CITY COUNCIL AGENDA
REGULAR MEETING
CITY OF HALF MOON BAY

TUESDAY, JULY 19, 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
CHIEF DAVE COSGRAVE RETIREMENT PROCLAMATION

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

CITY MANAGER UPDATES TO COUNCIL

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B 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.C CONFLICT OF INTEREST CODE UPDATE

Staff Recommendation: Adopt a resolution amending the Conflict of Interest Code.

STAFF REPORT

RESOLUTION

1.D RESOLUTION IN SUPPORT OF MICKELSON THERAPY POOL REOPENING

Staff Recommendation: Adopt a resolution urging Sutter Health to reopen the Mickelson Therapy Pool and to maintain the same open access hours that were in place prior to January 2020.

STAFF REPORT

RESOLUTION

1.E RECEIPT OF LEGISLATIVE POSITION LETTER

Staff Recommendation: Receive and file letter of support for Community Assistance, Recovery, and Empowerment CARE Court Bill / Senate Bill 1338.

STAFF REPORT

ATTACHMENT 1

1.F WARRANTS FOR THE MONTH OF JUNE 2022

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

STAFF REPORT

ATTACHMENT 1

1.G AGREEMENT WITH PACIFICA COMMUNITY TELEVISION FOR PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS TELEVSION SERVICES

Staff Recommendation: Adopt a resolution authorizing the City Manager to execute a two-year agreement with Pacifica Community Television for Public, Educational, and Governmental Access Television services for the City of Half Moon Bay.

STAFF REPORT

RESOLUTION

1.H FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH STEPFORD, INC.

Staff Recommendation: Adopt a resolution authorizing the City Manager to execute a First Amendment to the Professional Services Agreement with Stepford, Inc. to extend the agreement term by six months.

STAFF REPORT

RESOLUTION

ATTACHMENT 2

1.I POTENTIAL ACQUISITION OF SAN MATEO COUNTY APN 064-022-120, HALF MOON BAY

Staff Recommendation: Adopt a resolution authorizing the City Manager to execute a Purchase and Sale Agreement to acquire a parcel located in the West of Railroad area owned by Spencer C. Chen and Peggy Y. Chen, as co-trustees of the Chen Family Trust, dated November 2, 2004 (San Mateo County APN 064-022-120).

STAFF REPORT

RESOLUTION

ATTACHMENT 2

1.J JOINT SEARCH BY CABRILLO UNIFIED SCHOOL DISTRICT AND CITY OF HALF MOON BAY FOR COMMUNITY SOLAR POWER PURCHASE AGREEMENTS

Staff Recommendation: By motion, authorize City Staff to prepare a joint Request for Proposals with Cabrillo Unified School District seeking a Power Purchase Agreement for Community Solar Generation and Battery Storage projects.

STAFF REPORT

ATTACHMENT 1

1.K AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH FREYER AND LAURETA, INC. FOR DESIGN SERVICES FOR THE MAIN STREET SAFETY IMPROVEMENT PROJECT (CIP PROJECT NO. 1009)

Staff Recommendation: Adopt a resolution authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Freyer and Laureta, Inc. (Consultant) for design services for the Main Street Safety Improvement Project (Project) increasing the not to exceed contract amount from $29,900 to $35,900.

STAFF REPORT

RESOLUTION

1.L PROFESSIONAL SERVICES AGREEMENT WITH WOOD CONSULTING SERVICES

Staff Recommendation: Adopt a resolution authorizing the City Manager to execute a Professional Services Agreement with Wood Consulting Services for economic recovery plan services, Coastside Recovery Initiative implementation, and city projects that support a more equitable, vibrant, and resilient Coastside economy with a not-to-exceed amount of $140,000.

STAFF REPORT

RESOLUTION

ATTACHMENT 2

2. ORDINANCES AND PUBLIC HEARINGS

2.A FISCAL YEAR 2022-23 SEWER SERVICE CHARGES AND ASSESSMENTS

Staff Recommendation: Conduct a public hearing and adopt a resolution approving the Fiscal Year (FY) 2022-23 Sewer Service Assessments and charges, direct staff to file the assessment roll, and authorize the County Controller to place the assessment charges on the County of San Mateo Property Tax Roll and direct staff to bill assessments directly that are not on the tax roll.

STAFF REPORT

RESOLUTION

3. RESOLUTIONS AND STAFF REPORTS

3.A 555 KELLY AVENUE - AUTHORIZATION TO PREPARE AN EXCLUSIVE NEGOTIATIONS AGREEMENT AND A PRE-DEVELOPMENT LOAN AGREEMENT WITH MERCY HOUSING

Staff Recommendation: Adopt a resolution authorizing staff to prepare the following, subject to future City Council approval:

1. Exclusive Negotiations Agreement (ENA) between the City and Mercy Housing California (Mercy Housing), in order to enable pre-development activities to be undertaken for an affordable housing project on a City-owned site at 555 Kelly Avenue and to provide for a period of time in which to negotiate a development agreement between the parties, and;
2. Pre-development loan agreement between the City and Mercy Housing, in order to provide potential funding for pre-development activities during the period leading up to the start of construction.

STAFF REPORT

RESOLUTION

ATTACHMENT 2

3.B PRESENTATION OF POLLING RESULTS AND CONSIDERATION OF A POTENTIAL VACANT HOMES TAX AND / OR SALES TAX MEASURE FOR THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION

Staff Recommendation: Receive a presentation from consultants on polling results of a potential Vacant Homes Tax measure and / or Sales Tax measure and direct staff as necessary.

STAFF REPORT

3.C APPOINTMENT OF A YOUTH REPRESENTATIVE TO THE HALF MOON BAY BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

Staff Recommendation: Appoint Chloe Standez as the youth representative to the Bicycle and Pedestrian Advisory Committee (BPAC).

STAFF REPORT

ATTACHMENT 1

3.D RESOLUTION SUPPORTING FIXIN' SAN MATEO COUNTY'S EFFORTS TO ESTABLISH CIVILIAN OVERSIGHT OF THE SAN MATEO COUNTY SHERIFF'S OFFICE

Staff Recommendation: Receive a report and consider adopting a resolution supporting Fixin' San Mateo County (FxSMC) efforts to establish civilian oversight of the San Mateo County Sheriff's Office, including urging the San Mateo County Board of Supervisors to pass an ordinance to create a Civilian Oversight Board and Inspector General, both with subpoena power.

STAFF REPORT

RESOLUTION

ATTACHMENT 2

ATTACHMENT 3

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: **July 19, 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 the meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director/City Clerk

TITLE: **CONFLICT OF INTEREST CODE UPDATE**

RECOMMENDATION:

Adopt a resolution amending the Conflict of Interest Code.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

STRATEGIC ELEMENT:

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

BACKGROUND:

The Political Reform Act requires every local government agency to review its Conflict of Interest code biennially to determine its accuracy or, alternatively, that the code must be amended. Positions that make or participate in making governmental decisions that could affect their private financial interests need to be designated in the City's Code.

Positions that have been added, eliminated, or modified since the last review:

Positions Added:
Community & Economic Vitality Manager
Housing Coordinator

Positions Eliminated:
None.

The City Manager, City Attorney, City Council, Planning Commission, and the Finance Director / City Treasurer are designated in Government Code Section 87200, and as such, are not included in the City's list of designated positions. The Fair Political Practices Commission retains the original forms for these positions.

ATTACHMENT:
Resolution Amending the City of Half Moon Bay Conflict of Interest Code

RESOLUTION NO. C-2022-_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AMENDING THE CONFLICT OF INTEREST CODE APPLICABLE TO CERTAIN DESIGNATED OFFICIALS AND EMPLOYEES

WHEREAS, the City Council is the code reviewing board for processing the City's Conflict of Interest Code ('the Code") and Government Code Sections 87306 and 87307 provide that the City Council may amend the Code when there are changed circumstances, including the recognition of new positions; and

WHEREAS, the title of certain positions and employees must be designated as such in a Conflict of Interest disclosure list; and

WHEREAS, the Political Reform Act of 1974 ("the Act") requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or alternatively, if it must be amended.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby amends the Conflict of Interest Code (Exhibit A) applicable to certain designated officials and employees.

****

I, the undersigned, hereby certify that the foregoing resolution was duly passed and adopted on the 19th day of July, 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

CITY OF HALF MOON BAY

CONFLICT OF INTEREST CODE
CATEGORIES OF DISCLOSURE FOR DESIGNATED PERSONS

Designated Position:	Reportable Economic Interest Category Numbers[1]
Administrative Services Director	1
Assistant City Attorney	1
Assistant City Manager	1
Associate Engineer	1
Associate Planner	1
Communications Director/City Clerk	1
City Engineer	1
Community Development Director	1
Communications Program Manager	1
Community & Economic Vitality Manager	1
Consultants	1[2]
Deputy City Attorney	1
Deputy City Manager	1
Housing Coordinator	1
Management Analyst	1
Public Works Director	1
Public Works Superintendent	1
Parks and Recreation Commission Members	1
Senior Accountant	1
Senior Planner	1

[1]Disclosure categories are set forth in the Conflict of Interest Code.

[2]Subject to determination by the City Manager.

Designated Persons must complete a Form 700 Statement of Economic Interests for Designated Officials and Employees. For the categories of disclosure, the following Form 700 schedule should be completed, as applicable:

Category 1: Schedules A-1, A-2, B, C, D, E & F

Category 2: Schedules A-1, A-2, C, D, E & F

Note: The City Manager, City Attorney, City Treasurer, City Council, and Planning Commission are required to file disclosure statements based on Government Code Section 87200. These persons are not Designated Employees.

CITY OF HALF MOON BAY

CONFLICT OF INTEREST CODE

DISCLOSURE CATEGORIES

An investment, interest in real property, or income is reportable if the business entity in which the investment is held, the interest in real property, or the foreseeable income or source of income may be affected materially by a decision made or participated in by the designated employee by virtue of the employee's position.

Designated Employees in Group "1" must report:

a. Interest in real property which is located in whole or part either within the boundaries of the City, or within two miles of the boundaries of the City, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is greater than $1,000.00. (interests in real property of an individual include the share of interest in real property of a business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly, or beneficially, a ten percent interest or greater.)
b. Investments in or income from persons or business entities engaged in the business of acquisition or disposal of real property within the City.

Designated Employees in Group "2" must report:

a. Investments in any business entity, which, within the last two years, has contracted, or in the foreseeable future may contract, with the City of Half Moon Bay to provide services, supplies, materials, machinery or equipment to the City of Half Moon Bay.
b. Income from any source, which, within the last two years, has contracted, or in the foreseeable future may contract with the City of Half Moon Bay to provide services, supplies, materials, machinery or equipment to the City of Half Moon Bay.
c. Status as a director, officer, sole owner, partner, trustee, employee.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **RESOLUTION IN SUPPORT OF MICKELSON THERAPY POOL REOPENING**

RECOMMENDATION:
Adopt a resolution urging Sutter Health to reopen the Mickelson Therapy Pool and to maintain the same open access hours that were in place prior to January 2020.

FISCAL IMPACT:
There is no cost to the City associated with this action.

DISCUSSION:
Sutter Health operated a fully accessible, community-built facility—The Mack E. Mickelson Arthritis and Rehabilitation Center at Mills Health Center in San Mateo—that was acquired from Mills-Peninsula Hospital more than twenty years ago. This pool is a unique facility designed specifically for therapeutic exercise. It is heated to 93 degrees Fahrenheit and is wheelchair accessible with a ramp descending into the water.

For decades, the pool had been open to community residents of all ages. Its healing, warm water provided an invaluable resource for chronic pain management and rehabilitation for seniors, disabled individuals, patients recovering from surgeries, children with special needs, and pregnant women. Patrons drove from all over—Half Moon Bay, San Francisco, Oakland, and San Jose—to take advantage of this precious asset. It was not just a place for physical rehabilitation; it was also a social community that offered mental health benefits to disabled and elderly individuals many of whom rarely left home.

Citing the worldwide COVID pandemic, Sutter closed the Mickelson Center in March 2020. In January 2020—three months prior to the shelter-in-place county directive—therapy pool hours were significantly reduced for community use. Since that time, Sutter management has shown a lack of transparency offering shifting explanations for their decision to make the closure permanent. This led to the creation of Warm Water Wellness Inc (WWW Inc) and our advocacy for the reopening of this important, well-used and much beloved facility that was financed entirely by $4 million in community donations.

Due to water temperature and accessibility issues, recreational pools do not meet the needs of mobility-impaired therapy pool users. The closest public therapy pools are the Janet Pomeroy Center in San Francisco (20 miles away) and the Timpany Center in San Jose (30 miles away). The Pomeroy Center is often crowded due to the closure of Sutter's other therapy pools in San Francisco. Additionally, the physical challenge of sitting in a vehicle for an excessive travel time and the very real problem of limited transportation options for seniors and the disabled make it nearly impossible for the Mickelson Center's warm water refugees to use these facilities.

Older adults aged 55 and over are the fastest-growing demographic group in San Mateo County. From 2010 to 2030, the number of people over 65 in the county will have increased 71% and those over 85 will increase by 148%. Beyond this, San Mateo County statistics on its aging population point to an even greater future need for warm water therapy, as one in four people 65 and older will experience a disability. As the State of California advises in its Master Plan For Aging, now is the time to be planning for the services that will be needed by this growing demographic group, not eliminating services such as The Mickelson Center.

Owners, proponents, and users of aquatic facilities know the importance of their facilities and their role in the communities they serve. While these facilities have for many years met the needs of a wide variety of users, from swimming and water safety classes for children to training programs for athletes, some of the most important needs may arguably be for the many healing and health maintenance benefits provided in an aquatic setting.

Sutter executives continue to receive appeals to reopen the Mickelson pool, but to date they have refused to discuss potential solutions with WWW Inc and individual former pool users. They have been unwilling to cooperate, even with the Peninsula Health Care District, which generously offered to finance necessary upgrades and operating costs of the facility.

The most humane and common-sense solution would be for Sutter Health to reopen the existing facility—one that is centrally located and meets all accessibility requirements. The Mickelson Center is a precious resource that was built by the community for the community over 25 years ago. Half Moon Bay constituents in need of this facility would greatly benefit from the reopening of this facility.

ATTACHMENTS:
Resolution

RESOLUTION NO. C-2022_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY, CALIFORNIA, CALLING ON SUTTER HEALTH TO REOPEN THE MACK E. MICKELSON ARTHIRITIS AND REHABILITATION CENTER THERAPY POOL FOR COMMUNITY USE AT THE MILLS HEALTH CENTER IN SAN MATEO, WITH THE SAME OPEN ACCESS HOURS THAT WERE IN PLACE PRIOR TO JANUARY 2020

WHEREAS, the maintenance of numerous records is expensive, slows document retrieval, and is not necessary after a certain period for the effective and efficient operation of the government of the City of Half Moon Bay; and

WHEREAS, the Mack E. Mickelson Arthritis and Rehabilitation Center Therapy Pool is an Americans with Disabilities Act- -accessible warm water therapy pool operated by Sutter Health and located at the Mills Health Center, in San Mateo, California; and

WHEREAS, the Mickelson Therapy Pool was constructed over 25 year ago using charitable contributions from residents of San Mateo County to serve as a centerpiece of an arthritis center created by Mills Peninsula; and

WHEREAS, the Mickelson Therapy Pool has been used for over 25 years by thousands of residents of San Mateo County, including those from Half Moon Bay, who suffer from a broad range of health issues, including permanent disabilities, debilitating injuries, autoimmune disorders, and mobility impairments, to rehabilitate those health issues and mitigate physical decline; and

WHEREAS, Mickelson Therapy Pool has historically provided both preventative and interventionist therapies to residents of San Mateo County suffering from health issues; and

WHEREAS, there is also an apparent and growing need for the services provided by the Mickelson Therapy Pool, due to San Mateo County's rapidly increasing number of elderly residents who are highly likely to suffer from health issues requiring a warm water therapy pool; and

WHEREAS, Mickelson Therapy Pool is the only pool of its kind in San Mateo County, and there are no comparable warm water therapy pools that can adequately accommodate the residents of Half Moon Bay and San Mateo County who previously relied upon Mickelson Therapy Pool and who are now suffering from acute and chronic physical pain and mental anguish without it; and

WHEREAS, despite the critical need for the facility, in June 2021, Sutter Health announced that it would permanently close the Mickelson Therapy Pool to independent use by patrons and closing Mickelson removes a valuable healthcare resource for people to assist them in daily activities; and

WHEREAS, over 4,300 patients, caregivers, and community members have signed a petition to reopen the Mickelson Therapy Pool in order to increase the health, independence, and dignity of residents who rely upon it; and

WEHREAS, the City Council recognizes that promptly reopening the Mack E. Mickelson Arthritis and Rehabilitation Center Therapy Pool for community use with the same open access hours that it had prior to January of 2020 would preserve and improve the health of residents in Half Moon Bay who have historically relied upon it or who could benefit from warm water therapy to maintain their health, independence, and dignity/

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HALF MOON BAY DOES HEREBY RESOLVE the urging of Sutter Health to reopen the Mickelson Therapy Pool and to maintain the same open access hours that were in place prior to January 2020.

****

I, the undersigned, hereby certify that the forgoing Resolution was duly passed and adopted on the 19th day of July, 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: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **RECEIPT OF LEGISLATIVE POSITION LETTER**

RECOMMENDATION:
Receive and file letter of support for Community Assistance, Recovery, and Empowerment CARE Court Bill and support letter sent for Senate Bill 1338.

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

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

DISCUSSION:
Annually, the City adopts a Legislative Platform to allow staff to send position letters regarding various bills / issues of interest to the City. The 2022 Legislative Platform was adopted by the City Council on March 1, 2022. The platform provides staff direction and allows the City, on the Council's behalf, to respond in support of or opposition to bills and other legislative and administrative actions. The City Council has delegated its authority to the Mayor and / or City Manager to sign position letters consistent with the legislative platform. Townsend Public Affairs monitors legislation for the City and communicates frequently with staff on bills. Occasionally, the League of California Cities will send action alerts for bills affecting municipalities. Staff reviews those alerts as well and will take action on any that align with the City's Legislative Platform.

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

ATTACHMENTS:
SB 1338 Support Letter

DocuSign Envelope ID: 2B3838F0-3600-4689-9373-FAA60FEA3EDA

THE CITY OF
HALF MOON BAY
CALIFORNIA

June 22, 2022

The Honorable Tom Umberg
California State Senate
1021 O Street, Suite 6730
Sacramento, CA 95814

The Honorable Susan Talamantes Eggman
California State Senate
1021 O Street Suite 8530
Sacramento, CA 95814

Re: Senate Bill 1338 (Umberg and Eggman) Community Assistance, Recovery, and Empowerment CARE Court
Letter of Support in Concept – City of Half Moon Bay

Dear Senators Umberg and Eggman:

On behalf of the City of Half Moon Bay, I write to express our City's conditional support for SB 1338, which aims to deliver services to Californians with a serious mental illness or substance use disorder who too often languish – suffering in homelessness or incarceration – without the treatment they desperately need. The rising demand for behavioral health services is triggered by a complex mix of systemic factors, including housing instability and shortages, the economy, and systemic racism and disparities in services.

All people should have the right to make their own decisions about medical treatment. However, we are aware that there are individuals with serious mental illnesses such as schizophrenia and bipolar disorder who, at times, due to their illness, lack insight or good judgment about their need for medical treatment. In cases like this, a higher level of care may be necessary, but must be the last resort. Families of those with serious mental illness have been asking for reform for their loved ones for years.

The availability of effective, comprehensive, community-based systems of care for persons suffering from serious mental illnesses will diminish the need for involuntary commitment and/or court-ordered treatment. Before we reach the stage of last resort, we must fully fund, build, and staff our community-based systems, so all who need care can access it long before they reach a crisis level.

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We are heartened to see that accountability is one of the pillars of the CARE Court framework. We must hold the system accountable at all delivery points. We cannot take anything for granted in the implementation of a framework, as its effectiveness lies in the words that end up in statute, how it is implemented through the regulatory process, and to how each of the state's 58 counties will interpret and implement the framework.

We in Half Moon Bay have placed mental health and homelessness at the top of our local priorities for the past few years. We have worked collaboratively with the County of San Mateo to address homelessness and played a critical role in their purchase of a hotel within our city limits under Project Homekey to provide interim housing for some of our unhoused population. Coast House provides interim housing and support services to families, couples, and individuals experiencing homelessness in Half Moon Bay. With 52 private rooms, the Coast House offers safe shelter and wraparound case management services to help clients work toward long-term self-sufficiency and return to homes of their own.

Additionally, we initiated the Crisis Assistance Response and Evaluation Services (CARES) pilot program earlier this year, which provides an alternative response to mental health-related 911 calls traditionally answered by fire, ambulance, or law enforcement. Service calls appropriate for the CARES team include welfare checks, suicidal ideation and other mental health distress, substance abuse, and low-level, nonviolent concerns related to behavioral health. The CARES team will operate within the city limits of Half Moon Bay in addition to the Moonridge Farmworker Housing Community and be staffed by a two-person mobile unit made up of a specially trained behavioral health professional and emergency medical technician. With Half Moon Bay's CARES's pilot in mind, we do encourage the Legislature and Administration to consider granting additional funding for local programs that aim to address behavioral health emergencies, as we feel this is an important piece to the overall puzzle that is reducing dangerous behavioral health-related situations and reducing homelessness.

We support CARE Court in theory and appreciate the amendments recently made by the authors and are encouraged by the process and thoughtfulness put into the bill. However, we do strongly urge that the Legislature and Administration strongly consider the following suggested amendments which came out of the Assembly Judiciary Committee Hearing, in addition to concerns that have been raised by patient rights organizations:

- Piloting the CARE Court program in a limited number of counties to ensure all implementation issues are resolved before the program begins statewide.

- Not beginning CARE Courts in any the county that does not have the infrastructure set up to meet the needs of program participants, including all needed housing, supports and

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services, and sufficient staff to ensure the supports and services are provided timely.

- Not ordering any unhoused individual to participate in the CARE Court unless and until housing, with wrap-around supportive services, can be guaranteed for the duration of the court order and, ideally, even after completion of the program.

- Requiring that the respondent attend the initial hearing on the petition, or the petition would be dismissed, while leaving sufficient time to allow the county to encourage the respondent's participation. If the respondent fails to show up, it is difficult to imagine that a court order requiring them to participate will have much of an impact.

- Revising the sanctions against counties to ensure that no county is sanctioned unless it has sufficient housing, available services, and other resources to provide the necessary supports and services to program participants. If a fine were necessary, ensure that the fine would not reduce funding for voluntary behavioral health services and supports.

- Not reducing funding for voluntary, community-based services in order to support CARE Court. Reduction of voluntary services would be counterproductive and would increase need for more expensive and likely less effective involuntary treatment.

In all, we appreciate that CARE Court is designed on the evidence that many people can stabilize, begin healing, and exit homelessness in less restrictive, community-based care settings. It's a long-term strategy to positively impact the individual in care and the community around them. The plan advances an upstream diversion from more restrictive conservatorships or incarceration.

Thank you for your work on this important policy topic, and again, we are pleased to offer our support of Senate Bill 1338 with necessary amendments made.

Sincerely,

Debbie Ruddock
Mayor of Half Moon Bay

CC: Senator Josh Becker
Assembly Member Marc Berman
Jason Elliott, Office of Governor Newsom
Marjan Saulon, Office of Governor Newsom

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2021**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

From: Lisa Lopez, Administrative Services Director

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

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

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

DISCUSSION:
During this month, we processed 6 check runs. The first was on June 2, totaling $131,424.44. The second was on June 4, totaling $53,022.02. The third was on June 9, totaling $140,209.55. The fourth was on June 16, totaling $674,407.36. The fifth was on June 23, totaling $107,676.22. The sixth was on June 30, totaling $152,620.98. The total for the month was $1,259,372.05

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The City processed payments related to 17 capital improvement projects, in a total amount of $172,844.54. These projects include: Sewer Lift Upgrades, HWY 1 Safety/Traffic Reduction Improvements, HWY1 Safety/Congestion, Drainage Master Plan, General Plan Update, Poplar Complete Street Project, Urban Forest Management Program, Facility Management Asset, Parks Master Plan Implementation, Carter Park Improvement, Bikeway Connectivity Project-North, Main Street Bridge Rehabilitation, LCP Implementation Project, Climate Action and Adaption, Kehoe/Pilarcitos Outfall Repair, Smith Field Site Assessment, Corp Yard Improvements.

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
51309	3923	WELLS FARGO	6/4/2022	53,653.62	VISA PAYMENT
51137	4211	ABUNDANT GRACE COASTSIDE WORKER	6/16/2022	35,534.07	JAN'22-APR'22, FY21/22 COASTAL CLEAN TEAM
51170	5178	REDGWICK CONSTRUCTION COMPANY	6/16/2022	186,073.97	HWY1 SOUTH SAFETY AND OPEARTIONAL IMPROVEMENTS
51171	159	SEWER AUTHORITY MID-COASTSIDE	6/16/2022	378,654.94	JUN'22, FY21/22 SEWER COLLECTIONS
51225	1206	MARK THOMAS & CO. INC.	6/30/2022	49,788.79	MAY'22, HWY1 NORTH SAFETY & OPERATIONAL IMPROVEMENTS

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
51066	4270	4LEAF INC.	06/02/2022	21,518.41	APR'22, FY21/22 PLAN REVIEW AND BUILDING INSPECTIONS
51067	2407	ARAMARK	06/02/2022	260.69	MAINT SERVICE
51068	5407	CALGOVHR	06/02/2022	60.00	REGULAR MEMBERSHIP
51069	5223	CAPITAL ONE TRADE CREDIT	06/02/2022	3,291.19	MAINT SUPPLIES
51070	3643	CORODATA RECORDS MANAGEMENT INC	06/02/2022	288.42	RECORDS MANAGEMENT
51071	4484	CSW/STUBER-STROEH ENGINEERING GROUP INC	06/02/2022	10,190.00	APR'22, POPLAR STREET TRAFFIC CALMING AND SAFETY PRO
51072	320	EWING IRRIGATION PRODUCTS INC.	06/02/2022	1,180.10	MAINT SUPPLIES
51073	4633	GRANICUS	06/02/2022	1,419.37	JUN'22, GRANICUS SERVICE
51074	76	HALF MOON BAY BUILDING & GARDEN	06/02/2022	59.00	MAINT SUPPLIES
51075	2444	HOME DEPOT CREDIT SERVICES	06/02/2022	2,227.05	MAINT SUPPLIES
51076	4267	IMPEC GROUP INC.	06/02/2022	16,145.74	MAY'22, FY21/22 JANITORIAL & MAINTENANCE SERVICES
51077	4642	MARIK ENTERPRISES, LLC	06/02/2022	260.00	PRE-EMPLOYMENT REPORT
51078	3250	M-GROUP	06/02/2022	25,737.50	MAR'22, FY21/22 GIS/GRAPHIC SUPPORT
51079	4536	NATIONAL DEMOGRAPHICS CORPORATION	06/02/2022	25,500.00	MAY'22, SERVICES FOR REDISTRICTING
51080	3726	NICHOLAS TRANSLATIONS & INTERPRETATIONS	06/02/2022	712.00	TRANSLATION SERVICES
51081	4472	ON POINT LANGUAGE SOLUTIONS LLC	06/02/2022	825.00	TRANSLATION SERVICES
51082	3479	PARKEON INC	06/02/2022	160.65	MAINT SERVICE
51083	5020	QUADIENT FINANCE USA, INC	06/02/2022	300.00	POSTAGE
51084	5403	ROBERT HALF	06/02/2022	1,604.43	TEMP EMPLOYEE LABATE/WEEK ENDING 05/27/22
51085	5408	THE CIMA COMPANIES, INC.	06/02/2022	362.05	CLIENT CODE: CAHALF2
51086	4487	THE HOME DEPOT PRO	06/02/2022	333.93	MAINT SUPPLIES
51087	1497	TURBO DATA SYSTEMS	06/02/2022	748.91	CITATION PROCESSING
51088	5190	Wood Consulting Services	06/02/2022	18,240.00	MAY'22, ECONOMIC DEVELOPMENT CONSULTATION
51089	5415	ALLISON PFEIFER	06/09/2022	45.00	ELLIOT PHILLIPS CLASS REFUND 05/26/22
51090	3926	ALTA LANGUAGE SERVICES INC.	06/09/2022	66.00	BILINGUAL TESTING
51091	3332	AMERICAN PORTABLES	06/09/2022	8,322.82	JUN'22, FY21/22 PORTABLE RESTROOM FACILITIES
51092	5417	ANABELLA SARABIA	06/09/2022	100.00	2022 LEADERSHIP AWARDS
51093	2407	ARAMARK	06/09/2022	260.69	MAINT SERVICE
51094	444	ASSOCIATION OF BAY AREA GOVERNMENTS	06/09/2022	446.52	TRUE-UP ALLOCATION
51095	4300	AT&T	06/09/2022	1,940.18	PHONE SERVICE
51096	481	BIG CREEK LUMBER	06/09/2022	1,943.65	DISCOUNT MAINT SUPPLIES
51097	5168	BLEYLE ELEVATOR, INC	06/09/2022	3,334.00	MAINT SERVICE
51098	4193	CASELLE INC.	06/09/2022	3,744.00	ERP CONTRACT SUPPORT & MAINTENANCE
51099	1925	CITY OF BURLINGAME	06/09/2022	4,872.61	MAR'22 SMCO BID
51100	51	COASTSIDE COUNTY WATER DISTRICT	06/09/2022	7,386.35	LIFT STATION FAIRWAY
51101	2861	CODE PUBLISHING COMPANY	06/09/2022	1,364.50	MUNICIPAL CODE WEB UPDATE

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description
51102	3975	COLANTUONO HIGHSMITH WHATLEY PC	06/09/2022	12,549.00	LEGAL SERVICES -SAM
51103	4441	ERICA OLIVA	06/09/2022	100.00	DEPOSIT REFUND 05/10/22 LIBRARY
51104	202	FEDEX	06/09/2022	144.95	SHIPPING SERVICE
51105	89	HALF MOON BAY COASTSIDE CHAMBER OF COM	06/09/2022	13,343.03	MAR'22 OOC BID
51106	5329	INTEGRAL CONSULTING INC.	06/09/2022	4,020.00	APR'22, SOUTH HMB SLR VULNERABILITY
51107	5418	JASMINE STANDEZ	06/09/2022	200.00	2022 LEADERSHIP AWARDS
51108	4028	LORAL LANDSCAPING INC.	06/09/2022	2,000.00	JUN'22, FY21/22 LANDSCAPE AND MAINTENANCE SERVICES
51109	3746	MALCOLM C SMITH	06/09/2022	770.00	MAY'22, COMMUNICATION CONSULTANT
51110	5413	MARIA HUERTA	06/09/2022	500.00	DEPOSIT REFUND 06/05/22 DEPOT ROOM
51111	1206	MARK THOMAS & CO. INC.	06/09/2022	7,502.94	MAY'22, DEVELOP SEWER MAINTENANCE STRATEGIES TRAINI
51112	2352	MMANC	06/09/2022	75.00	MEMBERSHIP RENEWAL
51113	5410	NANCY BARAJAS	06/09/2022	300.00	DEPOSIT REFUND 07/02/22 OAK ROOM
51114	4472	ON POINT LANGUAGE SOLUTIONS LLC	06/09/2022	500.00	TRANSLATION SERVICES
51115	5411	PATRICIA VEGA	06/09/2022	500.00	DEPOSIT REFUND 06/03/22 DEPOT ROOM
51116	3956	PENINSULA MUNICIPAL ENGINEERING INC.	06/09/2022	24,250.00	FEB'22, ENGINEERING SERVICES, HWY 1 SOUTH SAFETY AND
51117	5412	PETER COLABUONO	06/09/2022	500.00	DEPOSIT REFUND 06/04/22 GRAND OAK
51118	261	PETERSON POWER SYSTEMS	06/09/2022	6,910.60	MAY'22, CONTINUED BACK-UP GENERATOR SERVICES
51119	5219	RED CAR ANALYTICS	06/09/2022	1,117.50	MAY'22, HMB LIBRARY ZERO NET ENERGY SUPPORT SERVICE
51120	252	RICE TRUCKING-SOIL FARM INC.	06/09/2022	378.98	MAINT SUPPLIES
51121	5419	SARA GORMAN	06/09/2022	1,000.00	2022 LEADERSHIP AWARDS
51122	129	SERVICE PRESS INC.	06/09/2022	104.22	OFFICE SUPPLIES
51123	3101	SHRED-IT USA LLC	06/09/2022	349.18	RECORDS MANAGEMENT
51124	5420	SIERRA NICOLE BRIGGS	06/09/2022	100.00	2022 LEADERSHIP AWARDS
51125	5301	SUBURBAN PROPANE LP	06/09/2022	659.14	DISCOUNT PROPANE
51126	3519	SWCA INCORPORATED	06/09/2022	2,887.75	DEC'21, FY20/21 ON-CALL BIO SERVICES
51127	50	THE CITIES GROUP	06/09/2022	15,896.52	01/01/22-06/30/22 GROUP LIFE & LTD INSURANCE
51128	4487	THE HOME DEPOT PRO	06/09/2022	173.25	MAINT SUPPLIES
51129	3955	TOWNSEND PUBLIC AFFAIRS	06/09/2022	5,000.00	TOWNSEND PUBLIC AFFAIRS
51130	5393	TRAFFIC PATTERNS LLC	06/09/2022	2,708.75	V. RODRIGUEZ, 05/02/22-06/06/22
51131	5414	VANESSA BERTOLLINI	06/09/2022	90.00	HASKELL WESTBROOKS CLASS REFUND 04/19/22
51132	5416	VANESSA VAZ	06/09/2022	45.00	OWEN VAZ CLASS REFUND 04/24/22
51133	4429	WESTERN EXTERMINATOR COMPANY	06/09/2022	1,207.42	MAY'22, FY21/22 PEST MANAGEMENT PROGRAM
51134	5409	YURI AYON	06/09/2022	500.00	DEPOSIT REFUND 05/27/22 DEPOT ROOM
51136	4270	4LEAF INC.	06/16/2022	6,406.57	MAY'22, FY21/22 PLAN REVIEW AND BUILDING INSPECTIONS
51137	4211	ABUNDANT GRACE COASTSIDE WORKER	06/16/2022	35,534.07	JAN'22-APR'22, FY21/22 COASTAL CLEAN TEAM
51138	3954	ALTA PLANNING & DESIGN	06/16/2022	4,621.50	MAY'22, PACIFIC COAST BIKEWAY CONNECTIVITY NORTH PRO
51139	4449	ANDREAS ZAMENES	06/16/2022	850.00	2022 CONCERTS IN THE PARK
51140	2407	ARAMARK	06/16/2022	521.38	MAINT SERVICE
51141	4464	AVENU	06/16/2022	69.48	SUTA Q4 2021
51142	5422	BACKLINE SOURCE	06/16/2022	670.00	RENTAL SERVICES

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description
51143	5222	BOUCHER LAW	06/16/2022	170.00	MAR'22, LABOR & EMPLOYMENT LAW MATTERS
51144	866	BOYS & GIRLS CLUB OF THE COASTSIDE	06/16/2022	150.00	EVENT CENTER RENTAL
51145	3165	C.C.O.I. GATE & FENCE	06/16/2022	136.24	MAINT SERVICE
51146	4069	CHALLENGER SPORTS CORP	06/16/2022	3,199.00	INSTRUCTOR PAYMENT TINY TYKES
51147	5264	COOKING ROUND THE WORLD	06/16/2022	1,344.00	INSTRUCTOR PAYMENT CRTW
51148	217	COUNTY OF SAN MATEO INFORMATION SVCS DE	06/16/2022	82.25	MICROWAVE SERVICE
51149	2941	CSG CONSULTANTS INC.	06/16/2022	8,456.25	MAY'22, NPDES STORMWATER SERVICES
51150	5424	DANIEL P. CALLNON	06/16/2022	800.00	2022 CONCERTS IN THE PARK
51151	3446	FLYERS ENERGY, LLC	06/16/2022	2,550.25	VEHICLE FUEL
51152	3127	FREYER & LAURETA INC.	06/16/2022	2,115.00	MAY'22, SMITH FIELD PARKING LOT
51153	5421	FUN SERVICES	06/16/2022	5,396.88	RECREATION SERVICES
51154	3176	GAIL P. STEVENS	06/16/2022	252.00	INSTRUCTOR PAYMENT BALLROOM DANCE 05/06/22-05/27/22
51155	76	HALF MOON BAY BUILDING & GARDEN	06/16/2022	19.67	MAINT SUPPLIES
51156	5401	HALF MOON BAY ODD FELLOWS	06/16/2022	1,700.00	RENTAL FEE
51157	2948	HIP HOUSING	06/16/2022	1,000.00	AFFORDABLE HOUSING GRANT
51158	5423	HMBHS GRAD NIGHT COMMITTEE	06/16/2022	1,000.00	DEPOSIT REFUND 05/06/22 GRAND OAK
51159	3429	HUE & CRY	06/16/2022	478.48	SECURITY SERVICE
51160	5390	INTERWEST CONSULTING GROUP, INC.	06/16/2022	9,630.00	MAY'22, CONTRACT PLANNING SERVICES
51161	5425	KATHERINE KURDYAK	06/16/2022	800.00	2022 CONCERTS IN THE PARK
51162	5331	MAKE IT MAIN STREET	06/16/2022	10,000.00	2022 MAKE IT MAIN STREET EVENT
51163	4335	MARIA TORRES	06/16/2022	500.00	DEPOT ROOM 06/04/22 REFUND ON DEPOSIT
51164	2573	MARIAN POTT	06/16/2022	1,365.00	INSTRUCTOR PAYMENT DOG TRAINING -10 INDIVIDUALS
51165	5426	MARTIN FORGNONI	06/16/2022	800.00	2022 CONCERTS IN THE PARK
51166	4489	MTA PARTS INC.	06/16/2022	187.93	VEHICLE PARTS
51167	3956	PENINSULA MUNICIPAL ENGINEERING INC.	06/16/2022	6,408.00	APR'22, MAIN STREET BRIDGE MANAGEMENT SUPPORT
51168	3951	PUBLIC PARKING ASSOCIATES INC	06/16/2022	165.00	MAINT SERVICE
51169	29	READYREFRESH	06/16/2022	199.12	WATER FOR CORP YARD
51170	5178	REDGWICK CONSTRUCTION COMPANY	06/16/2022	186,073.97	RETENTION, HWY1 SOUTH SAFETY AND OPEARTIONAL IMPRO
51171	159	SEWER AUTHORITY MID-COASTSIDE	06/16/2022	378,654.94	JUN'22, FY21/22 SEWER COLLECTIONS
51172	3519	SWCA INCORPORATED	06/16/2022	1,856.25	MAY'22, CARTER PARK IMPROVEMENTS PROJECT
51173	4487	THE HOME DEPOT PRO	06/16/2022	244.13	MAINT SUPPLIES
51174	4479	ALICIA VILLA-SARABIA	06/23/2022	500.00	DEPOSIT REFUND 06/12/22 DEPOT ROOM
51175	3332	AMERICAN PORTABLES	06/23/2022	191.81	JUN'22, FY21/22 PORTABLE RESTROOM FACILITIES
51176	4115	BIG BELLY SOLAR INC	06/23/2022	1,271.01	JUN'22, SMART TRASH RECEPTACLES
51177	3526	BIGGS CARDOSA ASSOCIATES INC	06/23/2022	2,033.20	MAY'22, PREPERATION OF PS&E AND ENVIRONMENTAL CLEAR
51178	5433	COASTLINE ENGINERING AND DEVELOPMENT GR	06/23/2022	4,850.00	STORY POLE INSTALLATION
51179	5264	COOKING ROUND THE WORLD	06/23/2022	1,411.20	INSTRUCTOR PAYMENT, COOKING CAMP 06/13/22-06/17/22
51180	4338	ELECTRIC MD	06/23/2022	5,257.00	MAINT SERVICE
51181	4398	ELS ARCHITECTURE & URBAN DESIGN	06/23/2022	6,750.00	MAY'22, CARTER PARK IMPROVEMENTS
51182	4441	ERICA OLIVA	06/23/2022	100.00	DEPOSIT REFUND 06/18/22 MANZANITA ROOM

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description
51183	5377	FATTORIA E MARE	06/23/2022	1,215.50	PDP 21-047 REIMBURSEMENT
51184	5429	FELICIA HERRON	06/23/2022	95.00	CLASS REFUND SUMMER 2022 JEWELRY WORKSHOP
51185	5431	FELIPE LOPEZ	06/23/2022	500.00	DEPOSIT REFUND 06/18/22 COMMUNITY ROOM
51186	3127	FREYER & LAURETA INC.	06/23/2022	3,000.00	MAY'22, MAP REVIEWS
51187	3782	GRIFFIN STRUCTURES INC.	06/23/2022	7,560.00	MAY'22, CARTER PARK RENOVATION PROJECT
51188	5432	ITZEL VELASQUEZ	06/23/2022	500.00	DEPOSIT REFUND 06/11/22 DEPOT ROOM
51189	5428	KELLY ARMIJO	06/23/2022	195.00	CLASS REFUND SUMMER 2022 CANINE PROGRAM
51190	2699	KONICA MINOLTA BUSINESS SOLUTIONS	06/23/2022	2,273.21	JUN'22, FY21/22 KONICA MINOLTA LEASE
51191	3069	MANAGED HEALTH NETWORK	06/23/2022	304.00	EAP
51192	3934	MITEL	06/23/2022	2,883.03	SHERIFF SUBSTATION PHONE SERVICE
51193	5427	PATTY RIVAS	06/23/2022	600.00	DEPOSIT REFUND 06/11/22 KITCHEN
51194	261	PETERSON POWER SYSTEMS INC.	06/23/2022	1,161.72	JUN'22, CONTINUED BACK-UP GENERATOR SERVICES
51195	137	PG&E	06/23/2022	9,603.84	NW HWY1 & MAIN ST
51196	5020	QUADIENT LEASING USA, INC.	06/23/2022	657.79	LEASE PAYMENT
51197	3131	ROBERT W. SMITH	06/23/2022	21.00	INSTRUCTOR PAYMENT- SUMMER ORCHESTRA FOR TERRY U
51198	3757	SCHAAF & WHEELER	06/23/2022	1,498.00	MAY'22, PELICAN POINT GENERATOR REPLACEMENT
51199	1760	STEPFORD	06/23/2022	3,521.72	HMB FIBER REPAIR
51200	5301	SUBURBAN PROPANE LP	06/23/2022	150.00	PROPANE
51201	3519	SWCA INCORPORATED	06/23/2022	4,768.35	MAY'22, 2022 GOAT GRAZING/VEGETATION MANAGEMENT
51202	5092	TERRY UPTMOR	06/23/2022	10.00	CLASS REFUND CCO SUMMER WINDS. PRICE CHANGE FROM
51203	3701	V. W. HOUSEN & ASSOCIATES INC.	06/23/2022	29,434.00	MAR'22-MAY'22, FY21/22 WASTEWATER COLLECTION SYSTEM
51204	3004	VERIZON WIRELESS	06/23/2022	305.44	MOBILE SERVICES
51205	3871	WEST COAST ARBORISTS INC	06/23/2022	8,534.40	MAY'22, FY21/22 TREE MAINTENANCE
51206	5190	Wood Consulting Services	06/23/2022	6,520.00	JUN'22, ECONOMIC DEVELOPMENT CONSULTATION
51207	4270	4LEAF INC.	06/30/2022	27,698.03	MAY'22, FY21/22 PUBLIC WORKS INSPECTION SERVICES
51208	5434	A CABALLERO PRODUCTIONS	06/30/2022	6,530.00	SUMMER ENDS FESTIVAL RENTALS
51209	4211	ABUNDANT GRACE COASTSIDE WORKER	06/30/2022	9,643.81	MAY'22, FY21/22 COASTAL CLEAN TEAM
51210	2407	ARAMARK	06/30/2022	521.38	MAINT SERVICE
51211	3355	ASUNCION GIJON	06/30/2022	1,950.00	MAINT SERVICE
51212	668	CA STATE CONTROLLER'S OFFICE	06/30/2022	20.98	2021 FTB OFFSET PROGRAM
51213	1925	CITY OF BURLINGAME	06/30/2022	4,857.98	APR'22 SMCO BID
51214	197	COASTSIDE PRINTERS	06/30/2022	473.05	NO PARKING SIGNS
51215	4484	CSW/STUBER-STROEH ENGINEERING GROUP INC	06/30/2022	4,435.00	MAY'22, POPLAR STREET TRAFFIC CALMING AND SAFETY PRO
51216	4338	ELECTRIC MD	06/30/2022	3,800.00	MAINT SERVICE
51217	5349	GATES AND ASSOCIATES	06/30/2022	6,477.50	MAY'22, SMITH FIELD FACILITIES MASTER PLAN
51218	70	GRAINGER	06/30/2022	80.27	MAINT SUPPLIES
51219	89	HALF MOON BAY COASTSIDE CHAMBER OF COM	06/30/2022	13,735.00	APR'22 OOC BID
51220	1853	HDL SOFTWARE LLC	06/30/2022	3,218.18	MAY'22, FY21/22 HDL TOT & BUSINESS LICENSE MANAGEMENT
51221	4235	JUAN LOPEZ	06/30/2022	500.00	04/09/22 DEPOSIT REFUND FOR FACILITY RENTAL (DEPOT RO
51222	1283	KATHY OLER	06/30/2022	2,161.82	JUL'22, TEMPORARY CITY PARKING LOT RENTAL

M = Manual Check, V = Void Check

Check Number	Vendor Number	Payee	Check Issue Date	Amount	Description	
51223	3922	LLOYD A MCVICKER	06/30/2022	3,360.00	JUL'22, ANNEX RENT	
51224	4642	MARIK ENTERPRISES, LLC	06/30/2022	120.00	PRE-EMPLOYMENT REPORT	
51225	1206	MARK THOMAS & CO. INC.	06/30/2022	49,788.79	MAY'22, HWY1 NORTH SAFETY & OPERATIONAL IMPROVEMEN	
51226	2014	MOORE IACOFANO GOLTSMAN INC.	06/30/2022	665.98	MAY'22, SUSTAINABILITY-CAAP	
51227	4566	PACIFIC COAST TRANE	06/30/2022	2,423.00	APR'22, LIBRARY BUILDING MANAGEMENT SYSTEMS SUPPOR	
51228	3479	PARKEON INC	06/30/2022	224.00	MAINT SERVICE	
51229	5403	ROBERT HALF	06/30/2022	3,337.46	TEMP EMPLOYEE LABATE/WEEK ENDING 06/17/22	
51230	2385	RON CARDOZA	06/30/2022	4,380.00	MAINT SERVICE	
51231	3519	SWCA INCORPORATED	06/30/2022	690.50	MAY'22, HWY1 SAFETY - NORTH PROJECT	
51232	1423	THE GRAPHIC WORKS	06/30/2022	1,528.25	MAKE IT MAIN STREET SUPPLIES	
51309	3923	WELLS FARGO	06/04/2022	53,033.50	06/04/22 RECONCILING CREDITS FROM NEXT STATEMENT	M
Grand Totals:						
167				1,259,372.05		

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: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Lisa Lopez, Administrative Services Director

TITLE: **AGREEMENT WITH PACIFICA COMMUNITY TELEVISION FOR PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS TELEVSION SERVICES**

RECOMMENDATION:
Adopt a resolution authorizing the City Manager to execute a two-year agreement with Pacifica Community Television for Public, Educational, and Governmental Access Television services for the City of Half Moon Bay.

FISCAL IMPACT:
The City will pay $44,000 per fiscal year to Pacifica Community Television (PCT) to provide Public, Educational, and Governmental Access Television services from July 1, 2022 to June 30, 2024. The City will also pay an additional $300 to record and broadcast ad hoc meetings, with an additional $100 per hour for production costs. Funds for this agreement are included in the FY 19-20 Budget.

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

BACKGROUND/DISCUSSION:
Cable video service providers operating in the City of Half Moon Bay do so pursuant to a State Video Franchise, issued in accordance with the California Digital Infrastructure and Video Competition Act of 2006 (Public Utilities Code section 5800 et. Seq.) and Half Moon Bay Municipal Code Chapter 3.97. Those provisions require the cable video providers to provide channel capacity for Public, Educational, and Governmental (PEG) access programming. The PEG access provider operates pursuant to a franchise issued by the City of Half Moon Bay and is responsible for recording and broadcasting meetings of the City Council and Planning Commissions. PCT is a nonprofit cable television organization that specializes in local origination programming and encourages public access through the use of broadcasts and training.

In February 2020, the City renegotiated an agreement with PCT to designate PCT as the PEG provider for the City of Half Moon Bay. The current contract for PCT began on July 1, 2020 and ended on June 30, 2022. Staff recommends the City enter into a two-year agreement to retain PCT as the PEG provider from July 1, 2022 to June 30, 2024.

Highlighted are some key requirements for PCT as set forth in the proposed agreement:

- Provide service to the City of Half Moon Bay July 1, 2022 – June 30, 2024
- Broadcast live meetings, study sessions, City Council meetings, Planning Commission meetings
- Record other meetings as needed
- Produce promotional videos to be distributed by the City and aired on channel 27, upon request from the City.
- Broadcast over Channel 27 and to simultaneously web stream all programing
- Maintain copyright and distribution rights that allow for the distribution of PCT produced programming to the public upon request
- Submit reports to the City annually that describe the PEG programming activities, workshops, training, results of annual viewer surveys, inventory, and financial statements and budgets.

In addition, City staff will work with PCT to achieve the following long-tern goals:

- Operate and maintain a community access studio and media lab in Half Moon Bay.
- Provide access to equipment, training, and workshops for Half Moon Bay residents and volunteers pursuant to an annual plan to be submitted to the City.

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 AN AGREEMENT WITH PACIFICA COMMUNITY TELEVISION SERVICES

WHEREAS, pursuant to the Digital Infrastructure and Video Competition Act of 2006 (California Public Utilities Code section 5800 et. seq.) and Chapter 3.97 of the Half Moon Bay Municipal Code, cable service providers operating in the City of Half Moon Bay are required to provide channel capacity of Public, Educational, and Governmental (PEG) access programming; and

WHEREAS, the City of Half Moon Bay is the franchising authority for PEG access television service providers serving the City of Half Moon Bay; and

WHEREAS, the current contract for PEG access services expired on June 30, 2022; and

WHEREAS, the City has received a proposal from Pacifica Community Television to renew its contract and provide services to the City; and

WHEREAS, the City has reviewed the scope of work and fee proposed by Pacifica Community Television and determined both reasonable and necessary to provide PEG access services to the City.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby approves and authorizes the City Manager to execute the agreement between the City of Half Moon Bay and Pacifica Community Television.

****

I, the undersigned, hereby certify that the forgoing Resolution was duly passed and adopted on the 19th day of July 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: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Lisa Lopez Rossi, Administrative Services Director
Bryan Lopez, Senior Management Analyst

TITLE: **FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH STEPFORD, INC.**

RECOMMENDATION:
Adopt a resolution authorizing the City Manager to execute a First Amendment to the Professional Services Agreement with Stepford, Inc. to extend the agreement term by six months.

FISCAL IMPACT:
Approval of this item includes an annual cost of network and desktop support services at $180,180, which has been included in the adopted FY 2022-23 budget. Although the full annual amount has been budgeted, staff is only extending the contract by six months. The remainder of the budgeted funds will be used towards the new contract when a vendor is selected.

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

BACKGROUND:
The City of Half Moon Bay has been partnering with Stepford since 2000 for information technology services. Since 2003, the City assigned a portion of a Management Analyst to facilitate and manage IT related projects as well as provide additional desktop support services to City staff, including adding user accounts, managing hardware, providing technical support to users and troubleshooting general information technology issues. Staff is recommending Stepford continue its services to provide both network and desktop support.

Stepford was formed in 1985 to introduce enterprise computing to small and mid-sized businesses using PCs and server-based networks. The company soon expanded to implement PC networks, supply hardware as a developer and authorized reseller, and to develop custom

communications applications for customers. Stepford now provides an expanded scope of services for the City of Half Moon Bay.

DISCUSSION:

Currently the City of Half Moon is in the process of a request for proposals (RFP) for qualified Information Technology Firms specializing in comprehensive managed services. The selected firm will serve under the direction of the Administrative Services Department and be required to competently support and maintain components of the City Information Technology infrastructure. The current timeline of the RFP will have the selected firm on board by January 1, 2023. The current contract with Stepford ended June 30, 2022.

Based on the history of quality services Stepford has provided to the City and the need for effective communication between the desktop support and network support providers, staff recommends the City amend the agreement with Stepford for network and desktop support for the term beginning July 1, 2022 through December 31, 2022.

ATTACHMENTS:

1. Resolution
2. Original agreement/scope of services

Resolution No. C-2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH STEPFORD INC. FOR INFORMATION TECHNOLOGY SERVICES

WHEREAS, the has been partnering with Stepford Inc., since 2000 for information technology services to provide desktop and network support services; and

WHEREAS, in July 2020, the City received a proposal from Stepford, Inc. to renew and revise its contract to provide desktop support services; and

WHEREAS, the City has reviewed the scope of work and fee proposed by Stepford, Inc. and determined both reasonable and necessary to provide desktop support services to the City for an additional six months as the City pursues a Request for Proposal for IT services.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby approves and authorizes the City Manager to execute the agreement between the City of Half Moon Bay and Stepford, Inc. for an additional term of six months, expiring on December 31, 2022, at an amount of $180,180 per year. The agreement revisions will cover the period July 1, 2022 through December 31, 2022

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 19th day of July, 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

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Customer Service Level Agreement

Schedule A – Description of Services

1. **Technical Services – Non-Recurring**
   No services to be provided.

2. **Technical Services – Recurring**
   The Vendor will provide the following services on a recurring basis:

   2.1 Monitor private communications services used by the Client.
   2.2 Monitor public Internet services used by the Client.
   2.3 Monitor servers, services, and disk space used by the Client.
   2.4 Provide diagnostics as required to determine the cause of problems experienced on the technology platform. Remedial action to correct problems related to technology owned by the Client may be requested and will be provided as requested. If remedial action requires services not provided under this Agreement, those services may be provided as Additional Services described herein.
   2.5 Interface with communications carriers, manufacturers, facilities management and other parties responsible for maintaining third-party resources used by the Client.
   2.6 Monitor all remotely accessible equipment at the Client premises for operational integrity and report alerts to the Client.
   2.7 Maintenance of computer hardware including servers, storage systems and networking components.
   2.8 Maintenance of specific software (service packs, updates, hot fixes) including Microsoft Windows Server, Microsoft SQL Server, Microsoft Exchange Server, Microsoft Windows, Microsoft Office, data backup software, malware protection.
   2.9 Maintenance and administration of network switches, routers and security appliances.
   2.10 Maintenance and administration of network security appliances and related services.
   2.11 Security, network administration and monitoring for Microsoft Active Directory.
   2.12 Microsoft SQL database administration.
   2.13 Microsoft Exchange administration.
   2.14 VMware management and maintenance.
   2.15 Telephone system administration.
   2.16 Cellular phone/PDA services and related applications.
   2.17 Administration of office equipment such as FAX, scanners and copiers.
   2.18 Software licensing and product lifecycle management.
   2.19 Liaison with all other vendors and service providers to consolidate and streamline support.

3. **Equipment Co-location**
   No services to be provided.

4. **Hardware as a Service**
   The Vendor will provide the following hardware at the Vendor's McClellan Data Center on a recurring basis:

   4.1 Disk space as required to accommodate off-site data backups (up to 10TB).
   4.2 Network components including switch ports and firewall services to include VPN services and network security for data backups.

5. **Software as a Service**
   The Vendor will provide the following software licensing and subscriptions as services on a recurring basis:

   5.1 Veeam software for local data backups (as required).
   5.2 Veeam software for off-site data backups (as required).
   5.3 ConnectWise Automate RMM Agent for all workstations and servers (70 licenses)
   5.4 Warranty Master warranty tracking agent for all workstations and servers (unlimited)
   5.5 Sophos Central EndPoint malware protection for all workstations (60 licenses)
   5.6 Sophos Central Server malware protection for all servers (10 licenses)
   5.7 ConnectWise Manage service ticketing including reporting of service metrics (1 customer management license)

6. **Internet Services – Non-Recurring**
   No services to be provided.

7. **Internet Services – Recurring**
   The Vendor will provide the following Internet Services at the Vendor's McClellan Data Center on a recurring basis:

   7.1 Bandwidth equal to that used by the Client for off-site data backups.
   7.2 VPN services to provide a secure connection to off-site repositories for data backups.

8. **Point-to-Point Communications Services – Non-Recurring**
   No services to be provided.

9. **Point-to-Point Communications Services – Recurring**
   No services to be provided.

10. **External SPAM Filtering and E-mail Queuing**
    No services to be provided.

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Schedule A – Description of Services

11. Printer Maintenance

No services to be provided.

12. Additional Services

The Client may request services not described above to be performed by the Vendor at any time. If services requested will result in additional charges, the Vendor will advise the Client in advance.

13. Emergency Response

The Vendor will provide phone and Email response to service requests received after hours defined as emergencies by the Client. The Client will contact the Vendor by phone to request emergency response and will use the Vendor's phone system to record the request. The Vendor will make a best effort to respond to emergency requests within one (1) hour. The Vendor will assist remotely if possible. If on-site technical support is required and authorized by the Client, support will be considered Additional Services as defined above.

14. Hours of Operation and Service Delivery

14.1 Services will be performed Monday through Friday, exclusive of holidays, between the hours of 9:00AM and 5:00PM. These hours are defined as normal business hours. All other hours are defined as overtime hours.

14.2 Holidays include New Years Day (2 days), Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving (2 days) and Christmas (2 days).

14.3 A maximum of seventy-two (72) hours of service will be provided by the Vendor on-site at the Client's premises each month under the terms and conditions of this Agreement. The Vendor will provide a minimum of sixteen (16) hours of service per week on-site at the Client's premises as regularly scheduled visits. Scheduled visits may be adjusted as necessary to accommodate unscheduled visits. There is no maximum number of hours of on-site service that may be requested each month on the Client's premises as Additional Services.

14.4 A sufficient number of hours of on-site labor will be provided to complete the tasks and services described herein but will not exceed the maximum specified under the terms and conditions of this Agreement. Additional services may be requested by the Client and will be billed in addition to the fees defined in this Agreement. Additional services will be scheduled based on resource availability.

14.5 Remote help desk services consisting of E-mail, phone and remote desktop support will be recorded in increments of fifteen (15) minutes. There is no maximum number of hours of remote support to be provided.

14.6 On-site services performed at the Client's premises during normal business hours will be recorded in one (1) hour increments with a minimum of two (2) hours per visit.

14.7 On-site services performed at the Client's premises outside of normal business hours will be recorded in one (1) hour increments with a minimum of two (2) hours per visit.

14.8 No travel time will be charged except where required by 3rd party providers and agreed upon in advance by the Client.

15. Exclusions

There are no exclusions to services requested by the Client under this Agreement. The Vendor reserves the right to decline to provide any services not specifically included in this Agreement.

16. Response time

16.1 The Vendor will attempt to respond by telecommunications facilities to requests for service within four business hours of receipt of the request. Those facilities may include but are not limited to telephone, FAX and electronic messaging.

16.2 When emergency on-site service is required, the Vendor will attempt to respond within one business day of the receipt of the request for service.

16.3 The Vendor is not responsible for the integrity of communications facilities used by either the Vendor or the Client for communications services used for service requests or responses to service requests.

16.4 The Vendor will make every reasonable effort to respond within the times specified herein. Failure on the part of the Vendor to respond within the times specified herein due to circumstances beyond the Vendor's control shall not constitute a material breach of the terms and conditions of this Agreement.

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Customer Service Level Agreement

Schedule B – Compensation Agreement

1. Technical Services – Non-Recurring
No services to be provided.

2. Technical Services – Recurring
For services described herein defined in Schedule A, Description of Services, Technical Services - Recurring, the Client will pay the Vendor the sum of fifteen thousand fifteen dollars ($15,015.00) for each month during the term of this Agreement.

3. Equipment Collocation
No services to be provided.

4. Hardware as a Service
For services described herein defined in Schedule A, Description of Services, Hardware as a Service, the fees are included with the fees described herein defined in Schedule B, Compensation Agreement, Technical Services – Recurring.

The Client may request additional resources at any time. The monthly recurring fee for resources is as follows:

Disk space per terabyte (TB) – One hundred fifty dollars ($150.00)

5. Software as a Service
For services described herein defined in Schedule A, Description of Services, Software as a Service, the fees are included with the fees described herein defined in Schedule B, Compensation Agreement, Technical Services – Recurring.

The Client may request additional licensing at any time. The monthly recurring fee per license is defined as follows:

ConnectWise Automate RMM Agent – Three dollars and fifty cents ($3.50)
Sophos Central EndPoint – Four dollars ($4.00)
Sophos Central Server – Thirteen dollars ($13.00)
ConnectWise Manage – One hundred dollars ($100.00)

6. Internet Services – Non-Recurring
No services to be provided.

7. Internet Services - Recurring
For services described herein defined in Schedule A, Description of Services, Internet Services - Recurring, the fees are included with the fees described herein defined in Schedule B, Compensation Agreement, Technical Services – Recurring.

8. Point-to-Point Communications Services – Non-Recurring
No services to be provided.

9. Point-to-Point Communications Services - Recurring
No services to be provided.

10. External SPAM Filtering and E-mail Queuing
No services to be provided.

11. Printer Maintenance
No services to be provided.

12. Additional Services

For work performed which is not defined in Schedule A, Description of Services, the Client will pay the Vendor one hundred fifty dollars ($150.00) for each hour of service performed during normal business hours and three hundred dollars ($300.00) for each hour of service performed during overtime hours. Unless defined otherwise in Schedule A, Emergency Response, work performed during overtime hours will be billed in increments of one (1) hour and a minimum of two (2) hours will be billed per incident. For services requested which are contracted to third parties, fees for those services will be quoted at the time services are requested.

For remote support consisting of user assistance with existing applications, Active Directory user administration, file system security and permissions management, no additional charges will be incurred. Activities including but not limited to data or application recovery, new server builds, initialization of new workstations or other equipment, system and data migration, and installation of new applications will be considered additional services regardless of the location where the services are performed.

13. Emergency Response
No services to be provided.

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Schedule B – Compensation Agreement

14. Billing and Payment Schedule

Invoices for monthjly services will be sent Payment for services defined in Schedule A, Description of Services will be delivered to the Client prior to the first day of the calendar month for which services are to be rendered. Payment for services is due on or before the first of the month for which services are to be provided. If payment is not received by that time, all services will be billed at the Vendor's prevailing hourly rates in effect at the time the services are performed. Current prevailing rates are one hundred ninety-five dollars ($195.00) for each hour of service performed during normal business hours and two hundred fifty dollars ($375.00) for each hour of service performed during overtime hours.

15. Payment Method

Payment will be made by corporate check in US currency.

16. Terms and Late Fees

The Client will remit payment for all invoices received from the Vendor within thirty (30) days of receipt. For all invoices not paid within thirty (30) days of receipt, the Client agrees to pay 1.5% of the unpaid balance per month. Late fees will apply to all overdue invoices presented to the Client including invoices for products or services not defined in this Agreement.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Matthew Chidester, Deputy City Manager
Catherine Engberg, City Attorney

TITLE: **POTENTIAL ACQUISITION OF SAN MATEO COUNTY APN 064-022-120, HALF MOON BAY**

RECOMMENDATION:
Adopt a resolution authorizing the City Manager to execute a Purchase and Sale Agreement to acquire a parcel located in the West of Railroad area owned by Spencer C. Chen and Peggy Y. Chen, as co-trustees of the Chen Family Trust, dated November 2, 2004 (San Mateo County APN 064-022-120).

FISCAL IMPACT:
The negotiated voluntary purchase price is $30,000 for the parcel. The City will use Lot Retirement Funds (traffic mitigation payments from the sponsor of the 63-unit Ailanto Pacific Ridge project) to fund the purchases. No General Fund monies will be used.

BACKGROUND:

I. 2020 Land Use Plan Update

On October 20, 2020, the City Council approved an LUP Update, the culmination of a multi-year effort that commenced in 2013. The LUP Update does not make any substantive change to the policies affecting the West of Railroad Planned Development (WRR PD) area.

The WRR PD area is designated Regional Public Recreation with a PD overlay. This designation was carried forward in the recent update to the LUP. The 2020 LUP Update allows residential development in the WRR PD area, but prioritizes public acquisition. It provides:

> *The West of Railroad PD has long been envisioned for public land acquisition with the intent of preserving the larger blufftop area for its significant habitat, coastal access and recreation, and scenic value. While the 1996 Land Use Plan* [update of 1985 LUP] *included Planned Development policies for West of Railroad, it*

prioritized public acquisition by the State Department of Park and Recreation to assure an adequate buffer between residential and recreational use in an area where the width of current public ownership is quite limited.

Because this area is located immediately east of the City blufftop lands, these lots should be considered for acquisition directly by the City, through the City's lot retirement program, or by land trusts. Public land acquisition would allow this land to be used for green infrastructure to address runoff and erosion concerns along this blufftop area. It would also allow space for managed retreat of the Coastal Trail as the bluffs erode to maintain public access and recreational opportunities.

The LUP Update identifies significant site constraints affecting the WRR PD area and the adjacent Coastal Trail, including significant site erosion. The LUP Update explains:

Concurrently with the Land Use Plan update, the City completed detailed erosion studies of the City-owned and maintained Poplar Beach Blufftop Park area immediately west of the West of Railroad PD. The analysis considered existing on-going erosion conditions as well as the effects of sea level rise. The estimated location of the bluff edge in 2050 and 2100 was mapped for a "business as usual" condition as well as a mitigated approach wherein drainage and public access improvements are implemented. In the unmitigated case, the bluff face is projected to recede as much as 200 feet by 2100 which would bring it into the West of Railroad PD. The mitigated case is about half that, or 100 feet. In either case, it should be assumed that less blufftop land will remain between the West of Railroad PD and the beach below over the course of the Land Use Plan horizon to 2040; even less blufftop will remain in one hundred years (representing the anticipated life of residential development). As these blufftops support a heavily used section of the Coastal Trail and a variety of sensitive animal and plant species, this projected loss is significant.

2020 LUP Update at 2-55.

II. City's Lot Retirement Program

The City plans to purchase and retire lots in the WRR PD area using funds paid by the developer of the Pacific Ridge subdivision. On or about October 15, 2008, the Coastal Commission approved the Coastal Development Permit (CDP) application of Ailanto Properties Inc. (Ailanto) to construct 63 housing units on land adjacent to the eastern ends of Grandview Boulevard and Terrace Avenue, north of Highway 92 and east of Highway 1 in the City (Ailanto Project). The Coastal Commission approved the CDP subject to Ailanto's payment of $45,000 per new housing unit it constructed, for a total of $2.835 million, to allow the City to purchase and retire other property in the City to mitigate the traffic impacts of the Ailanto Project (Lot Retirement Funds).

The City's acquisition of land in the WRR PD area would both mitigate cumulative traffic impacts of the Pacific Ridge subdivision and implement coastal resource policies in the City's certified 1985 Land Use Plan, 1996 Local Coastal Program, and 2020 Land Use Plan Update. The City's 2020 Coastal Land Use Plan Update prioritizes acquisition/retirement of lots in the WRR PD area in light of its significant habitat, coastal access and recreation, fractured ownership, and scenic value. Public acquisition would also avoid hazards, including the LUP's projection that under business as usual conditions, the bluff face is projected to recede as much as 200 feet by the year 2100, which would bring it into the WRR PD area. Public acquisition would allow space for managed retreat of the Coastal Trail as the bluffs erode.

In addition to the Chen lot, the City has purchased nine other parcels in the WRR area and has filed eminent domain actions to acquire seven other lots. In the future, the City will attempt to negotiate as many lot purchases in the WRR PD area as funding permits.

DISCUSSION:

The property proposed for acquisition (Property) consists of San Mateo County APN 064-022-120 located in the WRR PD area, as shown in the maps included in this staff report. The Property is owned by Spencer C. Chen and Peggy Y. Chen, as co-trustees of the Chen Family Trust (Chens). The Chens are willing sellers. Acquisition of the Property will protect significant habitat and scenic values, provide an area for green infrastructure to control drainage and manage hazards/erosion, manage retreat of the Coastal Trail, mitigate cumulative traffic impacts through the City's lot retirement program, and maintain public access and recreational opportunities in the West of Railroad area, implementing the City's 1985 Local Coastal Land Use Plan (LUP), 1996 certified Local Coastal Program, and 2020 LUP Update.

The City's appraiser, Chris Carneghi, appraised the Property as follows:

APN #	**Lot Size**	**Value**
064-022-120	10,416	$30,000

West of Railroad PUD Area
With Subject Parcel



The Property is encumbered by a deed of trust securing a debt of approximately $1 million to the Eugene Hiller Pension Plan (Hiller). The Purchase and Sale Agreement (PSA) staff negotiated with the Chens and Hiller provides that the City would pay a total of $30,000 for fee title to the Property, Hiller would give a partial reconveyance of its deed of trust (the debt to Hiller is

secured by other lots in the WRR PD) that will provide the City clear title to the Property, Hiller would receive $18,000, and the Chens would receive $12,000. If the City Council approves the PSA, escrow will close within 15 days.

General Plan consistency

The City's 2020 LUP Update, which serves as the City's Land Use Element, designated the Property as Regional Public Recreation and imposes PD land use designation policies on the area. The Property is currently vacant and undeveloped and is in a natural state. The 2020 LUP Update notes that the WRR PD, where the Property is located, has long been envisioned for public land acquisition, with the intent to preserve the larger blufftop area for its significant habitat, coastal access and recreation, and scenic values. The WRR PD is located immediately west of the City blufftop lands, such that these lands should be considered for acquisition directly by the City through the lot retirement program. In light of potential acquisition, the City may incorporate the Property into the Poplar Beach Gateways Plan, a project that will create a plan for the Poplar Beach area, improve parking and access, create a phased program for erosion mitigation, bluff restoration, creation of gateway elements (e.g., wayfinding and interpretive signage), and initiate work on the easterly re-alignment of the Coastal Trail between Poplar Street and Kelly Avenue. This intended use is consistent with the City's 2020 LUP Update.

Staff will request that the Planning Commission confirm this finding at a regular meeting prior to close of escrow pursuant to Government Code section 65402.

CEQA

Staff has concluded that the acquisition is exempt from the requirements of the California Environmental Quality Act, Public Resources Code sections 21000 et seq. (CEQA), under CEQA Guidelines 14 CCR section 15301 (Existing Facilities) and section 15061(b)(3) (no possibility of effect on environment) because the City's acquisition of the Property will cause no change in the current physical condition of the Property as vacant land and will result in no change to the current use of the Property as vacant land.

ATTACHMENTS:

1. Resolution authorizing the City manager to execute a Purchase and Sale Agreement with Spencer C. Chen and Peggy Y. Chen, Co-Trustees of the Chen Family Trust and the Eugene Hiller Pension Plan for the City's purchase of the Property for $30,000.
2. Purchase and Sale Agreement between Spencer C. Chen and Peggy Y. Chen, Co-Trustees of the Chen Family Trust, and the City of Half Moon Bay (unsigned and signed version).

1535365.1

RESOLUTION NO. C-2022-_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH SPENCER C. CHEN AND PEGGY Y. CHEN, AS CO-TRUSTEES OF THE CHEN FAMILY TRUST, DATED NOVEMBER 2, 2004, AND THE EUGENE HILLER PENSION PLAN TO ACQUIRE SAN MATEO COUNTY APN 064-022-120

WHEREAS, the City is seeking to acquire property in the West of Railroad Planned Development (WRR PD) area to protect significant habitat and scenic values, provide an area for green infrastructure to control drainage and manage hazards/erosion, manage retreat of the Coastal Trail, mitigate cumulative traffic impacts through the City's lot retirement program, and maintain public access and recreational opportunities in the West of Railroad area, implementing the City's 1985 Local Coastal Land Use Plan (LUP), 1996 certified Local Coastal Program, and 2020 LUP Update; and

WHEREAS, the private parcel known as San Mateo County Assessor's Parcel Number 064-022-120 (Property) is part of the antiquated subdivision in the WRR PD area; and

WHEREAS, on October 15, 2008, the Coastal Commission approved a modified coastal development permit authorizing the construction of 63 housing units by Ailanto Properties on land adjacent to the eastern ends of Grandview Boulevard and Terrace Avenue, north of Highway 92 and east of Highway 1 in the City (Ailanto Project), subject to the project sponsor's payment of $45,000 per new housing unit constructed by the project sponsor (for a total of $2.835 million) to allow the City to purchase and retire other property in the City to mitigate the traffic impacts of the Ailanto Project (Mitigation Funds); and

WHEREAS, the City's purchase and retirement of property in the WRR PD area with potential for residential development for the Project would mitigate the traffic impacts of the Ailanto Project as well as protect coastal resources; and

WHEREAS, the City intends to use the Mitigation Funds to acquire property in the WRR PD area to minimize the cumulative traffic impacts of the Ailanto Project; and

WHEREAS, the Mitigation Funds recently became available for retirement of lots in the WRR PD area; and

WHEREAS, the City has communicated its intent to acquire property in the WRR PD area to owners of property in that area and has received interest from several owners to sell their property; and

WHEREAS, Spencer C. Chen and Peggy Y. Chen, as co-trustees of the Chen Family Trust dated November 2, 2004 (Chens) own APN 064-022-120, a parcel of vacant land in the WRR PD

area (Property), and the Eugene Hiller Pension Plan (Hiller) is the beneficiary of a deed of trust secured by the Property; and

WHEREAS, the City's 2020 LUP Update, which serves as the City's Land Use Element, designated the Property as Regional Public Recreation and imposes PD land use designation policies on the area, prioritizing public acquisition directly by the City; and

WHEREAS, the City's MAI appraiser concluded that the fair market value of the Property is $30,000; and

WHEREAS, the City, the Chens, and Hiller have negotiated a purchase and sale agreement whereby the City will acquire fee title to the Property for $30,000, Hiller will reconvey its deed of trust giving the City clear title to the Property, Hiller will receive $18,000 of the purchase price, and the Chens will receive $12,000; and

WHEREAS, the City Council exercises its independent judgment and finds that the acquisition is exempt from the requirements of the California Environmental Quality Act under section 15301 (Existing Facilities) and section 15061(b)(3) (no possibility of effect on environment) because the City's acquisition of the Property will cause no change in the current physical condition of the Property as vacant land and will result in no change to the current use of the Property as vacant land; and

WHEREAS, the City Manager recommends that the Council approve the City's purchase of the Property for $30,000, to advance the City's objective of retiring lots with the potential for residential development in the West of Railroad area, thus reducing future traffic in the City.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council Authorizes the City Manager to execute a purchase and sale agreement to acquire the Property for a total of $30,000, and take all other actions reasonably necessary to effectuate the purchase.

OWNER:	**Spencer C. Chen and Peggy Y. Chen, as co-trustees of the Chen Family Trust, dated November 2, 2004**
DEED OF TRUST:	**Eugene Hiller Pension Plan**
PARCEL NUMBER:	**San Mateo County APN 064-022-120**

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 19th day of July, 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

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

by and between

SPENCER C. CHEN AND PEGGY Y. CHEN, C0-TRUSTEES OF THE CHEN FAMILY TRUST DATED NOVEMBER 2, 2004

as Seller

and

CITY OF HALF MOON BAY,

as Buyer

For the purchase and sale of

APN 064-022-120

Half Moon Bay, California

6/29, 2022

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

(APN: 064-022-120, HALF MOON BAY, CALIFORNIA)

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE (this "**Agreement**"), dated for reference purposes only as July__, 2022, is by and between SPENCER C. CHEN AND PEGGY Y. CHEN, CO-TRUSTEES OF THE CHEN FAMILY TRUST DATED NOVEMBER 2, 2004 ("**Seller**"); the CITY OF HALF MOON BAY, a municipal corporation formed under the laws of the State of California ("**Buyer**" or "**City**"); and EUGENE HILLER PENSION PLAN and TRANSCORP C/F EUGENE HILLER IRA ("Deed of Trust Beneficiary"), each of which is a "**Party**" and collectively "**Parties**." The Parties agree as follows:

RECITALS

A. The Property (as defined below) is encumbered by a deed of trust recorded on May 7, 1987 against San Mateo County APN 064-022-120 as Recording Number 87069392 of Official Records of San Mateo County ("**Deed of Trust**"). Eugene Hiller Pension Plan is the beneficiary of the Deed of Trust.

B. As a condition to the purchase of the Property, Buyer requires title free and clear of the Deed of Trust. Through this Agreement, Seller, Buyer, and Deed of Trust Beneficiary agree that Seller shall convey the Property to Buyer free and clear of the Deed of Trust. For the consideration provided in this Agreement, Deed of Trust Beneficiary shall reconvey the Deed of Trust, removing the lien from the Property, at close of escrow.

1. PURCHASE AND SALE

1.1 Property Included in Sale

Seller agrees to sell and convey to City, and City agrees to purchase from Seller, subject to the following terms, covenants, and conditions:

[a] the real property known as APN 064-022-120 in the City of Half Moon Bay, California, and more particularly described in Exhibit A and identified on Exhibit B, both attached hereto (the "**Land**");

[b] all improvements and fixtures located on the Land (the "**Improvements**"); and

[c] any and all rights, privileges, and easements incidental or appurtenant to the Land or Improvements, including, without limitation, any and all minerals, oil, gas and other hydrocarbon substances, on and under the Land under ownership and control of Seller as of the Effective Date of this Agreement, as well as any and all water rights and development rights, air rights relating to the Land, and, any and all easements, rights-of-way, or other appurtenances used in connection with the beneficial use and enjoyment of the Land or Improvements, and any

and all of Seller's right, title and interest in and to all roads and alleys adjoining or servicing the Land or Improvements (collectively, the "**Appurtenances**");

All of the items referred to in Subsections [a], [b], and [c] above are collectively referred to as the "**Property**."

Notwithstanding the definition of Property above, Seller may remove fixtures and special items from the Property, while ensuring security of the Property, upon vacating after Close of Escrow.

Except as set forth in Sections 3 and 7 herein, Buyer agrees that Buyer shall acquire the Property in an "as-is, where-is" condition, with all faults, without any express or implied representations, covenants, or warrantees relating to merchantability, marketability, profitability, or fitness of the Property for any purpose whatsoever or compliance with any laws, rules, ordinances, or regulations of any applicable governmental authority or body. Buyer fully and irrevocably releases Seller from any and all claims that it may have or hereafter acquire against Seller arising from or related to any construction defects, errors, omission, or other conditions, latent or otherwise, including environmental, geotechnical, and seismic matters affecting the Property from and after the transfer of ownership of the Property to Buyer.

2. CONSIDERATION

1.1 Consideration to Seller

Buyer shall pay to Seller, in cash, the amount of Twelve Thousand Dollars and No Cents ($12,000.00) plus or minus pro-rated property taxes paid by, or owed by, Seller.

2.2 Consideration to First Deed of Trust Beneficiary

Buyer shall pay to Deed of Trust Beneficiary, in cash, the amount of Eighty Thousand Dollars and No Cents ($18,000.00) without offset.

2.3 Total Consideration

Total consideration for the Property, including the price paid to Seller and Deed of Trust Beneficiary, is Thirty Thousand Dollars and no Cents ($30,000) (the "**Purchase Price**").

3. TITLE TO THE PROPERTY

3.1 Conveyance of Title to the Property

At the Property Closing (as defined in Section 5.3) Seller shall convey to City, or its nominee, fee simple title to the Property by duly executed and acknowledged grant deed in the form attached hereto as Exhibit C (the "**Deed**"), subject to the Accepted Conditions of Title (as defined in Section 3.2 [Title Insurance]).

3.2 Title Insurance

Delivery of title in accordance with Section 3.1 shall be evidenced by the commitment of Chicago Title Company (the "**Title Company**") to issue to City, or its nominee, a CLTA owner's policy of title insurance (or an ALTA extended coverage policy if the Survey (defined below) is obtained by City) (the "**Title Policy**") in an amount equal to the Purchase Price, insuring fee simple title to the Land, the Appurtenances and the Improvements in City, or its nominee, free of the liens of any and all deeds of trust, mortgages, assignments of rents, financing statements, creditors' claims, rights of tenants or other occupants, and all other exceptions, liens, and encumbrances except solely for the following (such exceptions approved by City are collectively referred to herein as the "**Accepted Conditions of Title**"): (i) the lien of real property taxes, not yet due or payable, provided City shall be shown as exempt from such taxes in the Title Policy; and (ii) exception numbers 1, 2, 4-8, 10, 11, 14, and 15, as listed in the preliminary title report from Chicago Title Company dated December 20, 2021, Order No. 15608877-156-TJK-JM (APN 064-022-120).

4. CONDITIONS TO CLOSING

4.1 City's Conditions to Closing

The following are conditions precedent to City's obligation to purchase the Property (collectively, "**City's Conditions Precedent**").

[a] Title Company shall be committed at the Property Closing to issue to City the Title Policy (or Title Policies) as provided in Section 3.2 [Title Insurance].

[b] Seller shall have delivered the items described in Section 5.4 below [Seller's Delivery of Documents] on or before the Property Closing.

[c] Deed of Trust Beneficiary shall have delivered the item described in Section 5.6 below [Deed of Trust Beneficiary Delivery of Documents] on or before the Property Closing.

[d] Approval of this Agreement and the purchase of the Property by the Half Moon Bay City Council.

If any of City's Conditions Precedent are not satisfied within the time periods set forth above, then City shall have the right in its sole discretion either to waive in writing the City's Condition Precedent in question and proceed with the purchase or, in the alternative, terminate this Agreement without charge, penalty, or further liability or obligation to Seller.

4.2 Seller's Conditions to Closing

The following are conditions precedent to Seller's obligation to sell the Property (collectively, "**Seller's Conditions Precedent**"):

[a] City shall have delivered the items described in Section 5.5 below [City's Delivery of Documents and Funds] on or before the Property Closing.

If any of Seller's Conditions Precedent are not satisfied, Seller shall have the right in its sole discretion either to waive in writing the Seller's Condition Precedent in question and

proceed with the sale or, in the alternative, terminate this Agreement without charge, penalty, or further liability or obligation to Buyer or Deed of Trust Beneficiary.

4.3 Cooperation with City

Seller and Deed of Trust Beneficiary shall cooperate with City and do all commercially reasonable acts as may be reasonably requested by City with regard to the fulfillment of any City's Conditions Precedent, at no cost to Seller or Deed of Trust Beneficiary.

4.4 Waiver

No waiver by any Party at any time of any breach of any provision of this Agreement shall be deemed a waiver or a breach of any other provision herein or a consent to any subsequent breach of the same or another provision. If any action by any Party shall require the consent or approval of another Party, such consent or approval of such action on any one occasion shall not be deemed a consent to or approval of such action on any subsequent occasion or a consent to or approval of any other action.

5. ESCROW AND CLOSING

5.1 Opening of Escrow

On or before the Effective Date (as defined in Section 9.10), the Parties shall open escrow by depositing an executed counterpart of this Agreement with Title Company, and this Agreement shall serve as instructions to Title Company as the escrow holder for consummation of the purchase and sale contemplated hereby. Seller, City, and Deed of Trust Beneficiary agree to execute such additional or supplementary instructions as may be appropriate to enable the escrow holder to comply with the terms of this Agreement and close the transaction; provided, however, that in the event of any conflict between the provisions of this Agreement and any additional supplementary instructions not executed by both parties, the terms of this Agreement shall control.

5.2 Deposit of Funds into Escrow

The City will deposit funds into the Escrow ("**Fund Deposit**") in an amount as needed to comply with the provisions of Section 5.5[c] below.

5.3 Closing Dates

The consummation of the purchase and sale of the Property contemplated hereby (the "**Property Closing**") shall be held and delivery of all items to be made at the Property Closing under the terms of this Agreement shall be made at the offices of Title Company located at One Embarcadero Center, Suite 250, San Francisco California 94111, on or before the fifteenth (15th) calendar day following the date of the Fund Deposit (the "**Property Closing Date**"), subject to the provisions of Section 4.1 [City's Conditions to Closing] and Section 4.2 [Seller's Conditions to Closing]. The Property Closing Date may not be extended without the prior written approval of both Seller and City, except as otherwise expressly provided in this Agreement.

5.4 Seller's Delivery of Documents

At or before the Property Closing, Seller shall deliver into escrow, the following:

[a] duly executed and acknowledged Deed;

[b] properly executed affidavit pursuant to section 1445(b)(2) of the Federal Tax Code in the form attached hereto as Exhibit D, and on which City is entitled to rely, that Seller is not a "foreign person" within the meaning of section 1445(f)(3) of the Federal Tax Code;

[c] properly executed California Franchise Tax Board Form 590 certifying that Seller is a California resident if Seller is an individual, or Seller has a permanent place of business in California or is qualified to do business in California if Seller is a corporation, or other evidence satisfactory to City that Seller is exempt from the withholding requirements of sections 18662 and 26131 of the State Tax Code;

[d] such resolutions, authorizations, or other documents or agreements relating to Seller as the Title Company may reasonably require demonstrating the authority of Seller to enter into this Agreement and consummate the transactions contemplated hereby, and such proof of the power and authority of the individuals executing any documents or other instruments on behalf of Seller to act for and bind Seller; and

[e] closing statement in form and content satisfactory to City and Seller; and

5.5 City's Delivery of Documents and Funds

At or before the Property Closing, City shall deliver into escrow the following:

[a] acceptance of the Deed executed by the City Council, or a designee;

[b] closing statement in form and content satisfactory to City and Seller; and

[c] the Fund Deposit, including, but not limited to, a cashier's check, government warrant, or confirmed wire transfer of certified funds in the amount of the Purchase Price, plus such additional amounts as are required from Buyer for the Property Closing, as provided in Section 6.2 below.

5.6 Deed of Trust Beneficiary Delivery of Documents

At or before the Property Closing, Deed of Trust Beneficiary shall deliver into escrow a duly executed and acknowledged Partial Reconveyance Deed.

6. EXPENSES AND TAXES

6.1 Apportionments

Amounts payable under any contracts assumed pursuant hereto, annual or periodic permit or inspection fees (calculated on the basis of the period covered), and liability for other normal

property operation and maintenance expenses and other recurring costs shall be apportioned as of the Property Closing Date. All utilities shall be prorated as of the Closing Date.

6.2 Closing Costs

City shall pay the cost of the Survey, if any, the premium for the Title Policy and the cost of the endorsements thereto, any escrow and recording fees, and any transfer taxes. Seller shall be responsible for all costs incurred in connection with the prepayment or satisfaction of any loan, bond or other indebtedness secured by the Property. Seller shall also pay any costs, including recording and notary fees, associated with perfecting Seller's ownership sufficient to transfer title. Any other costs and charges of the escrow for the sale not otherwise provided for in this Section or elsewhere in this Agreement shall be paid by City.

6.3 Real Estate Taxes and Special Assessments

General real estate taxes payable for the tax year prior to the year of the Property Closing and all prior years shall be paid by Seller at or before the Property Closing. General real estate taxes payable for the tax year of the Property Closing shall be prorated through escrow between Seller and City as of the Property Closing Date. At or before the Property Closing, any special assessments against the Property shall be prorated through escrow.

6.4 Preliminary Closing Adjustment

The Title Company shall prepare a preliminary Property Closing adjustment on the basis of any apportionments or adjustments to be made based on payments or expenses, and shall deliver such computation to Seller and Buyer prior to the Property Closing.

6.5 Post-Closing Reconciliation

If any of the foregoing prorations cannot be calculated accurately on the Property Closing Date, then they shall be calculated as soon after the Property Closing Date as feasible. Any party owing to any other Party a sum of money based on such subsequent prorations shall promptly pay such sum to the other Party within 10 days after receipt of an invoice and proper documentation for such proration.

6.6 Survival

The provisions of this Section shall survive the Property Closing.

7. REPRESENTATIONS AND WARRANTIES

7.1 Representations and Warranties of Seller

Seller represents and warrants to and covenants with City as follows:

[a] To Seller's Knowledge, as of the Effective Date, and as of the Property Closing Date, Seller has received no formal written notice of any currently outstanding violations of any

federal, state, county, or municipal law, ordinance, order, regulation, or requirement affecting the Property.

[b] To Seller's Knowledge, Seller has received no formal written notice of any condemnation, either instituted or planned to be instituted by any governmental or quasi-governmental agency other than City.

[c] To Seller's Knowledge, Seller has received no formal written notice of any litigation pending against Seller or that affect the use or operation of the Property.

[d] Seller has not granted any option or right of first refusal or first opportunity to any third party to acquire any interest in any of the Property.

[e] Seller has received no written notice, and to Seller's Knowledge, that the Property is in violation of any federal, state and local laws, ordinances and regulations applicable to the Property with respect to hazardous or toxic substances or industrial hygiene.

[f] At the time of Property Closing, to the best of Seller's Knowledge, there will be no leases or other occupancy agreements affecting any of the Property that survive the Property Closing. At the time of Property Closing, to Seller's Knowledge, there will be no outstanding written or oral contracts made by Seller for any of the Improvements that have not been fully paid for and Seller shall cause to be discharged all mechanics' or materialmen's liens arising from any labor or materials furnished to the Property prior to the time of Property Closing.

[g] Seller is not a "foreign person" within the meaning of section 1445(f)(3) of the Federal Tax Code.

As used in this Section 7, the term "to Seller's Knowledge" means the actual present knowledge of Seller, without any duty of inquiry or investigation either express or implied. As stated in Section 1.1 above, except for the representations and warranties provided herein, the Property shall be sold "as is" with all faults, whether known or unknown.

8. POSSESSION

8.1 Possession - Following the Closing, possession of the Property shall be delivered to the City.

9. GENERAL PROVISIONS

9.1 Notices

Any notice, consent, or approval required or permitted to be given under this Agreement shall be in writing and shall be addressed as follows:

City:

City of Half Moon Bay
501 Main St.
Half Moon Bay, CA 94019
Attn: City Manager
Email: bnisbet@hmbcity.com

and

Catherine Engberg
City Attorney
Shute Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, CA 94102
Phone: (415) 552-7272
engberg@smwlaw.com

Seller:

Spencer C. Chen
5155 Wagner Way
Oak Park, CA 91377
Email: spencercchen52@gmail.com

Deed of Trust Beneficiary:

Tove Hiller
Eugene Hiller, Inc.
729 Bridgeway
Sausalito, CA 94965
Phone: (415) 342-8494
Email: tove.hiller@gmail.com

and

Mark Devereaux
Devereaux, Kuhner & Co. LLP
50 California Street, Suite 800
San Francisco, CA 94111
Phone: (415) 692-3900
Email: mdevereaux@dkc-llp.com

or to such other address as either party may from time to time specify in writing to the other upon five (5) days' prior written notice in the manner provided above. Any notice given by personal delivery or delivery service will be deemed effective on the date of receipted delivery, upon refusal to accept delivery or when delivery is first attempted but cannot be made due to a change of address for which no notice was given. Any notice sent by facsimile shall be deemed given by the date reflected by the facsimile confirmation receipt. Any notice that may be given by any Party in connection with this Agreement may be given by such Party's attorney.

9.2 Brokers and Finders

City has had no contact or dealings regarding the Property, or any communication in connection with the subject matter of this transaction, through any licensed real estate broker or other person who could claim a right to a commission or finder's fee in connection with the purchase and sale contemplated herein. City is not aware that Seller has listed the Property for sale through a licensed real estate broker. Seller shall be responsible, out of Seller's proceeds, for

compensating any licensed real estate broker or other person who could claim a right to a commission or finder's fee in connection with the purchase and sale contemplated herein.

9.3 Successors and Assigns

This Agreement shall be binding upon, and inure to the benefit of, the Parties and their respective successors, heirs, administrators and assigns.

9.4 Amendments

Except as otherwise provided herein, this Agreement may be amended or modified only by a written instrument executed by City, Seller, and Deed of Trust Beneficiary.

9.5 Continuation and Survival of Representations and Warranties

All representations and warranties by the Parties contained herein or made in writing pursuant to this Agreement are intended to be, and shall remain, true and correct as of the Property Closing, shall be deemed to be material, and, together with all conditions, covenants and indemnities made by the respective parties contained herein or made in writing pursuant to this Agreement (except as otherwise expressly limited or expanded by the terms of this Agreement), shall survive the execution and delivery of this Agreement and the Property Closing, or, to the extent the context requires, beyond any termination of this Agreement, provided all representations and warranties set forth in Section 7.1 shall survive for a period of eighteen (18) months following the Property Closing Date. All statements contained in any certificate or other instrument delivered at any time by or on behalf of Seller in conjunction with the transaction contemplated hereby shall constitute representations and warranties hereunder.

9.6 Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of California. Any action to enforce the terms of this Agreement shall be filed in a court of competent jurisdiction in San Mateo County, California.

9.7 Merger of Prior Agreements

The Parties intend that this Agreement (including all of the attached exhibits and schedules, which are incorporated into this Agreement by reference) shall be the final expression of their agreement with respect to the subject matter hereof and may not be contradicted by evidence of any prior or contemporaneous oral or written agreements or understandings. The Parties further intend that this Agreement shall constitute the complete and exclusive statement of its terms and that no extrinsic evidence whatsoever (including, without limitation, prior drafts or changes therefrom) may be introduced in any judicial, administrative or other legal proceeding involving this Agreement.

9.8 Non-Liability of City Officials, Employees and Agents

Notwithstanding anything to the contrary in this Agreement, no City Council member, officer, employee or agent of City or any of its member agencies shall be personally liable to

Seller, its successors and assigns, in the event of any default or breach by City or for any amount which may become due to Seller, its successors and assigns, or for any obligation of City under this Agreement.

9.9 Counterparts

This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

9.10 Effective Date

As used herein, the term "**Effective Date**" shall mean the date this Agreement is executed by all Parties.

The Parties have duly executed this Agreement as of the respective dates written below.

SELLER:

SPENCER C. CHEN, Co-Trustee of the Chen Family Trust dated November 2, 2004

Spencer C. Chen

Date: 6/29/2022

PEGGY Y. CHEN, Co-Trustee of the Chen Family Trust dated November 2, 2004

Peggy Y. Chen

Date: 6/29/2022

BUYER:

CITY OF HALF MOON BAY, a California municipal corporation

By: _____
Bob Nisbet, City Manager

Date: _____

APPROVED AS TO FORM:

By: _____
Catherine C. Engberg, City Attorney

DEED OF TRUST BENEFICIARY:

EUGENCE HILLER PENSION PLAN AND TRANSCORP C/F EUGENE HILLER IRA, a California municipal corporation

By: _____
Tove Hiller, Trustee

Date: _____

Title Company agrees to act as escrow holder in accordance with the terms of this Agreement and act as the Reporting Person under section 6045(e) of the United States Internal Revenue Code of 1986 and the regulations promulgated thereunder, which require an information return to be made to the United States Internal Revenue Service, and a statement to be furnished to Seller, in connection with this transaction. Title Company's failure to execute below shall not invalidate this Agreement between City and Seller.

TITLE COMPANY:

CHICAGO TITLE COMPANY

By: _____

Its: _____

Date: _____

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF HALF MOON BAY, IN THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 3, 4 AND 5 IN BLOCK 11, AS SHOWN ON THAT CERTAIN MAP ENTITLED "AMENDED MAP OF ARLETA PARK, HALF MOON BAY", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, ON SEPTEMBER 17, 1906 IN BOOK "E" OF MAPS AT PAGE(S) 37 AND COPIED INTO BOOK 4 OF MAPS AT PAGE 30.

APN: 064-022-120

JPN: 064-002-022-12

EXHIBIT B

DIAGRAM OF THE PROPERTY

West of Railroad PUD Area
With Subject Parcel



EXHIBIT C

GRANT DEED

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City of Half Moon Bay City Hall
501 Main St.
Half Moon Bay, CA 94019

No Recording Fee Per
Government Code 6103

No Document Transfer Tax
Per R & T Code 11922

City of Half Moon Bay, California (Space above this line reserved for Recorder's use only)
APN 064-022-120

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SPENCER C. CHEN and PEGGY Y. CHEN, Co-Trustees of the Chen Family Trust dated November 2, 2004 ("Grantor"), hereby grants to the CITY OF HALF MOON BAY, a municipal corporation established pursuant to the laws of the State of California ("Grantee"), the real property known as APN 064-022-120, in the City of Half Moon Bay, State of California, described on Exhibit A and identified on Exhibit B, both attached hereto and made a part hereof (the "Property").

TOGETHER WITH any and all rights, privileges, and easements incidental or appurtenant to the Property, including, without limitation, any and all minerals, oil, gas and other hydrocarbon substances on and under the Property, as well as any and all development rights, air rights relating to the Property, any water, water rights, riparian rights and water stock relating to the Property and any and all easements, rights of way or other appurtenances used in connection with the beneficial use and enjoyment of the Property and all of Grantor's right, title and interest in and to any and all roads and alleys adjoining or servicing the Property.

Executed as of this _____ day of _____, 2022.

SPENCER C. CHEN

_____

Signature

PEGGY Y. CHEN

_____

Signature

Exhibit A

to Exhibit C- Grant Deed

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF HALF MOON BAY, IN THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 3, 4 AND 5 IN BLOCK 11, AS SHOWN ON THAT CERTAIN MAP ENTITLED "AMENDED MAP OF ARLETA PARK, HALF MOON BAY", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, STATE OF CALIFORNIA, ON SEPTEMBER 17, 1906 IN BOOK "E" OF MAPS AT PAGE(S) 37 AND COPIED INTO BOOK 4 OF MAPS AT PAGE 30.

APN: 064-022-120

JPN: 064-002-022-12

Exhibit B

to Exhibit C- Grant Deed

West of Railroad PUD Area
With Subject Parcel



State of California
County of Sacramento

On _____, before me, _____, Notary Public,

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE_____

PLACE NOTARY SEAL ABOVE

State of California
County of Sacramento

On _____, before me, _____, Notary Public,

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

PLACE NOTARY SEAL ABOVE

SIGNATURE _____

EXHIBIT D
CERTIFICATE OF TRANSFEROR
OTHER THAN AN INDIVIDUAL
(FIRPTA Affidavit)

Section 1445 of the Internal Revenue Code provides that a transferee of a United States real property interest must withhold tax if the transferor is a foreign person. To inform the CITY OF HALF MOON BAY, a municipal corporation established pursuant to the laws of the State of California, the transferee of certain real property located in the City of Half Moon Bay, California, that withholding of tax is not required upon the disposition of such U.S. real property interest by _____

_____, a _____
("Transferor"), the undersigned hereby certifies the following on behalf of Transferor:

1. Transferor is not a foreign corporation, foreign partnership, foreign trust, or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations);

2. Transferor's U.S. employer identification number is _____; and

3. Transferor's office address is _____

_____.

Transferor understands that this certification may be disclosed to the Internal Revenue Service by the transferee and that any false statement contained herein could be punished by fine, imprisonment, or both.

Under penalty of perjury, I declare that I have examined this certificate and to the best of my knowledge and belief it is true, correct and complete, and I further declare that I have authority to sign this document on behalf of Transferor.

Dated: _____, 20___.

On behalf of:

_____,
[NAME]

a_____

By:_____
[NAME]

Its:_____

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: John Doughty, Public Works Director
Veronika Vostinak, Sustainability Analyst

TITLE: **JOINT SEARCH BY CABRILLO UNIFIED SCHOOL DISTRICT AND CITY OF HALF MOON BAY FOR COMMUNITY SOLAR POWER PURCHASE AGREEMENTS**

RECOMMENDATION:
By motion, authorize City Staff to prepare a joint Request for Proposals with Cabrillo Unified School District seeking a Power Purchase Agreement for Community Solar Generation and Battery Storage projects.

FISCAL IMPACT:
There is no financial impact associated with this authorization. Staff time is included within the adopted operating budget and any potential agreement that results from the Request for Proposals will seek approval from the City Council before execution.

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

BACKGROUND:
The City has a history of working with the Cabrillo Unified School District towards shared goals to better serve the community. The City has held various 2x2 Council subcommittee meetings which include two City Councilmembers, the City Manager, two members of the School Board and the School District's Superintendent. These meeting has served as an information sharing opportunities to keep both agencies apprised of each other's efforts to maximize efforts in shared areas of interest such as sustainability, transportation, community outreach, and others. These meetings have allowed for better collaboration, including more frequent staff level meetings to continue the conversation and maximize staff efforts on joint initiatives, including those related to sustainability efforts.

The City Council identified sustainability as one of its top five priorities since FY 2019-20, including FY22-23. In response to this commitment, the City Council adopted the Sustainability

Implementation Plan (SIP), which prioritizes sustainability-related projects and programs through FY23-24. Conducting feasibility assessments for photovoltaic (PV) systems and/or battery projects was listed as a priority action for FY23-24. The City has otherwise demonstrated its commitment to providing local, clean energy to the grid by installing a 488KW rooftop mounted PV system as part of construction of the Half Moon Bay Library and by including a solar field within the scope of phase one corporation yard improvements, approved at the June 7, 2022 City Council meeting.

DISCUSSION:
Through regular coordination of sustainability efforts, City and CUSD staff identified adding solar power generation and battery storage systems to public facilities as a shared goal that could benefit from collaboration between the agencies. The school district is in the process of adding/upgrading solar generation systems on their facilities and had approached the City to see if there was interest in collaborating on a joint Request for Proposals to identify potential investors and negotiate a joint Power Purchase Agreement (PPA).

A PPA is a long-term contract between a developer focused on installing and maintaining renewable energy systems and a property owner who agrees to purchase the clean energy generated by that system installed on their property for a predetermined price. The developer is responsible for funding, installing, and maintaining the infrastructure and provides the property owners with a negotiated cost per unit of energy. This rate may be fixed or may include a set percentage increase over time. PPA agreements may include escalation costs as low as 2-3% annually. In recent years, PG&E has increased their rates anywhere from 9-22% annually.

By partnering on a joint request for proposals (RFP) process, the City and School District could present a more attractive portfolio of projects for potential investors, thus potentially providing lower energy rates for both facilities that may not be able to be achieved through separate efforts. The City and CUSD will not need to provide any upfront capital to install the systems, the investor will be responsible for all maintenance, and both agencies will benefit by receiving lower-cost clean energy generated by the systems, potential storage, and predictability of energy costs throughout the period of the contract. CUSD and the City are likely to be attractive prospects for developers as public agencies provide more stability and certainty for potential investors than private entities.

City and School District Staff are working together to identify facilities and locations of solar generation battery storage systems to launch a joint RFP to solicit bids from investors. If the joint RFP is successful, any negotiated agreements will be presented to City Council for consideration and approval before contact execution.

ATTACHMENT:
Letter of Interest from Cabrillo Unified School District

CABRILLO UNIFIED SCHOOL DISTRICT

498 Kelly Avenue, Half Moon Bay, California 94019 • 650 712-7100 • Fax 650 726-0279 • www.cabrillo.k12.ca.us

SUPERINTENDENT
Sean McPhetridge, Ed.D.

GOVERNING BOARD
Mary Beth Alexander
Lizet Cortes
Kimberly Hines
Sophia Layne
Freya McCamant

June 10, 2022

Bob Nisbet
City Manager
City Hall
501 Main Street
Half Moon Bay, California 94019

Re: Joint Search by CUSD and City of Half Moon Bay for Community Solar Power Purchase Agreements

Dear Bob:

I am writing to gauge your interest in a joint effort with City of Half Moon Bay and Cabrillo Unified School District staff to solicit competitive PPA's through an RFP process for sustainable solar power generation and battery storage systems. As I understand it, your staff and ours have already discussed this as a potential strategy to help the Half Moon Bay community find financing sources for reducing electricity costs while helping distribute solar-generated battery power throughout the community. As you know, the City of Half Moon Bay, CUSD, and adjoining Coastside communities are in a high-risk situation whenever dealing with possible power outages. Solar power generation and battery storage would make it possible for us to carry on with business in the event of power outages due to accidents, fires, earthquakes, and/or other natural disasters.

Localized solar power and battery storage would make it possible to create self-sustaining systems which could sustain local area residents and businesses through challenging periods of these outages. With major disasters, San Mateo County emergency workers typically are not able to reach the Coastside for some time because more populated and influential areas take the initial priority. Conventional back-up generators will only last a short time before fuel runs out or pumps stop pumping while the power is out. Solar energy would be able to recharge batteries during daytime hours and serve as emergency power for critical facilities such as schools, medical clinics, police and fire stations, grocery and food storage facilities, emergency shelters, fuel and water pump stations, telecommunication centers, and nursing/convalescent homes.

We believe that, through joining forces and pursuing PPA's for power below market rates, we can extend the solar grid to more community members and provide free power after the initial 5-8 year payback for systems. With PPA contracts in place we could likely achieve 20-25% rate savings over time. The fixed escalation costs of 2-3% will stay far below the currently anticipated PG&E escalation of 9-18 % in the most recent estimates. The most important feature for us working together on this strategy would be to stay connected with power during upcoming electrical blackouts by having battery storage in place at no cost to the City or District. Therefore, please know we look forward to CUSD staff working with City of Half Moon Bay staff to identify opportunities where we could find cost savings from power generation and power resiliency for the community.

Please let me know if this is of interest to you and if you would like to arrange a joint meeting with our staff. Cabrillo Unified School District is always happy to partner with the City of Half Moon Bay on shared goals, and staff of both our agencies now believe we could realize cost savings and energy resilience in this joint effort.

Sincerely,

Sean McPhetridge, Ed.D
Superintendent, Cabrillo Unified School District

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: John Doughty, Public Works Director
Maziar Bozorginia, City Engineer
Jonathan Woo, Assistant Engineer

TITLE: **AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH FREYER AND LAURETA, INC. FOR DESIGN SERVICES FOR THE MAIN STREET SAFETY IMPROVEMENT PROJECT (CIP PROJECT NO. 1009)**

RECOMMENDATION:
Adopt a resolution authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Freyer and Laureta, Inc. (Consultant) for design services for the Main Street Safety Improvement Project (Project) increasing the not to exceed contract amount from $29,900 to $35,900.

FISCAL IMPACT:
There are adequate funds in the FY 2022-23 Capital Budget to cover the requested agreement amendment.

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

BACKGROUND:
The City of Half Moon Bay received grants from the Bay Area Air Quality Management District (BAAQMD) to implement some quick-build improvements in the downtown corridor, with the ultimate goal of reducing carbon air emissions. The City is looking to utilize these funds in the construction of key bicycle and pedestrian improvements that were identified in the Bicycle and Pedestrian Master Plan (adopted September 2019). The City plans to utilize these funds to construct four types of improvements in the downtown area: 1) bicycle routes, 2) pedestrian crosswalks, 3) signage, and 4) parklets/streateries. The Main Street Traffic Safety Project will only address the first three above mentioned improvements throughout the downtown and north downtown corridors of Half Moon Bay.

The project limits are from Correas Street to Highway 1, mostly along Main Street, and along a portion of Mill Street, Johnston Street and Correas Street. Scope of work includes the implementation of Class II Bike Lanes between Highway 1 to Stone Pine Road and Class III Bike Lanes for the remaining locations. The perpendicular parking stalls along Mill Street, Johnston Street and Correas Street within project limits will be reconfigured to back-in angled parking stalls for the safety of bicyclists. This reconfiguration will result in a decrease of the number of parking stalls available. The parking on Johnston Street would be reduced from 58 to 44 total spaces, and the parking on Correas Street would be reduced from 16 to 9 spaces.

Additional scope of work will include the installation of high visibility crosswalks along Main Street intersections between Correas Street and Mill Street, and at the intersection of Miramontes Street and Johnston Street. The project also includes pavement maintenance and preservation, such as the use of crack and slurry seal, as well as the installation of some parking directional signs in the downtown corridor to direct both residents and tourists to utilize adjacent parking surrounding Main Street.

On May 5, 2021, the City Manager executed a professional services agreement with the Consultant in the amount of $29,900. Since then, City Staff and the Consultants have been working on the design. City Staff has 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.

DISCUSSION:
Due to the location of the project adjacent to Highway 92 and Highway 1, the City will need a Caltrans Encroachment Permit for work within Caltrans ROW. Work within the Caltrans ROW includes slurry seal and thermoplastic striping. City Staff has been in contact with Caltrans personnel to obtain the required Encroachment Permit. Caltrans staff has provided comments for the proposed project to City Staff that will need to be addressed.

Due to the comments provided by Caltrans and subsequent design changes, an additional $6,000 is needed by the Consultant to revise the plans and complete the design of the Project. The Consultants have been working through the revisions per Caltrans comments, and once revisions are finalized and sent to Caltrans for second review, City Staff will advertise the project for bids.

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. 1 TO THE ORIGINAL PROFESSIONAL SERVICES AGREEMENT WITH FREYER AND LAURETA, INC. FOR DESIGN SERVICES FOR THE MAIN STREET SAFETY IMPROVEMENT PROJECT (CIP NO. 1009) INCREASING THE TOTAL CONTRACT AMOUNT NOT TO EXCEED $35,900

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 5, 2021, the City Manager executed a professional services agreement with Freyer and Laureta, Inc. (Consultant) for the design services for the Project; and

WHEREAS, City Staff has reached out and connected with Caltrans personnel to obtain a Caltrans Encroachment Permit due a portion of the project being constructed within Caltrans Right-of-Way; and

WHEREAS, City Staff has received comments from Caltrans Staff regarding the proposed improvements; and

WHEREAS, an additional $6,000 was requested from the Consultant in order to respond and revise the plans to complete the design of the Project; and

WHEREAS, once the revisions are finalized and sent to Caltrans for second review, City Staff will advertise the project for bids; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby authorizes the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with Freyer and Laureta, Inc. for design services for the project increasing the total not to exceed contract amount from $29,900 to $35,900.

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 19th day of July 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 **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Matthew Chidester, Deputy City Manager
Karen Decker, Senior Management Analyst

TITLE: **PROFESSIONAL SERVICES AGREEMENT WITH WOOD CONSULTING SERVICES**

RECOMMENDATION:
Adopt a resolution authorizing the City Manager to execute a Professional Services Agreement with Wood Consulting Services for economic recovery plan services, Coastside Recovery Initiative implementation, and city projects that support a more equitable, vibrant, and resilient Coastside economy with a not-to-exceed amount of $140,000.

FISCAL IMPACT:
If approved, a contract amount not to exceed $140,000 will be paid out of the City Manager's Office FY 2022-23 Adopted Budget.

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

BACKGROUND:
Tremendous progress has been made on the Coastside Recovery Initiative (CRI). A final report with 15 recommendations was completed and released to the public on March 15, 2022. Highlights from the report revealed longstanding inequity exacerbated by the pandemic and a lack of economic diversity which undermines prospects for long-term economic growth. The report identified challenges such as climate change, median wage stagnation and slight decline for low-income workers, rising costs of housing, gasoline, transportation, childcare, healthcare, and other living essentials, and a lack of services and infrastructure such as high-quality childcare options and internet and cellular reliability. The pandemic hit small businesses, restaurants, and hospitality particularly hard which led to significant job losses and economic hardship for many individuals and families on the Coastside, which mirrored national trends and county surveys. Increases in housing and food insecurity, and people turned to nonprofits in record numbers.

Since the release of the report, several of the 15 recommendations have gained traction. The San Mateo County Board of Supervisors has approved a $2.5 million funding allocation to support a Coastside Center for job seekers, small businesses, and entrepreneurs (including an incubator), there are plans for the College of San Mateo to return to the Coast, and a significant philanthropic institution is finalizing a grant to support regenerative agriculture efforts and the people aspect of digital infrastructure. Assemblymember Marc Berman recently allocated $2 million in funding to support the planning and implementation of a park plaza in the south coast, and the City's Community Services Financial Assistance grant program will pilot a grantee cohort model and new program evaluation informed by a CRI recommendation.

Wood Consulting Services has played an important role in all aspects of the development and administration of the recovery initiative and taskforce, publication of the CRI report, and has been instrumental in moving several of the recommendations forward. With the report and the City Council's annual priority session in March at which economic development was identified as a continuing priority, ongoing support with CRI implementation is paramount.

DISCUSSION:
The critical phase of implementation will ensure there are resources and a structure in place to sustain the work moving forward. In close collaboration with City staff, the consultant will support implementation of CRI and other city projects such as:

- Downtown Revitalization. Selection of an urban design (streetscape) firm, stakeholder engagement
- Economic Advancement Center (EAC). Convene stakeholders and determine the structure and resources necessary to launch the Center. Focus on market analysis, strategic partners, and investor model necessary to support a Coastside jobs incubator that will be housed within the EAC.
- Initiate assessment for community lending strategy. The consultant will work on the development of a community lending strategy for small businesses.
- Collaborate with City's Community Development Team on short-term strategies to increase affordable housing opportunities. Identify options for shared housing, rent relief and tenant rights.
- Support workforce development and higher education opportunities. Lead efforts to secure relevant job market data to identify opportunity industries and career pathways along with the vocational and higher education programming to support those pathways.
- Support efforts toward a broader vision of regenerative agriculture on the Coastside and the launch of Rancho San Benito. Promote the benefits and increase awareness of regenerative food, farming, and land use as a fundamental solution to climate change that can lead to jobs, income, and more sustainable development.
- Community Services Financial Assistance Program. Assist with new grantee cohort model and program evaluation component.
- Make strategic connections to regional organizations and networks that can support CRI implementation efforts, such as the Fresno-Merced Future of Food Innovation (F3)

coalition, led by the Central Valley Community Foundation, federal, state and county government, academic institutions, and venture capital community.

Key deliverables include:

- Request For Proposal for downtown revitalization, selection of design firm and initial design scenarios. Development and execution of plan for property owner, business, and downtown group engagement.
- Economic Advancement Center implementation plan
- Market demand study for incubator feasibility
- High potential career pathways identified and higher education programming in place designed to support these pathways
- Scope of services and engagement with community lending specialist / firm
- Implementation of CSFA grantee cohort model and program evaluation
- Make strategic connections to regional organizations and networks that support CRI implementation such as academic institutions and venture capital community

If approved by Council, the attached Scope of Work and Fee Schedule will be incorporated into a Professional Services agreement for FY 2022-23, with a not-to-exceed amount of $140,000.

ATTACHMENTS:

1. Resolution
2. Scope of Work and Fee Schedule

RESOLUTION NO. C-2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WOOD CONSULTING SERVICES FOR ECONOMIC RECOVERY SERVICES, COASTSIDE RECOVERY INITIATIVE IMPLEMENTATION, AND CITY PROJECTS THAT SUPPORT A MORE EQUITABLE, VIBRANT, AND RESILIENT COASTSIDE ECONOMY WITH A NOT-TO-EXCEED AMOUNT OF $140,000.

WHEREAS, immediate economic recovery from COVID-19 impacts and long-term sustainability resulting in a more equitable, vibrant, and resilient Coastside economy requires an extensive planning and implementation; and

WHEREAS, on March 15, 2022, a final report entitled, "Building a More Equitable, Vibrant, and Resilient Coastside Economy," inclusive of 15 recommendations, was completed and released to the public; and

WHEREAS, City Council convened on March 22, 2022, and identified Economic Recovery and Development as a Council priority as part of the Fiscal Year 2022-23 Priority Setting Workshop; and

WHEREAS, the Recovery Initiative has launched into the implementation phase and gained traction on multiple recommendations which include increasing access to vocational training and higher opportunities, creation of a business incubator and small business assistance center, redesign of a streetscape in Downtown Half Moon Bay, developing a more coordinated and integrated approach among Coastside nonprofits, and strengthening collaboration, training, and support for the farming community; and

WHEREAS, further consultation and support is required to implement Coastside Recovery Initiative recommendations and relevant city projects.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby authorizes the City Manager to execute a Professional Services Agreement with Wood Consulting Services for economic recovery plan services, Coastside Recovery Initiative implementation, and city projects that support a more equitable, vibrant, and resilient Coastside economy with a not-to-exceed amount of $140,000.

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 19th day of July, 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, Vice Mayor

Scope of Work and Fee Schedule

The purpose of this document is to outline a proposed scope of services for a new Professional Services Agreement (Agreement) between the City of Half Moon Bay (City) and Wood Consulting Services.

A new Agreement with Wood Consulting Services would support the implementation phase of the Coastside Recovery Initiative, assist with incoming and outgoing grants administration, and city projects that support a more equitable, vibrant, and resilient Coastside economy.

Description of Services

Tremendous progress has been made on the Coastside Recovery Initiative (CRI). A final report with 15 recommendations was completed and released to the public on March 15, 2022. Since then, the County has approved a $2.5 million funding allocation to support a Coastside Center for entrepreneurs, small businesses and job seekers, there are plans for the College of San Mateo to return to the Coast and a significant philanthropic institution ready to support CRI recommendations. With the report and the City Council's annual priority session in March at which economic development (CRI) was identified as a continuing priority, the consultant proposes to support City staff with implementation of the following efforts as described below.

I. Implementation of Coastside Recovery Initiative Recommendations and Related City Projects

a. Downtown Revitalization. The consultant will work with City staff on the process and selection of an urban design (streetscape) firm for this important work. City staff have emphasized the need for stakeholder engagement in this process, particularly property owners and local businesses that will be impacted as well as other downtown oriented groups, such as the Beautification Committee, Downtown Association and Half Moon Bay Coastside Chamber of Commerce and Half Moon Bay History Association. The consultant will work with City staff and the design firm as appropriate to initiate and support stakeholder engagement efforts.

b. Economic Advancement Center (EAC). The consultant will work with City staff on the design and implementation of a Coastside Economic Advancement Center. This will include meeting with relevant stakeholders as well as regional and local leaders to assist with determining the structure and resources necessary for the EAC, the physical space needs and viable commercial properties and programs and services to be delivered to the Coastside community. The consultant will have a particular focus on the market analysis, strategic partners, and investor model necessary to support a Coastside jobs incubator that will be housed within the EAC.

c. Initiate assessment for community lending strategy. The consultant will work on the development of a community lending strategy for small businesses. This will include

organizing conversations with City leadership and local lenders (Tri-County Bank and San Mateo Credit Union) to understand loan options and terms. It will also include engaging Community Capital Advisors to undertake an assessment of small business / borrower needs and designing appropriate options.

d. Collaborate with City's Community Development Team on short-term strategies to increase affordable housing opportunities. The consultant will meet with meet with regional nonprofit housing and legal service providers to identify options around sharing housing, rent relief and tenant rights. The consultant will work with City staff to determine viable short-term strategies and execute on those strategies as timing and resources allow.

e. Support workforce development and higher education opportunities. Working with the Coastside Workforce Roundtable and City staff, the consultant will lead efforts to secure relevant job market data to identify opportunity industries and career pathways along with the vocational and higher education programming to support those pathways. A key milestone in this work will be a news conference in the Fall announcing the College of San Mateo's return to the Coast and its location. Given the City's limited marketing and communications capacity, the consultant will plan the agenda for the news conference, identify and recruit speakers and draft strategic messaging and talking points to support the news conference and related communications. This work will be closely coordinated with the participation and input of CSM leadership and communications staff.

f. Support efforts toward a broader vision of regenerative agriculture on the Coastside and the launch of Rancho San Benito. The consultant proposes to promote the benefits and increase awareness of regenerative food, farming, and land use as a fundamental solution to climate change that can lead to jobs, income, and more sustainable development. This will take several different forms (such as through a forum on regenerative ag) and will involve a core group of 5-8 champions who understand and are truly inspired by the basic principles of regenerative food, farming, and land use. This core group will identify and help drive the action that is necessary to transition toward regenerative practices, including how to scale efforts like Rancho San Benito.

II. Funding, Strategic Outreach, and Communications

a. Community Services Financial Assistance Program. The consultant will advise City staff on funding areas, grant award amounts, application process and review as well as management of a grantee cohort. The consultant will assist City staff with cohort agendas and meeting facilitation as well as evaluation activities.

b. Actively explore potential funding opportunities to support implementation and work with City staff to determine if / when to pursue these opportunities.

c. Make strategic connections to regional organizations and networks that can support CRI implementation efforts, such as the Fresno-Merced Future of Food Innovation (F3) coalition, led by the Central Valley Community Foundation, federal, state and county government, academic institutions, and venture capital community.

Key Deliverables

- Request For Proposal for downtown revitalization, selection of design firm and initial design scenarios. Development and execution of plan for property owner, business, and downtown group engagement.
- Economic Advancement Center implementation plan
- Market demand study for incubator feasibility
- High potential career pathways identified and higher education programming in place designed to support these pathways
- Scope of services and engagement with community lending specialist / firm
- Implementation of CSFA grantee cohort model and program evaluation
- Research and respond to funding requests

Estimated Costs

Contractor agrees to track all hours worked on project and will invoice the City bi-weekly for work completed at an hourly rate of $170.00 per hour. Contractor and City staff agree that the total estimated cost for this project will not exceed $140,000 (or 823 total project hours). If project activities require additional time from the contractor beyond the project cap of $140,000, Contractor and City staff will negotiate terms for a contract amendment or new contract.

Out of pocket expenses, such as mileage to meetings, meeting / office supplies, refreshments, venue rentals, AV, or technology needs (e.g., zoom license) will be discussed and approved by City staff in advance of purchase. Any approved out-of-pocket expenses incurred by contractor will be included in weekly invoices.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: John Doughty, Public Works Director
Lisa Lopez Rossi, Administrative Services Director
Kenneth Stiles, Finance Manager

TITLE: **FISCAL YEAR 2022-23 SEWER SERVICE CHARGES AND ASSESSMENTS**

RECOMMENDATION:
Conduct a public hearing and adopt a resolution approving the Fiscal Year (FY) 2022-23 Sewer Service Assessments and charges, direct staff to file the assessment roll, and authorize the County Controller to place the assessment charges on the County of San Mateo Property Tax Roll and direct staff to bill assessments directly that are not on the tax roll.

FISCAL IMPACT:
In June 2020, the City Council adopted new sewer service charges for Fiscal Year 2020 – 2021 (FY21) through FY25 (five years) as part of its California Proposition 218 sewer services charges study and protest process. The adjustments were necessary to address increasing costs of the Sewer Authority Mid-Coastside and the need to maintain and improve the City's sewer collection system. The total FY 2022-23 revenues are projected to be approximately $5.6 million.

Due to inflation and deferred capital improvements, Sewer Authority Mid-Coastside (SAM) related costs in FY 2022-23 are budgeted at $4,871,480; representing a 15% increase over the prior year. The total City sewer operation costs are budgeted at $6.2 million; representing a 10% increase overall. As was identified in the adopted rate study, the City is utilizing funds derived from assessments and charges for service past and present to meet annual operational funding. Annual operational funding includes capital expenses and operational expenses by both the City and SAM.

STRATEGIC ELEMENT:
This recommendation supports the Fiscal Sustainability and Inclusive Governance Elements of the City's Strategic Plan.

ENVIRONMENTAL REVIEW:
As set forth in California Code of Regulations Section 15273, the California Environmental Quality Act does not apply to the establishment, modification, structuring, restructuring, or approval of rates and other charges by a public agency provided the purpose is to maintain and operate services within the existing service area boundary.

BACKGROUND AND OVERVIEW:
The City's collection system includes approximately 35 miles of gravity sewer lines, three (3) pump stations and three (3) force mains. Wastewater from residences, businesses, schools, restaurants and other buildings and uses is conveyed through sewer mains owned by the City of Half Moon Bay to the sewer treatment plant operated by Sewer Authority Mid-Coastside (SAM). The City collection system serves residences, businesses, and public uses from Frenchman's Creek on the north to Miramontes Point Road on the south. The City primarily serves properties located in the incorporated area; however, the City serves some adjacent areas outside City limits including the Moon Ridge Housing Development.

The City, Granada Community Services District (Granada), and Montara Water and Sanitary District (Montara) formed the Sewer Authority Mid-Coastside via an exercise of Joint Powers Authority (JPA). SAM facilities include a conventional wastewater treatment plant (located at 1000 N. Cabrillo Highway, Half Moon Bay) and the Intertie Pipeline System (IPS), which conveys flows through pumping facilities, force mains, and interceptor pipelines from Granada and Montara service areas to the wastewater treatment plant. Under the current JPA, the City is responsible for paying a proportional share of the plant flow for operations, maintenance, and capital costs of the wastewater treatment plant. In the current fiscal year, the City's proportional share of operations and maintenance is set at 59.4 percent.

The regional wastewater treatment plant was originally constructed in the late 1970s, following the formation of the JPA. The treatment plant was substantially upgraded in late 1999/2000 and has sufficient capacity to receive and treat anticipated wastewater flows. The treatment plant requires major capital repair/replacement efforts which have been estimated between $30 and $40 million. This rate study assumes funding of capital repair and replacement on a pay-as-you-go basis for the foreseeable horizon. The rate study anticipated holding at roughly $2.5 million in combined annual contributions for capital repair/replacement from the City, Granada, and Montara; in FY 2022-23 this figure is $3.0 million. In FY 2023-24, it is anticipated that the SAM will be requesting approximately $3.2 million in combined capital funding of which the City is currently obligated to share 59.4 percent.

The IPS was constructed in the late 1970s and is, for the most part, comprised of original system components. In 2017, the Granada Force Main suffered a major break and resulted in a significant sanitary sewer spill (SSO). Two smaller SSO events occurred on other sections of the Granada Force Main. As a result, SAM completed replacement of approximately 5,700 feet of the Granada Force Main at a cost of almost $2 million. SAM recently completed work on an additional 1,500 feet of the Granada Force Main. Pursuant to settlement terms with the Ecological Resource Foundation (ERF), SAM remains committed to a series of studies and

possible replacements of the IPS over the coming years totaling an estimated $10 million. Total IPS repair and replacement is conservatively estimated between $20 and $25 million. To date, City ratepayers have contributed (under protest) approximately $5.6 million toward IPS related repair/replacement since 2017. Under a recent trial court decision that is currently on appeal, City ratepayers would expect to pay approximately 60-percent of all costs related to the IPS replacement.

SEWER ENTERPRISE FUND OVERVIEW:

The City's Sewer Fund is a government enterprise fund. An enterprise fund is a self-supporting government fund that provides a specialized service. In this instance, City sewer services represent the specialized service; the Sewer Fund is the City's only enterprise fund. The Sewer Fund is shown in the City's Annual Operations Budget as two separate accounts: Fund 201 (Operating Fund); and 202 (Sewer Capital Fund). The separation exists primarily to ensure that sewer capacity fees paid by private development, are accounted for and utilized solely for their intended capital purposes. The two funds also provide a basis for annual budgeting toward operating and capital expenditures. Per the Rate Study, the City Council committed to maintaining an Operating Reserve equal to 75 days (app. 20.5% of budget) as well as a Capital Improvements Reserve of up to 2-percent of Net Total capital Assets.

Ninety-nine percent (99%) of sewer system (utility) revenues is derived directly from rates charged to the users of the sewer system. Per state law, sewer service charges are permitted to recover only revenues sufficient to adequately fund sewer utility operations, maintenance, and capital replacement expenditures including maintenance of emergency and capital reserves. As noted, the City's sewer service charges include not only the operation and maintenance of the City collection system, but also the proportional costs of operating and maintaining the Sewer Authority Mid-Coastside (SAM) (including the treatment plant and intertie pipeline system).

Operations and maintenance costs for sewer services have increased significantly over the last seven years. Between FY 2015-16 ($2,299,898) and FY 2019-20 ($4,131,899), Half Moon Bay's proportion of SAM budgeted costs alone have almost doubled. Additionally, the City's share of the costs during this same time-period has increased by more than 10 percent. As noted above, the City's FY 2022-23 SAM related costs increased by approximately 15-percent over FY 2021-22 assessments. SAM related increases are attributable to many factors including added staffing and related cost increases, addressing deferred maintenance at plant and the IPS and the rapidly increasing cost of materials and labor for capital construction and maintenance.

The City's collection system operating costs have also risen in response to statutory oversight obligations, addressing long deferred maintenance, providing oversight of the operations and maintenance, and to account for the rapidly increasing cost of materials and labor for capital construction and maintenance. The City Council recently completed construction of the Ocean Colony Pump Station and Force Main Project (app. $2.5 million total cost). This project was identified by the City and funded by all ratepayers to replace aging infrastructure/technology and protect the environment in the Ocean Colony community. Additional capital maintenance and repair will continue to be needed to protect the environment, limit liability, and meet

statutory obligations. The City is actively engaged in identifying and addressing inflow and infiltration (I & I) within the system including annual manhole repair/replacement and smoke testing. The City is also proactively managing and maintaining its sewer collection assets through the cleaning and maintenance activities as well as through in annual CCTV inspections of in-ground pipes (CCTV also serves to evaluate potential I & I related issues). Since FY 2018-19, the costs of providing services exceeded the revenues derived from sewer service charges. As such, the City has been required to utilize Fund 202 (Capital Fund--formerly Fund 06) to balance the total operations costs.

In September 2019, the City initiated work with Municipal Financial Services (MFS) to prepare a sewer service charges study for the City sewer system. The study ("2020 Sewer Service Charges Study", dated April 7, 2020) was released in April of 2020 and was subsequently accepted and adopted by City Council in conjunction with the Proposition 218 protest hearing on June 2, 2020. MFS financial modeling indicated that by FY 2022-23, without rate adjustments, the Sewer Fund (Funds 201 and 202) would be exhausted, and revenues would not be sufficient for day-to-day operations of the sewer enterprise. The Study assumed the terms of the then anticipated (and since failed) Settlement Agreement with Granada and Montara. The rate study also incorporated the annual transfer of funds from Fund 202 to Fund 201 over the course of the five fiscal years. Given the failure of settlement, inflation and overall increasing costs of SAM, the City is contemplating a new rate study to commence later this fiscal year.

On June 2, 2020, the City Council conducted a required public protest hearing on proposed sewer charges adjustments. Following the hearing, the City Council adopted new sewer service charges and methodology for calculating residential charges. In approving the new rates the City Council found the following: 1) All provisions set forth above are true and correct, and are hereby incorporated herein as findings of this City Council by reference; 2) The purposes of the fees and reserves set forth herein are to finance the wastewater system service costs; 3) There is a need for wastewater system services to protect the public's health, safety, and welfare; 4) The charges do not exceed the cost of providing wastewater system services including basic costs, proportional costs, and allocated costs, and do not exceed the proportional cost of service attributable to the customer's parcel; and 5) The City did not receive a majority protest of the parcels currently receiving wastewater services.

In July of 2020 and 2021, the City Council Conducted public hearings and adopted resolutions approving the annual Sewer Service Assessments and charges per the adopted rate study.

DISCUSSION:

Sewer service charges are utilized to maintain and operate the City's sewer collection system and to fund the City's portion of the SAM operations. As noted earlier, the City is directly responsible for maintaining the system which collects and conveys wastewater, while SAM provides treatment services. The sewer service charges include funding of capital repairs, replacements and improvements both within the City system and the SAM treatment plant. Over the last seven years the cost of SAM JPA services has increased substantially. Additionally, the City has programmed necessary capital projects that have grown increasingly more expensive (due to

increased material costs, size of the projects and limited capacity of contractors in Bay Area).

The FY 2022-23 assessments represent the third assessment under the 2020 adopted sewer service charges. FY 2022-23 includes an increase in rates by thirteen (13) percent over the prior year. Detailed discussion of the rate setting process can be found in the City Clerk archives for City Council agendas and packets for March 17, 2020, April 7, 2020 and June 2, 2020. Additional background can be found on the City's website.[1]

The City of Half Moon Bay collects sewer service revenues in two ways:

1. Property owners' sewer assessments are added to the tax roll by the San Mateo County Tax Collector (pursuant to Section 5473 of the Health and Safety Code of the State of California). This year, individual assessments of 3,292 parcels are projected to generate $5,416,628.10 in revenues which will be forwarded to the City of Half Moon Bay as part of the San Mateo County tax roll collection.

2. The City also directly bills property owners who are connected to the City sewer system but are not included in the City of Half Moon Bay's assessments which are collected through the San Mateo County Property Tax Roll. This applies to unassessed government properties and to properties outside of Half Moon Bay city limits that use the City's sewer system. Another $254,610.06 in revenue is projected by billing 172 properties directly.

Staff recommends that the City Council conduct a public hearing and upon closing of the hearing, direct staff to file the assessment roll; authorize the County Controller to place the assessment charges on the San Mateo County Property Tax Roll this year; and direct staff to bill sewer users directly if they are not assessed on the tax roll.

ATTACHMENT:
Resolution adopting FY 2022-23 Sewer Service Charges

[1] See https://www.half-moon-bay.ca.us/680/2020-Sewer-Rate-Adjustments

RESOLUTION NO. C-2022-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY ADOPTING THE FISCAL YEAR 2022-23 SEWER SERVICE CHARGES FOR PROPERTIES SERVED BY THE HALF MOON BAY SANITARY SEWER SYSTEM

WHEREAS, the City of Half Moon Bay is a public entity that owns and operates a sanitary sewer system;

WHEREAS, Article XIIID of the California Constitution specifically authorizes a wastewater system service provider to adopt wastewater system service fees for its customers that do not exceed the cost of providing the service and are proportionate to the cost of service for all customers;

WHEREAS, the City of Half Moon Bay funds sewer operations via sewer service charges;

WHEREAS, the City is committed to maintain its sewer system to ensure protection of the public health and safety;

WHEREAS, the Sewer Authority Mid-Coastside (SAM) has identified significant infrastructure needs that could exceed $50 million over the next 5-10 years;

WHEREAS, the City, as a member of SAM, is obligated to pay a proportional share of SAM operational and maintenance costs to ensure proper conveyance and treatment of wastewater;

WHEREAS, without update of the current rates, the City does not have the financial resources needed to fund operations or continue upgrades of the City's system and the SAM treatment plant and Intertie Pipeline System;

WHEREAS, pursuant to Section 5473 of the California Health and Safety Code, the City Council received and duly considered a report of sewer service charges covering fiscal years (FY) 2020-21 through 2025-26, computed in conformity with a Sewer Service Rate Study prepared by Municipal Financial Services (MFS);

WHEREAS, on June 2, 2020, the City Council held a public protest hearing and upon not receiving a majority protest adopted new sewer charges for FY 2020-21, FY 2021-22, FY 2022-23, FY 2023-24 and FY 2024-25;

WHEREAS, on June 2, 2020, the City Council introduced and subsequently on June 16 adopted revisions to the Half Moon Bay Municipal Code, Title 13 to implement City Council approved residential flat rate structure and related revisions;

WHEREAS, the Half Moon Municipal Code establishes sewer fee collection via the San Mateo County Tax Roll;

WHEREAS, the City Clerk published two public hearing notices in the Half Moon Bay Review in advance of the July 19, 2022 hearing;

WHEREAS, the City Council held a noticed public hearing on July 19, 2022 adopting the fiscal year (FY) 2022-23 sewer service assessments.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Half Moon Bay hereby adopts the sanitary sewer service summary entitled, "City of Half Moon Bay – FY 2022-23 Sanitary Sewer Assessments Summary" totaling $5,671,238.16 included as Exhibit A and that the City Council hereby directs staff to: 1) file the FY 2022-23 assessment roll for the City of Half Moon in the amount of $5,416,628.10 and 2) authorizes the County Controller to place these assessment charges on the County of San Mateo County Property Tax Roll; and 3) bill $254,610.06 for the 172 directly billed properties for assessments not included on the tax roll.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 19th day of July 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

City of Half Moon Bay
FY 2022-23 Sanitary Sewer Assessments Summary

San Mateo County Property Tax Roll and Half Moon Bay Manual Billing Assessments

San Mateo County Property Tax Roll Sanitary Sewer Assessments for City of Half Moon Bay

Half Moon Bay Sanitary Sewer Service Charges

	Assessment/Charge Code: 721S
Total Number of Parcels Assessed:	**3,292**
Total Dollar Assessment:	**$5,416,628.10**
Lowest Parcel Assessment	$208.00
Highest Parcel Assessment	$266,412.00
Person Responsible for Submitting the Data:	Kenneth Stiles City of Half Moon Bay 507B Purissima Street Half Moon Bay, CA 94019 Phone: 650-435-8257 Fax: 650-726-4550 Email: kstiles@hmbcity.com
Tax Payer Contact:	Carol Kim 650-726-8779
Person Responsible for Review and Sign Off the Proof List:	Bob Nisbet Email: bnisbet@hmbcity.com

Sanitary Sewer Assessments Manual Billing Summary for the City of Half Moon Bay

Class Type	**Total (Grouped by Class)**
Commercial (6 parcels)	$32,190.80
Recreational (4 parcels)	$52,500.38
Residential (160 Parcels)	$168,960.00
School (2 parcels)	$958.88
Total Manual Billing Assessments (172 Parcels)	**$254,610.06**

FY 2022-23 Sanitary Sewer Assessments for City of Half Moon Bay

Total Sewer Assessments on SM County Property Tax Roll	$5,416,628.10
Sewer Assessments Manual Billings	$254,610.06

Total FY 2022-23 Half Moon Bay Sanitary Sewer Assessments $5,671,238.16

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

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

TITLE: **555 KELLY AVENUE – AUTHORIZATION TO PREPARE AN EXCLUSIVE NEGOTIATIONS AGREEMENT AND A PRE-DEVELOPMENT LOAN AGREEMENT WITH MERCY HOUSING**

RECOMMENDATION:
Adopt a resolution authorizing staff to prepare the following, subject to future City Council approval:

1. Exclusive Negotiations Agreement (ENA) between the City and Mercy Housing California (Mercy Housing), in order to enable pre-development activities to be undertaken for an affordable housing project on a City-owned site at 555 Kelly Avenue and to provide for a period of time in which to negotiate a development agreement between the parties, and;
2. Pre-development loan agreement between the City and Mercy Housing, in order to provide potential funding for pre-development activities during the period leading up to the start of construction.

FISCAL IMPACT:
The fiscal impact of this action is limited to staff and consultant time to prepare necessary agreement and loan documents. This action may lead to City Council authorization to provide funding to Mercy Housing from the City's Affordable Housing Fund (AHF) in order to support development of an affordable housing project on the City-owned site, and to convey the City-owned site to Mercy Housing, or an affiliate of Mercy Housing, through a long-term ground lease.

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. Council has authorized staff to pursue affordable housing development feasibility and opportunities of City-owned properties. At its

November 9, 2021 housing work session, City Council directed staff to initiate a process for development of 555 Kelly Avenue.

555 Kelly Avenue was purchased by the City in 2017. It is a rectangular parcel located south of the City's Ted Adcock Community Center adjacent to Shoreline Station. The property is approximately 6,200 square feet and abuts the City's parking lot located on the south side of the Ted Adcock Community Center at 535 Kelly Avenue. In preparing to move this effort forward, staff determined that the Community Center parking lot area would likely need to be incorporated to make a larger site of approximately 20,000 square feet in order to facilitate the economic feasibility of an affordable housing development.

Staff worked with the City's housing consultant to prepare a Request for Qualifications (RFQ) to solicit development interest from nonprofits for developing 555 Kelly Avenue, and/or the expanded site including the parking lot area, with affordable housing. The RFQ was released on February 15, 2022, and closed on May 23, 2022. The RFQ was originally scheduled to close on May 9; however, a prospective applicant team requested a two-week extension and staff adjusted the schedule and provided notice of the extended deadline. The RFQ was broadly noticed and has been posted on the City website at this link.[1] The City received one submittal from a two-agency team comprised of Mercy Housing and Ayudando Latinos A Soñar (ALAS).

DISCUSSION:
The purpose of this agenda item is to introduce the proposal received from the Mercy Housing and ALAS team, receive Council feedback about the proposal, establish next steps for both staff and Council and secure Council authorization to prepare an ENA and a pre-development loan agreement for Council consideration at a subsequent City Council meeting.

Mercy Housing/ALAS Proposal
In response to the Kelly Avenue RFQ, the Mercy Housing and ALAS team submitted their qualifications and a proposal for developing affordable housing for senior farmworkers as well as a Farmworker Resource Center on the ground floor. The Mercy Housing and ALAS proposal was the only application received by the City in response to the RFQ. Staff believes that the Mercy Housing and ALAS team is well qualified to carry out the proposed project. Mercy Housing has successfully completed development of over 10,000 affordable rental units and has extensive experience in mixed-use development that combines affordable housing with commercial space to form integrated, vibrant housing communities. ALAS, a Latino cultural arts and social services program in Half Moon Bay dedicated to supporting the youth and families in coastal communities in Northern California, brings a deep connection to the farmworker community and experience in serving the social, educational, and cultural needs of the Latino community.

As proposed, the development would include 40 affordable units for senior farmworkers as well as 2,050 square feet of space for a resource center, which would be staffed and managed by

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

ALAS. The proposed building would be four stories in height, with parking and the Farmworker Resource Center on the ground floor. Community space, open space, and management offices would be provided on the second floor. Mercy Housing proposes to develop the property and provide ongoing property management and resident services. ALAS will be a vital partner throughout the development process, including in the community outreach, marketing and lease-up stages, as well as in operating the Resource Center.

The development spans the larger site that currently includes the City-owned parking lot and 555 Kelly Ave. In order to maximize the households served as well as the feasibility of the project, Mercy Housing is proposing a mix of studio and one-bedroom units which will serve senior farmworkers and/or former farmworkers. Based on the Mercy Housing and ALAS team's understanding of the farmworker population in San Mateo County, there is a strong need for this type of housing for senior farmworkers, who currently have minimal housing resources or options available. Farmworkers are considered a special housing needs group due to their limited income and the City is required to address the needs of this community within the upcoming Housing Element Update (2023-2031). The agriculture industry, often associated with San Mateo County's coastal region, and the employees supporting this work are a unique population who over the past few decades have shifted from a seasonal migrant workforce to a more permanent residence according to research performed by the United States Department of Agriculture (USDA). Farmworker wages often place them in the acutely low or extremely low income categories, as defined by the California Department of Housing and Community Development (HCD) for San Mateo County. For example, a single person in the extremely low income category earns between $17,450 to $39,150 per year to qualify for this type of affordable housing; however, most farmworkers are estimated to earn on the lower end of this range at roughly $20,000 per year. Some farmworkers who can no longer work due to the physical demands these jobs are expected to have an income that is defined as Acutely Low between $0 to $17,450 per year.

Amenities in the development will include the Farmworker Resource Center, which will have space to host workshops, provide broadband connectivity, a case manager office, support resources, and a community kitchen for local farmworkers. Other amenities would include a community room, laundry room, 15 parking spaces (potentially including lifts to increase parking supply), a bike storage area, and an outside courtyard.

Staff acknowledges that details of the proposed build-out may change as more detailed design plans are developed and also in response to community input. This proposed 40-unit affordable housing development is smaller than what is typically being built in today's affordable housing environment due to the various financial feasibility limitations associated with smaller projects. Given the size of the development site, several other prominent nonprofit affordable developers who were solicited through the RFQ expressed their interest and support but declined to respond due to the constrained site area. Mercy Housing held high-level internal discussions and made an exception to their policy of not undertaking projects of less than around 60-80 units, attributing their decision to a history of affordable housing development

activities in Half Moon Bay, a deep interest in serving underserved populations such as farmworkers, and their partnership with ALAS.

Financing

Securing sufficient financing for this type of affordable housing development serving very-low and extremely-low income farmworkers is extremely challenging. Mercy Housing proposes using a mix of financing including 9% tax credits, HCD's Joe Serna Farmworker Housing Grant program, and funding from both the City of Half Moon Bay and the County of San Mateo. It should be noted that funding from the County's Affordable Housing Fund is extremely competitive, and the County will expect to see a significant commitment of resources from the City of Half Moon Bay in order to commit County funds to the project. The Mercy Housing financing proforma includes a funding commitment of $2 million from Half Moon Bay – in addition to donation of the land – and a commitment of $3.32 million from the County. Currently, the City's Affordable Housing Fund has a balance of $2.16 million. The ability to utilize City-owned land greatly contributes to the financial feasibility of developing affordable housing in San Mateo County where land costs are extremely high, and sites are limited.

Importantly, because of the expectation that the residents will have very few financial resources (many will not be eligible to receive Social Security), the project also depends on receiving rental subsidy for 100% of the units. Mercy Housing is investigating the County's ability to provide some amount of rental subsidy for this project and will work on identifying additional rental subsidy.

The hard costs for the Farmworker Resource Center, as well as the tenant improvement costs, are included in Mercy Housing's "Sources and Uses" financing proforma. ALAS is committed to identifying sources to support the development costs of the Resource Center as well as programmatic support for the Center. Potential funding and resource development partners listed in the proposal include: the Sobrato Family Foundation, We Are All Human Foundation, Hispanic Star Bay Area Hub, Salesforce, Life Sciences Care, Latino Community Foundation, Silicon Valley Community Foundation, Silicon Valley Latino, Philanthropic Ventures Foundation, USF, and Stanford. Additionally, ALAS will look for other funding sources for added assistance in supporting the financial sustainability of the Farmworker Resource Center.

Topics of Concern

While Mercy Housing expressed their enthusiasm in partnering with ALAS and working again in Half Moon Bay to bring this development to fruition, they also identified three items of concern that could render this difficult-to-develop project infeasible. Their concerns listed in the proposal are:

- **Property Disposition**: Will the City be able to commit to an efficient and timely disposition process for the land?

  Mercy Housing will need to be assured that the land can be conveyed at the start of construction through a long-term ground lease, at a cost that is financially feasible for the

project.

- **Zoning**: Will the City support significant entitlement concessions that are necessary for the project to be viable?

  In order to move forward, Mercy Housing will need to be assured that the City is willing to make entitlement concessions that allow for the density, height, and parking requirements necessary to achieve a viable and financially feasible affordable housing development. At the same time, the Mercy and ALAS team proposes to work with the City and the community to make sure the building design fits into the neighborhood and that its development and operation does not have a negative impact on the surrounding uses.

  The Local Coastal Land Use Plan establishes this site within the newly created Workforce Housing Overlay land use designation. The designation supports development of affordable housing for low and lower-income households, especially those with household members working in Coastal Act priority industries. Agriculture is a Coastal Act priority land use and farmworker housing is identified as both a Coastal Act priority use and a local priority land use in the Land Use Plan. For implementation of both the Land Use Plan and forthcoming Housing Element, zoning provisions for the Workforce Housing Overlay land use designation will be brought forward. Council's policy oversight of the 555 Kelly Ave. proposal will help staff craft the zoning regulations wherein Mercy Housing's concerns can be addressed.

- **Operational Subsidy**: Can the County commit to finding the rental subsidies necessary for project feasibility?

  Mercy Housing will explore with the County's Department of Housing the possibility of obtaining County rental subsidy for the project. The County has made provision of farmworker housing a high priority and this project would represent a significant contribution of affordable housing units targeted to farmworkers in the County.

Next Steps

Should the Council authorize staff to negotiate an ENA and draft a pre-development loan agreement, staff will proceed with these tasks and bring the draft agreements back to Council for consideration at a subsequent City Council meeting.

The purpose of the ENA is to establish terms including the pre-development milestones to be achieved prior to execution of a development agreement, the anticipated timeline for achieving such milestones, and the roles and responsibilities of the parties. Pre-development activities include tasks such as preparing a detailed pre-development budget and preliminary financial analysis for the construction of the development; developing site and conceptual plans; preparing soils and environmental reports; developing plans for the programming, unit mix, occupancy and affordability restrictions; and developing and implementing community outreach and engagement plans. Typically, the ENA leads to execution of a development agreement around the beginning of the construction phase. The purpose of a pre-

development loan is to provide the developer with funds to undertake the pre-development activities set forth in the Exclusive Negotiations Agreement.

SUMMARY:
Staff recommends Council's approval of the resolution. Such approval will signal to Mercy Housing and ALAS that Council supports the overall concept of the affordable housing proposal and will consider a project-related ENA and pre-development loan agreement that staff brings back to Council.

Approval of the resolution will also provide Mercy Housing with evidence of substantial City support for, and commitment to, the project. Mercy Housing would then be able to present such evidence to the County as part of an upcoming funding application released as part of a Notice of Funding Availability from the County's Affordable Housing Fund.

Should Council approve the resolution, next steps will involve staff negotiating a draft ENA and pre-development loan agreement which will be brought back to Council for consideration at a subsequent City Council meeting. Staff welcomes Council input and feedback regarding the proposed developer team, the proposed project description, or any other matter related to this proposed affordable housing development.

ATTACHMENTS:

1. Resolution
2. Mercy Housing and ALAS Submittal, May 23, 2022

RESOLUTION NO. C-2022-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY TO AUTHORIZE STAFF TO PREPARE THE FOLLOWING, SUBJECT TO FUTURE CITY COUNCIL APPROVAL: 1.) EXCLUSIVE NEGOTIATIONS AGREEMENT (ENA) BETWEEN THE CITY AND MERCY HOUSING CALIFORNIA (MERCY HOUSING), IN ORDER TO ENABLE PRE-DEVELOPMENT ACTIVITIES TO BE UNDERTAKEN FOR AN AFFORDABLE HOUSING PROJECT ON A CITY-OWNED SITE AT 555 KELLY AVENUE AND TO PROVIDE FOR A PERIOD OF TIME IN WHICH TO NEGOTIATE A DEVELOPMENT AGREEMENT BETWEEN THE PARTIES, AND; 2.) PRE-DEVELOPMENT LOAN AGREEMENT BETWEEN THE CITY AND MERCY HOUSING, IN ORDER TO PROVIDE POTENTIAL FUNDING FOR PRE-DEVELOPMENT ACTIVITIES DURING THE PERIOD LEADING UP TO START OF CONSTRUCTION.

WHEREAS, affordable housing is a City Council priority; and

WHEREAS, the City of Half Moon Bay purchased 555 Kelly Avenue in 2017, an approximately 6,200 square foot parcel located immediately adjacent to the City's Ted Adcock Community Center; and

WHEREAS, the City of Half Moon Bay Local Coastal Land Use Plan identifies this property as appropriate for application of the Workforce Housing Overlay land use designation to provide sites suitable for affordable housing; and

WHEREAS, the City Council conducted a joint study session with the Planning Commission on November 9, 2021 and directed staff to seek affordable housing development of 555 Kelly Avenue; and

WHEREAS, the City released a Request for Qualifications (RFQ) on February 15, 2022 soliciting responses from nonprofit organizations interested in providing affordable housing on 555 Kelly Avenue, or on an expanded site including the parking lot of the adjacent Ted Adcock Community Center, for very low and extremely low-income individuals or families in the community; and

WHEREAS, the City received one submittal, from a two-agency team comprised of Mercy Housing and Ayudando Latinos A Soñar (ALAS); and

WHEREAS, the proposal submitted by Mercy Housing/ALAS calls for transforming the expanded development site into a vibrant, four-story housing development providing 40 units of studio and one-bedroom affordable housing for senior farmworkers as well as a Farmworker Resource Center on the ground floor; and

WHEREAS, Mercy Housing proposes to develop the property and provide ongoing property management and resident services, while ALAS would act as a partner throughout the development process, including in community outreach, marketing, and lease-up activities, as well as in operating the Farmworker Resource Center; and

WHEREAS, Mercy Housing is an experienced nonprofit affordable housing developer that has successfully completed over 10,000 affordable rental units and has extensive experience in mixed-use development combining affordable housing with commercial space, and ALAS is a nonprofit organization with deep ties to the farmworker community and experience in serving the social, educational, and cultural needs of Latino communities in coastal areas of Northern California; and

WHEREAS, the ability of Mercy Housing/ALAS to provide evidence of a preliminary City commitment of financial and other resources would enable the developer team to more effectively compete for an allocation of funding from the San Mateo County's Affordable Housing Fund that would be needed to support the project.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby authorizes staff to prepare the following, subject to future City Council approval:

1. Exclusive Negotiations Agreement (ENA) between the City and Mercy Housing California (Mercy Housing), in order to enable pre-development activities to be undertaken for an affordable housing project on a City-owned site at 555 Kelly Avenue and to provide for a period of time in which to negotiate a development agreement between the parties, and;
2. Pre-development loan agreement between the City and Mercy Housing, in order to provide potential funding for pre-development activities during the period leading up to start of construction.

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 19th day of July, 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



RFQ for 555 Kelly Avenue Affordable Housing Site

City of Half Moon Bay

May 23, 2022

mercy HOUSING

ALAS
AYUDANDO LATINOS A SOÑAR

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Attn: Jill Ekas
City of Half Moon Bay, Community Development Department
501 Main St., Half Moon Bay 94019

Dear Ms. Ekas:

Mercy Housing California (MHC) and Ayudando Latinos a Soñar (ALAS) are pleased to submit our qualifications and response to the 555 Kelly Request for Qualifications. Our team envisions 555 Kelly as a vibrant community that provides needed affordable housing for farmworkers in San Mateo County as well as a Farmworker Resource Center on the ground floor.

By way of background, Mercy Housing is one of the most active developers of affordable housing in California having developed over 11,000 affordable homes and with 3,500 additional homes in development. ALAS is a community based services provider in Half Moon Bay dedicated to supporting the youth and families in the coastal community in Northern California.

This proposed development will include 40 affordable units for senior farmworkers and will also include 2,050 square feet of space for a farmworker resource center, which will be staffed and managed by ALAS, a Latino Cultural Arts and Social Services Program in Half Moon Bay, CA dedicated to supporting the youth and families of our coastal community in Northern California. MHC will develop the property, provide property management, and resident services. ALAS will be a partner throughout the development process, including in the community outreach, marketing and lease-up, as well as operating the Resource Center.

Through this project, ALAS is committed to improving resources, services and direct support for farmworkers in Half Moon Bay and the North Coast. This commitment includes working for social wellness through multicultural practices, mental health care, individualized and collective support related to education, immigration processes, employment, and advocacy for the well-being of the whole community.

Mercy Housing California is excited to partner with ALAS to bring this vital project to Half Moon Bay. The 555 Kelly site has constraints that make an affordable housing development difficult. Our proposal assumes several things that MHC would need clarity on in order to move forward:

1) Can the City commit to an efficient and timely disposition process for the land?
2) Will the City support significant entitlement concessions that are necessary for this project to be viable?
3) Can the County commit to finding the rental subsidies necessary for project feasibility?

MHC brings together real estate development, resident services, and property management under a single, mission-aligned organization. This integration allows our teams to work closely together to create successful developments that are designed to optimally serve the needs of our residents and the community. MHC is a leader in financing and delivering housing in competitive and complex regulatory settings. MHC has a long history of partnering with community-based organizations to better serve our communities and we are excited to work with ALAS at 555 Kelly.

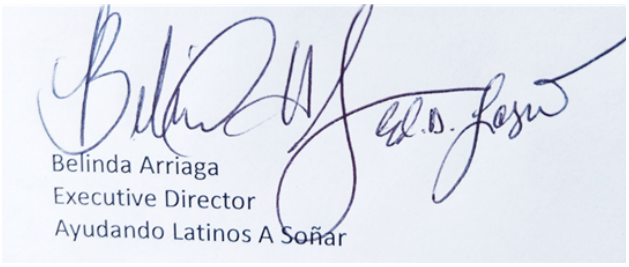
ALAS as a partner in this process has been the first farmworker program on the North Coast. ALAS' work has been critical to support the most vulnerable and essential workers of our community. Their front line accompaniment with our North Coast Farmworkers has highlighted the disparities and need for urgent housing for Farmworkers. We hope to begin honoring farmworker history and the value of their contributions to the County and the Coast by providing them with the resources and affordable housing they need to live in the community.

Mercy Housing California
1256 Market Street, San Francisco, California 94102 o | 415-355-7100 f | 415-355-7101
TTY | 800-877-8973 or 711 mercyhousing.org/california
Mercy Housing is sponsored by communities of Catholic Sisters
LIVE IN HOPE

Please do not hesitate to contact us if you have any questions about our proposal and we look forward to speaking with you soon.

Sincerely,

Doug Shoemaker
President
Mercy Housing California



Project Concept

Project Concept

The proposed project is to develop an affordable housing and Farmworker Resource Center in Half Moon Bay via a partnership between Mercy Housing (as the lead applicant) and Ayudando Latinos A Soñar (as the community organization that will staff and manage the Farmworker Center). The new housing and resource center is not only expected to offer needed affordable housing but also as a resource hub for many of San Mateo County's over 1,500 farmworkers. ALAS already provides services to well over 1,000 farmworkers in the coastal region from north of El Granada and from south to Pescadero, 700 to 800 are seniors, and 30% to 40% are single. The Farmworker Resource Center will serve as ALAS' farmworker program center, which is currently held at ALAS HQ, and will partner and collaborate with services across the county.

Farmworkers are a tremendous asset to our national economy. In 2020, the work of over 2.4 million farmworkers helped support the nation's farms' sale of $136 billion worth of products. Nearly half of those products are crops sown, tended, harvested, or packed by farmworkers. Despite this contribution—and the fact that they work long hours in often dangerous conditions, most farmworkers barely earn enough to make ends meet. The average individual farmworker earns under $20,000. Few farmworkers receive fringe benefits like health insurance or paid sick leave. All in all, one out of every three farmworker families earn incomes below the federal poverty line despite working long days up to six days a week. This project will serve this underserved population while activating a prominent corner in Half Moon Bay.

Our proposal includes 40 affordable housing units in four stories, with parking and the Farmworker Resource Center on the ground floor. Community space, open space, and management space for the affordable housing will be provided on the second floor of the building. This proposal spans the site, including the additional site that currently includes the parking lot. In order to maximize the households served as well as the feasibility of the project, we have proposed a mix of studio and one-bedroom units, which will be set-aside for seniors. Based on our team's understanding of the farmworker population in San Mateo County, we believe that there is a need for housing for senior farmworkers.

The Farmworker Resource Center has a prominent location at the corner of the building, with 2,050 square feet allocated for the Center on the ground floor. This will activate Kelly Avenue and the entrance to the community center. It will have the space to host workshops, provide broadband connectivity, a case manager office, support resources, a community kitchen and counseling for local farmworkers. Onsite technology for farmworkers and educational instruction space will also be available. Mural art would adorn the center as a vibrant cultural home for our farmworkers, in alignment with other ALAS offices. Culturally centered, bilingual resources to be provided in this center include:

- Farmworker Advocacy
- Education
- Case Management Support
- Mental Health Resources and Linkages
- Health Education, Peer Mentorship, Wellness Workshops
- Cultural Immersion and the Arts as pillars toward wellness and leadership
- Entrepreneurship Opportunities/Education
- Community Kitchen for weekly La Mesa Dinners
- Community Engagement

Operations and Resident Services

MHC is an experienced developer and operator of affordable housing. Our property management company, Mercy Housing Management Group (MHMG) will operate the property. One unit is set-aside for an on-site property manager and there is office space for our management staff in the building. We currently manage our

Coastside Senior Community in Half Moon Bay. Since the time of its establishment in 1983, MHM has provided a type of service that has become a national model of effective management for resident-focused, affordable housing programs. MHM is an integral part of the Mercy Housing team, providing both professional property management and effective resident program services. MHM property management personnel ensure that the property itself is well managed and maintained – a place where residents can take pride in their homes and communities. MHC provides services at most of our project, and are especially experienced providing services to seniors. Our services team would collaborate with the Farmworker Resource Center to ensure that the residents are accessing the services there. Additionally, the residents would be eligible for services from Coastside Seniors down the road.

Entitlements

Our proposal relies on a significant entitlement process at 555 Kelly; while possibly not a full zoning change, at the very least a significant variance from the density, height, and parking requirements. At 40 units, this project would be an approximate density of 108 dua. The parking ratio is at 0.375:1. This could potentially be mitigated by using parking stackers on some of the spaces. At four stories, the building is above the three story preference. Based on our long history and experience, we know that 40 units is our minimum unit count for long-term feasibility. Reducing the project size makes long term operation and maintenance of the building very difficult. To pursue this project, we would look towards the City of Half Moon Bay to fully support this project and ensure that the entitlement pathway is clear.

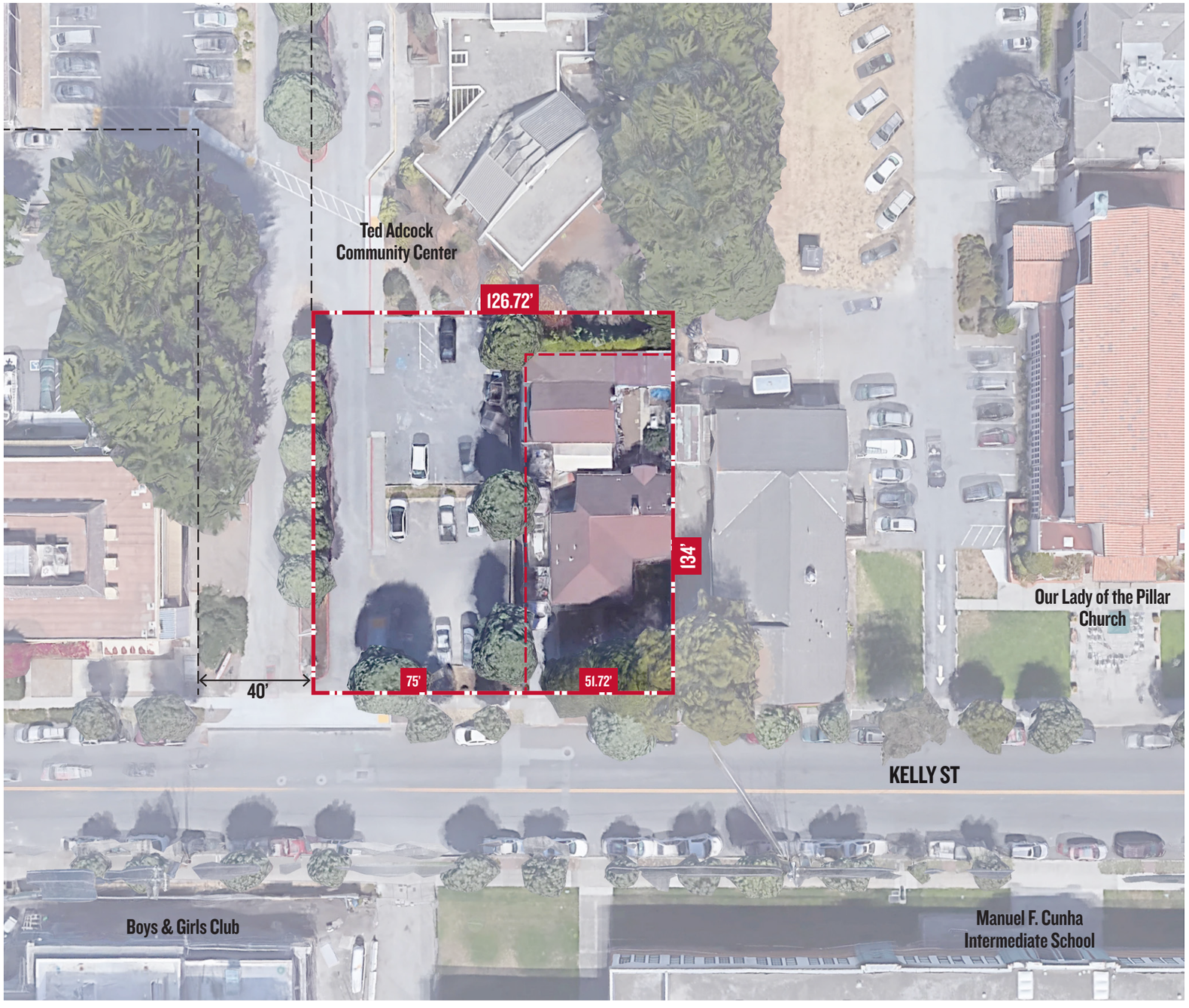
Financing

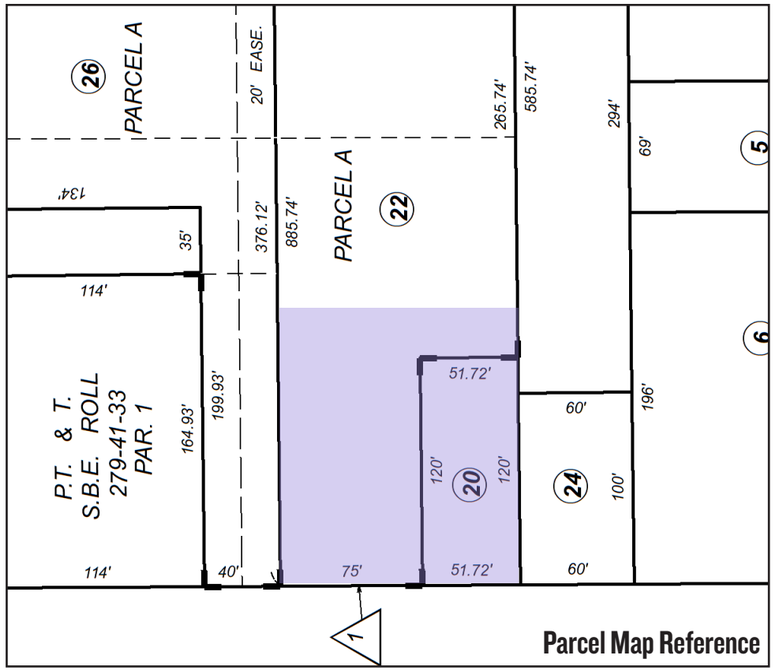
Financial feasibility is very important at this site. Our financing proposal includes 9% tax credits, Joe Serna Farmworker Housing, and funding from the City of Half Moon Bay and the County of San Mateo. Importantly, it also assumes rental subsidy on 100% of the units.

Details on MHC's experience with these financing sources is included in Section 3. Based on our extensive experience in developing affordable housing throughout the State and in San Mateo County, we know that this project must have operating subsidy for development and for the long-term operations of the project. Mercy has spoken briefly with the County of San Mateo regarding project-based vouchers for this population. We understand that the County does not have additional vouchers but does support rental subsidy for this population and is working on identifying more rental subsidy.

The hard costs for the Resource Center are included in the Sources and Uses, as well as the tenant improvement costs. ALAS will work to identify sources to support the development costs of the Resource Center as well as programmatic support and long-term feasibility of the Center. Potential funding and resource development partners include: the Sobrato Family Foundation, We Are All Human Foundation, Hispanic Star Bay Area Hub, Salesforce, Life Sciences Care, Latino Community Foundation, Silicon Valley Community Foundation, Silicon Valley Latino, Philanthropic Ventures Foundation, USF, and Stanford.

Financial sustainability for The Farmworker Resource Center will rely on the City of Half Moon Bay and San Mateo County as primary owners of this revitalized space and contract daily programming of the resource center space to ALAS. ALAS will develop programs and resources to engage the farmworkers in residence and the community and continue to partner with SMC Healthcare for the Homeless and the Farmworkers' division for ongoing programmatic funding. ALAS will support identifying the farmworkers for the onsite housing.





SITE INFORMATION	
APN #s	056150200, 056150220 (partial)
Site Area	0.39 acre (16,980 sf)

0 20' 40'

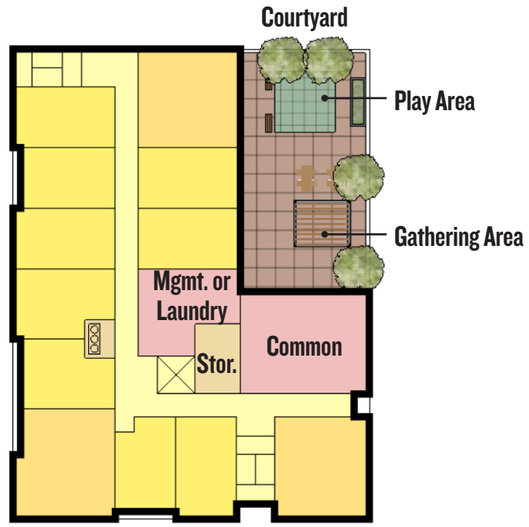
535 - 555 KELLY STREET | EXISTING SITE CONDITIONS

HALF MOON BAY, CA | MAY 5, 2022 | MERCY HOUSING

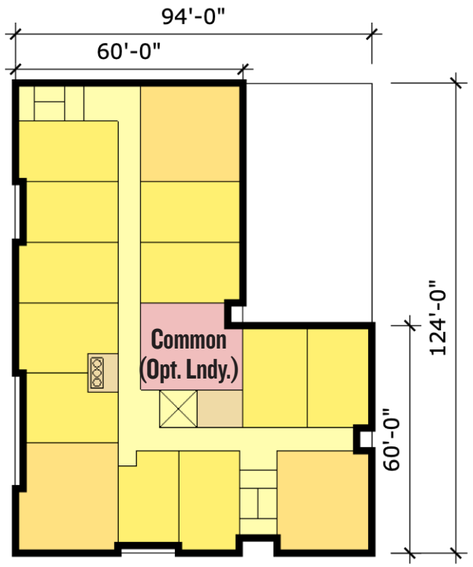
mercy HOUSING

VAN METER WILLIAMS POLLACK LLP





2nd Floor Plan



3rd - 4th Floor Plans

- Studio
- One Bedroom
- Office
- Common Amenity
- Circulation
- Service

PROGRAM SUMMARY	
Site Area	0.39 acre (16,980 sf)
Building Height	4 stories (45')
Building Area	33,950 gsf
Garage Area	5,400 gsf
Studio	31 units (386 sf avg. leasable)
1 Bedroom	9 units (641 sf avg. leasable)
UNIT COUNT	40 units
Residential Parking	15 spaces
	0.4 space per unit
FAR	2.0
Density	103 dwelling units / acre (dua)
Residential Open Space	2,079 sf courtyard
	52 sf per unit

0 20' 40'

535 - 555 KELLY STREET | CONCEPT FLOOR PLANS

HALF MOON BAY, CA | MAY 5, 2022 | MERCY HOUSING

mercy HOUSING

VAN METER WILLIAMS POLLACK LLP



535 - 555 KELLY STREET | BIRDSEYE VIEW FACING NORTHEAST

HALF MOON BAY, CA | MAY 5, 2022 | MERCY HOUSING

mercy HOUSING

VAN METER WILLIAMS POLLACK LLP

SOURCES AND USES

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

CONSTRUCTION SOURCES OF FUNDS	Amount	Per Unit	% of TDC
Bank Construction Loan	21,463,097	536,577	70%
N/A	-	-	0%
Tax Credit Equity	2,406,299	60,157	8%
AHP	780,000	19,500	3%
Serna	-	-	0%
San Mateo County	3,320,000	83,000	11%
Half Moon Bay	2,000,000	50,000	7%
Land/Building Donation	-	-	0%
Expenses Paid at Conversion to Perm	590,992	14,775	2%
TOTAL CONSTRUCTION SOURCES	30,560,388	764,010	100%

PERMANENT SOURCES OF FUNDS	Amount	Per Unit	% of TDC
Conventional Amortizing Loan	4,751,557	118,789	16%
Section 8 Backed Mortgage	-	-	0%
Tax Credit Equity	16,041,993	401,050	52%
AHP	780,000	19,500	3%
Serna	3,666,837	91,671	12%
San Mateo County	3,320,000	83,000	11%
Half Moon Bay	2,000,000		
TOTAL PERMANENT SOURCES	$ 30,560,388	$ 764,010	93%

USES OF FUNDS			
Acquisition	-	-	0.0%
Hard Costs	20,785,302	519,633	68.0%
Architectural	1,039,265	25,982	3.4%
Engineering	150,000	3,750	0.5%
Constr. Int and Fees	1,612,178	40,304	5.3%
Permanent Financing	92,516	2,313	0.3%
Legal	60,000	1,500	0.2%
Reserves	943,860	23,597	3.1%
Contingencies	2,483,321	62,083	8.1%
Other Costs	1,093,945	27,349	3.6%
Developer Costs	2,200,000	55,000	7.2%
Syndication	100,000	2,500	0.3%
TOTAL USES	30,560,388	764,010	100.0%
SURPLUS/GAP	**$ 0**	**$ 0**	

OPERATING BUDGET

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

Units	**40**		
PAYROLL/PAYROLL TAXES			
Admin Payroll	72,800	1,820	1 FTE Property Manager
Operations and Maintenance Payroll	64,480	1,612	1 FTE Maintenance Manager
Other Personnel Expenses	2,400	60	
Taxes and Benefits	56,048	1,401	
TOTAL PAYROLL EXPENSES	**195,728**	**4,893**	
ADMINISTRATIVE EXPENSE	**Yearly Expense**	**PUPA**	**Notes**
Administrative Expenses	24,000	600	
Advertising	1,200	30	
Audit Fees	8,000	200	
Bookkeeping and Accounting Fee	6,000	150	
TOTAL ADMINISTRATIVE EXPENSE	**39,200**	**630**	
UTILITIES EXPENSES			
Electricity	4,560	114	
Water	32,320	808	
Gas	10,800	270	
Sewer	31,080	777	
TOTAL UTILITIES EXPENSES	**78,760**	**1,969**	
OPERATING AND MAINTENANCE			
Operating Contracts	15,000	375	
Operating Supplies	15,000	280	
Garbage/Trash Removal	20,000		
HVAC Repairs &Contracts			
Maintenance Contracts	19,000	475	
Maintenance Supplies	15,000	375	
TOTAL OPERATING EXPENSES	**84,000**	**1,160**	
REAL ESTATE TAXES	**25,000**	**625**	
INSURANCE	**40,000**	**1,000**	
RESIDENT SERVICES	**90,000**	**2,250**	
MANAGEMENT FEE	**33,600**	**840**	
TOTAL OPERATING BUDGET	**586,288**	**14,657**	

Qualifications

Mercy Housing History and Background

Founded by the Sisters of Mercy in 1981, Mercy Housing, Inc. ("MHI") is a national nonprofit affordable housing development, management, and resident services organization headquartered in Denver, Colorado. The Mission of Mercy Housing, Inc. and all its subsidiaries, including Mercy Housing California, is to create stable, vibrant and healthy communities by developing, financing and operating affordable, program-enriched housing for families, seniors and people with special needs who lack the economic resources to access quality, safe housing opportunities. MHI is recognized as a national leader in maintaining and increasing the country's affordable housing stock. MHI builds and acquires affordable housing through five Regional Development Corporations based in California, Georgia, Illinois and Washington. MHI owns and provides property management (through Mercy Housing Management Group-MHMG) to more than 24,000 units of affordable housing and currently serves more than 50,000 people on any given day.

Mercy Housing California ("MHC") was incorporated in 1988 as the California affiliate of MHI. The largest of the five Regional Development Corporations, MHC has grown substantially, both through its own affordable housing development, and through mergers with other nonprofit housing groups seeking affiliation with the Mercy Housing system, including: the housing development program of Catholic Charities of the Archdiocese of San Francisco (1993), the Santa Cruz Community Housing Corporation (1995), the Catholic Real Estate Development Organization, sponsored by the Catholic Diocese of Oakland (1997) and the Rural California Housing Corporation (2000). While different entities may serve as managing general partner for Mercy Housing's California properties, the managing general partner is always wholly controlled by Mercy Housing California.

Mercy Housing's roots in the Peninsula go back to 1992, with the development of St. Anthony's Senior Housing Community in Daly City. Also in Daly City, Mercy completed School House Station and Vista Grande family developments in 1997, which have commercial space and a childcare facility on-site. Mercy has a senior property in Half Moon Bay, Coastside Senior Housing, which includes an adult day care center and senior center and was completed in 2014. In Pacifica, Mercy has another senior property, Oceana Terrace. Colma Veterans Village was completed in 2020, with 66 units serving formerly homeless veterans. Mercy Housing has two sites under development in the Peninsula; Middlefield Junction, a 179-unit family development in the North Fair Oaks in unincorporated Redwood City, and 231 Grant Avenue, serving teachers and school employees in Santa Clara.

Mercy Housing California's long history of successfully developing and managing affordable housing and providing on-site resident services, coupled with our experience in community engagement during the predevelopment and design process, makes MHC uniquely qualified to complete high-quality, sustainably managed housing developments in partnership with the City of Half Moon Bay

MHC is one of the largest affordable housing developers in the State of California in terms of staff, capacity, annual budget, and units constructed. MHC is also a leader in an integrated, mission-based approach that couple the delivery of customized resident and community service enrichments with quality development, management, and maintenance to create healthy communities. MHC's developments generally can be categorized as serving Family, Senior, and/or Special Needs residents, the latter often meaning formerly homeless and/or disabled individuals or families. More and more, developments are mixed income and mixed population, meaning that residents with a wide variety of income are often incorporated, and special needs residents are often integrated into more traditional family and senior developments to create holistic communities that serve the needs of all residents better than each could be served alone. Incorporating a special needs component within a larger multifamily development not only accomplishes MHC's mission, but it

widens the array of funding sources available for a given development, and generally increases competitiveness for funding sources.

MHC has successfully completed development of 10,389 affordable rental units. Of the rental housing developed, approximately 52% has been for families, 32% for seniors, and 16% supportive housing. In addition, MHC has nearly 6,000 units in the development pipeline from feasibility through construction with a team of 38 development staff members to support the process.

Mercy Housing California has exceptional expertise combining affordable housing with commercial space to form integrated, vibrant communities. MHC now has 49 mixed-use properties in operations and development, with a total of 318,799 square feet of commercial space. Statewide, MHC's commercial portfolio includes 61 retail storefronts, with tenants ranging from restaurants and coffee shops to corner grocery markets and delis, credit unions, hair and nail salons, yoga studios, arts space and specialty shops. MHC focuses its commercial leasing strategy on local business that serve the needs of the neighborhood. This leads to diverse uses in its buildings and diversity in the tenants, supporting diverse and thriving neighborhoods. And within its housing communities, MHC has built more than 42 community facilities, including health clinics, senior centers, youth centers, day care, and job training centers.

Many of these properties were the result of strong affordable housing expertise, commitment & perseverance to combine unique financing sources to create innovative housing models as well as thoughtful community engagement strategies. Mercy's most senior housing development staff have over 80 combined years of affordable housing development experience. The residents at MHC's properties are supported by a highly qualified resident service department that has been serving families for over 35 years. Mercy Housing California's long history of successfully developing and managing affordable housing and providing on-site resident services, coupled with our significant community engagement and development experience, makes MHC uniquely qualified to complete a high-quality, sustainably managed affordable housing development in Half Moon Bay.

Financial Experience and Capacity

Affordable housing funding sources, including the well- known Low Income Affordable Housing Tax Credit ("LIHTC"), are highly competitive. As one of the largest nonprofit developers of affordable housing in California, with an exceptionally strong national organizational and financial standing, MHC is consistently successful in competition for sources of affordable housing financing, including over 125 LIHTC awards, and also because of its record and relationships is able to leverage the most advantageous terms from lenders and investors. MHC uses conventional debt for most of its developments and has strong relationships in the lending community. Construction and permanent lenders on MHC developments have included: Bank of America; Wells Fargo; Union Bank; US Bank; Citibank, Silicon Valley Bank; California Bank and Trust, and Bank of the West. MHC is skilled at leveraging other funding sources, through state and local funding programs. MHC has received over 50 awards from state programs such as: No Place Like Home, Multifamily Housing Program, Infill Incentive Grants, Transit Oriented Development Program, and Affordable Housing and Sustainable Communities.

In terms of financial strength, MHC has a strong financial position and is backed by the full strength and credit of MHI, which was recognized by Affordable Housing Finance Magazine in 2020 as the 4th largest affordable housing owner in the country and the largest nonprofit owner. As of December 31, 2019, MHI had, on a

consolidated basis, total assets in excess of $3.5 billion, cash and cash equivalents of $101 million, and unrestricted net assets-controlling of $386 million.

MHC Staff Bios and Resumes

Please see Appendix for Staff Resumes.

MHC has development offices in San Francisco (headquarters), Sacramento, and Los Angeles. Between MHC's three offices, Mercy Housing has developments in 36 counties ranging from San Diego to Shasta.

MHC devotes significant time from senior management to troubleshoot and provide support to Housing Developers. Both the Director of Development and the Vice President of Real Estate work closely with Housing Developers during all stages of development.

Barbara Gualco, Regional Director of Development, serves as MHC's Director of Development. Barbara has been with MHC since its founding and has directly overseen the completion of over 1,000 units. Barbara is particularly adept at structuring complex deals serving special needs populations and long-term ground leases. With the support of two Associate Directors, Barbara is currently supervising the development of thirteen projects in San Francisco.

Tim Dunn, Associate Director of Real Estate Development, has been part of the Mercy Housing development team for over 11 years and has over 15 years of experience in affordable housing development. Tim has managed the development of housing serving a range of populations including seniors and special need households. Tim oversaw the mixed-use Coastside Senior Housing development in Half Moon Bay that included 15,000 SF non-profit space for an adult day health center and senior center. Prior to his career in real estate, Tim was a case manager at the Curry Senior Center and worked with formerly homeless seniors in San Francisco's Tenderloin neighborhood.

Ed Holder, Vice President of Real Estate, brings significant development, finance, and community planning experience to the MHC team. Based in Los Angeles, Ed oversees all of Mercy Housing California's real estate development activities statewide, which includes a development pipeline of nearly 6,000 units and a team of 38 development staff. Prior to joining MHC, Ed worked as a Director and Vice President of Development for The Olson Company, one of California's premier developers of infill ownership housing. Working closely with city partners, Ed oversaw the development of workforce housing communities throughout Southern California.

Jacquie Hoffman, Regional Vice President of Property Operations, Mercy Housing Management, brings over fifteen years' experience with Mercy Housing, in both Property Operations and Resident Services. Jacquie oversees a major segment of the Mercy California Portfolio, and has primary accountability for the preparation and performance of the regional MHM and property budgets. Responsible for all phases of property management oversight from development through operations including tasks associated with the acquisition, new construction and/or rehabilitation of quality affordable housing units and associated commercial property throughout California.

Amy Bayley, Vice President of Community Planning, has been leading MHC's unique Community Planning division since 1995. From the inception of a development, Amy works with the Housing Developer to determine a community planning process for that specific community. Amy is responsible for the community engagement

and planning activities of MHC, including the development of community acceptance plans, coordinating community design activities and local advisory committees.

Doug Shoemaker, President, is responsible for leading MHC's operations in California including the oversight of affordable housing development, fund raising and resident services. He brings more than 20 years experience in affordable housing and community development to MHC. Prior to joining Mercy Housing, Doug served as the Director of the San Francisco Mayor's Office of Housing and Deputy Director of the Non-Profit Housing Association of Northern California, a 500-member affordable housing trade association.

Mercy Housing California will be the developer and owner of the affordable housing development at 555 Kelly. Our management group, Mercy Housing Management Group (MHMG) will provide property management services and our Resident Services team will provide resident services. Our partner, Ayudando Latinos a Soñar (ALAS) will operate the farmworker resource center, which the tenants at 555 Kelly will have access to, as well as providing community outreach and marketing support to the affordable housing.

Mercy Housing Management Group

Mercy Housing Management is the property management organization for Mercy Housing. MHM is committed to enhancing the quality and value of the Mercy Housing portfolio through sound operating discipline. MHC works closely with MHM during all stages of development to ensure a high quality, viable, and sustainable project. MHM provides property operation and coordinates a wider variety of supportive services and community enrichments for over 25,000 units, and has a 95% monthly rent collection rate. The majority of the properties MHM manages have intricate regulatory agreements and restrictions. MHM is well versed in working with governmental agencies, cities, institutional investors, and other agencies and has the ability to customize reports to meet the needs of all agencies involved.

Resident Services

Providing and facilitating resident services is a fundamental part of Mercy Housing's mission. The goal of Mercy Housing's Resident Services programs is to provide a successful platform for housing stability. All of our properties provide resident services, and our team works with residents and communities to identify the best service plan. Resident Service Coordinators ("RSC's") are part of the onsite staffing at each property and manage, implement or refer residents to programs with the goal of helping individuals improve their economic, health, and social wellbeing. Resident Services create programs and partnerships with local organizations that provide services and have relationships in the community.

Ayudando Latinos a Soñar

Ayudando Latinos A Soñar (ALAS) is a Latino centered nonprofit organization that began as a grassroots program in 2011. The organization was born from the desire to help children and their families to feel proud of their identity and culture and amplify their voices. ALAS Founding Board of Directors continues to work tirelessly to pursue this vision in what has become a communal space of support, honoring the cultural strengths that thrive in our Latino coastal community.

With that philosophy in mind, ALAS' activity started with our successful cultural arts programs such as Ballet

Folklórico Tonantzin and Mariachi Media Luna. We believe that cultura inspires and heals the soul, opening doors for community wealth, leadership, activism, and engagement to flourish. Our vibrant and community-centered programs also include Mexitli Education, La Misma Luna Wellness and Somos Semilla Farmworkers Program.

Our families, volunteers, board, and staff have contributed to making ALAS a dream come true. With time, and thanks to the joint efforts of the whole community, our programs have grown to include culturally-centered mental health services, wrap-around case management, immigration, and education, as well as our social justice advocacy initiatives. ALAS is committed to working with and for children, youth, families, farmworkers, asylum seekers, seniors, and our general Coastside community.

We work hard to inspire trust, build safe spaces, advocate for our community, and support the healthy development of our children. In short, we aim for collective healing. We value each family and individual we work with, honoring the immigrant journeys that many have traveled to bring their special gift of cultural wealth to our community. At ALAS, somos familia!

Resumes

BARBARA GUALCO

Vice President of the Corporation, Housing Development

PROFESSIONAL EXPERIENCE

Mercy Housing California, San Francisco, California
Director, Housing Development, September 2003 to Present
Direct the multi-family housing and commercial development work in the San Francisco office of a national leader in the acquisition and production of quality affordable multi-family housing developments. Currently overseeing 15 developments, with a budget of $380 Million. Responsibilities include developing an acquisitions strategy, negotiating site control; conducting market and demographic analysis, feasibility assessments, preliminary land use analysis, asset repositioning and work-outs; obtaining neighborhood acceptance and land use approvals; managing the bidding and design process; assembling public equity and private debt financing for complex tax credit and bond financing packages. Responsible for the selection and management of retained development team professionals from financing, legal, design, construction and management disciplines. Manage and assist a staff of 7 development professionals.

Mercy Housing California, San Francisco, California
Senior Project Manager, November 1987 to August 2003
Perform site analysis and prepare proformas to determine feasibility of new development opportunities. Identify and structure development and operating financing; obtain commitments; close financing including various public sector subsidy sources and conventional financing. Obtain land use entitlements; coordinate community acceptance plans; represent agency in public forums. Identify, select, contract and coordinate team of development professionals including architects, engineers, attorneys, financial consultants, property management, etc. Oversee construction progress including processing construction change orders and payment applications. Develop and administer development budgets and schedules; provide reporting to multiple funding sources.
Provided direct project management for nine distinct housing developments comprised of approximately 500 units. These developments included new construction, renovation and adaptive re-use with a wide range of financing including the HUD 202 Capital Advance Program, Low Income Housing Tax Credits both 9% and 4%, McKinney Programs and Shelter + Care.

EDUCATION

Master of City Planning, Land Use Concentration, University of California Berkeley, 1987
B.A., Economics San Francisco State University, Phi Beta Kappa 1983

PROFESSIONAL AFFILIATIONS & COMMUNITY INVOLMENT

Board Member, Treasure Island Homeless Development Initiative (TIHDI)
Board Member, Non-Profit Housing Association of Northern California

TIM DUNN

Housing Developer, Housing Development

PROFESSIONAL EXPERIENCE

Mercy Housing California, San Francisco, California
Housing Developer, October 2008 to present
Responsible for the preparation of project budgets and funding applications, selection and coordination of architects, contractors and other members of development team, seeking city entitlements and permits, managing construction budgets, and working with other organizations within the housing development, civic and religious communities to create opportunities and support for low-income housing development.

Tenants and Owners Development Corporation (TODCO), San Francisco, California
Project Manager, January 2003 to October 2008
Responsible for the oversight of construction of mid-rise senior apartment building in the South of Market neighborhood, managing the construction budget, and administering the contractor, architect, and other consultant contracts. Also responsible for oversight of tenant improvement and landscape projects, preparing funding applications for major property renovations and for organization's administrative budget, and providing technical support for community-based planning and social justice organizations.

Blackney Hayes Architects, Philadelphia, PA
Intern Architect, August 2001 – August 2002
Responsible for construction administration, property surveys and inspections, and the development of construction drawings.

Curry Senior Center, San Francisco, California
Outreach Case Manager, August 1994 to August 1998
Responsible for interviewing homeless seniors, and developing plan to locate appropriate housing for them and to coordinate with other medical and service providers to address individual medical and social needs.

EDUCATION

Master of Architecture, University of California, Berkeley, 2001
B.A., Sociology, University of California, Santa Cruz, 1992

PROFESSIONAL AFFILIATIONS & COMMUNITY INVOLMENT

Secretary and Board Member, Livable City, San Francisco
Board Member, Duboce Triangle Neighborhood Association, San Francisco

DOUGLAS SHOEMAKER
President

PROFESSIONAL EXPERIENCE

Mercy Housing California, San Francisco, California
President, July 2011-Present
Responsible for leading MHC's operations in California including the oversight of affordable housing development, fund raising and resident services. Serves as lead in community and government relations. Works with the Board of Directors and regional staff to achieve regional and system goals.

Mayor's Office of Housing, San Francisco, California
Director, 2008 to 2011
Led various key mayoral initiatives, including the launch of HOPE SF, San Francisco's groundbreaking effort to revitalize five distressed public housing sites into mixed income communities. Responsible for a wide-range of interagency housing policy work, including the city's Citywide Loan Committee which coordinates funding from four city agencies for affordable housing and supportive housing development. Directed the development of housing plans for the Candlestick Point/Hunters Point Shipyard Plan, Treasure Island, and the Eastern Neighborhoods Plan.

Deputy Director, 2006 to 2008
Managed the strengthening of the City's inclusionary housing ordinance and program management. San Francisco's inclusionary ordinance is now among the most successful inclusionary programs in the country.

Non-Profit Housing Association of Northern California, San Francisco, California
Deputy Director, 2001 to 2006
Directed NPH's policy and advocacy work with housing finance agencies as well as the State Legislature. Served as the Northern California campaign coordinator for Proposition 46, a successful $2.1 billion affordable housing bond passed by voters in 2002. Supervised regional advocacy work on inclusionary housing.

Mission Housing Development Corporation, San Francisco, California
Project Manager, 1995 to 2000
Developed the first affordable housing community in the Mission Bay neighborhood of San Francisco and helped to develop numerous supportive housing developments in the Mission District and South of Market. Managed the re-design of the 16th Street BART plaza in the Mission District.

EDUCATION

Duke University
Bachelor of Arts, Comparative Area Studies, 1992

University of California at Berkeley
Masters of Arts in Latin American History, 1993 – 1995

CURRENT PROFESSIONAL AFFILIATIONS & COMMUNITY INVOLVEMENT

Board of Directors for California Housing Consortium
Northern California Leadership Council for Enterprise Community Partners
Board of Directors for SPUR
Affordable Housing Advisory Council Member of the Federal Home Loan Bank of San Francisco

REVEREND JACQUIE D. HOFFMAN, D. MIN. CAND.

Vice President of Property Operations

PROFESSIONAL EXPERIENCE

Mercy Housing Management Group, San Francisco, California
Vice President, Property Operations, 2020 - present

Brings more than 23 years of experience with Mercy Housing in Property Operations and Resident Services, overseeing a major segment of the Mercy Housing California portfolio including San Francisco, Santa Cruz and Southern California. Working closely with MHC to transition a robust pipeline of developments into standard operations, Jacquie has cultivated an abiding focus on successful PSH and resident engagement. Jacquie is an ordained minister in the United Church of Christ and has served on community housing boards including for The Redwoods Retirement Community in Mill \Valley and the Non-Profit Housing Association (NPH).

Regional Director, Property Operations, 2010 - 2020
Responsible for overseeing the properties that Mercy operates in assigned region. Provide high quality property management and resident programs and services to the people who reside in the units. Oversees a major segment of the Mercy Portfolio and has primary accountability for the preparation and performance of the regional Mercy Services Corporation (MSC) and property budgets. Works in collaboration with other Mercy Housing divisions as needed. Responsible for all phases of property management oversight from development through operations including tasks associated with the acquisition, new construction and/or rehabilitation of quality affordable housing units and associated commercial property throughout California. Other responsibilities include review sites for potential housing development; perform preliminary land use analysis to determine site development potential.

Area Director, Property Operations of Operations, 2004 -- 2010
Responsible for overseeing property management services for average of 12 properties in the California area. Expertise as liaison with ne w property set up, interface with City of SF contracts and transition from development to operations. Generate property budgets and implement systems for Mercy property portfolio; supervise line staff; use knowledge of affordable housing programs and funding mechanisms such as, HUD, Low Income Tax Credits, and Tax Exempt Bonds to evaluate property compliance with regulatory agreements. Work with regional human service providers who provide resources to residents at our properties; apply knowledge of applicable local and federal housing laws including Fair Housing and Landlord Tenant laws for operations of property; work with Resident Services to create and manage quality, resident-driven programs.

Community Operations Manager, Property Operations, November 1999- March 2004
Managed and supervised day to day operations. Hired and supervised on-site staff; prepared budgets and worked with owner representatives. Collected rents, marketed and leased vacant units, handled site posting of rents; reconciled on-site ledgers to main office accounting records; supervised maintenance staff to maintain curb appeal of property and timely completion of unit turns; hired vendors and purchased supplies for site. Responsible for property management functions as well as coordinating on-site resident services, volunteers and/or Resident Council and community activities through collaboration with local service providers and educational institutions.

Resident Services Coordinator, October 1997- November 1999
Responsible for implementation of core programs and community formation at new senior property in Marin County including collecting and recording data to measure program outcomes. Identify human and community service needs of residents. Develop strategies to link residents with needed services, including assistance in overcoming various barriers that might impede access to services. When other services are not available, deliver direct services.

Actively participate with other staff in management of the property and coordinated county wide staff team for emergency preparedness and collaboration.

- Senior properties – education, community, health and wellness
- Family properties – education (youth and adult), community, health and wellness, economic development

Property Specific Experience

ARLINGTON HOTEL – *Supportive Housing/Special Needs – Mixed – Historic Rehab-174 units conversion to 154 with 7 commercial units- property partners with St. Vincent de Paul for provision of Resident Services through August 2010 when ownership change results in Resident Services provided by Mercy Housing California*

Consulted with owner/developer to provide property management resource in design and services program configuration
Performed supervisory oversight of property management in preparation for ownership change and rehab from SRO to SRO efficiencies
Performed supervisory oversight of tenant file restoration for local regulatory compliance with SF MOH and in preparation for tax credits. Property will be placed in service upon completion of rehab in 2012.
Performed supervisory oversight of and compliance with reporting and monitoring for multiple local subsidy contracts including SF DPH, SF HSA and SFHA individual Sect 8 vouchers
Meet and coordinate with property management staff to determine resident profile and service needs
Meet and coordinate with property owner to present budgets, plan for ownership change, provide reports as needed, assist with audit, ensure proper and current reports to HCD, coordinate adequate provision of resident services on site determine resident profile and service needs
Hired & trained all property management site staff
Created framework for community formation of multicultural tenant population
Perform tasks necessary to obtain local approvals and neighborhood acceptance

MARIA B. FREITAS – *Senior – HUD PRAC 202 – 62 units- Resident Services provided by Mercy Services/Mercy Housing California*

Perform tasks necessary to build neighborhood and community acceptance
Direct service to tenant community
Supervision and training of site staff
Report to community task force and board on quarterly basis
Hired & trained all property management site staff
Created framework for community formation of multicultural tenant population

LELAND POLK SENIOR COMMUNITY – *Senior– Mixed - 72 units with 5 commercial spaces–Historic Rehab- Resident Services provided by Mercy Services/Mercy Housing California*

Consulted with owner/developer to provide property management resource in design and services program configuration
Performed supervisory oversight of property management to rent up property according to required timeline
Performed supervisory oversight for regulatory compliance

MISSION CREEK SENIOR COMMUNITY – *Senior Supportive Housing/Special Needs – Mixed – New Development - 140 units with 3 commercial units, SF Public Library and Stepping Stone Adult Day Health on site-Resident Services provided by Mercy Services/Mercy Housing California*

- Consulted with owner/developer to provide property management resource in design and services program configuration
- Hired & trained all property management site staff
- Created framework for community formation of multicultural tenant population
- Performed supervisory oversight of property management to rent up property according to required timeline
- Supervised property management transition of project to operations
- Performed supervisory for regulatory compliance
- Performed supervisory oversight of and compliance with reporting and monitoring for multiple local subsidy contracts including SF DPH and SFHA project based Sect 8 vouchers
- Meet and coordinate with property management staff to determine resident profile and service needs
- Meet and coordinate with property owner to present budgets, provide regulatory and investor reports as needed, assist with audit, coordinate adequate provision of resident services on site determine resident profile and service needs
- Perform tasks necessary to obtain local approvals and neighborhood acceptance
- Mission Creek is frequently considered by SF entities as a prototype for senior housing and often cited as an ideal model

10th & MISSION/EDITH WITT SENIOR COMMUNITY – Family and Senior – *Supportive Housing/Special Needs – Mixed - New Development -136 units with 3 commercial units and 107 units with South of Market Health Center Satellite Clinic on site-both properties partner with Catholic Charities CYO for provision of Resident Services*

- Consulted with owner/developer to provide property management resource in design and services program configuration
- Performed tasks as necessary during construction
- Hired & trained all property management site staff
- Supervised property management transition of project to operations
- Created framework for community formation of multicultural tenant population
- Assisted with the coordination with property management staff profile and service needs
- Performed supervisory oversight of property management to rent up property according to required timeline
- Performed supervisory for regulatory compliance
- Performed supervisory oversight of and compliance with reporting and monitoring for multiple local subsidy contracts including SF DPH and SFHA project based Sect 8 vouchers
- Meet and coordinate with property management staff to determine resident profile and service needs
- Meet and coordinate with property owner to present budgets, provide regulatory and investor reports as needed, assist with audit, coordinate adequate provision of resident services on site determine resident profile and service needs
- Perform tasks necessary to obtain local approvals and neighborhood acceptance

EDUCATIONAL BACKGROUND

University of California-Irvine, CA
Bachelor of Arts, Major in Linguistics
Bachelor of Arts, Major in Spanish Literature

San Francisco Theological Seminary-San Anselmo, CA
Master of Divinity-1997
Doctor of Ministry, Candidate in Pastoral Care and Counseling-2004

PROFESSIONAL AFFILIATIONS & COMMUNITY INVOLVEMENT

Ordained Minister Northern California Nevada Conference-
United Church of Christ – 1998 (4 way Covenant with Mercy Housing)
Board Member, Redwoods Senior Community, Mill Valley, 2000-2005
Committee on Ministry-Section B, Northern California Nevada Conference-
United Church of Christ – 2009-Present

AMY BAYLEY, RSM

Vice President Community Planning

PROFESSIONAL EXPERIENCE

Mercy Housing California, San Francisco, CA
Vice President Community Planning, January 1995 to Present
Responsible for the coordination of Mercy Housing California's (MHC) community planning activities throughout California. This includes the development of community acceptance plans with the project developers, new business development with the Director of Multi-Family Housing and the creation of a variety of opportunities for community participation in the development process including community design activities and local advisory committees. Serves as a lead in community and government relations especially in jurisdictions not previously served by MHC. Board member of the various MHC's HUD 202 entities that own properties and insure that the work is effectively coordinated with that of Mercy Services Corporation and the community. In conjunction with the Regional President and Regional Vice President, works with MHC's Board of Directors and other regional staff to achieve regional and system goals.

Sabbatical: Travel and Study
September 1993 to December 1994

Mercy High School, Burlingame, CA
Principal, August 1971 to August 1993

Mercy High School, San Francisco, CA
Vice-Principal, Curriculum and Student Services

Marian High School, San Diego, CA
College & Academic Counselor & Teacher of English and Religion

EDUCATIONAL BACKGROUND

Russell College, Burlingame, CA
San Francisco State University
University of California, Berkeley, CA
Bachelor of Arts in Humanities
California Standard Teaching Credential-Life
California Administrative Services Credential

PROFESSIONAL AFFILIATIONS & COMMUNITY INVOLVEMENT

Member of Board of Directors, Marian Medical Center, Santa Maria CA
Member of 15 HUD 202 Corporation Boards throughout California, 1995- present
St. John's regional Medical Center, Oxnard, CA, 2001- 2009
Member, Music at Kohl Mansion Board of Directors, 1985 – 1998
Guide, Summer European Tours for High School Students, 1979-1994
Member, Burlingame Chamber of Commerce Women's Forum Executive Board, 1990-1993
Member, St. Mary's Hospital and Medical Center Board of Directors, 1984-1990
Member, Mercy Secondary Education Assoc., Executive Board 1983-1989, President 1987-89
Member, Mercy Education Ministry Committee, 1983-1987

Belinda M. Hernandez-Arriaga, Ed.D, L.C.S.W.
belinda@alasdreams.com

University of San Francisco
School of Education
2350 Turk Blvd.
San Francisco, CA 94118
cell: 650-243-1725

EDUCATION

2017 **Ed.D., Doctorate in International and Multicultural Education**
University of San Francisco, SF, CA
Dissertation: There is a Monster In My House: Understanding the Psychological and Emotional Trauma of Undocumented and Mixed Status Children

1998 **M.S.W., Master's in Social Work**
Our Lady of the Lake University, San Antonio, TX
Thesis: Conocimiento and Racial Identity in Understanding Self as Clinicians in Community Mental Health

1995 **B.A., English**
Saint Mary's University, San Antonio, TX

ACADEMIC APPOINTMENTS

2016-current **Assistant Professor, Tenure Track**
University of San Francisco
Master's in Family Therapy San Jose Campus Program Coordinator
Department Counseling Psychology, MFT Program
School of Education, University of San Francisco, San Francisco, CA

2008-2016 **Adjunct Faculty, Santa Clara University**
Department of Counseling Psychology, MFT Program
School of Education and Counseling Psychology, Santa Clara, CA

PROFESSIONAL INTERESTS AND GOALS

My work centers on building community as a cultural navigator to support areas of equity, diversity and inclusion. My background in mental health paired with my vast experience working with hidden communities such as farmworkers, refugees, asylum seekers, children, families, essential workers and immigrant communities has developed my expertise to teach, train and build programs that are inclusive of these communities. In particular, my work at all levels of academia, business, community and professional engagement gives me a strong framework to build a wealth of knowledge, cultural humility and empathy as tools to strengthen the workplace and across groups. My background and positionality as a cultural navigator and connector that

uses non violent communication values frames my consultation work to strengthen teams and the workplace.

FOREIGN LANGUAGE

Spanish: Speak, read, and write at full proficiency. Able to conduct research, clinical, training and supervisory work in English and Spanish.

AWARDS/HONORS

San Mateo County Woman of the Year Award 2020
Jefferson Award, 2020
Named San Mateo Arts Commissioner, 2020
USF Gerardo Marin Faculty of the Year Award, 2019
USF Diversity Faculty Award, 2019
USF Graduate Student Organization Advisor of the Year Award, 2019
USF Ignatian Service and Social Justice Award, May 2018
City of Half Moon Bay Award for ALAS, 2019
Philanthropic Ventures Foundation Inspire Nominee, 2019
Half Moon Bay School District Organization Award, 2018
Half Moon Bay Mayor's Recognition for Outstanding Citizen, 2018
Selected for Profiles in Community Engaged Learning, 2018

PROFESSIONAL LICENSES

Licensed Clinical Social Worker, Board of Behavioral Sciences, #25380

RESEARCH INTERESTS

My research is focused on understanding immigration trauma with a particular focus on Latino children and their families that are undocumented, mixed status and currently those who are seeking asylum. My work centers on using testimonios as a culturally relevant qualitative methodology to capture narratives in rural and isolated communities. My interest expands to study and understand the use of cultural arts as a sensory clinical intervention in healing this population of children. My current research is centered on exploring the art of children that have come through ICE detention, or are currently in asylum process. Each of these areas have significant gaps in research which demands for more work to be done in the field of counseling and psychology to understand this community of children and families. I navigate this research work with my clinical background in child trauma, Latino mental health, and art therapy.

COMMUNITY GRANTS FUNDED

2019-2020 San Mateo Measure K Mental Health Grant, ALAS
2019-2020 Philanthropic Ventures Foundation Grant, ALAS
2018-2019 California Arts Council Grant, Artist in Schools, ALAS

2018-2019 California Arts Council Grant, Communities in Action Grant, ALAS
2018-2019 Atkinson Foundation Grant, ALAS
2018-2019 Philanthropic Foundation Grant, ALAS
2018-2019 Coastside Women's Grant, ALAS
2018-2019 Half Moon Bay Community Grant, ALAS
2017-2018 Philanthropic Ventures Foundation Grant, ALAS
2017-2018 San Mateo County Arts Grant, ALAS

RESEARCH & SCHOLARSHIP EXPERIENCE

2015-2016 **Dissertation Study**

There is a Monster in My House, Once Mil Sueños (11 Million Dreams). Exposing the Psychological Distress of Undocumented and MixedStatus Latino Children, Uncovering A Healing Space

Dissertation Chair: Emma Fuentes, Ph.D.
Description: Employed a community based qualitative research study to understand the psychological and emotional experiences of undocumented and Mixed-status children while exploring the cultural arts as a healing intervention.

BOOK CHAPTERS

Arriaga, B. H., Garcia, C., Argenal, A., & Chavez, A. (2022). Querida America, Testimonios of Faith, Solidarity, and Survival Along the US/Mexico Border. In *Handbook of Health and Well-Being* (pp. 83-96). Springer, Singapore.

Brigham, E., Bravo, F. (2019) The Undocumented Truth, Uncovering Stories of La Perrera, Trauma, Human Rights Violations and Separation of Children and Families Released from ICE in South Texas. *Beyond Borders, Reflection on the Resistance and Resilience Among Immigrant Youth and Families,*(92). Lane Center Series, University of San Francisco Press.

PEER REVIEWED PUBLICATIONS

Hernandez-Arriaga, Belinda and Dominguez, Daniela, "Dibujando En Tent City: Art By Asylum Seeking Children in the U.S. - Mexico Border" (2020). *Psychology*. 69.
https://repository.usfca.edu/psyc/69

Domínguez, D. G., Hernandez-Arriaga, B., & Paul, K. S. (2020). Cruzando Fronteras: Liberation psychology in a counseling psychology immersion course. *Journal of Latinx Psychology, 8*(3), 250–264. https://doi.org/10.1037/lat0000148

Domínguez DG, García D, Martínez DA, Hernandez-Arriaga B. Leveraging the power of mutual aid, coalitions, leadership, and advocacy during COVID-19. Am Psychol.

2020Oct;75(7):909-918. doi: 10.1037/amp0000693. Epub 2020 Jun 25. PMID: 32584060.

Hernandez-Arriaga, Belinda Marie, "There is a Monster in my House, Cultura Cura Uncovering 11 Milliones de Sueños: Understanding the Emotional and Psychological Experiences of Undocumented and Mixed-Status Youth and Finding Healing Spaces" (2017). Doctoral Dissertations. 351. https://repository.usfca.edu/diss/351

Hernandez-Arriaga, Belinda. 67 Sueños: Inspiring a Movement for Undocumented Voices to Be Heard, Journal of the Association of Mexican American Educators, V6 n1 p71-76 2012.

In Process:

Dominguez, D., & Hernandez-Arriaga, B et al. "They Treat Us Like We Are Not Human" Asylum Seekers and "La Migra's" Violence.

Hernandez-Arriaga, B., & Argenalm A., Dreams of an Education From Tent Zero: A Case Study of Asylum Seeking Children Impacted by Migrant Protection Protocols at the U.S.-Mexico Border

OP-ED:

Hernandez, Arriaga, B., Dominguez, D. (2018, Aug.) Reunification of separated immigration families is not enough- offer U Visas (Editorial) San Francisco Chronicle.

CHILDREN'S LITERATURE BOOK

Hernandez-Arriaga, Belinda M. 2019. (Accepted and Under Review) **Sofia's Serrape Blanket and the Monster in Her House**, San Antonio, Texas: Conocimiento Press.

PEER-REVIEWED CONFERENCE PRESENTATIONS:

Hernandez-Arriaga, B., Dominguez, D., Martinez, D.A. (2019, October). *The Impact of Providers' Identity in Working with Newly Arrived Central American Seeking Asylum in the United States*. Talk presented at the National Latinx Psychological Associated Conference, Miami, Florida.

Hernandez-Arriaga, B., Dominguez, D. (2018, November 2). *Responding to Natural Disasters Con Cariño.* Symposium presented at the 2018 Fulbright Conference, Un Mundo, Muchas Voces, Puebla, Mexico.

Hernandez-Arriaga, B., Domínguez, D., Felipe, L. (2018, August). *The Role of Mental Health Practice in Response to Natural Disasters Using a Social Justice Approach.* Symposium presented at the 2018 American Psychological Association Annual Convention, San Francisco, California.

Hernandez-Arriaga, B., Perez, M., Muñoz, O. (2018, June 2*). Mi Existencia es Mi Resistencia. Speaking Truth to Power Through Testimonio.* Talk presented at the 2018 NCORE New

Orleans Conference, Louisiana, New Orleans.

Hernandez-Arriaga, B., Domínguez, D., Felipe, L. (2018, April). *Innovative Disaster Relief Efforts by Mental Health Responders in the Digital Age.* Poster presented at the 2018 California Psychological Association, La Jolla, California.

Hernandez-Arriaga, B., Domínguez, D., Felipe, L. (2018, April). *Responding to Natural Disasters Using a Social Justice Approach to Counseling.* Symposium presented at the 2018 California Association for Licensed Professional Clinical Counselors Conference, San Francisco State University, San Francisco, California.

Hernandez-Arriaga, B., Domínguez, D.,Felipe, L. (2018, March). *Organizing and Effecting Change in the Wake of Natural Disasters*. Symposium presented at the 2018 Child and Youth Studies Spring Symposium, University of San Francisco, San Francisco, California.

Hernandez-Arriaga, B. (2017, June 1). Corazón, *Alma, y Resistencia: Testimonios of Artful Resistance and Healing Through Danza*. 2017 NCORE National Conference on Race and Ethnicity. Talk presented at Fort Worth Convention Center, Fort Worth, Texas.

Hernandez-Arriaga, B. (2016). *Healing Trauma in Our Communities*. National Conference on Race and Ethnicity. Presented at a Pre-conference, San Francisco, California.

Hernandez-Arriaga, B. (2016). *There is a Monster in My House, Understanding the Psychological Experience of Undocumented and Mixed Status Youth*. National Conference on Race and Ethnicity. Talk presented at a Pre-conference, Sam Francisco, California.

Hernandez-Arriaga, B. Muñoz, O. (2014*). Identity of Self, Chicana Professionals in Activism.* MALCS Mujeres Activas Conference. Talk presented at the MALCS Conference, New Mexico.

Hernandez-Arriaga, B. (2014). *Testimonio as a Methodology of Research*. Talk presented at the National Anthropological Association, Chicago, Illinois.

KEYNOTE

Hernandez-Arriaga, B. (2019, September 26). *Cultural Art Counseling in Latino Communities: Responding to Crisis Recovering from Trauma*. Balance and Resilience Series. Talk presented at the Chautaugua Hispanic Heritage Series, Eastern Kentucky University, Richmond, Kentucky.

Hernandez-Arriaga, B. (2018, November 1). *The Warrior Within, Rising Up to Celebrate Identity.* Fire and Ice Recovery and Resilience. Talk presented at the Latino Health Forum, Sonoma State University Center, Rohnert Park, California.

Hernandez-Arriaga, B. (2018, August 4). *Standing Against the Wall*. Estamos Contigo Border Task Force. Talk presented at Bay Area Border Relief Symposium, Ted Adcock Community Center, Half Moon Bay, California.

Hernandez-Arriaga, B. (2018, January 25). Talk presented at the 5th Annual Latina Leadership Conference, University of San Francisco, San Francisco, California.

Hernandez-Arriaga, B. (2017, March 15). *Understanding the Emotional Experience of Undocumented and Mixed Status Students*. Talk presented at the CONFERENCE NAME, Florida Gulf Coast University, Fort Myers, Florida.

INVITED PRESENTATIONS

Hernandez-Arriaga, B. (2021). *Using HOPE Informed Communication and Brief Clinical Intervention to Mitigate the Impact of Adverse Childhood Experiences, Toxic Stress and Immigration Trauma in the DBP Clinical Setting.* Society for Developmental and Behavioral Pediatrics Annual Meeting

Hernandez-Arriaga, B. (2019, October 10). *Understanding Emotional Experience of Asylum Seeking Families.* Talk presented at the Respect 24 San Mateo County Education Conference, Redwood City, California.

Hernandez-Arriaga, B. (2019, September 26). *Mental Health Considerations for Children Released from ICE Detention*. Talk presented at the County Office of Education Conference, Redwood City, California.

Hernandez-Arriaga, B. (2019, August 10). *A Conversation About America with Congresswoman Jackie Speier.* Panel Presentation, Cañada College, Redwood City, California.

Hernandez-Arriaga, B. (2019, July 3). Jesus at the Border. Mercy Center Conference. Talk presented at the Sisters of Mercy, Mercy Center, Belmont, California.

Hernandez-Arriaga, B. (2019, March 9). UndocuFest "Rising Up for Undocumented Voices. Talk presented at Latinas Unidas, San Francisco, California

Hernandez-Arriaga, B. (2019, February 19). *Undocu Tauma at the Border*. Talk presented at the Coastside Democratic Committee, Half Moon Bay, California.

Hernandez-Arriaga, B. (2019, January 28). *Children Out of ICE*. Talk presented at the San Mateo Democratic Central Committee, Burlingame, California.

Hernandez-Arriaga, B. (2019, January 11). *Responding to the Border, A Call to Action*. Talk presented at Odd Fellows, Half Moon Bay, California.

Hernandez-Arriaga, B. (2019, January 10). Reframing the National Conversation About Immigration. Talk presented at Brew and Views, Half Moon Bay Mavericks Center, Half Moon Bay, California.

Hernandez-Arriaga, B. (2018, December 19). Report Back from the Border. Pacifica Social Justice, Sharp Park Library.

Hernandez-Arriaga, B. (2018, June 29). *Faith, Hope, and Healing*. Talk presented at the MBSR Speaker Series Museum of the African Diaspora, San Francisco, California.

Hernandez-Arriaga, B. (2018, March 8). Opening the Pipeline of Education Testimonios of Youth and Parents. *Half Moon Bay Community Forum, ALAS*. Talk presented at the Half Moon Bay Community Forum, Half Moon Bay, California.

Hernandez-Arriaga, B. (2013, 2014, 2016). "Understanding Trauma in Underground Communities, Testimonio of Self, Yo Soy!". *UC Berkeley Center for Educational Partnerships*. Talk presented at the *2016* University of San Francisco Research Symposium, University of San Francisco, San Francisco, California.

Hernandez-Arriaga, B. (2013). "Testimonio YO, Narratives of Our Lives as Latinos". Talk presented at the University of San Francisco School of Education Symposium Panel Presentation, University of San Francisco, San Francisco, California.

Hernandez-Arriaga, B. (2012). *Understanding Race and Privilege in Our Community of Education*. Presented at UC Berkeley Presentation, University of California Berkeley, Berkeley, California.

Hernandez-Arriaga, B. (2012). *Race, Trauma and Transformative Healing In Education.* Talk presented at the USF Symposium Panel, University of California Berkeley, Berkeley, California.

Hernandez-Arriaga, B. (2011). *Race, Power and Privilege.* Talk presented at the UC Berkeley Equity and Inclusion Presentation, University of California Berkeley, Berkeley, California.

Hernandez-Arriaga, B. (2011). *Understanding the Experience of AB 540 Students, Clinical Implications.* Talk presented at the UC Berkeley UHS Clinical Presentation, University of California Berkeley, Berkeley, California.

TEACHING EXPERIENCE

My teaching experience and goals are centered on preparing and mentoring the next generation of counseling students focused and trained in providing culturally centered practices of counseling rooted in social justice and community mental health. My teaching is founded on

twenty years of clinical work in the field combined with my activism, social justice-centered advocacy, and leadership in community mental health. My work across communities and my extensive teaching experience grounds my work in teaching and mentoring students from a cultural wealth and strengths-based perspective.

Master's Level Courses, *University of San Francisco*

CPSY 646 Community Mental Health Concepts of Recovery, Wellness
CPSY 677 Counseling Across Cultures
CPSY 637 Traineeship
CPSY 631 Theories of Counseling and Psychotherapy
CPSY 629 Substance Abuse and Addictions Counseling
CPSY 632 Child and Adolescent Development

Santa Clara University Graduate MFT Program
Multicultural Counseling
Human Sexuality
Child and Family Counseling
Interpersonal Communications

MENTORING EXPERIENCE
2022 USF Dissertation Chair, Jean Pierre
2022 USF Dissertation Chair, Star Plaxton Moore
2021 USF Ballet Folklorico Student Advisor
2021 USF Latinx Faculty Student Advisor, USF School of Education

CLINICAL SUPERVISION EXPERIENCE

2021-current MFT Clinical Supervisor, Saint Matthew's Catholic School Program
2016-current Clinical Supervisor Responsibilities, Ayudando Latinos A Soñar La Misma Luna
Responsible for individual and group supervision of MFT, MSW Trainees

2012-2016 Clinical Supervisor, UC Berkeley Social Services Mental Health Tang Team
Provided direct clinical supervision to Trainees for Tang Center

CLINICAL EXPERIENCE

2011-current Founder and Director of Ayudando Latinos A Soñar (ALAS), Half Moon Bay, CA

In 2011 A.L.A.S. (Wings) was founded as the first cultural arts, social services, education, and social justice program in Half Moon Bay to give voice and agency to a rural community of predominantly first generation Latino youth and families. Ayudando Latinos A Soñar is dedicated to giving creative expression to improve the mental health and wellness of Latino children through programs of mental health, education, social justice advocacy, and the Latino arts that weave culture and healing as critical tools for our youth to thrive and strengthen self-esteem.

2008- 2016 Licensed Clinical Social Worker, University of California Berkeley

Specialized child and family therapist for UC Berkeley campus working directly under University Health Services to support student parents attending UC Berkeley, to include children and family brief therapy and social service support. This position is the only clinical staff on campus designated to provide clinical support to children and families living in University Village.

2005-2008 Psychiatric Social Worker, San Mateo County Mental Health, San Mateo CA

Specialized in infant mental health and child therapy to high risk families, infants and children exposed to trauma, and at risk for emotional, and or physical abuse. Clinical responsibilities on caseload included a focus on Spanish speaking families to provide parent/child therapy.

2000-2005 Psychiatric Social Worker Juvenile Hall Corrections, Santa Clara County MH

Worked in Santa Clara County Juvenile Hall Mental Health team in first time program to treat high risk and repeat offender youth incarcerated in Juvenile Hall facility, to include providing extended mental health support to youth at the ranch facility. Worked closely with youth to understand their developmental and psychological history to build trust and develop a roadmap toward positive change. Mental health team of support included working with Psychiatry team and multi-disciplinary team to provide best clinical care for each youth in the program.

1997-1999 Child and Family Therapist, Catholic Charities Managed Care Division, San Jose, CA

Mental Health Clinician dedicated to providing mental health services to individuals, children, families and couples. Counseling support interventions included cognitive therapy, solution focused, and play therapy with children.

SERVICE

University of San Francisco- School of Education
2022- USF Vice Chair, Doctoral Comittee
2020- current USF FABI Committee
2019- current Doctoral Committee
2019- International Development Committee
2019- SOE School and Community Task Force
2019- Search Committee for San Jose Campus
2018- present Undocumented Scholarship Committee
2017- present Danza Dreams Undocu Scholarship Committee

MEDIA

https://time.com/5713317/migrant-children-drawings-remain-in-mexico-policy/

https://www.nbcbayarea.com/news/local/Drawings-by-Children-in-ICE-Custody-Fuel-Outrage-512210752.html

https://www.sfchronicle.com/bayarea/article/Record-number-of-families-cross-border-in-search-13485210.php

https://abc7news.com/society/moving-van-packed-with-supplies-takes-bay-area-activists-on-journey-to-help-asylum-seekers-families/4768931/

https://abc7news.com/society/volunteers-share-their-experiences-from-border-immigration-centers/3905080/

https://www.kron4.com/news/bay-area-professor-tells-heartbreaking-story-of-immigrant-families-just-out-of-detention-center/

https://vimeo.com/284241797

https://www.themonitor.com/2019/06/23/respite-center-receives-truckload-donations-protestors-march-family-separations/

https://www.nbcnews.com/think/opinion/america-should-pay-reparations-ice-detainees-who-have-suffered-human-ncna905771

https://www.hmbreview.com/news/hear-stories-from-u-s-border-next-week/article_0dc6f6d6-1077-11e9-a85d-531506c3f53e.html

https://www.bayareaborderrelief.org

https://www.cbsnews.com/news/migrant-children-drawings-held-in-border-patrol-facilities-show-cage-like-conditions/

https://www.hmbreview.com/news/families-take-lead-role-in-own-success-stories/article_212e0662-1cce-11e8-bf81-eb850b744499.html

http://www.bayareainspireawards.org/2018-2019-advisory-board.html

https://www.hmbreview.com/news/alas-offers-new-mental-health-services-for-clients/article_a4213d60-bc5f-11e8-99db-1728af625c5b.html

https://www.hmbreview.com/news/mariachi-media-luna-takes-an-international-stage/article_fbbbbe5c-f4e3-11e4-ba67-0344faa8fe16.html

https://www.facebook.com/watch/?v=274957936708611

https://mariachimusic.com/blog/2017/09/finding-his-voice-and-dream-at-mariachi-extravaganza-summer-camp/

https://www.usfca.edu/news/Hernandez-Arriaga

https://mypuente.org/ballet-folklorico-new-program-is-a-hit-among-south-coast-kids-and-their-parents/

FIELD-RELATED EXPERIENCE

Current San Mateo County Arts Commissioner, 2021- current

Founder and Executive Director, Ayudando Latinos A Soñar, Community Non-Profit, 2011-current

USF Law School service with Immigration Clinic to provide psychological evaluations for children and families in deportation defense, 2018-current

Current Oxford Symposium Committee, 2018

Co-Founder Bay Area Border Relief, Connecting USF faculty and students to working with migrant families released from ICE detention and supporting families in MPP program, 2018-current

Co-Organized and supported Danza Dreams Presentation to raise funds for USF Undocumented Scholarship Fund, 2018, 2019, 2020

Initiated, Directed and Led Puebla Immersion Course for USF Students, working collaboratively with IBERO University, Puebla Mexico, 2018

Co-Organized *Know Your Rights* Presentation for Children with Bill Hing and USF Law School for immigrant children and families, 2018

Co-Organized and supported Danza Dreams Presentation to raise funds for USF Undocumented Scholarship Fund, 2017

Initiated and supported crisis response to victims of Houston Harvey, Houston, Tx NRG shelter, 2017

Supported USF Crisis response for victims of the fire in Sonoma, CA, 2017

Selected for Faculty Social Justice program at USF McCarthy Center, 2017

Founder, Latino Advisory Committee, Half Moon Bay, 2017

References

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University of Santa Cruz California
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805-705-1197

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USF Immigration Law Faculty, Law School
University of San Francisco
bhing@usfca.edu

415-846-2122

Pepper Black
UC Berkley Supervisor
pepperblackinberkeley@gmail.com
510 867-9616

Emma Montezuma
Ayudando Latinos A Soñar
Community Outreach Coordinator
510-365-8856

Dr. Rafael Padilla
Clinical Psychologist
408-710-5484



VMWP QUALIFICATIONS

ARCHITECTURE | MERCY HOUSING

ARCHITECTURE | URBAN DESIGN ■ SAN FRANCISCO | DENVER | MINNEAPOLIS

333 Bryant Street, Suite 300, San Francisco, CA 94107 T 415.974.5352

1738 Wynkoop Street, Suite 203, Denver, CO 80202 T 303.298.1480

326 E. Hennepin Avenue, Suite 204 Minneapolis, MN 55414 T 612.601.1330

WWW.VMWP.COM

VAN METER WILLIAMS POLLACK LLP

VAN METER WILLIAMS POLLACK LLP

We celebrate cities. We believe in them. That's why we're so passionate about making them more livable.











Van Meter Williams Pollack is an award-winning Architecture and Urban Design firm based in San Francisco, Denver, and Minneapolis. Since 1989 we have provided a full range of comprehensive design and planning services for a variety of project types, scales and clients. The partners and staff bring their knowledge and expertise to all aspects and phases of our projects.

VMWP's comprehensive and innovative design approach considers environmental, social, economic, and client needs to create buildings and communities that resonate with people. From small towns grappling with pressures of sprawl, to major urban centers requiring infill and redevelopment, one of our strengths is the ability to work in the variety of communities that make up diverse, growing regions.

OUR PRINCIPLES

- **meet** the unique requirements of every client
- **engage** the communities in which we live and work
- **work** within the realities of economic constraints
- **create** the highest quality design and planning
- **commit** to sustainable design principles in all planning & design

Van Meter Williams Pollack's Architecture and Urban Design projects emphasize pedestrian and transit-oriented development patterns that serve a community's economic, social and cultural needs. Our success in master planning, community design, mixed-use developments, and revitalizing urban infill sites demonstrates that there are alternatives to the outward expansion of cities, towns and suburbs. High-density urban infill, transit-oriented development, and pedestrian-focused streetscapes support sustainable development.

We have advanced economically viable plans that address transportation and infrastructure, community development, population growth and diversity, historic preservation, and sustainable growth patterns to a wide range of clients throughout the United States. Our greatest assets are an understanding of land use patterns, development types, and appropriate pedestrian environments for each community; our commitment to an open, clear, and direct process; and our ability to implement a community vision.

AFFORDABLE HOUSING

We plan, design, and build a wide variety of affordable housing from high-density urban communities to small-lot single-family housing. Our work has received numerous design awards in national and local design competitions. Most recently, Victory Village won the 2021 PCBC Gold Nugget Grand Award for Best Affordable Senior our Eagle Park was awarded the 2020 Structures Award for Community Impact. As cost and quality of life are primary concerns in our housing, we use simple elements of construction, building materials and scale to create beautiful spaces.

INFILL DEVELOPMENT

Infill development presents an opportunity to transform underused urban areas into inviting public realms. Responsive infill gives a place new life, making it more functional, exciting, beautiful and sustainable, while at the same time preserving its character and history.



Our aim is to create straightforward, comfortable spaces, using good design and intimate scale to evoke a unique sense of renewal. Projects as diverse as the Rail Yard Lofts in Denver and 55 Laguna in San Francisco highlight our approach to infill development.

MIXED-USE DEVELOPMENT

Mixed-use projects connect communities and create pedestrian-friendly neighborhoods where people can drive less and use resources more efficiently. The right mix, concentration and placement of uses can spark a neighborhood's identity. VMWP specializes in designing projects that combine living, working, shopping and leisure, within one shared environment. Access to local necessities invites people to walk more, drive less, brings life to the street, and supports both business and the environment.

DEVELOPMENT FEASIBILITY

We specialize in quick, comprehensive studies to assess the layout and feasibility of development opportunities. Our practical understanding of the economic and implementation issues involved lays a firm foundation for all of our projects. VMWP's architects and urban designers bring in-depth experience and knowledge of development prototypes, project phasing and implementation techniques to this process.

COMMUNITY PROCESS

Community involvement is essential to any project's success. As part of our commitment to community design, we promote the active participation of a variety of stakeholders in the planning process. We work with both market rate and non-profit, community-based developers and jurisdictions to ensure that this participation is an inclusive, efficient, effective and (most of all) fun process. VMWP has developed an engaging community participation model that effectively uncovers the needs and concerns of future residents and the surrounding neighborhood. This approach also elicits community-driven alternatives, which facilitate consensus on design and other community issues. Often, the most important discussions are not about technical issues, but instead revolve around "concern with change," or concern for creating a "sense of place."

TRANSIT-ORIENTED DEVELOPMENT

Our transit-oriented projects combine mixed-use and infill development with pedestrian-friendly streets close to public transportation. These comprehensive plans create lively villages that inspire people to buy locally, use more public transit and drive less. Our TOD projects have included land use plans and urban design guidelines, master plans for new mass transit station areas, and infill visions for park-and-ride lots. VMWP works with municipalities to develop implementation strategies as well as guidelines with which to evaluate development proposals.

VAN METER WILLIAMS POLLACK LLP

Environmentally intelligent building design and urban planning are crucial to the world's future.











SUSTAINABILITY: FROM REGION TO BUILDING

Sustainable design means satisfying the needs of the present generation without jeopardizing the needs of future ones. As signatories of the **AIA 2030 Challenge**, VMWP has committed to make all new buildings and renovations carbon-neutral by the year 2030 to avoid the catastrophic effects of climate change caused by the building sector. Our use of technology, creativity and strategic planning help us to conserve resources, build communities, and express the interconnectedness of people and their physical surroundings.

GREEN DESIGN ON THE REGIONAL SCALE

- Regional Planning: Visionary planning for future urban growth and conservation of open space.
- Greenways: Connected open space corridors for recreation and/or conservation.
- Urban Growth Boundaries**:** Growth management policy tools that establish boundaries around towns or metropolitan areas and discourage development outside of them.
- Policies and Initiatives: Programs developed by municipalities and other organizations towards a more sustainable way of life, one that safeguards and enhances local resources, prevents harm to the natural environment and human health, and strengthens the community and local economy.

GREEN BUILDING ON THE NEIGHBORHOOD SCALE

- Street Connectivity: Provides drivers, walkers and bikers with multiple direct routes, creating pedestrians a more attractive environment where people want to drive less.
- Transit-Oriented Development: Significant development within walking distance of transit stations means that greenfields on the urban fringe can be preserved as open space.
- Green Street Design: Green streets mimic natural conditions by managing runoff and pollutants and add to urban beautification.
- Complete Streets: Mix of pedestrian, bicycle and automobiles

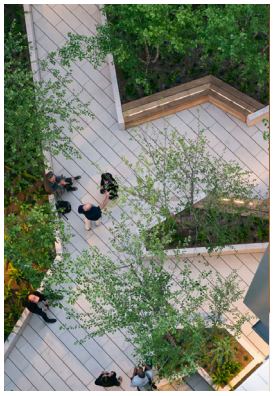
GREEN BUILDING ON THE SITE SCALE

- Site Planning: Sustainable Site Design
- Water Management: Conservation and Mitigation
- Energy: Efficient and Energy Producing
- Materials: Conservation of Resources and use of Sustainable Products
- Health: Indoor Environmental Quality

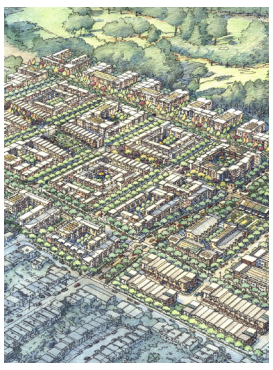
TOOLS USED TO DEVELOP SUSTAINABLE PROJECTS

- Environmental Goals Collaborative Charrette
- VMWP Green Checklist
- Design Team built around LEED Accredited Professionals, Green Point Raters
- VMWP's Integrated Design Process and Project Delivery
- Enterprise Green Communities Criteria









LEED Rated Projects

LEED PLATINUM

- Luna Vista; Mountain View, CA - LEED for Homes
- 1101 Connecticut; San Francisco (Block X) - LEED for Homes Midrise
- Arboleda Apartments; Walnut Creek, CA - LEED for Homes
- Ohlone Gardens; El Cerrito, CA - LEED for Homes
- 2175 Market Street; San Francisco, CA - LEED for Homes Midrise
- Cottonwood Place; Fremont, CA - LEED for Homes

LEED GOLD

- Bell Street Gardens; Fremont CA (Targeted: LEED Gold)
- Menlo Park Veterans Housing; Menlo Park, CA - (Targeted: LEED Gold)
- Balboa Building E; San Francisco, CA - (Targeted: LEED Gold)
- Dominican Sisters House of Formation; San Rafael, CA - LEED NC
- HOPE SF ReBuild Potrero; San Francisco, CA - LEED ND
- HOPE SF Sunnydale; San Francisco, CA - LEED ND

LEED RATED

- Schlage Lock Master Plan; San Francisco, CA - LEED ND pilot program
- Ho'opili Master Plan; Honolulu, HI - LEED ND pilot program

Net Zero Energy (NZE) Projects

- Kalaeloa NZE Community; Honolulu, HI
- Pacific Meadows; Monterey, CA

Green Point Rated Projects

- Eureka Motel; Eureka, CA - (Target: Platinum)
- Terra Bella; Mountain View, CA (Target: Gold)
- Roseland; Santa Rosa, CA - (Target: Gold)
- 15101 Washington Ave; San Leandro, CA - (Target: Gold)
- Sunnydale Block 9; San Francisco, CA - (Target: Gold)
- Eagle Park; Mountain View, CA - Silver
- Veterans Village; Colma, CA - 118 pts, Gold
- Victory Village; Fairfax, CA - (Target Platinum: 140 points)
- Hana Gardens; El Cerrito, CA - 120 Points
- Cottonwood Place; Fremont, CA - 206 Points
- Warner Creek; Novato, CA - 180 Points
- Jack Capon Villa; Alameda, CA - 156 Points
- Belle Terre; Lafayette, CA - 149 Points

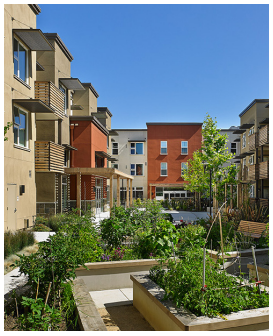
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Sustainability is an Integral Part of Quality Design











All Electric Buildings

- Eleven Innes, Hunters Point; San Francisco, CA
- Roseland Family Apartments; Santa Rosa, CA
- 231 Grant Teacher Housing; Palo Alto, CA
- North Fair Oaks Apartments; San Mateo, CA
- Bell Street Gardens; Fremont; CA
- 3090 S. Bascom; San Jose, CA
- Balboa Building E; San Francisco, CA
- Sunnydale Block 9; San Francisco, CA
- 180 Jones; San Francisco, CA
- Terra Bella; Mountain View, CA
- Linda Vista; Mountain View, CA
- Mother Bernard House; Eureka, CA
- Medical Center Drive; Rohnert Park, CA

Enterprise Green Communities

- Crossing Pointe North and South; Thornton, CO
- Del Corazón; Denver, CO
- 8315 E. Colfax; Denver, CO
- Sienna on Sloan's Lake; Denver, CO
- Allison Village; Arvada, CO
- 32nd & Shoshone; Denver, CO

Zero Energy Ready Homes (ZERH)

- 8315 E. Colfax; Denver, CO
- Crossing Pointe North and South; Thornton, CO
- Allison Village; Arvada, CO

National Green Building Standards (NGBS)

GOLD CERTIFICATION

- Montbello FreshLo; Denver, CO

SELECT AFFORDABLE HOUSING PROJECTS









LUNA VISTA
MOUNTAIN VIEW, CA

Client: Alta Housing

Building Size/Acres: 50,449 S.F./ 0.61 acre

Density: 71 units / 116 DUA

Completion: November 2021

Construction Est.: 25M

Website: VMWP

Contact: Carlos Castellanos
Alta Housing
650.321.9709
ccastellanos@altahousing.org

LEED Platinum 100% Affordable Community for Adults with Disabilities

Luna Vista provides an oasis of 100% affordable, stable, high-quality housing to some of Mountain View's most vulnerable residents -- low-income households making between 50-70% of the AMI and adults with developmental disabilities. Services offered through Housing Choices include: an on-site service coordinator to help with job readiness programs, educational assistance, financial planning courses, independent living skills, counseling services, and community building programs. Universal design has been incorporated into the LEED Platinum building and residential units are accessible/ adaptable as required by the UFAS, including local and state codes.

The design of the building was inspired by the "streamline moderne" buildings with futuristic curved shapes and zoomy designs that sat on the strip in the 1950s-1960s. The design follows the principles of the El Camino Real Precise Plan and supports an active street frontage through a tall first floor with plentiful storefront windows, an inviting entry area with an architectural art feature. Designed by clients of the Morgan Autism Center, sixty-four pieces of colorful and bold artwork were photographed, printed on glass panels, and mounted in the entryway and community lounge spaces. Residents and passersby experience the sunlight cast a stained-glass effect of these works in celebration of Luna Vista's residents.

Design Features

- Naturally ventilated lobby
- Multiple common decks with perforated metal screen
- Distinct vertical tower element
- Recessed transparent element with colored glass panels connecting shared living spaces with main entry
- Large roof deck

Green Features

- LEED Platinum
- Extensive use of photovoltaic panels to offset energy use
- Energy efficient appliances
- Recycled materials with low VOC content
- Drought tolerant landscaping
- 100% of stormwater treatment onsite







EAGLE PARK
MOUNTAIN VIEW, CA



Client: Alta Housing
Site Area: 48,950 S.F. / 0.49 acre
Density: 67 units - 138 DUA
Completion: 2019

Contact: Jennifer Wong
Alta Housing
650.219.2687
jwong@altahousing.org

Affordable Rental Apartments with Services for Veterans

Eagle Park at 701 El Camino Real is a new 67 unit affordable housing community that includes studios and one-bedrooms, with 30 units reserved for veterans. Located on El Camino Real between Rich Avenue and El Monte Avenue, the 0.49 acre site is a transit-friendly, walkable neighborhood with a mix of commercial and residential uses. Included amenities are three common roof decks, a community room, lounge, subgrade parking and bicycle storage, and resident storage lockers for each unit. Property management and supportive services will be provided on site. The entry plaza at the corner of El Camino Real and Rich Avenue welcomes residents into the lobby with a distinctive architectural element and geometric raised planters. The rear open space includes seating, gathering areas, outdoor fitness equipment, and gardening to encourage casual social interactions

Design Features

- Landscaped open area for social activities, gardening, and fitness
- Roof decks overlooking common open space below
- Distinctive corner element and raised geometric planters at main entrance plaza

Green Features

- Energy Star appliances
- Solar Thermal System
- Shading of exterior windows and walls
- Post consumer recycled materials

Awards

- Silicon Valley Structures Awards Winner, Community Impact, 2020













Affordable Mixed-Use Residential & Commercial Project Rises in El Cerrito

Client: Resources for Community Development

Site Area: 98,070 S.F. / 0.94 acre

Density: 57 units - 60.8 DUA

Completion: 2015

Construction est.: $17.5M

Contact: Carolyn Bookhart
RCD
510.841.4410

The Ohlone Gardens project includes 57 affordable rental apartments over ground floor office/ commercial space. The approximately one acre site includes a mix of one, two and three bedroom units configured around a central courtyard. At grade open space at street level leads to the Ohlone Greenway (a multi city linear park) and the community at large. Within the building, common areas including the community room and laundry room have been placed directly off of the central courtyard in order to maximize the use of this area. The courtyard has several seating areas, a children's play structure, and a raised lawn area. Ohlone Garden's outdoor spaces utilize drought tolerant landscaping, bioswale drainage and filtration, and water permeable pavement. Adjacent to the raised BART tracks, the units include special acoustic designs built into the building. With attention to energy efficiency taken into account from early stages in the design process, Ohole Gardens exceeds Title 24 energy efficiency standards by over 32%!

Design Features

- Wayfinding system incorporated that is sensitive to the needs of blind residents
- Central courtyard links to interconnected open space and greenway
- Stormwater management

Green Features

- Construction waste recycling plan that diverted 70% of construction waste from landfills
- Solar thermal water pre-heating
- ENERGY STAR appliances
- Double-paned, triple-paned, and double glazed low E windows
- Durable, low maintenance finishes
- Low VOC paints and adhesives
- High-efficiency faucets, toilets, and showers







BAY OAKS, 4800 3RD STREET
SAN FRANCISCO, CA



Client: SFHDC
Site Area: 24,000 S.F. / 0.2 acre
Density: 18 units - 90 DUA
Completion: November 2009
Construction est.: $7.1M
Contact: Regina Davis
San Francisco Housing Development Corporation (SFHDC)
415.860.0196

Michael Simmons
Michael Simmons Property Development
415.845.5527
MichaelS@mspdi.com

Creating a Cornerstone: Mixed-Use in Bayview

Bay Oaks is a 4-story, 18 unit, first time home buyer development with ground floor retail, located on a light rail line in the Bayview neighborhood of San Francisco, a mixed-use urban district. The site reclaims an urban corner on a long vacant lot in the Bayview Town Center and creates a vibrant cornerstone for the neighborhood. Bay Oaks acts as a safe, dense, community integrated development within a vibrant neighborhood, providing housing, retail, and community activities. All dwelling units have windows on at least two sides, providing cross-ventilation and daylight. An interior courtyard provides protected open space in this dense, urban neighborhood. The program includes 12 one-bedroom units, 6 two-bedroom units, 2,100 sq.ft. retail, 11 car parking garage, and a podium courtyard.

Design Features

- Urban infill, mixed-use
- Community display board along Third Street
- Angled bays focus views on downtown
- Use of metal shingle siding

Green Features

- Photovoltaics for on-site energy production
- Natural cross ventilation and daylight in every unit
- Materials- linoleum flooring, eco-colors, recycled carpet
- Transit Oriented Development adjacent to T-line, bike parking

RESUMES

SENIOR PARTNER RESUMÉ

Rick Williams

Architect / Urban Designer



PROFESSION

Architect, Licensed in the State of CA, CO, MN, MS, NV, and TX

EDUCATION

- University of Calif., Berkeley; Master of Architecture, 1990
- University of Calif., Berkeley; Master of Planning - Urban Design, 1990
- California Polytechnic State University, San Luis Obispo, CA; B.S. Arch., 1982

PERSONAL PROFILE

A partner and founder of Van Meter Williams Pollack, Rick Williams is a leader in urban design and transit-oriented development. With a background in both planning and architecture, Rick focuses on planning and urban design projects involving mixed-use, transit oriented community plans and architectural design. His architectural work ranges from residential to mixed-use neighborhoods, urban infill, multifamily affordable and workforce housing throughout the Bay Area. Rick's understanding of building types and the public realm informs urban design projects that benefit from realistic implementation strategies, development regulations and design guidelines. His urban design efforts include national and west coast TOD and infill plans. His diverse experience also includes commercial and institutional projects.

Rick has worked extensively with public agencies, cities, nonprofit organizations, and diverse and disenfranchised communities. He is adept at negotiating the regulatory framework and writing innovative codes and guidelines to articulate the design parameters for mixed-use, pedestrian and transit-oriented development. Rick's primary focus is the implementation of complex, visionary design projects whose success depends on high quality design, strong community involvement, unique financing and public-private development partnerships. Rick also continues to lead efforts on a variety of affordable housing developments within a wide number of communities in the Bay Area. Rick has lectured extensively on issues of contemporary urban planning, and his urban design projects have been published in books and leading design and planning journals.

SELECTED PROJECT EXPERIENCE

- Bay Fair TOD Specific Plan, San Leandro, CA - *mall conversion, TOD specific plan*
- Belmar Master Plan, Lakewood, CO - *mall conversion, master plan*
- Warm Springs Transit Village, Fremont, CA - *master plan*
- Sunnydale HOPE SF Master Plan, San Francisco, CA - *master plan, public housing*
- San Jose Design Standards and Guidelines, CA - *standards and guidelines*
- MacArthur BART Station, Oakland, CA - *master plan*
- Balboa Reservoir, San Francisco, CA - *mixed-income, workforce housing*
- Vivalon Healthy Aging Campus, San Rafael, CA - *affordable senior housing*
- Fairfax Victory Village, Fairfax, CA - *affordable senior housing*
- Westbourne Park C1, Fremont, CA - *mixed-income, mixed-use*
- 4840 Mission St., San Francisco, CA - *affordable, mixed-use housing*
- El Camino Real Precise Plan, Mountain View, CA - *strategic plan*
- 703 Third Street, San Rafael, CA - *mixed-income*
- San Mateo County Event Center Vision Plan, San Mateo, CA - *vision plan*
- SSF Downtown Strategy Plan, South San Francisco, CA - *master / strategic plan*
- Mountain View Downtown Precise Plan Update, Mountain View, CA - *master plan*

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ASSOCIATE RESUMÉ

Pamela Goode

Associate/Architect



PROFESSION

- Architect, Licensed in the State of California #26550
- LEED AP Homes

EDUCATION

- University of Texas at Austin; Bachelors of Architecture, 1990

FIRM RESPONSIBILITIES

Pamela is an Associate and serves as a Project Architect at Van Meter Williams Pollack on these current affordable housing projects: 3090 S. Bascom providing 79 family units for San Jose, North Fair Oaks 86 family units in San Mateo, and Hunters Point Shipyard that brings 73 family units to San Francisco.

PERSONAL PROFILE

Pamela has called San Francisco home for over 30 years and feels a strong connection to the Bay Area and the people that have called San Francisco home for generations. Pamela joined VMWP to work on affordable multi-family projects in order to contribute to providing solutions to the housing crisis. Pamela's interest in building starts at the beginning of the design process through construction. Her first job in San Francisco after graduating from architecture school was as a carpenter and this hands-on experience has helped inform her construction understanding and communication. She appreciates all the players in the design and construction process and enjoys working with a team to make a project realized. Over the last 25 years she has focused her attention on sustainable building practices and works to integrate best practices into her work.

While not at work, she enjoys time with her family, spending as much time outdoors hiking, running, biking, or sitting in the sun.

PUBLICATIONS

- "The Building Official's Guide to Straw Bale Construction" co-authored with Kelly Lerner, 1999.

SELECTED PROJECT EXPERIENCE

- Fairfax Victory Village, Fairfax, CA - *affordable housing, senior housing*
- Eagle Park, Mountain View, CA - *affordable housing, veterans housing*
- Veterans Village, Colma, CA - *affordable housing, veterans housing, supportive services*
- 3090 S. Bascom, San Jose, CA - *affordable housing, mixed-use, supportive services, formerly homeless, all-electric building with PV offsetting 75% of the residential load*
- North Fair Oaks, San Mateo, CA - *affordable housing, family housing, all-electric building with PV offsetting most of the residential load*
- Eleven Innes, Hunters Point Shipyard, San Francisco, CA - *affordable housing, all-electric building with PV offsetting most of the residential load*

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ASSOCIATE PRINCIPAL RESUMÉ

Elitsa Shepherd

Project Architect



PROFESSION

- Architect, Licensed in the State of California
- LEED AP Homes Accredited Professional
- Certified Passive House Designer

EDUCATION

- UC Berkeley: Bachelor of Arts in Architecture, 2012

FIRM RESPONSIBILITIES

Elitsa works closely with clients, consultants, engineers and city staff to ensure that projects meet the needs of the owner, the future residents, the city and the neighbors. She oversees projects from initial conception to completed construction. Elitsa is the project architect of Vivalon Healthy Aging Campus & Senior Housing in San Rafael (a mixed-use project with 64 senior affordable residential units, currently completing construction documents) and Casa Roseland & Plaza Temporal in Santa Rosa (76 family affordable units with an adjacent temporary food trucks park). Elitsa is also working on a mixed-use project in Redwood City (300 market rate and veteran affordable units, commercial kitchen, bar and event space for the American Legion, currently in Schematic Design). Elitsa was the project manager of 1101 Connecticut in San Francisco, the first phase of Rebuild Potrero, completed in December 2018.

PERSONAL PROFILE

Elitsa has lived in San Francisco, the Peninsula, and the East Bay and loves exploring hiking trails with her dog Cooper. In her spare time, Elitsa has volunteered at Habitat for Humanity, working at the construction site at Mt. Burdell Place in Novato, CA.

VMWP PROJECT EXPERIENCE

- Vivalon Healthy Aging Campus & Senior Housing, San Rafael, CA - *mixed-use, 64 units senior affordable housing*
- American Legion, Redwood City, CA - *mixed-use, 300 units market rate & veteran affordable housing, large event space and facilities for American Legion Post*
- 3575 Mendocino Ave, Santa Rosa, CA - *94 units affordable senior housing*
- Casa Roseland and Plaza Temporal, Santa Rosa, CA - *76 units affordable housing & temporary food plaza*
- 703 Third Street, San Rafael, CA - *120 units, mixed-use, mixed-income housing*
- Vallco Town Center, Cupertino, CA - *mixed-use, multi-family housing*
- Rebuild Potrero 1101 Connecticut, San Francisco, CA - *72 units affordable housing*
- Colorado Park, Palo Alto, CA - *60 unit affordable housing renovation*
- Rotary Plaza, South San Francisco, CA - *179 units senior housing, renovation*
- Belle Terre, Lafayette, CA - *46 units senior affordable housing*
- Cottonwood Place, Fremont, CA - *mixed-use, 98 units senior affordable housing*

AWARDS

- Gold Nugget Award of Merit for Best Affordable Housing Community - *Rebuild Potrero 1101 Connecticut, San Francisco, 2020*

VAN METER WILLIAMS POLLACK LLP

THANK YOU | VMWP



Rebuild Potrero, 1101 Connecticut, San Francisco, California

Relevant Project Experience

PROJECT PROFILE

Project Name and Address 	Coastside Senior Housing 925 Main St. Half Moon Bay, CA
Developer Name	Mercy Housing California
Developer Role (*i.e.* managing partner, limited partner, consultant, etc)	Mercy Housing California: Managing General Partner Lesley Foundation: Co-General Partner
Total Number of Residential Units	40 units
Residential Density per Gross Acre	28.8 units per acre
Unit Mix (*i.e.* # of studios, 1-Bdrms, etc)	1 BR: 39 2 BR: 1
Total Residential Square Footage (including residential common space)	30,713 sq.ft.
Population(s) Served (including average affordability level)	Extremely low and very low-income seniors Average AMI: 50%
Total Square Footage of Community-Serving Use(s)	15,393 sq.ft.; Senior Coastsiders and Coastside Adult Day Health Care
Construction Type (and indicate material, *i.e.* wood, steel, etc)	Type V wood frame
Construction Start Date	September 2012
Certificate of Occupancy Date	February 2014
Total Development Cost	$47,421,000
Financing Sources	Bank of America Type: Conventional Mortgage San Mateo Department of Housing Type: HOME/CDBG

	Affordable Housing Program Type: Permanent Loan Bank of America Type: Tax Credit Syndication

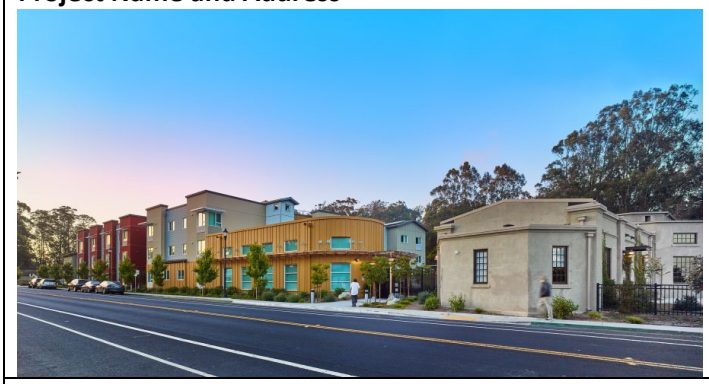
Narrative: *(Please briefly describe the key project components and any notable features.*
Coastside Senior Housing is a model for providing enhanced services to seniors, by co-locating senior housing with other senior community service programs. The development was a crucial component of the larger Half Moon Bay Senior Campus, a plan conceived by the Lesley Foundation, Senior Coastsiders, Coastside Adult Day Health (CADH), the County of San Mateo Department of Housing and Health Service Plan, and other local stakeholders.

For nearly a decade, the property on which Coastside Senior Housing was developed was owned jointly by Senior Coastsiders and Coastside Adult Day Health. The two organizations had envisioned building its new facilities on the vacant site, adjacent to several senior housing properties, but were unable to secure the full financing necessary to start construction. The development became more financially feasible when they partnered with Mercy Housing and the Lesley Foundation and a housing component was included that could leverage other sources of financing. A creative financing strategy of having Coastside Senior and Adult Day Health make a "prepaid lease payment" provide both users with a very long term site control and the housing helped finance the shell cost of their spaces.

Coastside Senior Housing includes a 7,035 square foot Adult Day Health Center and a 8,358 square foot senior center on the ground floor with 40 units of senior housing above. The Senior Center and the Adult Day Health Center were housed in temporary locations for many years. This development provides significant benefit to San Mateo seniors residing in the coastal area who want to participate in Senior Center Activities or need the support of the health services at the Adult Day Health Center in order to remain living independently. The housing is also a significant benefit as the need for senior housing continues to grow in San Mateo County.

PROJECT PROFILE

Developer Name: Mercy Housing California

Project Name and Address 	**Colma Veterans Village** 1692 Mission Road Colma, CA
Developer Role	Developer & Managing General Partner
Current Project Status	Completed
Type of Project	Veterans Housing
Total Number of Residential Units	66
Unit Mix	1 Bedroom: 65 2 Bedroom: 1 manager 2BR unit
Total Residential Square Footage	60,154 sf
Population Served	Veterans, 30-50% AMI
Construction Type	Three-story wood frame with surface parking
Construction Start Date	January 2018
Construction Completion Date	July 2019
Financing Sources	Entity: County of San Mateo Type: Construction/Permanent Residual Receipts Loan Entity: HCD VHHP Type: Permanent Residual Receipts Loan Entity: Silicon Valley Bank Type: Construction Loan Entity: CCRC Type: Permanent Loan Entity: NEF Type: Equity

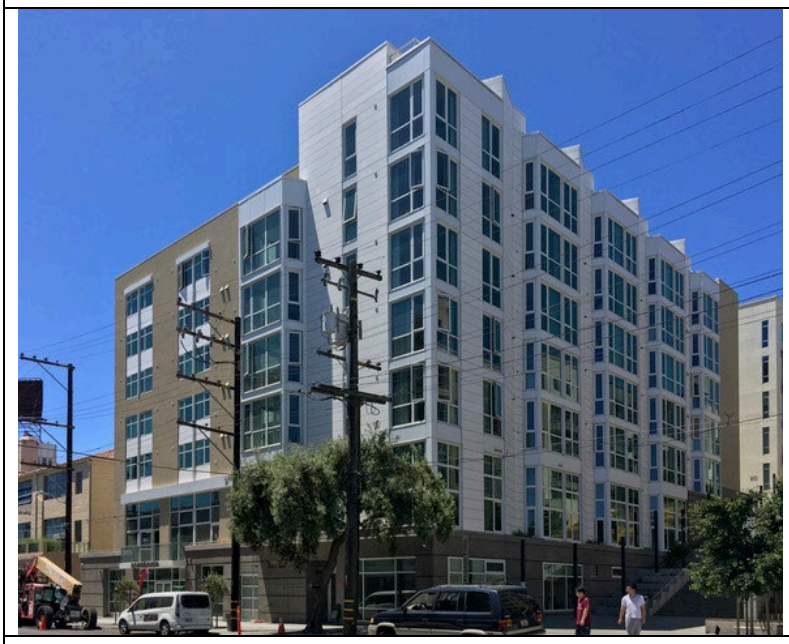
Narrative:

Colma Veterans Village is a new affordable rental housing development for military veterans in the County of San Mateo. The 66 unit, three story building will be located at 1680 Mission Road in Colma, just south of the intersection with El Camino Real. The site is a 10 minute walk to the South San Francisco BART station and its surrounding amenities.

Colma Veterans Village is designed around the historic context of the site and incorporates a historic pump house that

will be used as a common area. Veterans Village includes a public plaza that displays the history of the area. The design provides open space that allows the residents to thrive, including large courtyards and a community garden. Colma Veterans Village is Mercy Housing California's first Veteran housing development in the San Francisco Bay Area. On-site case management for veterans is provided by the VA and Brilliant Corners.

PROJECT PROFILE

Project Name and Address	**95 Laguna Senior Housing** 95 Laguna St., San Francisco 94102
	
Project Developer	Ileah La Vora
Developer Role	Managing General Partner and Owner
Current Project Status	In Lease-up
Total Number of Residential Units	79
Unit Mix	Studio: 40 1BR: 36 2 BR: 3
Total Residential Square Footage	39,807 square feet
Total Square Footage of Commercial Area and Use	8,000 square feet
Population Served	15 units for low income LGBT seniors, 6 units reserved for formerly homeless elders with HIV / AIDs, 58 for seniors 30%, 40-50% AMI
Green Building Features	
Construction Type	Type III over Type I
Construction Start Date	10/01/2017
Construction Completion Date	04/24/2019
Total Development Cost	$48,165,621
Financing Sources & Contact Info	Entity: City and County of San Francisco, Mayor's Office of Housing and Community Development Type: Predevelopment/Construction/Permanent Entity: Wells Fargo Type: Conventional Construction Loan, Tax Credit Equity

	Entity: FHLB-San Francisco Type: AHP Entity: TCAC – 9% Tax Credits Type: Construction / Perm Loan

Narrative

95 Laguna is located within a planned unit development on Laguna Street, located adjacent to Waller Park, a privately owned public open space, and Richardson Hall (55 Laguna) a historic building that was previously utilized as a teachers school for the University of California Extension. The development will include 79 new studio, once bedroom, and two bedroom units intended to be welcoming to the lesbian, gay, bisexual, and transgender (LGBT) community and people living with HIV/AIDS. Residents will have direct access to the projects 3,590 sq.ft. open space area, and will include two levels for a senior center that will be run by Openhouse, a nonprofit co-developer of the project. The building design pays respect to the neighborhoods historic fabric and compliments the Spanish Revival style of the surrounding buildings.

References

References

Ray Hodges, Director
County of San Mateo, Department of Housing
rhodges@smchousing.org

Lydia Ely, Deputy Director for Housing
San Francisco Mayor's Office of Housing and Community Development
Lydia.ely@sfgov.org

James Vossoughi
Executive Director, Community Development Banking
JP Morgan Chase
James.s.vossoughi@chase.com

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk
Catherine Engberg, City Attorney

TITLE: **PRESENTATION OF POLLING RESULTS AND CONSIDERATION OF A POTENTIAL VACANT HOMES TAX AND / OR SALES TAX MEASURE FOR THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION**

RECOMMENDATION:
Receive a presentation from consultants on polling results of a potential Vacant Homes Tax measure and / or Sales Tax measure and direct staff as necessary.

FISCAL IMPACT:
The San Mateo County Elections Office estimate for the November General Municipal Election is approximately $50,000. An additional $5,000 is required for advertising, translation services, and printing of election manuals and other candidate materials. Addition of a ballot measure will cost an estimated $10,000.

BACKGROUND:
In June 2022, the City Council held its annual Budget Hearings to consider and adopt the City's Fiscal Year 2022-23 Budget, which included funding for general City operations, important capital projects, and the Council's annual priorities. While the City's financial position is strong, staff is looking toward the future and exploring a variety of additional revenue streams to continue to provide a high level of service and address priority projects and community concerns. To that end, the City contracted with two consulting firms, FM3 and SCI Consulting, Inc. to assist in evaluation of potential tax enhancements, including surveys to evaluate the community's concerns, priorities, and willingness to fund enhanced or additional City services.

Staff's primary focus was a Vacant Homes Tax (VHT). Such a tax would establish an annual parcel tax on those homes that are vacant for a majority of the year, often referred to as "second" or "vacation" homes. The idea is that the tax would either discourage buyers from purchasing or owning second homes making those homes available for renters who live here full-time. Alternatively, revenue from the tax could be used to fund housing projects and assistance programs for the City's local workforce or those in need of assistance due to lack of

housing availability and affordability. The polling survey defined a vacant home as one that is not occupied more than 120 days (4 months roughly) per year, which is in line with other jurisdictions that have established or are considering a vacant homes tax. The proposed tax rate was set at $6,000 per year for single-family homes and $3,000 annually for condominiums. Additionally, exemptions were considered including those for low-income seniors, low-income families, and parameters for owners who may have inherited the property, among others. The proposed VHT would be a parcel tax with proceeds dedicated to a specific purpose, and would require a two-thirds vote.

Since a firm would be conducting data research for the VHT, staff opted to concurrently collect data on a potential ½ cent sales tax increase. Any proposed sales tax measure would be a general tax that would generate revenue for the general fund. The City could then decide to use the general fund revenues to mitigate traffic and transportation concerns and provide additional funding for capital projects, based on feedback received from the community from prior surveys. A general sales tax would require majority approval at a regularly scheduled municipal election.

Both measures would generate roughly $1.5 million annually if approved by voters.

Representatives from FM3 will present the results of the survey data and staff from CSI Consulting, Inc. will also be present at the meeting to assist with any questions.

Following the presentation of data, staff is looking for direction from the City Council as to whether to move forward with either or both measure or table at this time.

If the City Council opted to move forward with placing a measure on the November 8, 2022 ballot, staff would return with a resolution at the August 3, 2022 Special City Council meeting to do so. Resolutions to place general taxes on the ballot require a 2/3 vote of the City Council (four affirmative votes).

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk
John Doughty, Public Works Director

TITLE: **APPOINTMENT OF A YOUTH REPRESENTATIVE TO THE HALF MOON BAY BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE**

RECOMMENDATION:
Appoint Chloe Standez as the youth representative to the Bicycle and Pedestrian Advisory Committee (BPAC).

FISCAL IMPACT:
There is no fiscal impact associated with appointment of members to the BPAC.

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

BACKGROUND:
On March 7, 2017, the City Council affirmed the formation of a Bicycle and Pedestrian Advisory Committee and provided direction that the Committee consist of 10 members, including the following:

1. One (1) walking enthusiast;
2. One (1) commute dependent cyclist;
3. One (1) recreational cyclist;
4. One (1) avid cyclist;
5. One (1) at-large community member;
6. One (1) senior representative;
7. One (1) youth representative;
8. One (1) member of the Parks and Recreation Commission chosen by its membership;
9. One (1) member of the Planning Commission chosen by its membership; and
10. One (1) representative of the Cabrillo Unified School District appointed by the District.

On May 4, 2022, Matthew Spink resigned his position as the body's youth representative after graduating high school.

DISCUSSION:
Staff conducted outreach for a youth representative through Half Moon Bay Community eNews and through the City website. Two students submitted a "Willing to Serve" Form to the Communications Director / City Clerk (see attached).

Chloe Standez is a high school sophomore. She is in the Boy Scouts, a junior lifeguard, andinvolved in the National Charity League. She is interested in improving the City's bike and pedestrian trails.

ATTACHMENT:
Willing to Serve Forms

[redacted]

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, June 14, 2022 4:26 PM
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Online Form Submittal: Willing to Serve

[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.

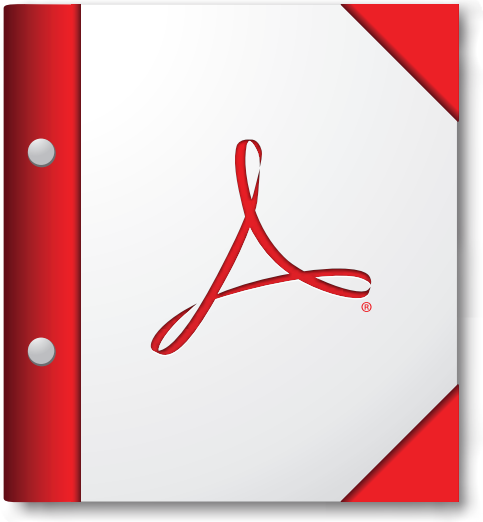
Willing to Serve

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:	Bicycle and Pedestrian Advisory Committee
Name	Anna McMillan
Address	[redacted]
City	Half Moon Bay
Zip code	94019
Phone 1	[redacted]
Phone 2	*Field not completed.*

Email	[redacted]
Occupation	No occupation
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?	I've lived in Half Moon Bay for 14 years.
Educational background	I'm in high school
Professional experience	I'm a student at Half Moon Bay.
Civic activities and community involvement	I was on BPAC about a year ago.
Are you able to attend:	Night meetings
Why are you seeking to be appointed to a City commission or committee?	I do a lot of biking and walking around Half Moon Bay including to Hatch, Cunha and Half Moon Bay high school. I want to provide a unique youth perspective on the Bicycle and Pedestrian committee to improve the experience of bicyclists and pedestrians.
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?	I saw it being announced on the Half Moon Bay city website.
Today's date	6/14/2022
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

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For the best experience, open this PDF portfolio in Acrobat X or Adobe Reader X, or later.

Get Adobe Reader Now!

[redacted]

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, July 7, 2022 4:27 PM
To: Jessica Blair <JBlair@hmbcity.com>
Subject: Online Form Submittal: Willing to Serve

[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.

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:	Bicycle and Pedestrian Advisory Committee
Name	Chloe Standez
Address	[redacted]
City	Half Moon Bay
Zip code	94019
Phone 1	[redacted]
Phone 2	*Field not completed.*

Email	[redacted]
Occupation	Student
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?	14 years
Educational background	High School Sophomore
Professional experience	Baby Sitter, Senior Patrol Leader for BSA
Civic activities and community involvement	Boy Scouts (1st Class Scout), Junior Life Guard, National Charity League
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	I want to use my extensive experience walking and biking around town to improve our trails and bike paths.
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?	Family
Today's date	7/7/22
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

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BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of **July 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Matthew Chidester, Deputy City Manager

TITLE: **RESOLUTION SUPPORTING FIXIN' SAN MATEO COUNTY'S EFFORTS TO ESTABLISH CIVILIAN OVERSIGHT OF THE SAN MATEO COUNTY SHERIFF'S OFFICE**

RECOMMENDATION:
Receive a report and consider adopting a resolution supporting Fixin' San Mateo County (FxSMC) efforts to establish civilian oversight of the San Mateo County Sheriff's Office, including urging the San Mateo County Board of Supervisors to pass an ordinance to create a Civilian Oversight Board and Inspector General, both with subpoena power.

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

STRATEGIC ELEMENT:
This recommendation supports the *Healthy Communities and Public Safety* and *Inclusive Governance* elements of the Strategic Plan.

BACKGROUND:
The trust between law enforcement and the people they serve and protect is paramount in ensuring the health, safety and quality of life in communities. There has been a long history of distrust and fear of law enforcement from communities of color and other marginalized groups, and events over the last several decades have brought these concerns to the forefront of our society. The death of George Floyd in May 2020 at the hands of Minneapolis police officers, as well as other deaths at the hands of law enforcement have led to nationwide protests and demonstrations, calls for reforms, and new approaches to law enforcement across the country. The shootings of Sandra Harmon in May 2020 and previously Yanira Serrano in 2014 by San Mateo County Sheriff Deputies brought these issues front and center in Half Moon Bay, where the Sheriff's Office serves as the City's contracted law enforcement provider.

Over the last two years, the City Council has prioritized community outreach and research related to public safety and law enforcement in Half Moon Bay. They created a Public Safety

Subcommittee to discuss issues around the City's current contract with the Sheriff, law enforcement in general, and identify recommendations for reforms to be proposed in Half Moon Bay. Community outreach has included focus groups, listening sessions, a survey, and several Public Safety Subcommittee and City Council meetings to discuss public safety. Several steps have been taken to effectuate improvements to public safety in Half Moon Bay and the relationship between the Sheriff and our residents, including adoption of the Yanira Serrano Presente! Program and the launch of the Crisis Assistance Response and Evaluation Services (CARES) mental health responder program.

In May 2021, a grassroots group formed to enact effective civilian oversight of the San Mateo County Sheriff's Office. Fixin' San Mateo County, or FxSMC, believes oversight will help protect civil rights, support effective policing practices, ensure greater accountability, enhance transparency and public reporting, lower liability and costs to taxpayers, and build trust between the community and law enforcement. They are pushing for the San Mateo County Board of Supervisors to adopt an ordinance, as authorized by AB 1185, creating a Civilian Oversight Board and Inspector General, with subpoena power, to work with the Sheriff's Office, conduct community outreach, receive and investigate complaints and incidents, and review and recommend policies. Currently, 202 cities and counties in the United States have some form of civilian oversight of law enforcement, including 25 cities and counties in Calfornia.

Fixin' San Mateo County seeks support of the City of Half Moon Bay in their efforts through the passage of a resolution and commitment to help with their efforts.

DISCUSSION:
Representatives of Fixin' San Mateo County have presented a draft resolution, which is attached, and will make a presentation to the Council and answer any questions about their efforts. An info sheet has also been attached to this report and more information can be found on their website at: https://fixinsmc.org/.

ATTACHMENTS:
1. Resolution supporting Fixin' San Mateo County (FxSMC)
2. Fixin' San Mateo County Proposed Ordinance
3. Fixin' San Mateo County Info Sheet

RESOLUTION NO. C-2022-_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY SUPPORTING FIXIN' SAN MATEO COUNTY (FXSMC) EFFORTS TO ESTABLISH CIVILIAN OVERSIGHT OF THE SAN MATEO COUNTY SHERIFF'S OFFICE, INCLUDING URGING THE SAN MATEO COUNTY BOARD OF SUPERVISORS TO PASS AN ORDINANCE TO CREATE A CIVILIAN OVERSIGHT BOARD AND INSPECTOR GENERAL, BOTH WITH SUBPOENA POWER.

WHEREAS, the murders of George Floyd and so many other people of color by law enforcement have brought increasing attention to policing practices and heightened calls for reform around the country, including in the five-county Bay Area where Black people constitute less than 7% of our population yet accounted for 27% of the people killed by law enforcement officers from 2015 through 2020; and

WHEREAS, in San Mateo County, where Black people are arrested at nine times the rate of White people and Hispanics at twice the rate, where despite 19 use-of-force deaths during the tenure of the current district attorney and the taser deaths of three unarmed people of color in 2018, no law enforcement officers have been charged with a crime; and

WHEREAS, 220 jurisdictions around the country, including 25 in California, have established civilian oversight over their local police or sheriff—including the counties of Santa Clara, Los Angeles, Sacramento, San Diego, San Francisco, and Sonoma—demonstrating that civilian oversight protects civil rights, increases transparency and accountability, builds bridges between law enforcement and the community, and supports effective policing, and because California law AB1185 codifies the right of citizens to establish civilian oversight boards and inspectors general with subpoena power; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby supports the efforts of a nonpartisan local grassroots community group, Fixin' San Mateo County (FxSMC), to establish effective civilian oversight of the San Mateo County Sheriff's Office and urges the Board of Supervisors to pass a strong ordinance to create a Civilian Oversight Board and an Inspector General, both with subpoena power; and

THEREFORE BE IT FURTHER RESOLVED THAT the City Council of the City of Half Moon Bay hereby grants permission to be listed on the group's materials as a supporter.

****

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 19th day of July, 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, Vice Mayor

Proposed FxSMC Ordinance for Oversight of the SMC Sheriff's Office for the Creation of a Civilian Oversight Board and Office of the Inspector General

In order to increase law enforcement transparency and accountability and to build the public trust in county government and the San Mateo County Sheriff's Office (the "Sheriff's Office"), and in accordance with California Government Code Section 25303.7 (AB 1185), the County of San Mateo establishes: (1) a Civilian Oversight Board, appointed by the Board of Supervisors, to (a) independently review and make recommendations about the Sheriff's Office's operations (e.g., operations such as the Sheriff's Office's training, policies, patterns, and practices), to the Sheriff's Office and the San Mateo County Board of Supervisors, (b) conduct community outreach, including public meetings, regarding the Sheriff's Office's operations, (c) ensure transparency by publicly reporting findings on such reviews and recommendations regarding the Sheriff's Office's operations; and (2) the Office of Inspector General, under the direction of an Inspector General, appointed by the Board of Supervisors, to (a) investigate complaints of non-criminal misconduct by employees and contractors of the Sheriff's Office and in-custody deaths, (b) investigate policies, patterns, and practices of the Sheriff's Office, (c) compel production of records and witnesses, (d) develop policy recommendations for the Sheriff's Office, and (e) regularly report its findings, results, and recommendations through public reports to the Sheriff's Office and the Board of Supervisors.

1) **Section 1: Purpose**

a) County sheriffs are in charge of law enforcement officers who are vested with extraordinary authority, including the power to detain, search, arrest, and use deadly force. These officers are also responsible for the safety and welfare of the incarcerated individuals in California's jail system. Misuse of their powers can lead to grave constitutional violations, harms to liberty and the inherent sanctity of human life, and significant public unrest.

b) Civilian oversight is intended to promote good government and fiscal responsibility, effective and lawful policing and corrections, to facilitate complete, unbiased administrative investigations, and to aid in the Board of Supervisors' supervisorial responsibility without interfering with the Sheriff's Office's criminal investigative functions.

2) **Section 2. Sheriff's Civilian Oversight Board**

a) **Establishment**

Pursuant to Section 25303.7 of the California Government Code (AB 1185), the Sheriff's Office Civilian Oversight Board ("COB") is hereby established.

b) **COB Membership**

i) The COB shall consist of 11 members (herein collectively referred to as “Members” and each individual member of the COB as a “Member”) appointed by the Board of Supervisors. The Board of Supervisors shall also appoint the Chair of the COB.

ii) The term of office for each Member shall be 4 years, subject to reappointment at the end of the appointment term, with a maximum of 3 terms per Member.

iii) There will be two Members from each Board of Supervisors Supervisorial district and one at-large member. Each member of the Board of Supervisors shall appoint two Members and the Board of Supervisors shall appoint the one at-large member. Member Candidates will be identified and recommended to the Board of Supervisors by an unbiased community group. The Board of Supervisors shall make provisions to ensure that the COB shall comprise Members which:

(a) represent the diversity and demographics of the population of San Mateo County including, but not limited to, racial, ethnic, linguistic, cultural, age, gender, sexual orientation, socio-economic, and geographic diversity;
(b) include those with lived experiences, particularly those who have experienced systemic racism and those who have experienced mental health conditions or substance abuse disorders;
(c) include formerly incarcerated individuals, individuals impacted by law enforcement violence or their family members or representatives, individuals adversely impacted by immigration policies or their family members or representatives, members of grass-roots advocacy groups committed to law enforcement reform, civil rights or immigration attorneys or advocates; and
(d) represent a variety of perspectives such as labor, the faith community, the disability community, the mental health community, the LGBTQ community, and crime victims.

iv) At least one Member shall be:

(a) in the age range of 18 to 24 years old at the time of appointment; and
(b) have been incarcerated, under correctional supervision, on probation or parole, been the victim of police misconduct, or have a similarly impacted family member.

v) Minimum experience requirements for Members:

(a) Lived experience as listed above or a demonstrated history of involvement in, and engagement with, community organizations that work in one or more of the following areas:

(i) Serving or empowering underrepresented communities;
(ii) Protecting and defending the constitutional and/or human rights of individuals;
(iii) Addressing the effectiveness or fairness of the criminal justice system; and/or
(iv) Serving or empowering members of communities that experience behavioral or mental health challenges.

(b) A demonstrated ability to engage in collaborative and objective decision making.

(c) A demonstrated commitment to transparency.

(d) A demonstrated commitment to, and support for, civilian oversight of law enforcement.

(e) Not currently or previously have been employed by any law enforcement agency, or a prosecutorial agency of a government entity.

(f) Not have been convicted of bribery, embezzlement, extortion, perjury, or other corruption-related crime.

(g) Have adequately disclosed any personal, professional, or financial conflict of interest that could reasonably be thought to bear upon the person's performance as a Member.

(h) All Members must be primarily resident within the County of San Mateo.

vi) COB will adopt standards of conduct with which Members must comply. Members may be removed from the COB for violations of the standards of conduct which may include, but are not limited to:

(a) If it becomes illegal or a statutory breach for an Member to continue working within their role;
(b) Multiple acts of misconduct;
(c) An act of serious misconduct;
(d) Failure to meet minimum attendance requirements for COB meetings;
(e) Bringing the COB or the OIG into disrepute;
(f) The Member is no longer capable of carrying out the duties of their role.

vii) Members shall adhere to the current Code of Ethics of the National Association for Civilian Oversight of Law Enforcement (or any such successor association or organization) ("NACOLE").

viii) All Members shall complete a training and orientation on custodial law enforcement, constitutional policing, and the Sheriff's Office policies and procedures within 90 days of assuming office for their first term. The training content shall be based on guidelines recommended by NACOLE, the Bar Association of San Mateo County, and/or the American Civil Liberties Union, in consultation with the Private Defender and the District Attorney.

ix) Members will receive a $500 stipend per meeting, with a maximum of $6,000 a year, and will also be reimbursed for child care, mileage, parking, and any related out of pocket costs, to allow participation from all community members regardless of socioeconomic status.

c) **COB Powers and Duties.**

The COB shall:

i) Have the authority to investigate acts, omissions and/or operations of any person working for, or on behalf of, the Sheriff's Office, including but not limited to:

(1) Uses of deadly force;
(2) All deaths in custody, including, for the avoidance of doubt, deaths in County Jail;
(3) All complaints of force that result in injury;

(4) Alleged discrimination against a person or persons in a protected class;
(5) Violations of federal or State Constitutional rights;
(6) Breach of Sheriff's Office policies or procedures; and
(7) Complaints or incidents of alleged or proven misconduct and/or abuse of power.

ii) Compile, evaluate, and recommend law enforcement custodial, use of force, recruitment, training, and patrol best practices.

iii) Conduct comprehensive outreach to the San Mateo County community. Such community outreach:

(1) shall be conducted with groups including, but not limited to, schools, community based organizations, and business and civic groups.
(2) may relate to issues including, but not limited to:

(a) promoting and facilitating communications between the community and the Sheriff's Office;
(b) educating the community on the Sheriff's Office's practices; policies, strategies, incident trends and challenges;
(c) reporting on misconduct and/or abuse of power relating to the Sheriff's Office including but not limited to; jail conditions;
(d) patrol operations; and
(e) use of force.

(3) be conducted in various different methods, including, but not limited to, public meetings and presentations, community forums, publishing reports, publishing recommendations, and questionnaires.
(4) include providing feedback and recommendations based on community outreach to the Sheriff's Office and/or the Board of Supervisors.

iv) Conduct community outreach and receive community input regarding Sheriff's Office operations and jail conditions, by holding a minimum of once every two months, public meetings and soliciting input from persons currently or previously incarcerated in the County as well as their family members.

v) Conduct community outreach and receive community input regarding Sheriff's Office patrol and use of force operations, by holding a minimum of once every two months, public meetings and soliciting input from the community including persons impacted by patrol and use of force operations.

vi) Hold hearings, issue subpoenas to witnesses to appear and for the production of evidence, administer oaths, and take testimony as the COB deems necessary.

vii) Prepare and submit four public reports each year, on September 30, December 31, March 31, and an annual public report on June 30, to the Sheriff's Office and Board of Supervisors regarding its outreach, findings, and recommendations for policy and practice.

viii) Set all COB meeting times.

d) **Sheriff's Office Duty to Cooperate with the COB**

To assist the COB in carrying out its functions, the Sheriff's Office shall cooperate fully with the COB by providing direct, unfettered access to:

i) All information held by, or accessible to, the Sheriff's Office, including, but not limited to, any physical and/or electronically stored information, databases or other computer applications, or physical files, within 7 days of request;

ii) Persons working for, or on behalf of, the Sheriff's Office. Access to such persons shall include, but not be limited to, any person who is a witness or custodian of relevant records for a complaint or incident being investigated; any supervisor of a person subject to an investigation being audited or otherwise conducted within 2 days of request; and

iii) All facilities operated by, and/or to which the Sheriff's Office has access, including the San Mateo County jails, within 2 days of request. Such access to facilities shall be unrestricted and unescorted.

3) Section 3. Office of Inspector General

a) **Establishment**

Pursuant to Section 25303.7 of the California Government Code (AB 1185), the Office of Inspector General ("OIG") is hereby established.

b) **OIG Staff and Qualifications**

i) The OIG shall be headed by the Inspector General.

ii) The Inspector General shall be appointed by the Board of Supervisors. The Inspector General shall be appointed for a term of 4 years, can be

reappointed, and shall be removed prior to that time only for cause and upon a vote of at least 4 out of 5 supervisors on the Board of Supervisors in favor of removal.

iii) Once appointed, the Inspector General shall be an employee of the County of San Mateo.

iv) The Inspector General shall be qualified as a certified practitioner of oversight by NACOLE (or a similar organization) at the time of their employment, or within a reasonable time after the commencement of their employment.

v) The Inspector General may assign personnel, within the FTE allocated from the Board of Supervisors, and utilize equipment and supplies as necessary, to perform the OIG's duties. All such personnel shall be employed by San Mateo County.

vi) The Inspector General may contract with outside specialists for the provision of discrete services related to fulfilling the OIG's functions.

c) **OIG Powers and Duties.**

i) The OIG shall:

(1) Monitor Sheriff's Office operations, including the provision of services to incarcerated individuals, through audits and investigations, to ensure compliance with applicable laws and policies.

(2) Receive, review, and investigate complaints. The complaints subject to such review and investigation shall include, but not be limited to:

(a) All complaints filed with the OIG, regardless of the nature of the allegations included in that complaint;
(b) All complaints or investigations or analyses of incidents that involve issues of whether uses of force violate law or policy or were otherwise excessive;
(c) All complaints or investigations or analyses of incidents that involve a possible violation of the U.S. or California State constitutional rights of individuals;
(d) All complaints or investigations or analyses of incidents that involve issues of alleged bias by persons working for, or on behalf of, the Sheriff's Office;
(e) All complaints or investigations or analyses of incidents that involve issues of sexual harassment or sexual assault by persons working for, or on behalf of, the Sheriff's Office;

(f) All complaints or investigations or analyses of incidents that involve issues of dishonesty and/or abuse of power by persons working for, or on behalf of, the Sheriff's Office;
(g) Every incident of force used by persons working for, or on behalf of, the Sheriff's Office, regardless of whether a complaint is filed with the OIG or the Sheriff's Office;
(h) Every case where a civil lawsuit is filed against the Sheriff's Office related to the use of force regardless of whether a complaint is filed with the OIG or the Sheriff's Office;
(i) All racial profiling data collected by, or accessible to, the Sheriff's Office in compliance with the Racial and Identity Profiling Act of 2015 or any successor legislation;
(j) Any other complaints or investigations or analyses of incidents that become a matter of media and/or public interest.

(3) Refer complaints alleging criminal misconduct to the District Attorney. Notwithstanding such a referral, the OIG may continue to investigate such complaints unless the OIG's investigation will interfere with a criminal investigation conducted by the District Attorney, or any law enforcement agency to which the District Attorney may refer the evidence of criminal misconduct.

(4) Act as a receiving and investigative agency for whistleblower complaints involving the Sheriff's Office. For the purposes of these complaints, all statewide legal protections pursuant to California Labor Code sections 1102.5, 1106 et. seq., including confidentiality of the whistleblower and prohibition against retaliation, shall apply. Further, any whistleblower complaints received or investigated by the OIG shall not need to be reported by the OIG to the Sheriff's Office, including the Internal Affairs Division.

(5) Investigate the death of any individual:

(a) in the custody of the Sheriff's Office; and/or
(b) where a person working for, or on behalf of, the Sheriff's Office, is alleged to have been involved in the death of a person during the course of their employment or engagement by the Sheriff's Office.

The OIG shall refer evidence of alleged criminal misconduct regarding any such deaths to the District Attorney. Notwithstanding such a referral, the OIG may continue to investigate such deaths unless the OIG's investigation will interfere with a criminal investigation conducted by the District Attorney, or any law enforcement agency to which the District Attorney may refer the evidence of alleged criminal misconduct.

(6) Recommend disciplinary action to the Sheriff's Office where, following an investigation pursuant to the OIG determines that an employee's actions or omissions violated law or Sheriff's Office policy; provide notice of and a copy of the recommendation, the reasons for the recommendation, and supporting records, to the extent permitted by California State or federal law, to the employee, and make available to the public any records and information regarding the OIG's disciplinary recommendations to the extent permitted by California State or federal law.

(7) Develop and recommend to the Sheriff's Office use of force policy and a comprehensive internal review and training process for all use of force and critical incidents.

(8) Assess and make periodic recommendations, as the Inspector General deems appropriate, regarding the Sheriff's Office's policies, procedures, strategies, training, and practices based on information gathered by, or provided to, the OIG.

(9) Advise if investigations conducted by, or on behalf of the Sheriff's Office appear incomplete, biased or otherwise deficient and recommend further review as deemed necessary. The OIG may also propose recommendations or determinations by an independent third party regarding investigations, conducted by, or on behalf of the Sheriff's Office, which recommendations may be made public on a summary level without personally identifying information.

(10) Track, analyze and advise on legislative actions and law enforcement audit trends; make recommendations to the Board of Supervisors for legislative platforms, as the Inspector General deems appropriate.

(11) Staff and support at least once every two months, meetings of the COB. While the OIG shall provide staffing and support for the COB, the OIG and the COB shall function as independent bodies, working in a cooperative and collaborative manner.

(12) Prepare and submit four public reports each year, on September 30, December 31, March 31, and an annual public report on June 30, to the Sheriff's Office and Board of Supervisors regarding the OIG's investigations that includes the number and type of complaints filed or deaths in custody; trend analysis; the outcome of the investigation; any determination that the acts or omissions of persons working for, or on

behalf of, the Sheriff's Office, in connection with the subject matter of a complaint or a death in custody violated law or policy, the OIG's recommendations, if any, for discipline; the outcome of any discipline recommendations, and the OIG's policy and procedure recommendations.

(13) Perform related services as the Inspector General deems appropriate.

(14) Prepare ad-hoc reports as the Inspector General deems appropriate.

(15) Hold hearings, issue subpoenas to witnesses to appear and for the production of evidence, administer oaths, and take testimony. The OIG may request, and the Sheriff's Office shall require, the testimony or attendance of any person working for, or on behalf of, the Sheriff Office.

ii) As part of the process of investigation, the OIG may, among other things:

(1) Independently subpoena records or testimony, as the OIG deems appropriate, to assist in carrying out the functions of the OIG;

(2) Have direct and unfettered access (unless prohibited by law) to, and independently review, any and all sources of evidence to ensure that the investigation is complete and all related evidence has been secured and analyzed by investigators in reaching their investigative findings;

(3) Have direct and unfettered access (unless prohibited by law) to all prior complaints for the involved person or persons working for or on behalf of the Sheriff's Office, previous investigation files (including *Brady* investigations) and the record of discipline for each complaint;

(4) Have direct and unfettered access (unless prohibited by law) to all recordings from body worn cameras (howsoever the same may be stored) and post every recording from body worn cameras where force was used on the OIG website. Public posting shall be determined on a case-by-case basis to the extent allowed by law, in consideration of victim privacy rights and active investigations;

(5) Directly contact complainants and witnesses to ensure the completeness and fairness of the investigation;

(6) Directly contact custodians of evidence held by third parties to ensure adequate efforts to secure such evidence;

(7) Request supplemental investigation of matters relevant to a Sheriff's Office investigation that have not been adequately reviewed or analyzed, in the opinion of the Inspector General;

iii) Where, in the opinion of the OIG, the investigation of a complaint or incident by the Sheriff's Office is incomplete or otherwise deficient, conduct an independent investigation of the matter, to the extent deemed necessary by the Inspector General; and

iv) Where an investigation involves an incident resulting in the death of a person in custody of, or otherwise by a person working for, or on behalf of, the Sheriff's Office, conduct an independent investigation of the matter.

v) The OIG shall not be authorized to:

(1) Interfere with the performance of the powers and duties of the Sheriff's Office as prohibited by law;
(2) Disclose any confidential and/or privileged information to anyone not authorized to receive it, as prohibited by law;
(3) Decide policies, direct activities, or impose discipline on other San Mateo County departments, officers and employees;

vi) Within three months of the creation of the OIG, or the initial appointment of the first Inspector General (whichever is later), the OIG and the Sheriff's Office shall create written protocols that further define and specify the scope and process for ensuring that the OIG can fulfill its functions and have access to all such things, and carry out all such activities which it is empowered to do, providing for the OIG's receipt, review, processing, and audit of complaints and investigations in a mutually coordinated and cooperative manner.

d) **Sheriff's Office Duty to Cooperate with the OIG**

i) In order for the OIG to carry out its functions, the Sheriff's Office shall cooperate fully with the OIG by providing direct, unfettered access to:

(1) All such information held by, or accessible to, the Sheriff's Office, including, but not limited to:

(a) Any physical and/or electronically stored information, databases or other computer applications, or files within 7 days, containing;
(b) incident reports, dispatch records, or records of responses to law enforcement calls for service;
(c) employee personnel records, investigations of complaints against employees, investigations of claims filed against the Sheriff's Office under the California Claims Act, including *Brady* investigations and the record of discipline with each complaint file or audit or investigations
(d) related to lawsuits filed against the County because of any action or inaction of an employee of the Sheriff's Office;
(e) jail inmate grievances and their investigations;
(f) footage from body worn cameras;
(g) racial profiling data collected by the Sheriff's Office pursuant to the Racial and Identity Profiling Act of 2015 or any successor legislation;
(h) details of investigations by and investigations of, people working for, and on behalf of, the Sheriff's Office;
(i) Sheriff's Office criminal investigative files;
(j) health information pertaining to incarcerated individuals; and
(k) details of investigations of claims filed against the Sheriff's Office under the California Claims Act, or lawsuits filed against the County because of any action or omissions of a person working for, or on behalf of, the Sheriff's Office.

(2) Persons working for, or on behalf of, the Sheriff's Office, within 2 days of request. Access to such persons shall include, but not be limited to:

(a) Any investigator for a complaint being audited by the OIG;
(b) Any person who is a witness or custodian of relevant records for a complaint or incident being investigated by the OIG;
(c) Any supervisor of a person subject to an investigation being audited or otherwise conducted by the OIG; and

(d) Any staff gathered for training opportunities, in cooperation with the Sheriff's Office.

(e) The OIG shall be provided access by the Sheriff's Office to personally sit in and observe the investigative interviews of any complainant or witness in, or person who is a subject of, an administrative investigation, upon request by the Inspector General.

(3) All facilities operated by, and/or to which the Sheriff's Office has access, including the San Mateo County jails within 2 days of the request. Such access to facilities shall be unrestricted and unescorted.

ii) Nothing in this Section shall prohibit, limit, or otherwise restrict the Sheriff's Office or the Sheriff's Office's designee from investigating the conduct of a person working for, or on behalf of, the Sheriff's Office, or taking disciplinary or corrective action permitted by San Mateo County or California State law.

iii) Nothing in this Section is intended to or shall be interpreted to abrogate, interfere with, or obstruct the independent and constitutionally and statutorily designated duties of the Sheriff's Office including the Sheriff's Office's duty to investigate citizens' complaints against Sheriff's Office personnel and the duty to operate and manage the jails, the California Attorney General's constitutional and statutory responsibility to oversee the Sheriff's Office or other applicable State law.

iv) The OIG shall provide to the COB any information obtained by the OIG if it is relevant to the COB's work, including but not limited to, training records, policies and procedures, racial profiling information, stop and search data.

d. Periodic performance audit

At least every 3 years, the OIG shall be subject to a performance audit conducted by an outside independent party appointed by the Board of Supervisors to determine whether the office is operating in an effective and efficient manner and whether it is meeting best practices for the operation of such a civilian oversight office, as established by comparison with other agencies with similar missions.

4) Section 4. Budget allotment

The annual budget of the OIG and COB shall be set at a minimum of 1% of the total annual budget of the Sheriff's Office. While this amount is a minimum, the budget

allotment must be sufficient to allow the OIG and COB to perform effectively all of the functions within their remit.

5) Section 5. Relation to Sheriff's Office

i) Nothing in this section shall be construed to interfere with the constitutionally and statutorily designated independent functions of the Sheriff's Office, as set out in Government Code section 25303.

ii) The COB and the OIG shall maintain the confidentiality of any records and information it receives or accesses to the extent required by San Mateo County, California State, or federal law governing such records or information.

iii) In carrying out their duties, the COB and the OIG shall cooperate and collaborate with organizations that contract with San Mateo County to provide legal advice or representation services to incarcerated individuals.

Section 6. Severability

For the purpose of determining constitutionality, every section, subsection and subdivision thereof of this ordinance, at any level of subdivision, shall be evaluated separately. If any section, subsection or subdivision at any level is held invalid, the remaining sections, subsections and subdivisions shall not be affected and shall remain in full force and effect. The courts shall sever those sections, subsections and subdivisions necessary to render this Section consistent with the United States Constitution and with the California Constitution. Each section, subsection and subdivision thereof, at any level of subdivision, shall be considered severable, individually or in any combination.

Civilian Oversight of Law Enforcement - What Works

Los Angeles County, California

After the Civilian Oversight Commission found that the cost of transferring people to from jail to I.C.E. was $2,000 per transfer, the Sheriff ended the policy.

Denver, Colorado

In 2018, in response to pressure from the Office of the Independent Monitor, the Denver Police Department revised its use-of-force policies and saw an immediate drop in incidents. **Use of force during arrests in the first six months of 2019 declined more than 21 percent** compared to the previous three years[8]. "FBI statistics show that Denver's violent crime rate fell roughly 8 percent between 2005, when the monitor's office launched, and 2018, the latest numbers."[9]

Must Haves for Success

- Independence
- Strong subpoena power
- Membership reflects the diversity of the community
- Consistent support from the jurisdiction's governing body
- Adequate funding
- Ability to take complaints directly from residents

New Orleans, Louisiana

According to Stella Cziment, the acting independent police monitor, the Office of the Independent Monitor has made "a 'huge impact' in changing the police system." She cited the 2015 formation of the NOPD's Use of Force Review Board and a policy requiring the NOPD release all body-worn camera footage of officer-involved shootings within 10 days, among other changes. **Officer-involved shootings in the NOPD went down significantly**, from 20 reported in 2012 to 9 reported in 2019, and none reported in 2018.[10]

Newark, New Jersey

"Newark (has) a temporary independent monitor in place as part of a federal consent decree. **This has resulted in a number of positive changes in policing**, reducing unconstitutional stops, searches, arrests, excessive force and theft by city officers, and focusing on community engagement Advocates think the peaceful nature of Newark's protests over Floyd's death is due not only to the efforts of local residents, but also to recent changes in policing. Among them: de-escalation training — required by the consent decree — and deciding not to send police equipped with military gear to the protests."[9] As a result, in 2020 there were no police shootings.[11]

Even Without Sheriff Support, Civilian Oversight Has an Impact

Sacramento County

The Sheriff's barring of the Inspector General from the jail helped motivate **passage of AB 1185**, which authorizes counties to establish a sheriff oversight board, an office of the inspector general, and subpoena power for both.

Santa Clara County

The Sheriff obstructed oversight in a case that left a mentally ill inmate with brain damage and led to a $10M settlement from the county. Her obstruction led to her **indictment for corruption and misconduct** by a grand jury.[12]

SOURCES

[1] San Mateo Daily Journal, October 18 2021
[2] CBS SF Bay Area News, November 4 2020
[3] KTVU, December 30 2020
[4] San Jose Mercury News, June 28 2020
[5] CBS News, February 7 2019
[6] Half Moon Bay Review, June 19 2020
[7] Public Policy Institute for California, December 2018
[8] Westword, August 6 2019
[9] The Center for Public Integrity, June 11 2020
[10] ABC News, June 4 2021
[11] KSBY News, May 6 2021
[12] NBC Bay Area, January 14 2022

Why Civilian Oversight of the San Mateo County Sheriff's Office?

Right now, the only oversight of the Sheriff's Office is the Sheriff's Office. The public's only voice is a vote once every four years for sheriff. Jurisdictions throughout the Bay Area and the nation are enacting civilian oversight to bring much-needed transparency, accountability, and public trust. Civilian oversight brings needed checks and balances to our county law enforcement, which currently has none.

Fixin' San Mateo County (FxSMC) has prepared this summary to demonstrate the effectiveness of civilian oversight. The Board of Supervisors has the opportunity to bring this essential tool of modern policing to San Mateo County.

Local Support for Oversight

San Mateo County's neighbors to the north and south already have civilian oversight in place. "I think if we can stand up a program of meaningful civilian oversight, we can help restore trust and confidence in law enforcement," said Supervisor Joe Simitian[1], who brought civilian oversight to Santa Clara County in 2018. San Francisco's oversight measure passed in 2020[2].

Civilian oversight is an effective tool for reducing agency liability. "A KTVU investigation has found that Bay Area law enforcement agencies engaged in long-term reform efforts—including having independent oversight—are **paying much less in civil penalties** in recent years for injuring or killing people than many departments left to police themselves."[3]

Sheriff Bolanos is open to civilian oversight. "'We work for the public. And if the public that we serve wants to have more oversight into our activities. **I absolutely welcome it**,' said San Mateo County Sheriff Carlos Bolanos, who added one of the benefits to civilian oversight is that it gives residents the opportunity to have a voice."[1]

> "While the establishment of civilian oversight alone cannot restore law enforcement's legitimacy, it is difficult, if not impossible, to maintain public trust without it."
>
> **US Department of Justice,** Civilian Oversight of Law Enforcement - Report on the State of the Field and Effective Oversight Practices

Meaningful Oversight Helps Restore Trust in Local Law Enforcement

We need oversight to restore confidence in law enforcement and ensure that our county government is respecting the rights of all residents. People of color are at mortal risk. **Black people are less than 7% of the 5-county local population, but make up 27% of people killed by police between 2015 and 2020**[4]. Law enforcement officers in San Mateo County used tasers to kill three unarmed people of color in 2018 alone[5].

No law enforcement officer in San Mateo County has ever been charged for any of the 19 lethal use of force incidents that have occurred here during District Attorney Steve Wagstaffe's 11 years in office.[6]

People of color are at higher risk of arrest. **Black people are nine times more likely to be arrested** in San Mateo County than White people, and Hispanic people are twice as likely to be arrested as White people.[7]