Moon Bay

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: March 15 Public Hearing
Date: Saturday, March 5, 2022 6:49:30 AM

Begin forwarded message:

From: James Henderson
Date: March 4, 2022 at 8:06:46 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Re: March 15 Public Hearing

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please include these comments in the Agenda Packet.

I have lived in Canada Cove for over 40 years. Having worked for the SM County Elections Dept. I know seniors tend to vote in greater numbers than other demographics. Therefor it is important that we that live here not be denied the right to vote for a City Council candidate for up to 6 years! That would be the case if district map 504c is adopted. I therefor "vote" for the adoption of map 503b.

Thank you,

James Henderson
Half Moon Bay, CA

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: New submission from Contact Us
Date: Wednesday, March 9, 2022 11:08:23 PM

Begin forwarded message:

From: JBLAIR@hmbcity.com
Date: March 5, 2022 at 1:54:53 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: New submission from Contact Us

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name
Clifford & Leslie Hunt
Email
_____
Message
Leslie and I are both in favor of map 504c as we feel it better represents the demographics of the community. Thank you, Clifford Hunt

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting Feedback
Date: Saturday, March 5, 2022 6:49:12 AM

Begin forwarded message:

From: "T.J. Martin"
Date: March 5, 2022 at 9:46:21 AM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Redistricting Feedback

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Blair,

I am requesting that Half Moon Bay adopt 2021 Redistricting Map 503b for the following reasons:

- More accurate grouping of "common social and economic interests" compared to the alternate proposed redistricting map
- Fewer total voters deferred

Redistricting Map 503b keeps the Alsace Lorraine neighborhood intact as one community of interest. The residents of this neighborhood better satisfy the *Community of Interest* requirement since it is a fairly accurate grouping of common social and economic interests. For example, nearly all residents have strong opinions about beach traffic and litter along the residential streets that may not be shared, or even given the same priority, by residents of more rural areas along Highway 92 that would be in the same district according to proposed Map 504c (District 5).

Additionally, Map 503b delivers fewer total voter deferrals, which I believe is a primary guiding factor in your solicitation for comment. The fewer number of voters disenfranchised in an election, the better, even if that means I am personally affected by this redistricting impact.

Please adopt Redistricting Map 503b.

Sincerely,

Thomas Martin

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting maps-in favor of 503b
Date: Thursday, March 10, 2022 7:09:32 AM

Begin forwarded message:

From: Sue Santoro
Date: March 10, 2022 at 10:08:10 AM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Redistricting maps-in favor of 503b

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Comments for 3-15-2022 City Council Meeting

Today I am telling you what I want to see in Half Moon Bay.

My name is Sue Santoro. I am a homeowner and live in Canada Cove. I am a Senior Citizen. I am a member of the Village of the Coastside (Sec/Treas) and am active in the community. Today I am telling you what I want to see in Half Moon Bay.

I **STRONGLY** am in favor of **Redistricting Map 503b**. This is the map that makes the most sense. To create a district that consists of 2 clusters joined by a thin line along the Highway 1 is not right. The four main criteria for drawing maps and creating districts are Contiguous Borders, Communities of Interest, Easily Recognizable Boundaries and Compactness. 503c does NOT have Contiguous Borders, it is NOT Compact, it does NOT have Easily Recognizable Boundaries.

503b is Compact and has Contiguous Borders. Its borders are Easily Recognizable. Canada Cove area has as much in common with Ocean Colony as with the Main Street Senior Campus. 503b meets the criteria set forth by the FAIR MAPS Act (CA Election Code Section 21600)

Please select Map 503b.
Sue B Santoro

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Wednesday, March 9, 2022 8:36:30 PM

Begin forwarded message:

From: Margaret Gossett
Date: March 9, 2022 at 11:16:31 PM EST
To: Jessica Blair <JBlair@hmbcity.com>, Jessica Blair <JBlair@hmbcity.com>
Subject: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Jessica Blair, for the HMB City Counsel,

When looking at map 504c, I noticed that some of Alsace Lorraine is being paired with the downtown area. I do not believe the community of interest are the same. I am in favor of Map 503b, the Alsace Lorraine neighborhood is contiguous and compact. I believe our neighborhood should stay together even if we don't get to vote for city council until 2024.

Respectfully submitted,

Margaret Gossett
Alsace Lorraine neighborhood

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Wednesday, March 9, 2022 11:09:03 PM

Begin forwarded message:

From:
Date: March 3, 2022 at 7:35:57 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Fwd: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Blair, as you can see(attached) I have responded with some comments to the City Council. I would like to reiterate, I see no valid reason to change the CCHOA voting block to blend with South Main voting block. The 504C map, if adopted, will delay our vote, as I understand it. My big concern is, 'Does this delay preclude CCHOA would not vote in the mid-term state/nationwide elections being held or is it just for the local council election?" There is NO valid reason, that I see, to bifurcate us from the south end of the City. There are quite a few 'seniors' living in the OCHOA, so that dog doesn't hunt for me.

Thank you.

---------- Original Message ----------
From:
To: "DRuddock@hmbcity.com" <DRuddock@hmbcity.com>,
"DPenrose@hmbcity.com" <DPenrose@hmbcity.com>,
"RBrownstone@hmbcity.com" <RBrownstone@hmbcity.com>,
"jjimenez@hmbcity.com" <jjimenez@hmbcity.com>,
"HRarback@hmbcity.com" <HRarback@hmbcity.com>
Date: 02/27/2022 8:13 AM
Subject: Redistricting

There is a lot of 'conversation' about this issue. Let's cut to the chase. I see no valid reason to deviate from map 503b. Canada Cove is a community of homeowners situated in the

southern portion of the City, contiguous to another community of homeowners. Lumping Canada Cove with South Main, because some feel 'seniors' would best be benefited by this does not hold water. There are a LOT of seniors living in Ocean Colony. Should we not bunch that community into South Main also?

In these tumultuous times where there are a LOT of voter issues on the front burner, I am skeptical of hidden agendas. Just ease your pain and keep the South end of Half Moon Bay as one voter block with Map 503b and let us VOTE.

Thank you.

Gil De Vincenzi

Half Moon Bay, California 94019

GO DUCKS!!

HOME OF THE HEISMAN TROPHY

Never look down on anybody, unless you're helping them up.

'Don't mistake kindness for weakness'...Justice Sotomayor

" ***Life is not measured by the number of breaths you take but by the***

moments that take your breath away".....M.E.

"The bad news is life is flying by...the good news is you are the pilot'

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Wednesday, March 9, 2022 11:09:28 PM

Begin forwarded message:

From: Gregory Bistline
Date: March 3, 2022 at 5:03:31 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Cc: Debbie Ruddock <DRuddock@hmbcity.com>, Robert Brownstone <RBrownstone@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>
Subject: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a resident of Canada Cove (CC)
It appears that map 503b best meets the Election Code mandate for drawing District lines:
Fewer voters are affected in terms of franchise deferment,

It include contiguous neighborhoods rather than using hwy1 as an isthmus to connect CC with its remaining district (Webster need only show map 504c as a definition of gerrymandering)

It is most easily identifiable and understandable by residents as it is geographically compact and not a flag at the end of the hwy 1 pole.

504c appears to be justified by connecting aging populations in that old people have a unique community of interest not shared by other city residents. It seems akin to combining neighborhoods based on color, income, or putting the unhoused in the same district as the social services it most utilizes.
What benefits do the residents of CC derive from 504c? Priority in housing in the senior center? An advocate on the Council Board it would not otherwise have?
The point being that the entire population is aging at an ever increasing speed and whose interests are best served by a Council that realizes this group has a proportionate interest in each district and should not be herded into camps for expedient handling.

Thank you for your service.

Sent from my iPad

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Sunday, March 6, 2022 1:52:27 PM

Begin forwarded message:

> **From:** Gail Firenze
> **Date:** March 6, 2022 at 4:12:58 PM GMT-5
> **To:** Jessica Blair <JBlair@hmbcity.com>
> **Subject: Redistricting**
>
> I have read the information provided. However I see no reason why anyone should be deferred, whether we are being redistricted or not. It is our constitutional right to vote in an election. And penalizing certain voters because of redistricting is discriminatory. Every American citizen no matter where they live within the city limits should be allowed to vote in a local election. Being kept from voting should be illegal.
>
> Gail Firenze
> Angry Constituent
>
> Sent from my iPhone

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Wednesday, March 9, 2022 11:07:20 PM

Begin forwarded message:

From: David Cooper
Date: March 9, 2022 at 5:26:59 PM EST
To: Jessica Blair
<JBlair@hmbcity.com>
Subject: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
I reside at XXXXXX, and will be affected by the redistricting. I vote for the 503b map. I believe that the simpler map will be more widely accepted as it is easier to understand. If more people can accept the map, and understand it on a geographic basis, I think more people will participate in elections.
Thank you,
David Cooper

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Tuesday, March 8, 2022 2:46:32 PM

Begin forwarded message:

From: Kristina Beckman
Date: March 8, 2022 at 6:32:00 PM AST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Jessica,

Thank you for the packet of information about the issue of redistricting. It's made the whole thing more understandable.

I emailed my opinion on the subject to you a couple/few weeks ago, but want to follow up with a couple other thoughts I have on it.

Looking at the maps you included in the packet, I am now even clearer about why I would prefer the 503b map. I think that map will provide a diverse population within each of the 5 districts. The proposed 504c map divides the districts in such a way as to create separate interest groups. I think it will pit one interest group against the other, and the council members that will represent each one of the districts will also be pitted against each other.

Therefore I feel the 503b map will provide a variety of interest groups within each district and the council member will in turn represent the diversity of their constituents.

Thank you for the opportunity to offer my opinion.

Kristina Beckman
Half Moon Bay

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Saturday, March 5, 2022 6:53:39 AM

Begin forwarded message:

From: Petra Syme
Date: March 4, 2022 at 2:52:08 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms Blair,

I am writing to STRENOUSLY object to the redistricting proposal that arrived at my doorstep recently.

I have no idea why our coastside would need FIVE districts?

if you take MAP 503b and combine districts 1 and 2; combine 3 and 5 and leave 4 - that would be better but still too many in my opinion.

I would be just as happy with 1, 2, 3 and 5 being one district and 4 being another district.

for the size and population no idea why we would need more than 2 districts.

I will NOT be supporting the two redistricting plans proposed.

Yours sincerely,

Petra Syme
HMB

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Saturday, March 5, 2022 6:52:16 AM

Begin forwarded message:

From: Robert Bettencourt
Date: March 4, 2022 at 7:46:52 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Redistricting
Reply-To: Robert Bettencourt <hmbbob@sbcglobal.net>

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The two maps of each district is confusing. Based on the past work of the hmb city council I am not surprised. I'm sure the council will screw up everything they do.
Bob Bettencourt, 4th generation hmb.

Sent from AT&T Yahoo Mail on Android

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Wednesday, March 9, 2022 5:08:55 PM

From: Diane Kavanagh
Date: March 9, 2022 at 8:06:01 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a new owner at Canada Cove I am concerned about the redistricting.
With the two maps that you are considering - one of them affects our voting rights.
Also as a Senior Citizen and exempt from school bonds will this redistricting affect that and also how about our taxes.
Is there any clause that protects the seniors that live at Canada Cove.
Will this effect our real estate value for resale or anyway put us into any other map that could affect services to us (police, fire department, electric and power outages, etc.)
Also hopefully this is not separating the district by value of properties so that it becomes selective in where they draw the line.
Of course at Canada Cove it doesn t effect us as we do not have school age children but if I was one of the properties to be redistricted and this would be the effect it would be of a great concern and disadvantage to me.
Thank you for clearing up and explaining the above to me

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting: YES on Map 503b and NO on Map 504c
Date: Monday, March 7, 2022 8:35:54 AM

Begin forwarded message:

From: Scott Lowry
Date: March 7, 2022 at 11:33:22 AM GMT-5
To: Jessica Blair <JBlair@hmbcity.com>
Cc: Debbie Ruddock <DRuddock@hmbcity.com>, Deborah Penrose <DPenrose@hmbcity.com>, Robert Brownstone <RBrownstone@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>, Harvey Rarback <HRarback@hmbcity.com>
Subject: Redistricting: YES on Map 503b and NO on Map 504c

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From my perspective as a resident of Canada Cove, in comparison with Map 503b, Map 504c fails the Fair Maps Act tests on all of the counts listed as criteria in the Redistricting FAQs:

- (1) District 3 in Map 504c is not to the extent practicable geographically contiguous, where District 4 in Map 503b achieves this;
- (3) District 3 boundaries in Map 504c are not easily identifiable and understandable by residents, where District 4 boundaries in Map 503b quite obviously satisfy both objectives;
- (4) District 3 in Map 504c is not drawn to encourage geographical compactness as it bypasses nearby areas of population in favor of more distant populations.

As to the fourth test (2) in the FAQ criteria, District 3 in Map 504c appears the construction of social engineering by outside parties who take it upon themselves to determine which Half Moon Bay voters will be designated to comprise a community of interest, and organize voting districts accordingly.

I argue Canada Cove and Ocean Colony are more a community of interest - sharing the land west of the highway along that stretch of coast, the ocean, beaches, bluffs, and golf courses, and that the City should therefore adopt Map 503b, which would also defer 298 fewer voters.

YES on Map 503b and NO on Map 504c!

Scott Lowry
Half Moon Bay, CA 94019

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: TIME SENSITIVE: Redistricting Canada Cove
Date: Wednesday, March 9, 2022 5:45:47 PM

Begin forwarded message:

From: Susan Hatfield
Date: March 9, 2022 at 8:29:20 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: TIME SENSITIVE: Redistricting Canada Cove

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am a retired CUSD elementary teacher living in Canada Cove. I select option 503b, so that my neighbors and fellow voters and I will be able to vote in the 2022 election. I am delighted to live in this unique and the only retirement community in Half Moon Bay where the residents own their own homes. Yes, we lease the land but we own our homes. Since I moved here just two years ago, I have learned that my neighbors are primarily retired, or still working professionals; some are business owners or have been business owners; and some are artists, musicians, and dancers. The demographics in CC are much like our neighbors to the north. We are a middle class educated and skilled community and we share common social interests with our northern neighbor. Yes, we are 55+, but we are a well rounded community. Many of us wish to maintain our right to vote in the 2022 election. So that means Canada Cove should remain in district 4 with Ocean Colony. 503b is my choice.
Respectfully,

Susan F. Hatfield
Half Moon Bay

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: We at Canada Cove do NOT want to be redistricted
Date: Thursday, March 10, 2022 2:18:56 PM

Begin forwarded message:

From:
Date: March 10, 2022 at 5:05:46 PM EST
To: Jessica Blair <JBlair@hmbcity.com>
Subject: We at Canada Cove do NOT want to be redistricted

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We are not some old impaired useless folks, but very involved people who want a clear say in our future despite the disgust of our neighbors in the golf course community.

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: YES on 503b, NO on 504c
Date: Sunday, March 6, 2022 5:49:11 PM

Begin forwarded message:

From: sharon lowry
Date: March 6, 2022 at 8:45:37 PM GMT-5
To: Jessica Blair <JBlair@hmbcity.com>
Cc: Debbie Ruddock <DRuddock@hmbcity.com>, Deborah Penrose <DPenrose@hmbcity.com>, Robert Brownstone <RBrownstone@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>, Harvey Rarback <HRarback@hmbcity.com>
Subject: YES on 503b, NO on 504c

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As a resident of Canada Cove, in comparison with Map 503b, Map 504c fails the Fair Maps Act tests on all of the counts listed as criteria in the Redistricting FAQs:

- (1) District 3 in Map 504c is not to the extent practicable geographically contiguous, where District 4 in Map 503b achieves this;

- (3) District 3 boundaries in Map 504c are not easily identifiable and understandable by residents, where District 4 boundaries in Map 503b quite obviously satisfy both objectives;

- (4) District 3 in Map 504c is not drawn to encourage geographical compactness as it bypasses nearby areas of population in favor of more distant populations.

As to the fourth test (2) in the FAQ criteria, District 3 in Map 504c appears the construction of social engineering by outside parties who take it upon themselves to determine which Half Moon Bay voters will be designated to comprise a community of interest, and to organize voting districts accordingly.

I argue Canada Cove and Ocean Colony are more a community of interest - sharing the land west of the highway along that stretch of coast, the ocean, beaches, bluffs, and golf courses, and that the City should therefore adopt Map 503b, which would also defer 298 fewer voters.

YES on Map 503b and NO on Map 504c!

Sharon Lowry

Half Moon Bay, CA 94019

From: [redacted]
Sent: Tuesday, January 25, 2022 6:36 AM
To: Jessica Blair
Subject: Redistributing

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms Blair,

I am writing to you today to express our desire to maintain the existing voting district with Ocean Colony.

We are against the proposed gerrymandering with the senior center.

Canada Cove and Ocean Colony share emergency services planning, are collocated, geographically located, and share a high percentage of seniors.

Regards,

Glenn & Karen Kesselman
[redacted]
Half Moon Bay, CA 94019

Regards,
Glenn Kesselman

From: [redacted]
Sent: Tuesday, January 25, 2022 12:49 PM
To: Jessica Blair
Subject: HMB Redistricting Process

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Blair:
Canada Cove should not be separated from Ocean Colony. Please seriously consider the 503b alternative map. Thank you.
Sharon Lowry
Canada Cove Resident

Sent from Samsung Galaxy smartphone.

From: Ellen Chiri [redacted]
Sent: Wednesday, January 26, 2022 6:24 PM
To: Jessica Blair
Subject: Public Input to the City Council: redistricting Map 504c vs Map 503b

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I join my neighbors in urging the Redistricting Advisory Committee to continue discussions as it considers its final redistricting recommendation to the City Council, and to clarify the reasoning behind the resulting recommendation.

If it is correct that Map 504c is the preferred map, I need to understand why. The peculiar borders of its proposed District 3 separate Cañada Cove from its contiguous neighbor, Ocean Colony.

Is the purpose of proposed district 3 on Map 504c to link senior community Cañada Cove with the senior community two miles away? A Cañada Cove resident researched the senior population in the two proposed district 3 boundaries, and reported that proposed district 3 on Map 504c contains fewer seniors than does proposed district 3 on Map 503b, by a significant factor.

- If that reported population is accurate, and the goal is to link senior communities, the peculiar boundary of proposed districts on map 504c becomes even more curious.

- If the goal is *not* to link the two senior communities, what is the purpose of connecting Cañada Cove with south HMB via that thin thread of land, and disconnecting it from its contiguous neighbor, Ocean Colony?

Ellen Chiri

Cañada Cove resident

Virus-free. www.avg.com

From: JLogan [redacted]
Sent: Wednesday, January 26, 2022 6:38 PM
To: Jessica Blair
Subject: Cañada Cove is better served by being in the same district as Ocean Colony

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Redistricting Advisory Committee :::::: My hat is off to each and all of you for taking on this complex task - so much learning and so many somewhat fluid issues to corral. Your deliberations are thoughtful and appreciated.

I would like to offer that from my perspective as a resident of Cañada Cove - I feel that I / we would be much better served by being in the same District [4] as Ocean Colony as we are now. This is reflected on Map 503b.

There are many reasons for my opinion including:
Contiguosity ---- remaining with our geographical neighbors with whom we share many commonalities and issues including:
a] large number of seniors 60 and above
b] emergency preparedness activities and reliance on each other in the event of a disaster ---- we have been and are working together on these issues
c] homeownership - in both communities
d] ability to vote on our City Council representative this year. The last opportunity Cañada Cove had to vote was 2018. The currently preferred may 504c effectively disenfranchises us being unable to vote until 2024. That is a 6 year gap.
e] as far as creating a 'super' senior district ---- I believe that EVERY city councilmember is / should carry consideration of senior population in our community at the heart of their deliberations and actions.

Again - thank you for your commitment and time to this important community issue.
Regards,
Joyce Logan
[redacted]
HMB

From: [redacted]
Sent: Wednesday, January 26, 2022 10:41 PM
To: Jessica Blair
Subject: Comments to Redistricting Advisory Committee 1/27/22

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Members of the Redistricting Advisory Committee,

My name is Jan Hanson. I have lived in Canada Cove for seven years, and I am speaking for myself and not any other person or group.

As I said in my comments to the City Council on January 19, I think you have done an excellent job of undertaking a very difficult task and trying to balance all the competing interests and criteria. I don't fault your work at all, but I do question some of your analysis and your decision to recommend Map 504c to the City Council. **For reasons stated below, I would ask you to reconsider your previously recommendation and instead recommend Map 503b to the Council.**

As you know, the Redistricting Advisory Committee was charged with drawing and recommending maps to the Council, for the Council's further discussion about maps and about related policy issues such as how the mayor is selected and which district will vote in which election. This multi-step process was abruptly cut short last Wednesday when three Council members (Brownstone, Rarback and Jimenez) moved to accept Map 504c without fully addressing the related issues and over the objection of Mayor Ruddock and Vice Mayor Penrose. This January 27 meeting of the Redistricting Advisory Committee had been previously announced and publicized, as part of this multi-step process, as an opportunity to receive additional public input about the maps after the Committee had narrowed the selection for the Council to consider. I understand that comments received at tonight's meeting will be part of the record transmitted to the Council for its February 15 meeting.

In light of the points described below, **I urge the Redistricting Advisory Committee to continue your discussions and to provide a fuller description of your reasoning and decision process, for the benefit of both the public and the Council.**

OPTION 1 : Map 504c (would separate Canada Cove from Ocean Colony and would place Canada Cove in District 3 with Main Street Senior campus):

If the objective is to best represent seniors in a "community of interest," Map 504c does not do that as well as Map 503b , which has 7 percent more seniors. Seniors over age 60 in Map 504c are 34% of the voting age population (vs. 41% in Map 503b).

The new District 3 has a very odd shape. Considering the mapping criteria: Are these "contiguous" neighborhoods, or two distinct neighborhoods two miles apart and connected by a thin strip of land? Does this map put Canada Cove into a "compact" area with the Main Street senior campus area? Is this unpermitted gerrymandering? (I have asked City staff to request the view of the City Attorney on the gerrymandering question, but to date I have received no response.)

At your December 16 meeting, I believe that only ONE public commenter (in Ocean Colony) argued for separating Canada Cove from Ocean Colony, saying he didn't want Canada Cove to be "disenfranchised' because there would be more voters in Ocean Colony. This assumes there would necessarily be competing interests, and under this theory ANY minority group in ANY district would be "disenfranchised." This hypothetical result may not have been within the Committee's charge or discretion to decide, but very quickly after receiving that commenter's opinion, **the Committee seemed to base its decision on this ONE comment favoring Map 504c. Please see the point below, describing how Canada Cove would ACTUALLY be disenfranchised by waiting another two years to vote under Map 504c.**

From: Kathleen Ferenz[redacted]
Sent: Thursday, January 27, 2022 8:09 AM
To: Jessica Blair
Subject: Written comment for the Redistricting Committee.

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Clerk Jessica Blair

,

I'm a resident at [redacted]

I'm writing and asking the committee to reconsider the recommendation and change the redistricting to Map 503b.

Thank you
~Kathleen Ferenz

From: Kati Martin [redacted]
Sent: Thursday, January 27, 2022 9:13 AM
To: Jessica Blair
Subject: Redistributing

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Honorable City Council Members,
I think the proposal to combine and isolate the seniors oh Half Moon Bay through the current redistricting plan would not benefit either the residents of either senior group. I see vast geographical and cultural differences between Canada Cove and the senior center. The idea smacks of gerrymandering and special interests. Citizens should never be lumped together because of their financial status, ethnicity or age. The concerns of all should be the operative concern. In a world where we are trying to reduce the differences between people it seems counter intuitive to separate us further. I know I do not want to be represented by a councilman who's only concern is older people. Redistributing should assure a broad base of interests not isolated by the special interests of a few. I urge the council to reject the special interests of senior (of which I am one) with this plan.
Kati Martin
[redacted]

Sent from my iPhone

From: Tom Devine [redacted]
Sent: Thursday, January 27, 2022 3:02 PM
To: Jessica Blair
Subject: Comments for Redistricting Committee

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms Blair,

I am submitting these comments to the Half Moon Bay Redistricting Committee for use in their meeting tonight, Thursday, January 27, 2022, and for transmission thereafter to the City Council which will make the final decision about redistricting maps. Please ensure that they reach the Committee and the Council.

First, I want to thank the Redistricting Committee for its work on what must be mainly a thankless task. Both maps 504c and 503b appear to be honest attempts to ensure equality of the districts along most of the criteria provided by state law. I have not reviewed the other maps, but I trust the good faith of those who prepared them.

In my opinion, it is ridiculous in the first place to divide such a small city as Half Moon Bay into districts. It constrains the available pool of candidates for each of the districts (since each is required to be a resident of the district they represent) and introduces divisions where no meaningful distinctions exist. (I understand that the City was forced into creating districts by a lawsuit from someone with no real connection to our city and with an apparently profit-driven motive.) **I would support moving back to at-large elections for all City Council seats.**

I also believe that, if we cannot avoid district elections, a mayor elected at large by the whole city would ensure a better representation of the general will of the citizens.

If there is no way to avoid division into districts, I would say that **there is no rational way to judge between the merits of the two maps that seem uppermost in the Committee's and Council's consideration, maps 503b and 504c.**

504c appears to group lower-income residents together in its proposed district 3; that makes some sense (IF those voters genuinely have issues of under-representation -- though I have seen no evidence of that), but it comes at the cost of looking very much like "gerrymandering" and arguably violates the state's criteria for "geographically contiguous districts" and "geographic compactness" (https://elections.cdn.sos.ca.gov/ab849-templates/citycouncil-english.pdf). In addition, and **most importantly to me as a resident of Cañada Cove, it disenfranchises the residents of the Cañada Cove neighborhood, who last voted for City Council in 2018 and would not be eligible to vote again until 2024, under the current plan as I understand it.**

503b at least seems more based on geographical contiguity, but again, unless there are genuine issues that would create a need for residents of the different areas to have separate representation, I see no genuine public-interest need for dividing the city into these districts at all.

In conclusion, I would urge the Redistricting Committee and the City Council to redress the situation that threatens to disenfranchise the Cañada Cove neighborhood -- either by reverting to at-large elections for all City Council seats OR by holding special elections for ALL City Council positions in 2022.

Yours truly,

--Thomas W. Devine
[redacted]
Half Moon Bay, CA 94019
[redacted]

From: Steve Diers [redacted]
Sent: Thursday, January 27, 2022 7:38 PM
To: Jessica Blair
Subject: JAN. 27 REDISTRICTING MEETING Comments

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Half Moon Bay City Council Cleck: Can you please include my comments on Redistricting for the meeting tonight? Thank You, Steve Diers

The Redistricting Advisory Committee was charged with drawing and recommending maps to the Council, for the Council's further discussion about maps and about related policy issues such as how the mayor is selected and which district will vote in which election. This multi-step process was abruptly cut short last Wednesday when three Council members (Brownstone, Rarback and Jimenez) moved to accept Map 503c without fully addressing the related issues and over the objection of Mayor Ruddock and Vice Mayor Penrose. Tomorrow's meeting of the Redistricting Committee was previously announced and publicized, and it is being held in order to hear additional public input about the maps.

I urge the Redistricting Advisory Committee to continue its discussions and to reconsider its final recommendation to the City Council, as well as providing a fuller description of its reasoning and decision process. The Alternative Map 503b would keep Canada Cove in Dist 4 with Ocean Colony.

- This would create a district with seven percent more seniors than map 504c.
- The 504b map best supports the objective of creating a "community of interest" with a large concentration of seniors, as well as better meeting the other redistricting criteria (Seniors over age 60: 41% of voting age population).
- It also better meets the criteria of "compactness" and would recognize Canada Cove and Ocean Colony as "geographically contiguous."
- Its boundaries would be easily identifiable and understandable by residents, which is another of the mapping criteria.
- This way Canada Cove would stay in the same district with its closest geographical neighbor, Ocean Colony, with whom it shares important emergency preparedness measures as well as many other characteristics such as private home ownership, favorite beach trails, south end road and utility improvements, etc., as well as many friendships and social connections.

From: Christine Estes [redacted]
Sent: Friday, January 28, 2022 8:22 AM
To: Jessica Blair
Subject: Favor Map503b

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a new resident of Canada Cove, I am in favor of Map503b.

Sincerely -

Christine Estes
[redacted]
Half Moon Bay

Sent from my iPhone

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistircting
Date: Friday, March 11, 2022 7:10:50 AM

Begin forwarded message:

> **From:** Liesl Taner
> **Date:** March 11, 2022 at 9:24:22 AM EST
> **To:** Jessica Blair <JBlair@hmbcity.com>
> **Subject: Redistircting**
>
> [CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Hello. I am a resident on the south end of Johnston Street in downtown half moon bay. I strongly encourage the city to adopt redistricting map 503C.
> We live downtown. We live in downtown tourists, traffic and festivals. We should be included with the rest of downtown for voting.
>
> I have lived downtown for 40 years. Please adopt map 503C
>
> Liesl Taner
> .
>
> Sent from my iPhone

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Friday, March 11, 2022 8:09:47 AM

Begin forwarded message:

> **From:** Irma Morawietz
> **Date:** March 11, 2022 at 10:58:52 AM EST
> **To:** Jessica Blair <JBlair@hmbcity.com>
> **Subject: Redistricting**
>
> [CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Dear Ms. Blair,
>
> I am not at all not happy with Redistricting our community.
> We are such a small population and
> I should be able to vote for a candidate of my choice.
> I think, there is just too much bureaucratic involvement happening.
>
> Thank you,
> Irma Morawietz
>
> Sent from my iPhone

Redistricting Comments to City Council March 15, 2022
Jan Hanson

NOTE TO CITY CLERK Jessica Blair: Please accept these comments below for the Council's March 15 hearing on redistricting. **ALSO, please add to the agenda packet for the March 15 Council meeting my email, with attachments, that I sent to you on Monday morning, March 7.**

Dear Mayor Ruddock, Vice Mayor Penrose, and Councilmembers Brownstone, Jimenez and Rarback,

As we approach the conclusion of this long redistricting process, I would like to offer the following additional comments.

1) APPARENT LACK OF LOGIC IN DECISIONS MADE

I have been interested in the Half Moon Bay redistricting process since 2019, and I even submitted a couple maps at that time (that did focus on senior interests and that were rejected for gerrymandering, as objected to by some Ocean Colony residents). When the current Redistricting Advisory Committee (RAC) was organized and first met, I was very impressed by their backgrounds and credentials, and I thought this was a group I wanted to observe. I did watch nearly all of the 2021-22 RAC meetings, and I saw the group struggle with the often conflicting criteria, the lack of final census data, the unavailability of needed software to draw certain types of maps, etc. But they soldiered on and arrived at their December 16 meeting at which they selected four focus maps to send to the Council for Council discussion. Given the RAC's credentials, I expected their advanced analytical and logical skills, as well as their communication skills, to clearly point the way to the best alternatives for the citizens of Half Moon Bay. But unfortunately, even though I have some of those skills myself (with 22 years of formal education, etc.), **I have been unable to see the logic in several decisions of the RAC and then the subsequent decisions of the Council, as described below.**

December 16 RAC Meeting:

Near the end of the RAC's December 16 meeting, there were a few public comments, one of which was from a resident of Ocean Colony who expressed a concern that residents of Canada Cove would be "disenfranchised" if allowed to stay in the same district with Ocean Colony. His description of Canada Cove was quite negative and contained several factual inaccuracies. A few minutes later, as a resident of Canada Cove, I commented and attempted to provide a more accurate description of Canada Cove. After the public comments ended, RAC Chair Holt thanked the public and said she had learned a lot and that the comments had changed her thinking. I thought "Good, I have managed to correct the record about Canada Cove," so I was surprised when instead the RAC then promptly chose one of the maps that had been drawn and had been advanced by the one commenter from Ocean Colony who wanted to separate Canada Cove from Ocean Colony. The RAC cited the advisability of creating a "senior" district" as a "community of interest." Since Ocean Colony also has a large senior population, and since an inaccurate description of Canada Cove had been presented by the one commenter from Ocean Colony, **I failed to see the logic in the RAC's preferred recommendation (Map 504c) that would move Canada Cove out of the district containing Ocean Colony.** But since at least one of the maps presented to the Council (Map 503b) did not separate Canada Cove from Ocean Colony, I thought the Council would discuss the proposed maps and would closely analyze the implications and make the necessary policy decisions. But that didn't happen.

January 19 Council Meeting:

The January 19 Council meeting was STEP TWO in the long-published FOUR-STEP redistricting process : 1) RAC draws draft maps, 2) Council discusses draft maps and other policy and practical issues that were not in the charge to the RAC, 3) Two public workshops occur in which the public can comment on the draft maps and related issues, and the RAC takes this public input into consideration, and 4) Council makes a final map decision, after taking the public comments and any RAC adjustments into consideration.

However, at the January 19 Council meeting, after a lengthy discussion about how the mayor would be selected and whether a four-district map or a five-district map was better, as well as a discussion of the public survey results about these issues, Councilmember Brownstone abruptly moved to adopt Map 504c as the final map, and Councilmembers Jimenez and Rarback agreed, making the vote "final," although the well-publicized FOUR-STEP process had just been CUT IN HALF AT STEP TWO, without the benefit of the two scheduled public workshops (one of which had already been cancelled due to Covid) or any other meaningful way for the public to weigh in after the RAC had narrowed the choice from about 10 maps to the final four maps. It especially surprised me that **there was NO Council discussion of the deferral / acceleration issue before its vote on January 19**, nor had there been **any other discussion about the impact on VOTERS,** as opposed to the impact on mayoral selection. **I failed to see the logic of this abrupt termination of the four-step process.**

I was appalled to learn that the **Fair Maps Act apparently prohibits cutting short any incumbent Council member term, but it clearly allows hundreds of voters, including an entire community of about 600 senior voters, to lose their vote in a previously scheduled election. I erroneously thought the Act was intended to promote more fair voting and voters' rights, and I fail to see the logic here also.** (And I will note that when I had previously asked the City Clerk and the NDC consultant when voter sequencing would be discussed, I was informed that the RAC was not legally authorized to consider voter sequencing and that it would be discussed after a map was chosen by the Council. Then, just after the Council voted on January 19, I asked the City Clerk this question again, and the response was that I should had raised this issue earlier, even though I had mentioned this in my January 19 written comments. Thus, there was apparently no good time to ask about voter deferral.)

Of the four maps presented to the Council by the RAC, **I fail to see the logic in the Council's choice of a map that violates ALL the criteria** for a fair map: 1) Contiguity (that, notwithstanding the Fair Maps Act, Webster's defines as "next to, adjacent, adjoining, bordering, neighboring, touching"), 2) Easily recognizable boundaries, 3) Compactness, and 4) Community of interest." **AND a map that creates the largest number of voter deferrals.** According to the City's demographic consultant, Map 503b would defer nearly 300 FEWER voters citywide than Map 504c (695 deferred voters citywide vs. 993 deferred voters citywide.)

All this, without asking the very community of seniors, what THEY consider a "community of interest" and whether that warrants waiting another two years to vote. Rather, the Council seemed to "know what's best for seniors." **I question this logic also, especially in light of the overwhelming amount of input to the contrary from the residents of Canada Cove, as described in more detail in my March 7 email.**

Perhaps the largest leap of logic was labeling the Council's January 19 vote at STEP TWO in the FOUR-STEP process as "final," and using that label in every reference after that point as a reason that STEPS THREE AND FOUR should not occur and, even if allowed to occur, as a reason that the Council should not revise its view even after receiving additional input from the public and even from the RAC. This is sort of backward "logic," in my view, which has been consistently used as a reason to cut off discussion or consideration.

Likewise, the Council labeled the RAC's December 16 preferred recommendation as "final," even though at the time, and at the RAC's January 27 meeting, several RAC members said they expected more input and policy discussion by the Council. So the Council's "final" vote, based upon the RAC's "final" recommendation, created a double leap of logic, in my opinion, that attempted to cut off any further discussion or consideration halfway through the process. And the Council's January 19 "final" vote appeared to tie the hands of the RAC during their subsequent January 27 meeting, as described below.

January 27 RAC meeting:

It was only through public input that the previously scheduled, and then cancelled, January 27 RAC meeting was put back on the schedule. As described in my March 7 email, **although Canada Cove residents had sent eight written comments to the RAC, mainly about gerrymandering and voter deferral, (two more were sent after the meeting but prior to the final report), and even though all three oral comments at that meeting were made by Canada Cove residents, these comments were not described in the RAC final report nor were they attached to the report**. This was especially surprising since approximately 60 minutes of the 85 minute meeting were spent discussing these comments, and although at least four of the six RAC members present expressed surprise and disappointment for not having this information previously when they made their map recommendation to the Council. **Instead, the RAC final report, which repeated its former "final" recommendation to the Council, contained one paragraph saying what in its judgment was best for Canada Cove, while ignoring the unanimous input the RAC had received from Canada Cove. I fail to see the logic in drawing this conclusion after receiving, and then ignoring, public input to the contrary.**

Instead, the RAC final report (in Attachment 4 to the Feb. 15 Council agenda packet) stated: *"In our judgment the challenges faced by the seniors living in Canada Cove are more similar to those living on Main Street than those living in Ocean Colony, and so it makes sense to consider them as a single "community of interest" and place them in the same district where collectively they will have a stronger voice. Ocean Colony has quite different demographics, and is physically separated from both Canada Cove and Main Street."*

This was in direct contradiction to 10 unanimous written comments and three oral comments from Canada Cove residents submitted to the RAC for its January 27 meeting, and was met with laughter when read aloud to a group of Canada Cove residents.

February 15 Council Meeting:

Similarly, and even more noticeable, was how on February 15, after receiving 21 written comments (all from Canada Cove, 19 of which preferred Map 503b) and three oral comments from Canada Cove, **the Council still seemed unclear on what is "best" for Canada Cove and what Canada Cove residents "want." That logic also escapes me, because Canada Cove residents have spoken loudly and clearly, and nearly unanimously, at each RAC and Council meeting since December 16.**

I was pleased to see the Council decide on February 15 to reach out directly to voters whose vote may be deferred in this year's Council election. I'm sure that, despite previous efforts at outreach, many of the affected voters heard of this for the first time when the mailing arrived from the City. **Residents of Canada Cove received the City's mailing on March 3, leaving them one week** to absorb the information, ask questions, and submit comments by the March 10 comment deadline in order to be included in the agenda packet for the March 15 Council meeting. In my March 7 email, and again here**, I am asking the Council to consider not just the comments most recently received in response to this mailing, but also to consider**

seriously the comments that Canada Cove residents have submitted previously and that so far appear to have been ignored in any decisions concerning choice of maps.

2) APPARENT LACK OF CONSIDERATION OF PUBLIC INPUT

Even though some of the Canada Cove comments were intercepted by third parties and posted on social media with derogatory annotations, and even though Canada Cove residents were the target of an unofficial "survey" posted on Nextdoor by an Ocean Colony resident, the **vast majority of ALL comments received citywide to date have been from Canada Cove residents, and nearly ALL (over 90 percent) of those comments have expressed a preference for Map 503b, voting this year and not being joined in a district with the Main Street Senior campus area. In my view, it is only logical to consider ALL the comments that have been consistently submitted to date.**

It is only logical for the Council to take the comments of Canada Cove seriously, if you really want to respect the preferences of this entire senior community, rather than the opinion of an out of town consultant from Southern California or a one paragraph "judgment" of the RAC about what is "best" for Canada Cove, while ignoring many comments received from Canada Cove residents to the contrary.

And I hope the Council recognizes that, if Canada Cove's vote is "deferred" until 2024 (creating a six-year hiatus since last voting for Council in 2018), Canada Cove will be the LARGEST ENTIRE NEIGHBORHOOD in Half Moon Bay not voting as scheduled this year. Since this would essentially disenfranchise an entire community of approximately 600 seniors, this is a significant statement the City and the Council members would be making, especially since Canada Cove has historically had very high voter turnout.

CONCLUSION:

The only logical conclusion I can reach is that, unfortunately, this redistricting process has NOT been driven by logic or by public input, and it has caused me to lose confidence in my local government. It has instead been driven by forces and motivations that I can only guess. **Whatever forces have been at work, I'd like to suggest that anyone who wants to occupy a seat on the City Council (thankless task that it is) can do it by the regular route: File for candidacy, run an honest campaign and win the necessary number of votes.** It is not necessary to make derogatory written and oral comments about neighboring communities, to bully and belittle private citizens in social and print media, to intercept their legitimate email comments sent to Council members and post them with derogatory annotations on social media, to create non-authentic "surveys" and post them on Nextdoor as if they are coming from a neighbor when in fact they are coming from an outside source that poses weighted and confusing questions, to arrange for "public meetings" that are actually for the purpose of sending in a proxy (who happens to be a current Council member) to try to dissuade a group of voters from their views and then dismissing their views, or to malign current Council members in social and print media and by other means. This is Half Moon Bay, and I would hope this type of behavior never happens again, but I guess I'm naïve. I have unfortunately gained an education from this process, although one I would have preferred not to gain.

Respectfully,

Jan Hanson
Half Moon Bay

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: A Conversation Between Friends and Neighbors...
Date: Monday, March 14, 2022 8:57:50 AM
Attachments: A Conversation Between Friends and Neighbors^.^.pdf

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Begin forwarded message:

From: David Eblovi
Date: March 13, 2022 at 1:42:22 PM PDT
To: Debbie Ruddock <DRuddock@hmbcity.com>, Deborah Penrose <DPenrose@hmbcity.com>, Harvey Rarback <HRarback@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>, Robert Brownstone <RBrownstone@hmbcity.com>
Cc: Bob Nisbet <BNisbet@hmbcity.com>, Jessica Blair <JBlair@hmbcity.com>
Subject: A Conversation Between Friends and Neighbors...

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Hello Councilmembers-

I was somewhat surprised this afternoon to get an email notification that I had a private message in my Nextdoor inbox from one of the two primary residents of Canada Cove who have been a significant part of driving the agenda supporting the Mayor's aggressive moves over the past month.

I'm sharing the entire conversation so all of you, but in particular you Madam Mayor, can see a small window into the damage this whole debacle has been incurring. I'm not afraid of Ms. Judkhins- compared to the wackadoodle from a year and a half ago she's downright sane, but what about the others who they will go after if their effort is stymied?

This is the same nonsense I got when I was fighting Alifano, Muller, Fraser and Kowalczyk. Literally exactly the same. The only difference is that instead of being on Talkabout it is on Next door. I think it is safe to say that when your actions put you in good company with that group of miscreants you really should pause and consider where you are and where you are going…

I said to you in a comment two meetings ago that you were driving neighborhood against neighborhood. With that thought in mind I'll leave you with this quote, taken

unabridged from one of the letters the City has received on this subject: “We are not some old impaired useless folks, but very involved people who want a clear say in our future despite the disgust of our neighbors in the golf course community “

Well done indeed…

-dce

Qui defendat nos sumus…

Message 1, Sent 2/12/2022

Hello Kristin- I hope you enjoyed or learned something, or otherwise got some benefit from spending some time with Harvey today. In the wake of that meeting there are two things I want you to know, and one thing I want to share.

The first thing to know is the only reason that meeting happened is I asked Harvey to meet with Canada Cove residents (and whomever else wanted to be there) this weekend. The only reason I both wasn't there and stayed out of the planning processes was specifically to allow you and other folks in your position to participate in a comfortable setting.

The second thing I want you to know is that the kids you booted from the meeting were mine- sent as part of a school project on open government and the public process. Booting them from a public meeting with a duly elected member of our local City Council was highly offensive and unfortunate. You should frankly be ashamed of yourself- when adults fear children in the presence of open government we've really fallen down the rabbit hole. In any case I asked both to write a paragraph about the experience and how they felt about the event. My 13 year-old had this to offer- which is so much more articulate than anything I could ever say:

After being rudely kicked out of the Canada Cove redistricting meeting I learned multiple things. For one I learned that Canada Cove members or at least some of them do not appreciate youths being in the proximity. Secondly I learned that different people have different opinions regarding public interest. For example when Deaglan and I entered the meeting room a Canada Cove member almost immediately came over to us and was wondering why we were there. Once she found out that we were basically reporting so the public would know what was going on in the meeting she understood and welcomed us. On the other hand when another Canada Cove member saw us she immediately was not accepting and told us to leave. This taught me that some people are for one very rude but also that they like to have meetings privately with their community. Understanding that she had the right to kick us out and that she wanted the meeting to be private we left.

Surely you see that wanting public meetings to be private is antithetical to open government don't you?

I hope you have a glorious afternoon-

dce

Message 2, Sent 3/13/2022

David;

Jeff A. Chew sound familiar to you? It puts a different spin on your have and have not's issues. There are homes in Cañada Cove about the size of Mr Chew's house and we own them. Rentals and leasing are not allowed. We pay taxes on our homes. What is really the end game for you? I'm baffled. You've moved more times than I cared to count over the past 25 years. But it appears you may not have owned any of the properties you've occupied? I actually got tired of looking at previous addresses. Honestly, I didn't care that much.

You're a rude, arrogant man with a chip on your shoulder. You have no respect for anyone who doesn't see things in your black and white world. Instead of working with people you find it more fulfilling to blast on social media about their personal business and how you feel about them. A appears you've a lot of anger issues and use others as your targets to unload on. Think about what you say. Your neighbors come to our social events and activities. It's thoughtless for you to insinuate our neighborhoods are incompatible when residents interact quite frequently. Just because you don't care for us personally doesn't mean everyone in OC stands with you.

All the information I collected is public record. Anyone can get it online in a matter of minutes.

I hope you have a glorious afternoon-

Kjtj

Message 3 Sent 3/13/2022

Hi Kristin- thank you for your kind message!! If this was some attempt to intimidate me you can stop wasting your time. I know you are/were a PI, and I also know what is and is not a public record. In any case the fact that I rent has been public knowledge for the past 8 years at least. Your attempt to use your knowledge of that fact as some form of sledgehammer is highly unfortunate. (A former City Councilmember also rented a home in the same sub-HOA I am in.)

If you were trying to intimidate me by letting me know that you are aware that our family rents, well, sorry, but I don't care. If you weren't trying to intimidate me then I am curious why you are doing background checks on me personally?? (Actually I'm not curious- I'm just pointing out how creepy what you are doing looks to any rational human being.)

The thing that I don't think you have figured out yet (but I hope you do) is the simple fact that you cannot let politics be personal. The moment you do, the moment you allow your personal needs to attempt to influence public policy, well then you are just the same as every other worthless politician. Which is what I see here.

Obviously this question is burning you up inside, so I"m going to answer it for you here- even if you aren't able to hear the answer: Every single issue I have been involved in locally has been an issue I care passionately about- because it is something that I believe will make my community better. Note that I did not say "better for me." When I fought to improve the lives of our at-risk Latino Community by working extensively last year to implement controls on pretextual traffic stops it had nothing to do with me. I am white, drive a decent car and have never been in fear of law enforcement in my life. That did not stop me however from spending hundreds of hours on the project.

The same is true with redistricting. I alone fought to push the Council to have a redistricting committee to keep personal biases out of the picture and I was successful in getting a committee appointed. I am fighting to keep personal bias out of the picture now- which you interpret as some sort of vendetta against I don't know, people who live in a place that doesn't rhyme with Canada??

I recognize that in your narrow interest I appear to be working against you and Canada Cove, but the reality is I am (as always) working for what I believe are the best interests of everyone in HMB, and not just a single neighborhood. Someday you should go back and listen to what I said and wrote- your characterizations of my words are simply nonsensical. Nonetheless I accept that this is how you perceive me to be, and to that end perhaps one day another political issue will see us on common instead of different ground. I do hope that you get to the point where you can see that your personally interested advocacy for your own interests- to the exclusion of the needs of the entire City, is perfectly within your rights, but is exclusive to a community working together to solve Citywide issues. In other words: Your work here is incredibly biased towards your own personal needs (and not- as you point out above) to mine...

Warm regards-
dce

From: Debbie Ruddock
To: Jessica Blair; Maggie Rodriguez
Subject: Fw: Map 504c
Date: Sunday, March 13, 2022 4:38:52 PM

From: Pamela Monestie
Sent: Saturday, February 26, 2022 3:32 PM
To: Debbie Ruddock <DRuddock@hmbcity.com>
Subject: Map 504c

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Ruddock

In response to the redistricting of Half Moon Bay I am emailing to urge you to adopt Map 504c. As a resident of Alsace Lorraine, it makes sense for our neighborhood to be paired with Ocean Colony because of our similar socioeconomic status. At the same time, I don't want to lose my vote in the upcoming election.

But more importantly, the volunteer committee that proposed this plan spent countless hours meeting, reviewing census data, talking to consultants, and taking input from the public. In this process they identified communities of interest in the effort of helping their voices be heard. I believe their efforts should be respected. If the city wants its citizens to have faith in future processes, then this should not be politicized. I urgently request that you listen to the committee and adopt the plan that is committed to equitable representation.

Thank you for your time and consideration,

Pamela Monestie
Alsace Lorraine

From: Debbie Ruddock
To: Jessica Blair; Maggie Rodriguez
Subject: Fw: Support for map 504C
Date: Sunday, March 13, 2022 4:37:24 PM

From: Michelle Briggs
Sent: Sunday, February 27, 2022 10:17 AM
To: Deborah Penrose <DPenrose@hmbcity.com>; Debbie Ruddock <DRuddock@hmbcity.com>; Robert Brownstone <RBrownstone@hmbcity.com>; Harvey Rarback <HRarback@hmbcity.com>; Joaquin Jimenez <jjimenez@hmbcity.com>
Subject: Support for map 504C

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning city council members,

I am writing to you as a resident of the Alsace-Lorraine neighborhood in Half Moon Bay.

The redistricting advisory committee worked equitably and laboriously for many months to put forth this recommendation to city council in order to propose an a political redistricting map.

To go against their recommendations negates the process and takes away the voice of residents. My neighbors and I would not have a vote until 2024, 6 years, unless the advisory committee‘s proposal is adopted.

I urge you to honor the creation and work of this committee and fulfill your obligations as councilmembers by adopting their proposal for map 504c.

Thank you for your consideration.

Michelle Briggs,

Sent from my iPhone

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Cañada Cove new voting section
Date: Monday, March 14, 2022 8:14:26 AM

Begin forwarded message:

> **From:** Carin Feldman
> **Date:** March 13, 2022 at 8:58:58 PM PDT
> **To:** Jessica Blair <JBlair@hmbcity.com>
> **Subject: Cañada Cove new voting section**
>
> [CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Dear Ms Blair,
>
> My husband and I live in Cañada Cove. We have both been active members of the Half Moon Bay community. We do not understand why our voting section is being changed and why we will not be able to vote this year for the council seat?
>
> We believe diverse voting sectors are best for equal fair voting. Confused why all adult communities are being grouped together.
>
> Please consider these issues when making a decision on map changes.
>
> Thank you
>
> Carin Feldman
>
> Sent from my iPhone

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Comment to City Council on Redistricting
Date: Monday, March 14, 2022 8:13:39 AM

Begin forwarded message:

From: Steve Diers
Date: March 13, 2022 at 11:03:20 PM PDT
To: Jessica Blair <JBlair@hmbcity.com>
Cc: Debbie Ruddock <DRuddock@hmbcity.com>, Deborah Penrose <DPenrose@hmbcity.com>, Robert Brownstone <RBrownstone@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>, Harvey Rarback <HRarback@hmbcity.com>
Subject: Comment to City Council on Redistricting

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Jessica Blair, HMB City Clerk, can you please share my comment on redistricting to City Council the day before the Zoom meeting on March 15, 2022, at 8:30 pm? Thank you, Steve Diers

My name is Steve Diers and I live in Canada Cove. Please don't take our vote away. This is Canada Cove's year to vote for Council. If our vote is "deferred" until 2024, Canada Cove will be the largest and the only entire neighborhood not voting as scheduled this year. Since this would affect an entire community of "seniors," this is a significant statement the City Council would be making.

We need you to adopt Redistricting Map 503b and keep us in District 4. Under California law, the four main criteria for drawing maps and creating districts are: 1) Contiguous borders, 2) Communities of interest, 3) Easily recognizable boundaries, and 4)

Compactness. If a “senior district” is desired, why didn’t the Advisory Committee recommend Map 503b that actually would contain the highest concentration of seniors without separating Canada Cove from Ocean Colony and without moving Canada Cove two miles up the road (assuming that doesn’t constitute gerrymandering) and merging it into a different district. Canada Cove is best paired with Ocean Colony, our neighbor with whom we share emergency preparedness measures, as well as sharing many characteristics such as home ownership, retired and working residents, etc.

Sincerely, Steve Diers

Steve Diers
Half Moon Bay, CA 94019

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Proposed District Maps
Date: Monday, March 14, 2022 8:17:04 AM

Begin forwarded message:

From: Robert Holloway
Date: March 12, 2022 at 2:07:23 PM PST
To: Jessica Blair <JBlair@hmbcity.com>
Cc: Debbie Ruddock <DRuddock@hmbcity.com>, Deborah Penrose <DPenrose@hmbcity.com>, Harvey Rarback <HRarback@hmbcity.com>, Robert Brownstone <RBrownstone@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>
Subject: Proposed District Maps

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Clerk Blair

I am writing to register my belief that the proposed 504c district map looks suspiciously as though it is drawn for "political" purposes, whether or not that was the intent. That is not just my opinion, but that of everyone I know, including friends who would not be in a district, under 504c, as odd as the one with a long thin strip connecting two areas separated by a couple of miles of Highway 1. Fortunately or unfortunately, most people have come to regard maps with artificially linked neighborhoods as "gerrymandering," and ridicule them and the political folk who approve them. Map 503c has the virtue of looking normal, grouping people straightforwardly.

I cannot deny that as a Cañada Cove resident I am also irritated at losing my right to vote in the next election cycle, as I would under 504c, although I realize that that lot will inevitably fall to someone.

Respectfully,

Robert Holloway, Half Moon Bay resident

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistributing
Date: Monday, March 14, 2022 8:13:26 AM

Begin forwarded message:

From: Gregory BAURMANN
Date: March 14, 2022 at 8:12:23 AM PDT
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Redistributing

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning.
Just another Cañada Cove resident in favor of 503B
Thank you
Greg Baurmann

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Monday, March 14, 2022 9:48:13 AM

Begin forwarded message:

From: Sam Lippert
Date: March 14, 2022 at 9:46:15 AM PDT
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings,
My name is Sam Lippert & I have lived at 604 Poplar St. since 1991. I am concerned about the map 504c. My neighborhood is in downtown yet I am grouped with Canada Cove. As you know, Canada Cove is a 55+ neighborhood while ours is becoming younger with many young children. Our neighborhood should be grouped with those nearest us as any proposals that affect those in either Arleta Park or Downtown will also affect us whether we vote with them or not.
This is a sad example of gerrymandering. Why should the folks in a gated community have their own representative?
Please chose map 503b which is a more equitable option.
Sincerely,

Sam Lippert
.

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Redistricting
Date: Monday, March 14, 2022 8:17:13 AM

Begin forwarded message:

From: Lynde Meyers
Sent: Friday, March 11, 2022 4:19 PM
To: Debbie Ruddock <DRuddock@hmbcity.com>
Subject: Redistricting

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mayor Ruddock,
I am Lynde Meyers and we own our home at the south end of Johnston Street. It is the home built by Harold and Stella Cunha. As such we are residents of historic Spanish Town HMB. We concur that 4 Districts is more than enough for our small town. But it would appear that 5 Districts is being forced on us. The consensus of my neighbors here in "Village Proper" is that Map offering 503b would keep our neighborhood cohesive…we have the same concerns and issues that directly affect us. It makes sense. Also only 695 voters deferred to 2024! Map offering 504c is ridiculous! Tearing our neighborhood in half and stringing it miles south down hwy 1 to cross over

and join Canada Cove is ridiculous, as well as, dangerous! And defers 993 voters to 2024! How is it even legal? No one I've spoken with ever received any notification about a survey regarding this issue. We would have voted against 5 districts and definitely against map 504c! We in current district 1 want to keep our neighborhood together as District 5 and vote in our council member this year. We did not vote for the current District 3 council member and don't feel it is fair to be deprived of our contiguous neighborhood and a vote until 2024!!
Thank You for Your Time,
Lynde Meyers

From: Jessica Blair
To: Maggie Rodriguez
Subject: Fwd: Support for Map 503b _ Redistricting 2021 Focus Maps
Date: Monday, March 14, 2022 8:14:42 AM

Begin forwarded message:

From:
Date: March 13, 2022 at 8:25:41 PM PDT
To: Debbie Ruddock <DRuddock@hmbcity.com>
Cc: Robert Brownstone <RBrownstone@hmbcity.com>, Deborah Penrose <DPenrose@hmbcity.com>, Harvey Rarback <HRarback@hmbcity.com>, Joaquin Jimenez <jjimenez@hmbcity.com>, Jessica Blair <JBlair@hmbcity.com>
Subject: Support for Map 503b _ Redistricting 2021 Focus Maps

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mayor Debbie Ruddock,

I am writing to express my support for Map **503(b)**. I feel that the district lines represented in Map 50 (b) most closely represents geographic contiguity where neighborhoods are not separated by creeks and where I can easily identify my district boundaries by familiar streets, and natural barriers known to me in my neighborhood. Map 503 (b) maintains Geographic contiguity, compactness and easily identifiable by residents.

Thank you for your consideration.

Hazel

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **March 15, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jill Ekas, Community Development Director

TITLE: **HOUSING UPDATES**

RECOMMENDATION:
Receive presentation regarding efforts underway for affordable housing development, take public comment, and provide direction to staff.

FISCAL IMPACT:
There is no fiscal impact associated with receiving this report. Future actions will include securing additional consulting services and staffing to support the City's affordable housing needs.

STRATEGIC ELEMENT:
This action supports the Healthy Communities and Public Safety and Inclusive Governance Elements of the Strategic Plan.

BACKGROUND:
Affordable housing is a multi-year City Council priority. The workplan for this fiscal year called for efforts to be made on five actions. These directives and a status summary follow:

Task #1: Pursue Opportunities for Housing Development:

- Meet with property owners and developers.
- Seek diverse housing types including mixed-use, multi-family, mobile home park, and others, prioritizing Town Center and Workforce Housing Overlay sites.

Status: This is an on-going activity and recent highlights have included the following:

- Property owners and developers: Staff has engaged with numerous property owners and developers to assess options for residential development. Many of these discussions will be on-going while property owners and developers continue to evaluate opportunities and configurations with respect to timing, housing type, etc. Updates about several sites are highlighted later in this report.

- Opportunities for diverse housing types: Potential development for a diverse range of housing types is feasible. Staff has been working with Town Center and Workforce Housing Overlay property owners. Housing types include mixed-use, multi-family, and mobile and/or modular homes. The City-owned 555 Kelly Avenue property is a notable example, for which a request for qualifications (RFQ) for affordable housing development has been issued (discussed later in this report).

Task #2: Contract with an on-call housing specialist

Status: The City is in contract with Baird and Driskell (B&D). B&D has broad experience in the field of planning and affordable housing and is supporting the City with economic analysis, policy guidance, and consultation regarding development of affordable housing projects. The firm will be able to provide guidance with respect to the feasibility of financing, planning, and constructing affordable housing developments at various opportunity sites.

Task #3: Complete the Accessory Dwelling Unit (ADU) and Short-Term Vacation Rental Ordinances

Status:

- ADU Ordinance: City Council adopted the ADU ordinance in August 2021. The Coastal Commission certified the ADU ordinance with modifications in February 2022. Staff is preparing to bring the ordinance back to City Council for readoption to incorporate the Coastal Commission's modifications. Following Council's final action, the ordinance will be submitted to the Department of Housing and Community Development (HCD) who will conduct further review to ensure compliance with State housing law. Thus, although essentially complete, the project may have additional future steps.

- STR Ordinance: City Council adopted the STR Ordinance in September 2021. Coastal Commission staff reviewed the application and requested additional information from the City, which staff has provided. The Coastal Commission hearing is anticipated to come forward this spring.

Task #4: Update the Measure D Ordinance

Status: City Council considered approaches for updating the Measure D ordinance in fall 2021. Since that time, the City received a ballot measure for the November 2022 election that proposes to modify the Measure D ordinance. Staff notes that some of the proposed modifications are aligned with those proposed by staff. Furthermore, the measure intends to make affordable housing units exempt from Measure D. Staff supports such a change. Staff did not propose this previously to City Council because this type of modification can only be done through a vote. Staff's proposed amendments are limited to ordinance language that is not

restricted by the ballot measure language. The ballot measure has since been withdrawn but it is anticipated that it will be resubmitted. Staff recommends waiting for the ballot measure outcome before proceeding with associated updates to the ordinance. This will avoid wasting time on duplicative and/or conflicting work.

Task #5: Work on the General Plan

Status: The City is actively working on the cycle 6 Housing Element update. Most recently, at the City Council – Planning Commission joint work session on November 9, 2021, the Council provided input on the housing sites that will be included in the element. The draft element is in development. For the next step of engagement, staff will be conducting one-one meetings with service providers followed by focus group sessions. We are also bringing on an environmental planning consultant to prepare the required analysis for compliance with the California Environmental Quality Act (CEQA). The Housing Element will need to be fully drafted for public review this summer. The Safety Element is next in line for updating. Both the Housing and Safety Elements are subject to legislative timelines and policy scope.

DISCUSSION:

City Council confirmed affordable housing as a continuing priority for FY 2021-22. Staff anticipates that affordable housing will be an ongoing Council priority for at least the next fiscal year. A summary of the status for the FY 2021-22 tasks associated with this priority is provided above in the background section of this report. In addition to the workplan tasks, additional efforts have been underway. This staff report provides an update regarding these efforts, as well as some other topics relevant to housing, in advance of City Council's priority setting session on March 22, 2022.

City Properties:

At the November 9, 2021 housing work session, City Council directed staff to proceed with efforts to develop two City-owned properties with affordable housing.

- 555 Kelly Avenue: This property is located south of the City's Ted Adcock Community Center adjacent to Shoreline Station. The property is about 6,200 square feet and abuts the City's parking lot on the south side of the Ted Adcock Community Center. The parking lot area could potentially be incorporated to make a larger site. The City's housing consultant prepared a request for qualifications (RFQ) to solicit development interest from non-profits for affordable housing projects. The RFQ was broadly noticed, and the process is underway through May 9th. The RFQ and supporting documentation is posted on the City website at this link.[1] The City's housing consultant will be at the March 15, 2022 Council meeting and will be prepared to answer questions about the RFQ and potential development of 555 Kelly Avenue.

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

- 880 Stone Pine Road: The City recently purchased this property with the primary intent to continue to use the site for the City's corporation yard. Because the site is relatively large, City Council expressed interest in completing a feasibility study of potential development of affordable housing on another portion of the site. City staff has overseen two related efforts to assess feasibility.

    - Environmental and Hazards Constraints: An environmental and hazards constraint assessment is nearly complete. It was prepared by the City's environmental consultant (SWCA) who has been working on the environmental review in fulfillment of California Environmental Quality Act (CEQA) requirements for the corporation yard permitting. They will complete the report once the corporation yard project review is complete. Numerous constraints affect the site and include biological resources and various hazards. Staff and the environmental consultant have worked to address these constraints with the intent of improving the feasibility for developing a portion of the site with affordable housing.

    - Financing and Development Constraints: The City's housing consultant has conducted a parallel feasibility assessment, primarily related to the ability to finance development on this site. The biological and hazard constraints affect financing options. The preferred financing approach is through tax credits. Because the site could potentially support about 50 units and is well-located, it could compete well for this type of financing. Unfortunately, a recent report about the condition of the Pilarcitos Dam, which is an SFPUC facility, and down stream inundation in the event of dam failure presents risk for financing under the current conditions. While dam failure is unlikely, it can be life threatening. A dam improvement project is included in the SFPUC CIP program, with expenditures budgeted through 2030, although construction is not anticipated to commence in the next five years. The City's housing consultant recommends that the City consider including this site in the cycle 6 Housing Element and monitor progress on the dam improvement project. As the project moves ahead, the City will be in a much better position to move forward with an affordable housing development on this site.

Other Properties:
The following are highlights of sites that are in various stages of planning for a range of housing types. They are listed in order of application status, with those furthest along listed first.

- Main and Kelly: The Planning Commission approved a coastal development permit for this Town Center mixed-use development on March 8, 2022. It includes approximately 2,000 square feet (gross) of commercial special space fronting Main Street and Kelly Avenue and six market rate rental residential units. Two of the units will be fully ADA adaptable and all six units will be visitable. It is of note that this development is not subject to the City's Below Market Rate (BMR) ordinance which is applicable to ownership projects with 10 or more units.

- Creekside: The Creekside subdivision is located in the Town Center and was approved by City Council over a year ago. A new owner is now preparing to develop the property. The first phase includes infrastructure (e.g. roads and utilities). Concurrently, the applicant is pursing coastal development permits for the residential units. The units include 10 single-family homes, 4 ADUs, and 4 affordable rental units (2 affordable to very low-, and 2 affordable to low-income households). The affordable units were required by the City's BMR ordinance.

- 2411 Cabrillo Highway: This is a Workforce Housing Overlay site. The property owner submitted a preliminary application for up to 7 affordable units for farmworker households in 2021 and applications for 3 Measure D allocations in January 2022. The property owner and staff have been in discussions with San Mateo County Department of Housing staff regarding funding, which is moving forward.

- Hilltop Mobile Home Park Expansion: This site is located within the Town Center and would comprise an expansion of the Hilltop Mobile Home Park on the north side of Highway 92. The land use designation was changed from industrial to Mobile Home Park with the recent Land Use Plan update. Measure D allocations have been assigned to the site (22 from 2021, and 10 from 2022). Staff has been working with the property owner and architect and understands that a preliminary application is pending.

- Podesta PUD: Staff is working with the property owner and a preliminary application is in the works. The site is about 34.5 acres and has potential for about 185 dwelling units per the Local Coastal Land Use Plan. Other uses are also allowed within this PD including community services and neighborhood convenience commercial uses. During the Land Use Plan update review, Council clearly directed their preferences that this site support as much affordable housing as possible.

- School District Sites: The Cabrillo Unified School District hired a consultant to assess the District's properties for potential development, including for housing. Staff has met with District staff and their consultants to consider options for the District's sites located within the City. It is of note that all of the District's sites now carry the Workforce

Housing Overlay designation which allows development of affordable housing on properties with public facilities designations.

Additional sites are always being explored with private property owners. As soon as owners are ready to present potential housing projects on their sites, City staff will update Council.

Renter Assistance:
The above discussion of sites and development presents a positive outlook for the future. That said, current economic conditions are posing serious levels of housing insecurity, especially on low-income households who are renting. Staff recommends two measures to provide support in the near term.

- Rent Assistance: In November 2020, City Council approved a $200,000 allocation of City Affordable Housing Funds, $100,000 each to Coastside Hope and Saint Vincent DePaul (SVDP) for rental assistance. The funds were to be used for households that live in Half Moon Bay; or live on the coastside *and* work in Half Moon Bay. The funds granted to Coastside Hope were used within six months. Since April 2021, Coastside Hope has had other funding sources; however, they recently informed staff that they need additional financial support for rent assistance. SVDP will exhaust their funding before the end of this fiscal year, with an ongoing need for additional funds. Staff is working with the Community Services Financial Assistance (CSFA) Grant Subcommittee and will bring a recommendation to the full Council at a future meeting.

- Renter Support and Education: Recent public comment has cited instances of potential housing discrimination, including cases where families were not able to rent properties because of larger household sizes. Rents are increasing significantly on some properties and families have had to leave the area. Community resources are available to help these families and staff frequently makes referrals. It appears that more needs to be done to provide education and connect these households to the available resources. Staff is looking into hosting renter education sessions with service providers present.

SB 9 – the California Home Act:
SB 9 was enacted by the State Legislature in 2021 and became effective on January 1, 2022. Outside the coastal zone, SB 9 allows for ministerial approval of duplex development and lot splits in single-family zoning districts. Staff has been monitoring SB 9 and the actions being taken in other communities who are developing ordinances to comply with SB 9. A UC Berkeley study indicates that SB 9 will have the greatest impact in communities with larger lots. Staff does not anticipate significant SB 9 interest in Half Moon Bay because our lots tend to be small and new units will be required to obtain additional water connection capacity, which is quite costly. In addition, SB 9 provides that it does not supersede or in any way alter application of the Coastal Act, except that local governments are not required to hold public hearings for

coastal development permit (CDP) applications. Recently, the California Coastal Commission issued a guidance member for implementing SB 9 in the Coastal Zone. The guidance specifies that SB 9 can only be implemented in the Coastal Zone once a jurisdiction adopts an SB 9 implementing ordinance for certification by the Coastal Commission. Staff has considered options for such an ordinance and will be prepared to outline a concept for focusing SB 9 options in the Town Center.

Land Use Plan and Housing Element Implementation:
Following completion of the Housing Element, the City will need to complete a series of zoning amendments. These amendments will implement both the recently certified Land Use Plan and the Housing Element. Amendments will include an updated zoning map, upzonings within Town Center, creation of the Rural Coastal and Workforce Housing Overlay zoning districts. Other updates may include address the BMR and Density Bonus provisions.

Measure D Status:
For 2022, there are a total of 69 Measure D allocations. For Downtown, 23 are base allocations, and 23 are bonus. As of March, all but 3 of the Downtown allocations have been assigned. There are 23 allocations for outside Downtown; as of January 31, 2022, the City was in receipt of applications for 41 allocations for sites outside Downtown. This condition requires the City to review the applications and follow a codified ranking procedure to determine which units will receive allocations. Staff will present the rankings to the Planning Commission on April 12, 2022.

Summary: As City Council continues to prioritize housing, especially affordable housing, staff continues to spend significant time and effort developing programs and regulations, working with developers, and seeking funding. The City's housing consultants are significantly furthering these efforts, but more help is needed given the extensive amount of staff time needed to prepare the Housing Element update and the complexity of work to identify and successfully negotiate affordable housing opportunities. Council approved a new position for a Housing Coordinator at its meeting on March 1st. The recruitment is being prioritized by Administrative Services. A mid-year budget amendment for additional contract services will be primarily used to support housing consultation and the Housing Element work.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **March 15, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **REGENERATIVE FARMING PRESENTATION - JIMENEZ**

RECOMMENDATION:
Receive a presentation on regenerative farming and other farming methods that reverse climate change from Melinda MacNaughton MS RD, at Councilmember Jimenez's request.

FISCAL IMPACT:
None associated with this report.

STRATEGIC ELEMENT:
This recommendation supports the Inclusive Governance Element of the Strategic Plan.

DISCUSSION:
Melinda MacNaughton, MS RD

Biography: Melinda has always been interested in sustainable living as well as climate change and was recently inspired to learn more about soil science and how it is interconnected with climate ecology. She became a Soil Advocate for Kiss The Ground by taking coursework from them to learn about Regenerative Agriculture and how to educate people about it. She is currently taking soil science coursework at Soil Food Web by Dr. Elaine Ingham- one of the world's foremost soil biologists who has advanced our soil knowledge for over 4 decades. Melinda is a Registered Dietitian Nutritionist with a masters in nutrition and she is discovering how soil is tremendously connected to our gut health and nutritional wellbeing. She is also a host for Local Green, HMB podcasts/Facebook video Interviews with Local Sustainable Leaders. This last project is on hold for now.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **March 15, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **APPOINTMENT TO PLANNING COMMISSION - BROWNSTONE**

RECOMMENDATION:
Councilmember Brownstone to make an appointment to the Planning Commission to fill an unscheduled vacancy.

FISCAL IMPACT:
None associated with this report.

STRATEGIC ELEMENT:
This recommendation supports the Inclusive Governance Element of the Strategic Plan.

BACKGROUND:
Councilmember Brownstone's appointment to the Planning Commission resigned, leaving an unscheduled vacancy. A notice and call for applications were published and ran for four weeks. Five total applications were received, with three eligible (two were located outside of city limits). Those applications are included as Attachment 1. The appointee will complete the term of the appointment, concluding at the end of 2022 with Councilmember Brownstone's term.

Planning Commission
Members of the Planning Commission are appointed by and serve for a term coinciding with members of the City Council. Pursuant to Half Moon Bay Municipal Code Section 2.24.030, a person nominated for a Planning Commission appointment "shall be appointed to the commission upon receiving a majority of votes from the entire city council." If a Councilmember's nomination is not approved, the nominating Councilmember is entitled to two more nominations. If, after this process, no nomination is approved, the floor will be open to additional nominations from all members of the Council.

ATTACHMENT:
Willing to Serve forms received

From: noreply@civicplus.com
To: Jessica Blair
Subject: Online Form Submittal: Willing to Serve
Date: Friday, January 28, 2022 11:02:42 PM

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Willing to Serve

Thank you for your willingness to participate in making Half Moon Bay a better place! This "Willing to Serve" form can be used to apply to serve on one of the City's Commissions or Committees. Please note that information provided on this form is considered public information and may be made available to other applicants, members of the media, or the general public.

Commission or Committee for which you are applying:	Planning Commission
Name	Joseph Falcone
Address	
City	Half Moon Bay
Zip code	94019
Phone 1	
Phone 2	
Email	
Occupation	Computer Scientist
Current employer	Phondini Partners LLC
Employer address	431 Myrtle Street
City	Half Moon Bay
Zip code	94019
How long have you lived in Half Moon Bay?	22 years

Educational background	AB Computer Science, Univ of California, Berkeley; MS Electrical Engineering, Stanford; Horticulture & Landscape Architecture, CSM
Professional experience	Over 40 years in technology including roles as CTO and Senior Vice President of Engineering for Silicon Valley companies. Currently CEO & Founder of Phondini Partners, an HMB based firm developing mobile applications, websites and social media presence. Local work includes the public outreach project, including social media and walking tours, for the San Mateo County Harbor District, the mobile apps for the Pumpkin Festival and Dream Machines, and the FishLine app and website supporting off-the-boat sales for our local fishing community as well as many others from Hawaii to Rhode Island.
Civic activities and community involvement	Member of the HMB Planning Commission, 2003-2006
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	We have lived in Half Moon Bay for over 20 years, longer than anywhere else and we have had the privilege to live in other great places like Newton, Mass, and Glasgow, Scotland. I enjoyed my years on the planning commission, and it was a great learning experience. In addition to the education I received from attending hearings, I also went to the Planning Commissioners Academy in Pasadena and the annual conference of the National Trust for Historic Preservation in Denver. I also took the time to have coffee with my fellow commissioners as well as city staff to understand the practical details of how the commission worked. I have maintained an interest in the evolution of our general plan as well as providing input into a variety of local projects, including the coastal trail, poplar beach access, and wavecrest project. I also have interests and some formal education in landscape architecture which has proven valuable for reviewing plans. In short, I am prepared to contribute meaningfully to the work of the commission on day one if appointed.
Have you attended any meetings of the City Council or other Half Moon Bay commissions or committees?	Yes
How did you become aware of this opportunity to serve?	Was contacted by a commissioner
Today's date	1/28/2022

Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Jessica Blair
Subject: Online Form Submittal: Willing to Serve
Date: Friday, February 18, 2022 12:10:58 PM

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Willing to Serve

Thank you for your willingness to participate in making Half Moon Bay a better place! This "Willing to Serve" form can be used to apply to serve on one of the City's Commissions or Committees. Please note that information provided on this form is considered public information and may be made available to other applicants, members of the media, or the general public.

Commission or Committee for which you are applying:	Planning Commission
Name	Margaret Gossett
Address	
City	Half Moon Bay
Zip code	94019
Phone 1	
Phone 2	*Field not completed.*
Email	
Occupation	Community Volunteer - Chemist
Current employer	*Field not completed.*
Employer address	*Field not completed.*
City	*Field not completed.*
Zip code	*Field not completed.*
How long have you lived in Half Moon Bay?	6 years, 10 mo.

Educational background	Bachelors of Arts, Chemistry, Indiana University
Professional experience	QA Manager Compliance, Wesley-Jessen Contact Lens Company, Des Plaines, IL - 1994-1996 Managed diverse laboratory functions (staff of 50) such as testing all incoming raw materials, In-process materials, and finish product inspection. Conducted internal and external audits. Participated in a successful FDA inspection that did not result in a 483 distraction. Research Chemist, Wesley-Jessen Contact Lens Company, Chicago, IL 1987-1994 Synthesized novel UV absorbers. Led technology transfer of a company acquired asset to an off-shore production site in Puerto Rico. Helped define a new manufacturing process to increase throughput in a new facility. Executed DOE plans to identify root causes of manufacturing problems and implement corrective actions. Optimized automated digital camera inspection system. Led cross-functional Vendor quality assurance initiative to minimize sole source risk in manufacturing. Eagle Award recipient.
Civic activities and community involvement	CERT - Co-leader, Alsace Lorraine, July 2019 - Present Docent, Ano Nuevo State Park Elephant Seal Rookery, Pescadero, CA - 2015-Present Enrich visitor’s experience by providing thought-provoking interpretation and teaching the importance of land conservation within our environment while safely hiking amongst many 2000 to 5000-pound elephant seals. Environmental Commissioner, Mountain Lakes, NJ 2002- 2004, 2009 - 2014 Vice Chair 2011-2014 Convinced governing body to implement a wellhead protection ordinance to protect drinking water. Updated and published a Natural Resource Inventory electronically. Led an ANJEC award-winning project for the installation of a riparian buffer on a public lakefront. Served as a liaison to the Woodland Committee with an eye towards the restoration of a retiring 600-acre woodland threatened by deer browsing, invasive plants, acid rain, and encroachment. Also served as liaison to the Lakes Management Committee to stop eutrophication. Founding Trustee of Citizens for Health, Safety, and Welfare, Parsippany, NJ 2012-2015 Created a 501(c)3 non-profit to successfully oppose mixed-use development of a big box store adjacent to a residential community. Used a multi-faceted approach to convince the developer to reduce the size and scope of the project. President and Board Member of the Mountain lakes League of

	Women Voters, 2000-2014 Participated as a board member to help increase voter participation within the community. Published observer corps, hosted candidate forums, and studied local issues to develop consensus positions to lobby local government. Served as President 2009-2011. Successfully ran a Running and Winning workshop at Mountain Lakes High School to teach young students how to work on a campaign. Led Pedestrian Safety Study Committee resulting in the implementation of solutions around a busy school district and in the community.
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	Recruited by fellow neighbor and Planning Commissioner who is stepping down. I enjoy working on local issues to develop consensus and to help governing bodies make informed decisions.
Have you attended any meetings of the City Council or other Half Moon Bay commissions or committees?	Yes
How did you become aware of this opportunity to serve?	Sara Polgar
Today's date	February 18, 2022
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Jessica Blair
Subject: Online Form Submittal: Willing to Serve
Date: Tuesday, February 8, 2022 4:47:52 PM

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Willing to Serve

Thank you for your willingness to participate in making Half Moon Bay a better place! This "Willing to Serve" form can be used to apply to serve on one of the City's Commissions or Committees. Please note that information provided on this form is considered public information and may be made available to other applicants, members of the media, or the general public.

Commission or Committee for which you are applying:	Planning Commission
Name	Laureen Diephof
Address	
City	Half Moon Bay
Zip code	94019
Phone 1	
Phone 2	*Field not completed.*
Email	
Occupation	Writer: former news reporter
Current employer	*Field not completed.*
Employer address	*Field not completed.*
City	*Field not completed.*
Zip code	*Field not completed.*
How long have you lived in Half Moon Bay?	Going into my fourth year, however, I lived in HMB for the year of 2002-3

Educational background	BA in Sociology. Graduate work in Education
Professional experience	I was a news reporter and columnist for South County Newspapers. and also wrote for many other papers and magazines.
Civic activities and community involvement	Served as a docent for the Jail and also worked a few months for the Chamber of Commerce, taught classes for San Mateo Parks and Recreation the year before Covid.
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	I have xperienced many years of the importance of a planning commission. For two towns, attended meetings and reported on them.
Have you attended any meetings of the City Council or other Half Moon Bay commissions or committees?	No
How did you become aware of this opportunity to serve?	I learned of the opportunity to serve from the Nextdoor site.
Today's date	Feb. 8, 2022
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

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