



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

**TUESDAY, MAY 21, 2024**

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

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

**7:00 PM**

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

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

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

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

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## **HYBRID MEETING PARTICIPATION PROTOCOLS**

*This meeting will be held in-person and via Zoom for public participation. Remote participation is provided as a supplemental way to provide public comment, but this method does not always work. The public is encouraged to attend in person to ensure full participation. Public comments may be made in-person or remotely via Zoom, and interpretation will be available. All Councilmembers and staff will participate in person. During any public comment portions, attendees may use the "raise your hand" feature and will be called upon and unmuted when it is their turn to speak. The meeting will also be streamed on Channel 27, on pacificcoast.tv, and on Facebook at [www.facebook.com/cityofhalfmoonbay](http://www.facebook.com/cityofhalfmoonbay). Please click to join the webinar: <https://us06web.zoom.us/j/87674804231> or join by phone at 669-900-9128, using Webinar ID 876-7480-4231. If joining by phone, use \*9 to raise your hand, \*6 to mute and unmute.*

## **ROLL CALL / PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

## **PROCLAMATIONS AND PRESENTATIONS**

NETWORK ENGAGE TRANSFORM (NET) CITIZENS ACADEMY GRADUATION  
YOUTH LEADERSHIP SCHOLARSHIP AWARDS PRESENTATION  
PUBLIC WORKS WEEK PROCLAMATION  
MIDCOAST COMMUNITY COUNCIL UPDATE

## **MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

## **REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

## **CITY MANAGER UPDATES TO COUNCIL**

## **PUBLIC FORUM**

### **1. CONSENT CALENDAR**

#### **1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**

#### **1.B WARRANTS FOR THE MONTH OF MARCH 2024**

**Staff Recommendation:** Accept the list of warrants for the month of March 2024.

[STAFF REPORT](#)

[ATTACHMENT](#)

#### **1.C APPROVAL OF MINUTES**

**Staff Recommendation:** Approve minutes for the October 3, 2023 through April 16, 2024 regular and special meetings.

[ATTACHMENT](#)

**1.D RESOLUTIONS CALLING FOR THE HOLDING OF THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION**

**Staff Recommendation:** Adopt a resolution calling for the holding of a General Municipal Election to be held on Tuesday, November 5, 2024, for the election of certain officers, and adopt a resolution requesting the Board of Supervisors of the County of San Mateo to consolidate a General Municipal Election to be held on Tuesday, November 5, 2024, and authorizing the City Manager to enter into a service agreement with the County of San Mateo for the provision of election services.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

**1.E RECEIPT OF LEGISLATIVE POSITION LETTERS**

**Staff Recommendation:** Receive and file position letters for Senate Bill 1053, Assembly Bill 1889, and Assembly Bill 2236.

[STAFF REPORT](#)

[ATTACHMENT](#)

**1.F FINANCIAL REPORT AND TREASURER’S REPORT FOR THE QUARTER ENDED ON MARCH 31, 2024**

**Staff Recommendation:** Accept the Financial Report and Treasurer’s Report for the quarter ended on March 31, 2024.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

**1.G SB 1 LOCAL STREETS AND ROAD IMPROVEMENT PROJECT LIST - FY 2024-25**

**Staff Recommendation:** Adopt a resolution approving the Pavement Management and Traffic Safety Program as the dedicated project for Road Maintenance and Rehabilitation Account (RMRA) Funding.

[STAFF REPORT](#)

[RESOLUTION](#)

## 1.H HIGHWAY 1 - NORTH (CIP PROJECT NO. 538) DESIGN AGREEMENT AMENDMENT

**Staff Recommendation:** Adopt a resolution authorizing the City Manager to execute Amendment No. 6 to professional services agreement with Mark Thomas and Company, Inc. (MTCO) for the coordination of utility relocations and construction easements for the Highway 1 Safety and Operational Improvements Project – North (CIP Project No. 0538) in the amount of \$127,069.82.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

## 2. ORDINANCES AND PUBLIC HEARINGS

### 2.A TWO APPEALS “CALTRANS APPEAL” AND “CARTER / ERICKSEN APPEAL”) OF THE PLANNING COMMISSION DECISION TO APPROVE THE CALTRANS SR-1 MULTI-ASSET MAINTENANCE PROJECT SUBJECT TO ADDITIONAL CONDITIONS OF APPROVAL (FILE NO. PDP-23-084)

**Staff Recommendation:** Conduct a public hearing on the Caltrans SR-1 Multi-asset Maintenance Project, PDP-23-084, review the matters brought forth by the two appellants, and: 1) approve the Carter / Ericksen appeal request to direct staff to work with San Mateo County, Caltrans, and Coastal Commission staff to create and maintain adequate parking for the busiest visitor days in the Surfer’s Beach area, per the Resolution in Attachment 1. Approval of the appeal request does not overturn or modify the Planning Commission approval; and 2) approve Caltrans Appeal Item 5 requesting to delete or amend Planning Commission Condition A.10 (Poplar Street intersection) and deny requests No’s. 1, 2, and 4 to delete or amend Conditions A.1 (Comply with approved plans) and A.2 (Additional Caltrans Commitments) and A.11 (Limit highway widening) and deny Appeal Item No. 3, the request to delete or accept the proposed revised language of Condition A.6 (Kelly Avenue) and approve the Condition A.6 revision proposed by staff; and uphold the Planning Commission approval of remaining conditions; and 3) approve the project per the Resolution provided in Attachment 2 which includes modified conditions in response to Items 1 and 2 above.

[STAFF REPORT](#)

[ATTACHMENT 1](#)

[ATTACHMENT 2](#)

[ATTACHMENT 4](#)

[ATTACHMENT 5](#)

[ATTACHMENT 6](#)

[ATTACHMENT 7](#)

[ATTACHMENT 8](#)

[ATTACHMENT 9](#)

## **2.B RESIDENTIAL RENT STABILIZATION FEE AND RELATED MATTERS**

**Staff Recommendation:** Adopt a resolution: 1) establishing a new fee titled, “Residential Rent Stabilization Fee” in the amount of \$286 and adding the fee to the City user fee schedule as presented in Exhibit A to the resolution; 2) applying the annual automatic Consumer Price Index (CPI) adjustment beginning July 1, 2025; 3) allocating up to \$150,000 in City Affordable Housing Funds to cover initial start-up and implementation costs of the program; and 4) directing Staff to direct user fees and citations related to FY 2024-25 Residential Rent Stabilization Program to the City Affordable Housing Fund.

*Note: This fee will take effect sixty (60) days from approval July 21, 2024.*

[STAFF REPORT](#)

[ATTACHMENT](#)

## **3. RESOLUTIONS AND STAFF REPORTS**

### **3.A HALF MOON BAY HOTEL BUSINESS IMPROVEMENT DISTRICT 2023 ANNUAL REPORT AND RESOLUTION OF INTENT TO INCREASE THE PER NIGHT ASSESSMENT OF THE DISTRICT FOR FISCAL YEAR 2024-25**

[STAFF REPORT](#)

[RESOLUTION](#)

[ATTACHMENT 2](#)

### **3.B SEWER AUTHORITY MID-COASTSIDE REVISED FISCAL YEAR 2024-25 OPERATIONS AND MAINTENANCE (GENERAL) BUDGET**

**Staff Recommendation:** Adopt a resolution approving the Sewer Authority Mid-Coastside Revised General (Operations and Maintenance) Budget for FY 2024-25 (included as Exhibit A to the resolution), without waiving its current and prior votes under protest related to the capital improvements to the Integrated Pipeline System (IPS).

[STAFF REPORT](#)

[RESOLUTION](#)

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

**Staff Recommendation:** Adopt a resolution approving the FY 2024-25 Sewer Authority Mid-Coastside Collections Budget and authorizing the City Manager to execute Amendment No. 7 to the sewer collection system maintenance professional services agreement with the Sewer Authority Mid-Coastside establishing the FY 2024-25 annual cost at \$212,209 and extending the Agreement for one (1) additional year (expiration date of June 30, 2025).

[STAFF REPORT](#)

[RESOLUTION](#)

**3.D STUDY SESSION OF THE FISCAL YEAR 2024-25 OPERATING BUDGET**

**Staff Recommendation:** Receive an informational update and provide policy direction on the development of the Fiscal Year 2024-25 Operating Budget.

[STAFF REPORT](#)

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

**COMMISSION / COMMITTEE UPDATES**

**CITY COUNCIL REPORTS**

**ADJOURNMENT**

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council  
**VIA:** Matthew Chidester, City Manager  
**From:** Lisa Lopez Rossi, Administrative Services Director  
**TITLE:** **WARRANTS FOR THE MONTH OF MARCH 2024**

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**RECOMMENDATION:**

Accept the warrants list for the month of March 2024.

**STRATEGIC ELEMENT:**

This recommendation supports the Fiscal Sustainability and Inclusive Governance Element.

**DISCUSSION:**

During this month, the City processed 6 check runs. The table below outlines each check run and their individual totals:

Check Run Date	Amount
March 04	39,593
March 07	361,286
March 14	757,039
March 21	274,228
March 28	638,494
March 29	5,653
<b>Total</b>	<b>2,076,294</b>

The City processed payments related to 17 capital improvement projects, in a total amount of \$459,156. These include Pavement Management / Traffic Program, Highway 1 Safety - North, Poplar Complete Street, Carter Park, Eastside Parallel Trail Expansion, Emergency Response Program, Climate Action And Adaptation, Downtown Streetscape Master Plan, Smith Field Site Assessment, Train Depot and Johnston House, Urban Forest Management Program, Green Infrastructure And Storm Program, Seymour Ditch Erosion, Kehoe/Pilarcitos Outfall Repair, Roosevelt Ditch Repairs, Sewer Maintenance Program, and Pump Station And Force Main.

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

		<b>OVER \$30,000</b>		
<b>Check #</b>	<b>Payee</b>	<b>Check Date</b>	<b>Amount</b>	<b>Description</b>
54605	WELLS FARGO	3/4/2024	\$39,593	CITY WIDE CREDIT CARDS FOR SMALL PURCHASES
54293	EL CENTRO DE LIBERTAD	3/7/2024	\$41,460	CARES PROGRAM OPERATOR
54327	TOOLE DESIGN	3/7/2024	\$69,701	DOWNTOWN STREETSCAPES
54361	SEWER AUTHORITY MID-COASTSIDE	3/14/2024	\$400,396	FY 23/24 MAINTENANCE & OPERATIONS
54362	SHUTE MIHALY & WEINBERGER LLP	3/14/2024	\$77,402	CITY WIDE GENERAL MATTERS & LITIGATION
54368	WICKMAN DEVELOPMENT AND CONSTRUCTION	3/14/2024	\$142,958	CARTER PARK IMPROVEMENTS
54391	SAN MATEO COUNTY PUBLIC SAFETY COMMUNICA	3/21/2024	\$193,448	FY 23/24 DISPATCH SERVICES
54398	Abode Services	3/28/2024	\$300,000	TEMPORARY HOUSING & SUPPORT SERVICES
54405	EL CENTRO DE LIBERTAD	3/28/2024	\$40,554	CARES PROGRAM OPERATOR
54418	SAN MATEO COUNTY HEALTH SYSTEM	3/28/2024	\$104,485	FY 23/24 ANIMAL CONTROL SERVICES
54422	SHAPE INCORPORATED	3/28/2024	\$48,931	BACK-UP SANITARY SEWER PUMP

**ATTACHMENTS:**

Check Disbursement List by Check Date

Report Criteria:

Report type: Summary

Check Number	Payee	Check Issue Date	Amount	Description
54276	4LEAF INC.	03/07/2024	23,516.03	On-Call Services
54277	ABUNDANT GRACE COASTSIDE WORKER	03/07/2024	10,207.00	Provide coastal clean-up support services
54278	ARAMARK	03/07/2024	324.01	FEB'24 MAINT SUPPLIES PUBLIC LIBRARY
54279	BECKER GRAPHICS	03/07/2024	826.50	INSTRUCTOR PAYMENT- ZUMBA FEB'24
54280	BIG CREEK LUMBER	03/07/2024	476.56	MAINT SUPPLIES
54281	BLACK & VEATCH CORPORATION	03/07/2024	12,845.00	NPDES STORMWATER SERVICES
54282	BLEYLE ELEVATOR, INC	03/07/2024	190.00	MAINT SERVICE #179638
54283	BRUSH HOG TREE CARE INC.	03/07/2024	1,250.00	TREE SERVICES
54284	California Municipal Revenue & Tax Assoc	03/07/2024	150.00	2024 MEMBERSHIP
54285	CAPITAL ONE TRADE CREDIT	03/07/2024	2,209.10	MAINT SUPPLIES FEB'24
54286	Caroline McIntosh	03/07/2024	120.00	CLASS REFUND - WINTER '23/'24 PICKLEBALL
54287	CIRCLEPOINT	03/07/2024	1,920.00	CO AMENDMENT 7 HYATT PLACE PDP-072-13
54288	COASTSIDE NEWS GROUP	03/07/2024	1,977.00	OTHER NOTICE
54289	COASTSIDE PRINTERS	03/07/2024	1,859.38	NO PARKING SIGNS
54290	COLUMN SOFTWARE PBC	03/07/2024	132.00	PUBLISHED NOTICE PDP-21-010
54291	CORODATA RECORDS MANAGEMENT INC	03/07/2024	352.61	FEB'24 RECORDS MANAGEMENT
54292	COZZOLINO INDUSTRIES, INC	03/07/2024	1,360.00	LANDSCAPE SERVICE
54293	EL CENTRO DE LIBERTAD	03/07/2024	41,460.00	CARES PROGRAM
54294	FlowBird America Inc	03/07/2024	168.70	FEB'24 MAINT SERVICE
54295	GRANICUS	03/07/2024	3,129.70	MAR'24, GRANICUS SERVICE
54296	GRANITE ROCK CO	03/07/2024	391.92	ROAD MATERIALS
54297	HALF MOON BAY BUILDING & GARDEN	03/07/2024	117.01	MAINT SUPPLIES FEB'24
54298	HALF MOON BAY DOWNTOWN ASSOCIATION	03/07/2024	14,500.00	ENTRY & EXIT SIGNS DOWNTOWN
54299	HALF MOON BAY GRADING & PAVING INC.	03/07/2024	3,332.17	SERVICES ON JOHN DEERE 310S BACKHOE
54300	HDL SOFTWARE LLC	03/07/2024	3,938.67	TOT MGMT SERVICES
54301	HMB COASTSIDE CHAMBER	03/07/2024	10,819.91	Provide daily operation and facility oversight via Opportunit
54302	HOME DEPOT CREDIT SERVICES	03/07/2024	966.32	MAINT SUPPLIES
54303	IMPEC GROUP INC.	03/07/2024	18,085.00	FY 23-24 JANITORIAL CONTRACT

Check Number	Payee	Check Issue Date	Amount	Description
54304	INFINITY TECHNOLOGIES	03/07/2024	14,122.00	FEB'24 I.T. NETWORKING AND SUPPORT SERVICES
54305	INTEGRAL CONSULTING INC.	03/07/2024	8,183.53	PREPARATION OF THE CLIMATE ADAPTION PLAN(CIP 1002)
54306	JUAN VASQUEZ	03/07/2024	500.00	DEPOSIT REFUND CANCELED 05/04/24
54307	LORAL LANDSCAPING INC.	03/07/2024	4,160.00	FY 23-24 MEDIAN MAINTENANCE WORK
54308	MALCOLM C SMITH	03/07/2024	990.00	COMMUNICATIONS CONSULTANT SERVICE
54309	Mayra Lopez	03/07/2024	500.00	DEPOSIT REFUND-GRAND OAK 3/2/24
54310	MCA DIRECT	03/07/2024	2,031.80	MUNICIPAL ELECTION HANDBOOK
54311	NICHOLAS TRANSLATIONS & INTERPRETATIONS	03/07/2024	1,188.00	FEB'24 TRANSLATION SERVICE
54312	NICHOLS CONSULTING ENGINEERS CHTD	03/07/2024	5,970.00	SEYMOUR DITCH EROSION STABILIZATION
54313	PACIFIC GAS & ELECTRIC	03/07/2024	14,534.12	CITY OF HMB/STREET LIGHTS
54314	PRINT INNOVATIONS, INC.	03/07/2024	1,377.71	PRINT SERVICE
54315	REPUBLIC SERVICES #925	03/07/2024	351.46	WASTE REMOVAL
54316	Robert Mills	03/07/2024	47.34	CPRS
54317	SAN MATEO CO. PLANNING AND BUILDING DIV	03/07/2024	3,697.85	MIDCOASTSIDE TRANSPORTATION DEMAND MANAGEMENT
54318	SAN MATEO DAILY JOURNAL	03/07/2024	3,024.00	JAN'24 ADVERTISING SERVICE
54319	SCHAAF & WHEELER	03/07/2024	19,335.56	PILARCITOS AVENUE/KEHOE WATERCOURSE OUTFALL
54320	SCL NORTH	03/07/2024	1,749.37	HMB LED RETROFIT BRIDGE
54321	SERVICE PRESS INC.	03/07/2024	55.95	BUSINESS CARDS
54322	Song Wu	03/07/2024	792.00	REFUND-WITHDREW APPLICATION STR
54323	SunRun Installation Services Inc	03/07/2024	191.00	REFUND - PERMIT CHARGED 2XS B2023-00296
54324	Susan Hollis	03/07/2024	120.00	CLASS REFUND SPRING'24 PICKLEBALL
54325	SWCA INCORPORATED	03/07/2024	16,592.03	CULTURAL RESOURCES TESTING STONE PINE
54326	THE GRAPHIC WORKS	03/07/2024	522.00	STICKERS
54327	TOOLE DESIGN	03/07/2024	69,701.45	HMB DOWNTOWN STREETScape PLAN
54328	TOWNSEND PUBLIC AFFAIRS, INC	03/07/2024	5,000.00	FEB'24 CONSULTING SERVICES
54329	TURBO DATA SYSTEMS	03/07/2024	779.39	CITATION PROCESSING
54330	VICTOR HERNANDEZ	03/07/2024	4,349.75	FEB'24 TRANSLATION SERVICES
54331	Victoria Rodriguez	03/07/2024	500.00	DEPOSIT REFUND-TRAIN DEPOT 3/2/24
54332	WATERWAYS CONSULTING INC	03/07/2024	21,451.32	PO FOR THE PSA FOR THE TOPOGRAPHIC SURVEY OF ROOSE
54333	WAVELENGTH AUTOMATION, INC.	03/07/2024	2,844.00	CAPITOLTRACK UNLIMITED SUBSCRIPTION
54334	ABUNDANT GRACE COASTSIDE WORKER	03/14/2024	5,600.00	HOMELESS ENCAMPMENT CLEAN UP

Check Number	Payee	Check Issue Date	Amount	Description
54335	ANDREW GOMEZ	03/14/2024	4,646.95	MUSIC TOGETHER- WINTER '23/'24 FRIDAYS
54336	ARAMARK	03/14/2024	326.52	FEB'24 MAINT SUPPLIES PUBLIC LIBRARY
54337	ASSOCIATION OF BAY AREA GOVERNMENTS	03/14/2024	818.51	FY'23 True-Up
54338	AT&T MOBILITY	03/14/2024	695.07	MAR'24 PHONE SERVICE
54339	Bonnie Neuling	03/14/2024	40.00	REFUND-PICKLEBALL CLASS CANCELED
54340	COASTSIDE COUNTY WATER DISTRICT	03/14/2024	4,375.50	HYDRANT METER
54341	County of San Mateo	03/14/2024	3,252.06	COMPOST IMPROVEMENT CAMPAIGN
54342	CRUZIO INTERNET	03/14/2024	14.95	INTERNET SERVICE
54343	ELS ARCHITECTURE & URBAN DESIGN	03/14/2024	21,812.56	CHANGE ORDER 2 AMANDMENT 6 TO PSA FOR DESIGN SER
54344	FLYERS ENERGY, LLC	03/14/2024	1,955.49	FEB'24 FUEL
54345	FREYER & LAURETA INC.	03/14/2024	17,797.50	CHANGE ORDER 2. SMITH FIELD PARK
54346	GRIFFIN STRUCTURES INC.	03/14/2024	13,380.00	CARTER PARK RENOVATION PROJECT
54347	HALF MOON BAY BUILDING & GARDEN	03/14/2024	675.34	MAR'24 MAINTENANCE SUPPLIES
54348	IMPEC GROUP INC.	03/14/2024	780.00	Provide custodial services for the OCC
54349	JOYA CUNHA	03/14/2024	2,000.00	CARTER PARK IMPROVEMENTS
54350	LAURA CAMODECA	03/14/2024	630.00	DOG TRAINING
54351	Luisa Mejia	03/14/2024	123.23	CPRS
54352	Mark Hofmann	03/14/2024	160.00	PRIVATE LESSON
54353	MARK THOMAS & CO, INC	03/14/2024	10,300.20	CHANGE ORDER 2,HWY 1 N SAFETY & OP IMPROVEMENTS
54354	NBS GOVERNMENT FINANCE GROUP	03/14/2024	727.50	COST ALLOCATION PLAN AND CITYWIDE FEE STUDY
54355	PENINSULA MUNICIPAL ENGINEERING INC.	03/14/2024	15,525.00	EASTSIDE PARALLEL TRAIL
54356	PLAN JPA	03/14/2024	368.00	FEB'24 GENERAL LIABILITY CLAIMS
54357	PUBLIC PARKING ASSOCIATES INC	03/14/2024	395.00	MAINTENANCE SERVICE
54358	Renaissance Entrepreneurship Center	03/14/2024	17,899.18	Consultant to provide small business development and entr
54359	SAN MATEO RESOURCE CONSERVATION DISTRIC	03/14/2024	2,193.28	PROJECT '10/1/23-12/31/24
54360	SERVICE PRESS INC.	03/14/2024	55.95	BUSINESS CARDS
54361	SEWER AUTHORITY MID-COASTSIDE	03/14/2024	400,395.78	FY 23-24 COLLECTIONS
54362	SHUTE MIHALY & WEINBERGER LLP	03/14/2024	77,401.73	HMB.WRR
54363	STRAIGHT WHEEL CYCLING LLC	03/14/2024	3,954.03	PEDAL FOR A PURPOSE - VICENTE SIANNA ALVARADO
54364	SUBURBAN PROPANE LP	03/14/2024	1,128.92	PROPANE
54365	U.S. POSTMASTER-HMB	03/14/2024	2,300.00	ACTIVITY GUIDE POSTAGE

Check Number	Payee	Check Issue Date	Amount	Description
54366	Veronica Castaneda	03/14/2024	500.00	REFUND-GRAND OAK 3/9/24
54367	WESTERN EXTERMINATOR COMPANY	03/14/2024	1,352.65	FEB'24 EXTERMINATOR SERVICES
54368	WICKMAN DEVELOPMENT AND CONSTRUCTIO	03/14/2024	142,958.21	CATER PARK
54369	William Duff Architects Inc	03/14/2024	500.00	PROVIDE ARCHITECTURAL SERVICES FOR OOC
54371	AMERICAN ENERGY SOCIETY	03/21/2024	26,500.00	TO LAUNCH & OPERATE COASTSIDE VENTURE STUDIO (CSVS
54372	AMS SYSTEMS INC	03/21/2024	6,907.03	MAR '24 PRINTING SERVICES
54373	ARAMARK	03/21/2024	326.52	MAR'24 MAINT SUPPLIES PUBLIC LIBRARY
54374	AT&T	03/21/2024	57.67	MAR'24 PHONE SERVICE
54375	BRUSH HOG TREE CARE INC.	03/21/2024	3,900.00	TREE SERVICES
54376	CASELLE INC.	03/21/2024	3,695.00	APR'24 SUPPORT & MAINTENANCE
54377	COASTSIDE LAND TRUST	03/21/2024	2,678.00	REFUND ACCT BALANCE PDP-22-043
54378	COUNTY OF SAN MATEO	03/21/2024	82.25	FEB'24 MICROWAVE MUX DSO
54379	DKS ASSOCIATES	03/21/2024	3,420.00	555 Kelly Ave. Intersection Warrant and Queuing Analysis
54380	Greg Larson	03/21/2024	12,500.00	2023 CITY MNGR EVALUATION
54381	HALF MOON BAY BUILDING & GARDEN	03/21/2024	1,017.61	MAR'24 MAINTENANCE SUPPLIES
54382	HMB MUSICH LLC	03/21/2024	1,033.00	PROJECT BALANCE REFUND PDP-23-016
54383	HUE & CRY SECURITY SYSTEMS INC.	03/21/2024	693.48	APR'24 SECURITY SERVICE
54384	JANET E STONE	03/21/2024	5,000.00	CONSULTANT SUPPORT FOR AFFORDABLE HOUSING AT 555/
54385	LISA POPE	03/21/2024	3,375.00	11/7/23 TO 12/19/23 TRANSCRIPTION SERVICE
54386	Mark Hofmann	03/21/2024	520.00	PICKLEBALL LESSONS 2/15/24
54387	M-GROUP	03/21/2024	3,661.25	NEW PO REQUEST FOR M-GROUP
54388	Noreen Heavlin	03/21/2024	100.00	DEPOSIT REFUND COMMUNITY RM A 3/17/24
54389	REPUBLIC SERVICES #925	03/21/2024	351.46	FEB24 WASTE REMOVAL
54390	SAN MATEO COUNTY ENVIRONMENTAL HEALTH	03/21/2024	639.87	COMMISSARY (RISK CATEGORY 3)
54391	SAN MATEO COUNTY PUBLIC SAFETY COMMUN	03/21/2024	193,448.25	FY 23-24 DISPATCH SERVICES
54392	Somos Mayfair Inc	03/21/2024	640.00	TECHNICAL ASSISTANCE
54393	STERICYCLE, INC.	03/21/2024	209.15	PAPER SHREDDING
54394	THE CONSULTING TEAM LLC	03/21/2024	1,856.58	TRAINING-BETTER BUSINESS & STAFF REPORT WRITING
54395	Veronica Castaneda	03/21/2024	500.00	REFUND-TRAIN DEPOT 3/10/24
54396	ZONES, LLC	03/21/2024	1,115.88	CLOUD SUBSCRIPTIONS 03-19-24 to 04-19-24
54398	Abode Services	03/28/2024	300,000.00	TEMPORARY HOUSING & SUPPORT SERVICES

Check Number	Payee	Check Issue Date	Amount	Description
54399	ABUNDANT GRACE COASTSIDE WORKER	03/28/2024	10,267.00	Provide coastal clean-up support services
54400	ARAMARK	03/28/2024	326.52	MAR'24 MAINT SUPPLIES PUBLIC LIBRARY
54401	AT&T	03/28/2024	802.30	MAR'24 PHONE SERVICE
54402	BARBARA DYE	03/28/2024	300.00	REFUND OAK ROOM DEPOSIT 2/25/24
54403	BAY AREA GEOTECHNICAL GROUP INC	03/28/2024	3,930.00	CARTER PARK IMPROVEMENTS PROJECT
54404	BIKE WORKS HMB	03/28/2024	4,790.57	Pedal for a purpose - Uriel Hernandez Najero
54405	EL CENTRO DE LIBERTAD	03/28/2024	40,554.00	CARES PROGRAM
54406	FLYERS ENERGY, LLC	03/28/2024	686.07	MAR'24 FUEL
54407	FOLGER GRAPHICS INC.	03/28/2024	3,767.84	MAR'24 RECREATION ACTIVITY GUIDE PRINTING
54408	HALF MOON BAY BUILDING & GARDEN	03/28/2024	87.50	MAR'24 MAINTENANCE SUPPLIES
54409	HALF MOON BAY GRADING & PAVING INC.	03/28/2024	3,507.50	HMB LIBRARY
54410	Helen Wolter	03/28/2024	50.51	MILEAGE REIMBURSEMENT
54411	HMBAY PARTNERS II, LLC	03/28/2024	28,977.90	637 MAIN TENANT IMPROVEMENTS FOR OCC
54412	LOCKWORKS UNLIMITED INC	03/28/2024	2,710.38	LIBRARY DOORS
54413	MATTHEW NICHOLS	03/28/2024	25.06	PESCADERO MILEAGE REIMBURSEMENT 3/18/24
54414	METROPOLITAN TRANSPORTATION COMMISSIO	03/28/2024	3,000.00	4902-P-TAP 25
54415	PACIFIC GAS & ELECTRIC	03/28/2024	28,199.67	CITY OF HMB/ STREET LIGHTS
54416	Paige Hutcherson	03/28/2024	300.00	REFUND DEPOSIT ROOM B 3/23/24
54417	RICE TRUCKING-SOIL FARM INC.	03/28/2024	5,466.56	MAR'24 MAINT SUPPLIES
54418	SAN MATEO COUNTY HEALTH SYSTEM	03/28/2024	104,485.00	FY23/24 ANIMAL CONTROL SERVICES
54419	SAN MATEO DAILY JOURNAL	03/28/2024	2,016.00	MAR'24 ADVERTISING SERVICE
54420	Sarah Kremer	03/28/2024	30.00	REFUND CHANGE IN RESERVATION
54421	SCHAAF & WHEELER	03/28/2024	11,090.00	PSA FOR ENGINEERING HYDROLOGY DESIGN SERVICES FOR
54422	SHAPE INCORPORATED	03/28/2024	48,931.09	PO FOR A FLYGHT BACK-UP SANITARY SEWER PUMP FOR OC
54423	SWCA INCORPORATED	03/28/2024	4,724.25	for the preparation of a Notification of Lake or Streambed A
54424	THE GRAPHIC WORKS	03/28/2024	2,685.19	OCC DECALS
54425	THE HOME DEPOT PRO	03/28/2024	1,821.26	MAINTENANCE SUPPLIES
54426	WATERWAYS CONSULTING INC	03/28/2024	1,470.00	ON-CALL GEMORPHOLOGY SERVICES
54427	WEST COAST ARBORISTS INC	03/28/2024	2,284.80	WEST COAST ARBORISTS FY 23-24 CONTRACT
54428	WOOD CONSULTING SERVICES	03/28/2024	21,207.50	PHASE 1 OF DOWNTOWN STREETScape CONSULTANT
54429	KATHY OLER	03/29/2024	2,293.47	APR'24 TEMPORARY CITY PARKING LOT RENTAL

Check Number	Payee	Check Issue Date	Amount	Description
54430	SCOTT MCVICKER	03/29/2024	3,360.00	APR '24 RENT ANNEX
54605	WELLS FARGO	03/04/2024	39,592.71	MEMBERSHIP
Grand Totals:				
154			2,076,293.98	

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Report Criteria:  
Report type: Summary

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**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, OCTOBER 3, 2023  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CONVENE SPECIAL MEETING**

Mayor Penrose called the special meeting to order at 5:15 p.m.

**ROLL CALL**

**PRESENT:** Councilmembers Brownstone, Rarback, and Ruddock, and Mayor Penrose

**ABSENT:** Vice Mayor Jimenez

**OPEN SESSION IDENTIFICATION OF CLOSED SESSION ITEMS**

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

**CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Govt. Code section 54956.9(d)(1))  
Name of case: City of Half Moon Bay v. Thomas J. Gearing, et al., – San Mateo Superior Court Civil No. 21-CIV-01560

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Govt. Code section 54956.9(d)(1))  
Name of case: Gearing et al v. City of Half Moon Bay. USDC Civil No. 3:21-CVJ-01802-EMC

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 5:58 p.m.

Respectfully Submitted:

Approved:

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Jessica Blair, City Clerk

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Deborah Penrose, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
SPECIAL MEETING  
TUESDAY, OCTOBER 3, 2023  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CONVENE SPECIAL MEETING**

Mayor Penrose called the meeting to order at 6:02 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

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

ABSENT: Vice Mayor Jimenez

**1.A WORKSHOP – FATS, OILS, GREAST (FOG) AND SAND DRAFT ORDINANCE**

Public Works Director Bozorginia and Associate Engineer Hutten presented the staff report.

The Council asked questions of staff and discussed the item.

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 6:51 p.m.

Respectfully Submitted:

Approved:

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Jessica Blair, City Clerk

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Deborah Penrose, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, OCTOBER 3, 2023  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

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

**ROLL CALL**

**PRESENT:** Councilmembers Brownstone, Rarback, and Ruddock, and Mayor Penrose

**ABSENT:** Vice Mayor Jimenez

**APPROVAL OF AGENDA**

**MOTION**

Councilmember Penrose moved and Councilmember Rarback seconded a motion to approve the Agenda with Item 3.C to follow City Manager Updates and moving Item 3.A to a future meeting. The motion carried 4-0-1, Vice Mayor Jimenez absent.

**PROCLAMATIONS AND PRESENTATIONS**

**HALF MOON BAY LIBRARY ANNUAL REPORT**

Julie Smith, Senior Librarian, and Annie Malley, Library Manager, presented the 2022-23 Annual Report.

**LIFE MOVES / COASTSIDE UPDATE PRESENTATION**

Claire Cunningham, Agency Director - San Mateo County Human Services Agency, and Jacob Stones, Director of Shelters and Services - San Mateo County LifeMoves, provided an overview and update of the CoastHouse non-congregate shelter.

In response to Council questions, Ms. Cunningham and Mr. Stone discussed wrap-around services providing three meals per day; clients returning to homelessness; partnering with Abundant Grace; and accuracy of one-day counts and data.

The Council commended LifeMoves for its services and positive solution.

## **MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

None.

## **REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

City Attorney Engberg announced that Council met in Closed Session and she provided an update on the case of Gearing vs. Half Moon Bay.

## **CITY MANAGER UPDATES TO COUNCIL**

### **NATIONWIDE EMERGENCY ALERT TEST ANNOUNCEMENT**

Assistant City Manager Doughty reminded residents of the Nationwide Emergency Alert Test on October 4, 2023.

### **DOWNTOWN STREETScape MASTER PLAN**

Economic and Community Vitality Manager Decker reported on Discovery Week for the Downtown Streetscape Master Plan.

### **555 KELLY AFFORDABLE HOUSING PROJECT UPDATE**

Community Development Director Ekas provided an update on the 555 Kelly Affordable Housing Project.

## **3. RESOLUTIONS AND STAFF REPORTS**

### **3.C UPDATE ON ZOOM PROTOCOLS DURING PUBLIC MEETINGS**

Communications Director / City Clerk Blair presented the staff report.

The Council discussed the item and determined to provide a warning at the beginning of public forum admonishing hate speech, call attention then, and cutoff violators.

## **PUBLIC FORUM**

The following individuals addressed the Council:

- Dave Schorr
- Jasmine Bhan
- Krystlyn Giedt
- Bill Heavlin

- Rocio Avila
- Carolina Carbajal
- Zenon Barron
- Joanne Rokosky
- Alice Linsmeier

**1. CONSENT CALENDAR**

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B APPROVAL OF MINTUES**
- 1.C APPROVAL CITY’S RESPONSE TO THE JULY 10, 2023, GRAND JURY REPORT TITLED “BIKE SAFETY IN SAN MATEO COUNTY: MAKING BICYCLING SAFER IN THE COUNTY”**
- 1.D DENY CLAIM OF CHRISTINE (YANHONE) ZOLLY & THE ESTATE OF Z. LIU & A. ZHAN C/O BOWLES & VERNA LLP**
- 1.F PROFESSIONAL SERVICES AGREEMENT WITH WILLIAM DUFF ARCHITECTS, INC. FOR DELIVERY OF ARCHTECTURAL PROFESSIONAL SERVICES FOR THE OPPORTUNITY CENTER OF THE COASTSIDE**

**MOTION**

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

**2. ORDINANCES AND PUBLIC HEARINGS**

None.

**3. RESOLUTIONS AND STAFF REPORTS**

**3.A TENANT PROTECTIONS PLAN WORKSHOP**

The item was continued upon approval of the agenda.

**3.B AWARD OF CONSTRUCTION CONTRACT FOR EMERGENCY SEYMOUR OUTFALL REPAIRS**

Public Works Director Bozorginia presented the staff report.

The Council discussed the item and asked questions of staff.

**MOTION**

Councilmember Ruddock moved and Councilmember Rarback seconded a motion to adopt a resolution authorizing the City Manager to execute a construction contract for emergency Seymour Outfall repairs with Cazadoro Construction, Inc. of San Francisco, California in the amount of \$223,215 and approve an additional contingency amount of 10 percent of the contract award amount (\$22,000) for a total emergency fund of \$245,215 for the emergency repair. The question was called, and the motion carried 4-0-1, Vice Mayor Jimenez absent.

**COMMISSION/COMMITTEE UPDATES**

Assistant City Manager Doughty discussed the recent Parks and Recreation Commission meeting.

**CITY COUNCIL REPORTS**

Councilmember Rarback discussed the recent Peninsula Clean Energy (PCE) Board Meeting.

Mayor Penrose suggested a presentation by PCE on rebates and programs available.

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

Councilmember Ruddock requested a presentation by the California Public Utilities Commission (CPUC) to discuss progressive energy billing.

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 8:46 p.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Deborah Penrose, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, OCTOBER 17, 2023  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

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

**ROLL CALL**

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

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

**MIDCOAST COMMUNITY COUNCIL UPDATE**

Gregg Dieguez provided an update on the Midcoast Community Council.

**MIDPENINSULA REGIONAL OPEN SPACE DISTRICT UPDATE**

Zoe Kersteen-Tucker provided an update on the District and summarized upcoming projects.

**MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

Mayor Penrose discussed the recent military conflicts and expressed thoughts to those impacted by war.

**REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

None.

## **CITY MANAGER UPDATES TO COUNCIL**

None.

## **PUBLIC FORUM**

Mayor Penrose read a statement regarding public comments.

The following individuals addressed the Council:

- Lisa Galligan
- Tim Costello
- Rocio Avila
- Carolina Carbajal
- Kimberly Williams
- Joanne Rokosky

### **1. CONSENT CALENDAR**

The Consent Calendar consisted of followings items:

#### **1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**

#### **1.B APPROVAL OF MINUTES**

#### **1.C RESOLUTION DENOUNCING HATE SPEECH**

## **MOTION**

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

### **2. ORDINANCES AND PUBLIC HEARINGS**

#### **2.A INTRODUCTION OF AN ORDINANCE AMENDING TITLE 13 “WATER AND SEWER” BY ADDING CHAPTER 13.22 – FATS, OILS, GREASE, AND SAND**

Public Works Director Bozorginia and Associate Engineer Hutton presented the staff report.

The following individuals addressed the Council:

- Mike Ferreira
- Kimberly Williams

The Council discussed the item and asked questions of staff.

**MOTION**

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to introduce on first reading an ordinance amending Title 13 (Water and Sewer) of the Half Boon May Municipal Code by adopting a new Chapter 13.22 entitled “Fats, Oil, Grease and Sand.” The question was called and the motion carried unanimously.

**RECESS**

Mayor Penrose called a recess at 8:19 p.m. The meeting reconvened at 8:26 p.m. with all Councilmembers present.

**3. RESOLUTIONS AND STAFF REPORTS**

**3.A WORKSHOP – E-BIKES AND OTHER ELECTRIC DEVICES ON TRAILS AND PATHS**

Public Works Management Analyst Nichols presented the staff report.

The following individuals addressed the Council:

- Chad Hooker
- David Jerome
- Mike Ferreira
- Kimberly Williams

The Council asked questions of staff and discussed the item.

**3.B DRAFT CLIMATE ACTION AND ADAPTATION PLAN (PHASE 1)**

Public Works and Sustainability Programs Manager Vostinak presented the staff report.

The Council discussed the item.

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

Councilmember Ruddock requested a discussion of the Black Lives Matter Mural on City Hall. Mayor Penrose seconded the request.

Councilmember Rarback requested a date he could arrange for a Peninsula Clean Energy (PCE) presentation.

**CITY COUNCIL REPORTS**

None.

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 9:58 p.m.

Respectfully Submitted:

Approved:

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Jessica Blair, City Clerk

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Deborah Penrose, Mayor



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

**CONVENE SPECIAL MEETING**

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

**ROLL CALL**

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

**OPEN SESSION IDENTIFICATION OF CLOSED SESSION ITEMS**

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

**CLOSED SESSION**

CONFERENCE WITH LABOR NEGOTIATOR (Govt. Code Section 54957.6)  
Conference with the City's designated representative, Catherine Engberg, City Attorney, to provide instructions regarding negotiations related to the unrepresented City Manager, Matthew Chidester

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 6:58 p.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Deborah Penrose, Mayor



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

**CALL TO ORDER / ROLL CALL**

Mayor Penrose called the meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

**FUTURE LEADERS CIVICS ACADEMY GRADUATION**

Communications Director / City Clerk Blair and Communications Program Manager Lettire recognized and presented certificates to the graduates.

**COASTSIDE VICTIMS FUND UPDATE**

Economic and Community Vitality Manager Decker, Amber Stariha, Mavericks Community Foundation, and Wade Painter, San Mateo Credit Union, provided an update on the fund.

**UNITED AGAINST HATE WEEK PROCLAMATION**

Mayor Penrose read the proclamation and indicated it would be provided to CoastPride.

**MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

Mayor Penrose announced the Veterans Eve event on November 9, Johnston House Open House, and Table of Plenty Fundraiser on November 11.

## **REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

City Attorney Engberg indicated the Council met in Closed Session at 6:00 p.m. to discuss labor negotiations and anticipated bringing forth an amendment to the City Manager’s contract at the next meeting.

## **CITY MANAGER UPDATES TO COUNCIL**

City Manager Chidester discussed the meeting with the Pilarcitos / Oak Avenue Park community to address recent issues and neighborhood concerns and announced actions taken and upcoming work to improve the area.

## **DOWNTOWN STREETSAPES UPDATE**

Economic and Community Vitality Manager Decker discussed discovery week, an upcoming design workshop, and concept development.

## **880 STONE PINE PROJECT UPDATE**

Assistant City Manager Doughty provided an update on traffic calming on Stone Pine Road.

## **PUBLIC FORUM**

The following individuals addressed the Council:

- Carolina Carbajal
- KrystylN Giedt
- Lordes Patino
- Kirsten Loegering

## **1. CONSENT CALENDAR**

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B ORDINANCE AMENDING TITLE 13 “WATER AND SEWAGE” BY ADDING CHAPTER 13.22 “FATS, OIL, GREASE AND SAND” TO THE HALF MOON BAY MUNICIPAL CODE – SECOND READING**
- 1.C FINAL ACCEPTANCE OF THE MAIN STREET SAFETY IMPROVEMENTS PROJECT (CIP NO. 1009)**
- 1.D FINAL ACCEPTANCE OF THE CORPORATION YARD IMPROVEMENTS PROJECT (CIP NO. 9023)**

## **MOTION**

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

**2. ORDINANCES AND PUBLIC HEARINGS**

**3. RESOLUTIONS AND STAFF REPORTS**

**3.A PROFESSIONAL SERVICES AGREEMENT WITH JOBTRAIN TO PROVIDE JOBSEEKER SERVICES AND WORKFORCE DEVELOPMENT PROGRAMMING AND RFQ TO IDENTIFY AN OPERATOR FOR A BUSINESS INCUBATOR FOR THE OPPORTUNITY CENTER OF THE COASTSIDE**

Economic and Community Vitality Manager Decker and Economic Development Consultant Wood presented the staff report including the new home for the Opportunity Center, space planning, progress to date, JobTrain services, Coastside incubator, and staff's recommendation.

The Council asked questions of staff and discussed the item.

**MOTION**

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to: 1) execute a professional services agreement with JobTrain, in an amount not to exceed \$337,000 for a term beginning November 1, 2023, and ending September 30, 2024, and 2) Develop and release an RFQ to identify and retain a qualified entity to launch and operate an incubator to be located at the Opportunity Center of the Coastside for an amount not to exceed \$200,000. The question was called and the motion carried unanimously.

**RECESS**

Mayor Penrose called a recess at 8:10 p.m. The meeting reconvened at 8:17 p.m. with all Councilmembers present.

**3.B TENANT PROTECTIONS ACTION PLAN – WORK SESSION**

Assistant City Manager Doughty and Housing Coordinator Noce presented the staff report including rental housing background, City boundaries, affordable housing development, rent control under the Tenant Protection Act of 2019, Costa Hawkins rent control, rent control considerations, existing tenant protections, mobile home space rental control, and code enforcement related relocation assistance.

The Council asked questions of staff.

The following individuals addressed the Council:

- Rocio Avila

- Lordes Patino
- Vance Verderame
- Carolina Carbajal
- Fernando Pena
- Alane Gilbrech
- Lynda Crose Anderson
- Tony Serrano
- Enrique Bisan
- Rea Abileah
- Joanne Rokosky
- Rhovy Lyn Antonio
- Alice
- Sanlo Londono

The Council discussed the item and provided staff direction regarding the following measures for inclusion in a Tenant Protections Action Plan: 1) Rent Control Ordinance, 2) Tenant Protection Ordinance and/or Policies Update, 3) Mobile Home Space Rental Control Ordinance, 4) Code Enforcement Related Relocation Assistance Ordinance.

### **3.C FINANCIAL AND TREASURER’S REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2023**

Finance Manager Stiles and City Manager Chidester presented the staff report.

The Council asked questions of staff and discussed the item.

#### **MOTION**

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to accept the Financial Report and Treasurer’s Report for the quarter ended September 30, 2023. The question was called and the motion carried unanimously.

#### **COMMISSION / COMMITTEE UPDATES**

None.

#### **FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

City Manager Chidester stated staff was working to schedule a special meeting to discuss minimum wage.

#### **CITY COUNCIL REPORTS**

None.

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 10:22 p.m.

Respectfully Submitted:

Approved:

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Jessica Blair, City Clerk

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Deborah Penrose, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
THURSDAY, NOVEMBER 30, 2023  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CONVENE SPECIAL MEETING / ROLL CALL**

Mayor Penrose called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

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

**1.A MINIMUM WAGE ORDINANCE AMENDMENT**

Administrative Services Director Rossi and Senior Management Analyst Lopez presented the staff report providing background on Federal, State and Local minimum wages, current minimum wage, outreach, and ordinance options.

The following individuals addressed the Council:

- Krystyn Giedt
- Rabbi Mosha Heyn
- Joanne Rokosky

The Council discussed the item and directed staff to bring back different scenarios and data on Downtown businesses and the farmworker community.

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 7:37 p.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Deborah Penrose, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, DECEMBER 5, 2023  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

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

**ROLL CALL**

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

**APPROVAL OF AGENDA**

Mayor Penrose remembered Don Horsely.

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

**NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION PRESENTATION**

Brian Garcia, Meteorologist National Weather Service, provided a recap on Winter 2022/2023, drought status, El Nino Southern Oscillation, Winter 2023 / 2024 outlook, other winter threats, and climate disasters.

**PENINSULA CLEAN ENERGY PRESENTATION**

Mark Hershman and Alejandra Posada, Peninsula Clean Energy, explained the benefits of electrification, programs and local support, and responded to Council questions.

**MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

None.

## **REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

None.

## **CITY MANAGER UPDATES TO COUNCIL**

### **RENT CONTROL**

Assistant City Manager Doughty stated staff was working on ordinances as directed by Council on November 30, 2023.

### **880 STONE PINE PROJECT UPDATE**

Assistant City Manager Doughty provided an update on the 880 Stone Pine project and issuance of an emergency Coastal Development Permit.

## **PUBLIC FORUM**

The following individuals addressed the Council:

- Rupi Singh
- Marty VanDuyn
- Rocio Avila
- Sheila Edwards
- Carlisle Ann Young
- Joanne Rokosky

### **1. CONSENT CALENDAR**

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B MAYOR’S AMEDED LIST OF CITY COUNCIL REPRESENTATIVES AND DESIGNATED ASSIGHMENTS FOR 2023**
- 1.C 2024 RESIDENTIAL DWELLING UNIT ALLCOATION PURSUANT TO HALF MOON BAY MUNICIPAL CODE CHAPTER 17.06 (MEASURE D)**
- 1.D OCEAN COLONY SEWER STATION BACKUP PUMP PURCHASE**
- 1.E FINAL ACCEPTANCE OF THE SEYMOUR OUTFALL EMERGENCY REPAIRS**
- 1.F CALRECYCLE GRANT AND PAYMENT PROGRAMS**
- 1.G SMITH FIELD PARK IMPROVEMENT PROJECT – AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT WITH FREYER AND LAURETA, INC. FOR ADDITIONAL DESIGN SUPPORT**

**MOTION**

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

**RECESS**

Mayor Penrose called a recess at 8:35 p.m. The meeting reconvened at 8:40 p.m. with all Councilmembers present.

**2. ORDINANCES AND PUBLIC HEARINGS**

None.

**3. RESOLUTIONS AND STAFF REPORTS**

**3.A CLIMATE ACTION AND ADAPTATION PLAN (PHASE ONE) ADOPTION**

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

The Council discussed the item.

**MOTION**

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to, by resolution, adopt the Half Moon Bay Climate Action and Adaptation Plan (Phase One). The question was called and the motion carried unanimously.

**3.B BLACK LIVES MATTER CITY HALL MURAL**

The following individuals addressed the Council:

- Paul Grigorieff
- Maria Grigorieff
- Paulette Eisen
- Kate Broderick
- David Eblovi
- Junuh Eblovi
- Lauren Wilson
- Aisha Baro
- Alison Little
- Suelten Kin-Haas

City Manager Chidester presented the staff report.

The Council asked questions of staff and discussed the item.

**MOTION**

Councilmember Brownstone moved and Councilmember Ruddock to retain the existing mural. The question was called and the motion carried unanimously.

**3.C ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR FISCAL YEAR ENDED JUNE 30, 2023**

Finance Manager Stiles and City Manager Chidester presented the staff report.

The Council asked questions of staff and discussed the item.

**MOTION**

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to adopt a resolution receiving the City of Half Moon Bay Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2023. The question was called and the motion carried unanimously.

**3.D AMEDNMENT TO EMPLOYMENT CONTRACT FOR CITY MANAGER**

City Attorney Engberg presented the staff report.

**MOTION**

Councilmember Brownstone moved and Councilmember Rarback seconded a motion to approve Amendment No. 1 to the August 20, 2022 City Manager Employment Agreement with Matthew Chidester to increase the annual base salary from \$265,000 to \$272,950, effective July 1, 2023, and provide a one-time, additional allocation of 117 hours of administrative leave. The question was called and the motion carried unanimously.

**COMMISSION / COMMITTEE UPDATES**

None.

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

None.

**CITY COUNCIL REPORTS**

None.

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 10:07 p.m.

Respectfully Submitted:

Approved:

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Jessica Blair, City Clerk

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Deborah Penrose, Mayor



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

**CONVENE SPECIAL MEETING**

Mayor Penrose called the special meeting to order at 6:30 p.m.

**ROLL CALL**

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

**OPEN SESSION IDENTIFICATION OF CLOSED SESSION ITEMS**

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

**CLOSED SESSION**

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

**ADJOURNMENT**

Mayor Penrose adjourned the meeting at 6:57 p.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Deborah Penrose, Mayor



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

**CALL TO ORDER / ROLL CALL**

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

**ROLL CALL**

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

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

**HIP HOUSING PROGRAM PRESENTATION**

This item was deferred.

**2023 STATE OF THE CITY ADDRESS**

Mayor Penrose presented the 2023 State of the City Address.

**REMARKS BY OUTGOING MAYOR**

Mayor Penrose discussed the highlights of the past year and thanked the Council and staff for its support.

Vice Mayor Jimenez recognized and presented a plaque to Mayor Penrose for her service.

**SELECTION OF MAYOR AND VICE MAYOR FOR 2024**

**MOTION**

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

#### **REMARKS BY INCOMING MAYOR**

Mayor Jimenez discussed his run for City Council and stated he looked forward to serving the City of Half Moon Bay and coast.

#### **SELECTION OF MAYOR AND VICE MAYOR FOR 2024 (Continued)**

##### **MOTION**

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

##### **PUBLIC FORUM**

The following individuals addressed the Council:

- Katrina Rill, on behalf of Congresswoman Anna Eshoo
- Ray Mueller, San Mateo County Supervisor
- Martin Anaya, Pacific Coast TV
- Rocio Avila
- Mila Jimenez
- Krystyn Giedt

#### **1. CONSENT CALENDAR**

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF AUGUST 2023**
- 1.C WARRANTS FOR THE MONTH OF SEPTEMBER 2023**
- 1.D WARRANTS FOR THE MONTH OF OCTOBER 2023**
- 1.E AB1600 REPORT ON DEVELOPMENT IMPACT FEES FOR FISCAL YEAR ENDED JUNE 30, 2023**
- 1.F 2024 CALENDAR OF CITY COUNCIL MEETINGS**

##### **MOTION**

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

##### **ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 8:02 p.m. to a reception.

Respectfully Submitted:

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Jessica Blair, City Clerk

Approved:

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Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, JANUARY 16, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CONVENE SPECIAL MEETING**

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

**ROLL CALL**

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

**OPEN SESSION IDENTIFICATION OF CLOSED SESSION ITEMS**

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

**CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – LIABILITY CLAIM (Govt. Code section 54956.95)  
Claim received July 21, 2023 from Paul Nagengast, which will be made available for public inspection upon request pursuant to Government Code Section 54957.5

CONFERENCE WITH LEGAL COUNSEL – LIABILITY CLAIM (Govt. Code section 54956.95)  
Claim received September 21, 2023 from John Rossi, which will be made available for public inspection upon request pursuant to Government Code Section 54957.5

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 6:58 p.m.

Respectfully Submitted:

Approved:

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Jessica Blair, City Clerk

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Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, JANUARY 16, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

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

**ROLL CALL**

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

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

**RECOGNITION OF NON-PROFITS INVOLVED WITH JANUARY 2023 SHOOTING INCIDENT**

Mayor Jimenez recognized and thanked the non-profits for supporting those in need.

**HIP HOUSING PRESENTATION**

Anita Fox, HIP Housing Board Member, and Mateus, first grader, thanked the Council for its support and presented the 2024 calendar.

**PROCLAMATION HONORING CLAY LAMBERT**

Mayor Jimenez commended Clay Lambert on his career with the Half Moon Bay Review.

The Council congratulated Mr. Lambert.

**MIDCOAST COMMUNITY COUNCIL UPDATE**

Anne Rothman introduced the new Board and provided an update on the Council's priorities.

## **MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

Mayor Jimenez announced the \$2 million from Senator Becker for farmworker housing; January 21, 2024 Remembrance Ceremony of the January 2023 farmworker shooting victims; and receipt of check on January 25, 2024 from Assemblymember Berman for farmworker housing.

## **REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

City Attorney Engberg stated the Council met and discussed two liability claims and took no reportable action.

## **CITY MANAGER UPDATES TO COUNCIL**

### **HALF MOON BAY ADAPTATION PLAN**

Public Works and Sustainability Management Analyst Nichols provided an update on the City's Adaptation Plan.

## **PUBLIC FORUM**

The following individuals addressed the Council:

- Krystlyn Giedt
- Carolina Carbajal

### **1. CONSENT CALENDAR**

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B PURCHASE OF A NEW JOHN DEERE TRACTOR**
- 1.C STORMWATER - NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) AND ANNUAL REPORTING SERVICES FOR 2024**
- 1.D FUNDING TO SUPPORT CONTINUED EMERGENCY HOUSING FOR DISPLACED FARMWORKERS**
- 1.E STONE PINE COVE - CEQA DOCUMENT PREPARATION**

## **MOTION**

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

### **2. ORDINANCES AND PUBLIC HEARINGS**

## **2.A TENANT PROTECTIONS – RESIDENTIAL RENTAL REGISTRATION AND RELATED MATTERS**

Assistant City Manager Doughty presented the staff report.

The following individuals addressed the Council:

- Bill Heavlin
- Shauna Pickett Gordon
- Joanne Rokosky

The Council discussed the item.

### **MOTION**

Councilmember Penrose moved and Vice Mayor Rarback seconded a motion to waive first reading, and introduce an ordinance: 1. Creating a new Title 6 of the Half Moon Bay Municipal Code titled “Housing;” 2. Creating a new Chapter 6.02 titled “Housing Definitions;” 3. Creating a new Chapter 6.04 titled “Residential Rental Registration;” 4. Creating a new Chapter 6.10 titled “Residential Lease Terms;” and 5. Rescinding Chapter 7.70 “Residential Rental Security Measures” in its entirety; and 2) Direct staff to return to the February 6, 2024, meeting for consideration of a program budget and fee schedule resolution to implement the Rental Registration Program. The question was called and the motion carried unanimously.

### **RECESS**

Mayor Jimenez called a recess at 8:12 p.m. The meeting reconvened at 8:22 p.m. with all Councilmembers present.

## **2.B ANIMAL CONTROL ORDINANCE - FIRST READING**

City Attorney Engberg presented the staff report.

The following individuals addressed the Council:

- Chris Dobbrow

### **MOTION**

Councilmember Ruddock moved and Vice Mayor Rarback seconded a motion to waive first reading, and introduce an Ordinance amending portions of Chapter 8.04 (Animal Control) of the Half Moon Bay Municipal Code to update provisions for animal control.

## **2.C APPEAL OF THE PLANNING COMMISSION DECISION TO UPHOLD THE COMMUNITY DEVELOPMENT DIRECTOR’S DECISION DENYING MINOR MODIFICATIONS TO COASTAL DEVELOPMENT PERMIT FILE NO. PDP-21-010 FOR 225 VALDEZ AVENUE**

Community Development Director Ekas presented the staff report.

Mayor Jimenez opened the public hearing.

The following individuals addressed the Council:

- Lori and Russell Ellingson (appellant)
- Elan Nagengast
- Paul Nagengast
- Hazel Joanes

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

The Council discussed the item.

### **MOTION**

Councilmember Ruddock moved and Councilmember Penrose seconded a motion to deny the appeal of the Planning Commission decision to uphold the Community Development Director's decision denying minor modifications to an approved Coastal Development Permit and Architectural Review allowing the construction of an addition and covered terrace on the second floor, and an expanded western balcony at an existing single-family home located at 225 Valdez Avenue in the R-1 Single-Family Residential Zoning District based on the findings contained in the Resolution. The question was called and the motion carried unanimously.

## **3. RESOLUTIONS AND STAFF REPORTS**

### **3.A MUNICIPAL ENERGY PROJECTS**

Public Works Director / City Engineer Bozorginia and Management Analyst Vostinak presented the staff report.

The Council asked questions of staff.

The following individuals addressed the Council:

- Rafael Reyes
- Krystlyn Giedt
- Joan Winters
- Jason Boyd

The Council discussed the item and concurred to have staff bring the matter back on February 6, 2024.

## **COMMISSION / COMMITTEE UPDATES**

None.

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

None.

**CITY COUNCIL REPORTS**

None.

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 10:13 p.m.

Respectfully Submitted:

Approved:

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Jessica Blair, City Clerk

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Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, FEBRUARY 6, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CONVENE SPECIAL MEETING**

Mayor Jimenez called the special meeting to order at 6:30 p.m.

**ROLL CALL**

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

**OPEN SESSION IDENTIFICATION OF CLOSED SESSION ITEMS**

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

**CLOSED SESSION**

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

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 6:58 p.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, FEBRUARY 6, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

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

**ROLL CALL**

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

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

None.

**MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

Mayor Jimenez thanked those that attended the listening session and indicated the Spanish listening session would be rescheduled due to the storm.

**REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

City Attorney Engberg indicated the Council met in Closed Session and provided procedural guidance to potentially pursue judicial remedies related to a stipulation.

**CITY MANAGER UPDATES TO COUNCIL**

**PICKLEBALL UPDATES**

Assistant City Manager Doughty and Recreation Leader Mejia discussed the Pickleball Academy.

## STORM RECOVERY UPDATE

Public Works Director / City Engineer Bozorginia provided an update on the atmospheric river storm event.

## PUBLIC FORUM

The following individuals addressed the Council:

- Joanne Rokosky
- Carlisle Ann Young
- Joyce Logan
- Maria Grigorieff
- Paul Grigorieff
- Evelyn De Souza
- Lilly Rey
- Russell
- Juana Ruano

### 1. CONSENT CALENDAR

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES
- 1.B WARRANTS FOR THE MONTH OF NOVEMBER 2023
- 1.C WARRANTS FOR THE MONTH OF DECEMBER 2023
- 1.E ANIMAL CONTROL ORDINANCE – SECOND READING
- 1.F MAYOR’S AMENDED LIST OF CITY COUNCIL REPRESENTATIVES AND DESIGNATED ASSIGNMENTS FOR 2024
- 1.G RECLASSIFICATION OF THE SENIOR MANAGEMENT ANALYST TO ASSISTANT TO THE CITY MANAGER CLASSIFICATION
- 1.H TREASURER’S REPORT FOR THE QUARTER ENDING DECEMBER 31, 2023
- 1.I DENY CLAIM OF JOHN ROSSI

### MOTION

Councilmember Brownstone moved and Councilmember Penrose seconded a motion to approve the Consent Calendar, with the exception of Items I.D and I.J. The motion carried unanimously.

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

- 1.D TENANT PROTECTIONS – RESIDENTIAL RENTAL REGISTRATION AND RELATED MATTERS – SECOND READING

Assistant City Manager Doughty presented the staff report.

The following individuals addressed the Council:

- Carolina Carbajal
- Rocio Avila
- Nancy Stern
- Jeff Crofton
- James Sutro
- Pamela Dorr
- Sarah Bueno
- Frank Vento
- Barbara Lavey
- Guliz Des Tomoe
- Carlyle Ann Young
- Shauna Pickett Gordon
- Paul Boudreaux
- Vaughn Harrison

#### **RECESS**

Mayor Jimenez called a recess at 8:45 p.m. The meeting reconvened at 8:54 p.m. with all Councilmembers present.

The Council discussed the item.

#### **MOTION**

Councilmember Brownstone moved and Vice Mayor Rarback seconded a motion to waive second reading and adopt an ordinance: 1) creating a new Title 6 of the Half Moon Bay Municipal Code titled "Housing;" 2) creating a new Chapter 6/02 titled "Housing Definitions;" 3) creating a new Chapter 6.04 titled "Residential Rental Registration;" 4) creating a new Chapter 6.10 titled "Residential Lease Terms;" and rescinding Chapter 7.20 "Residential Rental Security Measures" in its entirety. The question was called and the motion carried 4-1, Councilmember Ruddock dissenting.

#### **1.J DENY CLAIM OF PAUL NAGENGAST**

The following individuals addressed the Council:

- Paul Nagengast

#### **MOTION**

Councilmember Brownstone moved and Mayor Jimenez seconded a motion to deny the liability claim presented to the City of Half Moon Bay, as recommended, by the Pooled

Liability Assurance Network Joint Powers Authority (PLAN JPA) and Sedgwick representatives. The question was called and the motion carried 4-0-1, Vice Mayor Rarback abstaining.

## **2. ORDINANCES AND PUBLIC HEARINGS**

### **2.A RESIDENTIAL RENTAL REGISTRATION FEE AND RELATED MATTERS**

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

Mayor Jimenez opened the public hearing.

The following individuals addressed the Council:

- Joanne Rokosky
- Carlyse Ann Young

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

The Council asked questions of staff and discussed the item.

#### **MOTION**

Councilmember Brownstone moved and Vice Mayor Rarback seconded a motion to adopt a resolution: 1) establishing a new fee titled, "Residential Rental Registration Fee" in the amount of \$75 and adding the fee to the City user fee schedule as presented in Exhibit A to the resolution; 2) authorizing staff to offer no fee registration between June 1 and June 30, 2024, as an incentive to early registration; 3) applying the automatic Consumer Price Index (CPI) adjustment beginning July 1, 2025; 4) allocating up to \$150,000 in City Affordable Housing Funds to cover initial start-up and implementation costs of the program; and 5) directing Staff to direct user fees, late fees, and citations related to FY 2024-25 residential rental registration be directed to the City Affordable Housing Fund. *Note: This fee will be in effect sixty (60) days from approval, April 6, 2024.* The question was called and the motion carried 4-1, Councilmember Ruddock dissenting.

### **2.B APPEAL OF THE PLANNING COMMISSION DECISION TO CONDITIONALLY APPROVE COASTAL DEVELOPMENT PERMIT FILE NO. PDP-16-032 FOR THE CONSTRUCTION OF GRAVEL TRAILS AND BEACH STAIRS AT NORTH WAVECREST ROAD**

#### **MOTION**

Councilmember Ruddock moved and Councilmember Penrose seconded a motion to continue the public hearing to a date certain of March 5, 2024. The motion carried unanimously.

## **3. RESOLUTIONS AND STAFF REPORTS**

### **3.A MUNICIPAL ENERGY PROJECTS**

Public Works Director / City Engineer Bozorginia and Public Works and Sustainability Programs Manager Walter presented the staff report.

The following individuals addressed the Council:

- Jason Boyd, Wildan
- Rafael Reyes, PCE
- David Mauro
- Steve Booker
- Carlisle Ann Young

The Council asked questions of staff and discussed the item.

#### **MOTION**

Councilmember Brownstone moved and Councilmember Penrose seconded a motion to move forward with the comprehensive solar photovoltaic (PV) system purchase to meet the City Half Moon Bay's sustainability goals of carbon-free electricity for all municipal facilities by 2025 and increase the energy efficiency of all municipal facilities and operations. The question was called and the motion carried unanimously.

### **3.B SEWER AUTHORITY MID-COASTSIDE (SAM) OPERATIONS BUDGET AMENDMENT REQUEST - PRINCETON PUMP STATION AND MONTARA FORCE MAIN CAPITAL REPLACEMENT PROJECTS**

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

#### **MOTION**

Councilmember Brownstone moved and Vice Mayor Rarback seconded a motion to adopt a resolution approving the requested budget augmentation increasing the prior approved IPS capital replacement projects (Princeton Pump Station & Montara Force Main) pending a renewed stipulation to pay under protest or final resolution in the court action. The question was called and the motion carried unanimously.

#### **COMMISSION / COMMITTEE UPDATES**

None.

#### **FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

Councilmember Ruddock requested a discussion of amending Measure D to exempt ADUs. Councilmember Penrose agreed.

**CITY COUNCIL REPORTS**

None.

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 10:30 p.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, FEBRUARY 20, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

Mayor Jimenez called the meeting to order at 7:07 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

None.

**MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

Mayor Jimenez announced his office hours on Thursdays, from 3-5 p.m.

**REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

None.

**CITY MANAGER UPDATES TO COUNCIL**

None.

**PUBLIC FORUM**

None.

**1. CONSENT CALENDAR**

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B POTENTIAL ACQUISITION OF SAN MATEO COUNTY APNS 065-082-030, 065-152-070, 065-155-080, 065-157-030, 065-181-060, 056-125-040, 056-128-070, 065-023-170, 065- 024-370, 065-031-220, 065-031-240, 065-034-050, 065-192-110, 065-074-030, 065-171- 080, 065-155-090, 065-203-190, 065-032-170, 065-072-030, 065-181-020, 065-032-040, 065-184-020, 065-191-040, HALF MOON BAY**
- 1.C AMENDMENT TO ALTA PROFESSIONAL SERVICES AGREEMENT FOR EASTSIDE PARALLEL TRAIL IMPROVEMENTS (CIP NO. 619)**

**MOTION**

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

**2. ORDINANCES AND PUBLIC HEARINGS**

None.

**3. RESOLUTIONS AND STAFF REPORTS**

**3.A WORK SESSION AND DIRECTION ON AUTOMATED LICENSE PLATE READERS (ALPR)**

City Manager Chidester presented the staff report.

Beth von Emster, North Municipal Chapter of the ACLU, indicated opposition to the use of ALPRs.

Police Chief Alvin provided information on and use of ALPRs by the Sheriff's Department.

The following individuals addressed the Council:

- Paul Grigorieff
- Matt Allen
- Krystlyn Giedt
- Carolina Carbajal
- Carlysle Ann Young

The Council asked questions of staff and discussed the item.

The Council directed staff to gather more information including practices in other cities; ACLU recommendations; crime statistics; metrics on successful use; cost estimates; and polling.

#### RECESS

Mayor Jimenez called a recess at 8:30 p.m. The meeting reconvened at 8:40 p.m. with all Councilmembers present.

### **3.B MINIMUM WAGE ORDINANCE AMENDMENT OPTIONS**

City Manager Chidester presented the staff report.

The following individuals addressed the Council:

- Matt Allen
- Carolina Carbajal
- Krystlyn Giedt
- Betsy del Fierro
- Rosa Shields
- Jess Hudson
- Carlysle Ann Young

The Council asked questions of staff; discussed the item; and directed staff to bring back additional information.

### **3.C BUDGET AMENDMENT FOR JOHN L. CARTER PARK IMPROVEMENTS PROJECT (CIP NO. 0611)**

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

The following individuals addressed the Council:

- Kimberly Williams
- Joan Winters

The Council asked questions of staff and discussed the item.

#### **MOTION**

Councilmember Brownstone moved and Councilmember Penrose seconded a motion to adopt a resolution authorizing the transfer of \$1,250,000 to Capital Improvements Project No. 0611 – John L. Carter Park Improvements. The question was called and the motion carried unanimously.

#### **COMMISSION / COMMITTEE UPDATES**

None.

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

None.

**CITY COUNCIL REPORTS**

None.

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 10:16 p.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, MARCH 5, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CONVENE SPECIAL MEETING**

Mayor Jimenez called the special meeting to order at 6:15 p.m.

**ROLL CALL**

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

**ABSENT:** Councilmember Penrose

**OPEN SESSION IDENTIFICATION OF CLOSED SESSION ITEMS**

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

**CLOSED SESSION**

Conference Involving a Joint Powers Agency – Sewer Authority Mid-Coastside (Govt. Code section 54956.96):

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Govt. Code section 54956.9(d)(1))

Name of case: Ecological Rights Foundation vs. Sewer Authority Mid-Coastside, – U.S. District Court, Northern District of California: 3:18-CV-04413

City of Half Moon Bay representatives on SAM joint powers agency board: Deborah Penrose, Chair, and Debbie Ruddock, Director

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Govt. Code section 54956.9(d)(1))

Name of case: City of Half Moon Bay v. Granada CSD and Montara WSD, et al., – Santa Clara Superior Court Civil No. 17CIV316927; Court of Appeal Case No. H049896

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 6:40 p.m.

Respectfully Submitted:

Approved:

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Jessica Blair, City Clerk

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Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, MARCH 5, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

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

**ROLL CALL**

City Clerk Blair indicated that, pursuant to AB2449, Councilmember Ruddock would be participating remotely. Councilmember Ruddock confirmed that no one over the age of 18 was present in the room where she was participating.

**PRESENT:** Councilmembers Brownstone and Ruddock (Remote), Vice Mayor Rarback, and Mayor Jimenez

**ABSENT:** Councilmember Penrose

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

None.

**MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

None.

**REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

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

**CITY MANAGER UPDATES TO COUNCIL**

## COMMUNITY SERVICES FINANCIAL ASSISTANCE GRANTS UPDATE

Management Analyst Acosta provided a mid-year update on the Community Services Financial Assistance Grants.

## REPUBLIC SERVICES ANNUAL UPDATE

Public Works and Sustainability Management Analyst Nichols and Monica Devincenzi, Republic Services, provided an update on solid waste services.

## PUBLIC FORUM

The following individual addressed the Council:

- Rocio Avila

### 1. CONSENT CALENDAR

The Consent Calendar consisted of followings items:

#### 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

#### 1.B ADOPTION OF THE 2024 LEGISLATIVE PLATFORM

#### 1.C AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GRIFFIN STRUCTURES, INC., FOR ADDITIONAL CONSTRUCTIONS MANAGEMENT SERVICES FOR THE CARTER PARK PROJECT (CIP 0611)

## MOTION

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

### 2. ORDINANCES AND PUBLIC HEARINGS

#### 2.A TWO APPEALS "FERREIRA APPEAL" AND "SAN MATEO LAND EXCHANGE APPEAL" OF THE PLANNING COMMISSION DECISION TO APPROVE COASTSIDE LAND TRUST'S PROPOSED EXTENSION OF THE CALIFORNIA COASTAL TRAIL AND RELATED COASTAL ACCESS IMPROVEMENTS

The Council reported on ex parte communications.

Senior Planner Phillips and Public Works Director / City Engineer Bozorginia presented the staff report.

Mayor Jimenez opened the public hearing.

The following individuals addressed the Council:

- Sara Polgar, Coastside Land Trust, applicant
- Mike Ferreira, appellant
- John Callan, appellant
- Katy Krook
- Albert Cuisinut
- Shelley Chapman
- Jack McCarthy
- April Ramos
- Joe Ramos
- Bob Rogers
- John Hernandez
- Bruce Russell
- Robin Inglis Arnell
- Paul Grigorieff
- Andrea Wolf
- Jeff Depew
- Jan Leonard
- Sherry Booth
- Jotham Stein
- Dawn McClung
- Beth Bo
- Chris Krook
- Allen Strohmeier
- Terry Sweeney
- Ayad Al Shaikh
- Rick Hernandez
- Paul Nagengast
- Nancy Henares
- Barbara Lohman
- Barbara Dye
- Hilary Stamper
- Kimberly Williams
- Trish Hayward

Sara Polgar, Coastside Land Trust, applicant, provided rebuttal comments.

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

The Council discussed the item and asked questions of staff and the applicant.

#### **MOTION**

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to: 1. Acknowledge that the adopted IS/MND and Mitigation Monitoring and Reporting Program and that the matters under consideration with these appeals do not require recirculation or supplemental environmental review; and 2. Deny the Ferreira appeal per the Resolution provided in Attachment 1; and 3. Deny the San Mateo Land Exchange appeal per the Resolution provided in Attachment 2; and 4. Uphold the Planning Commission approval of PDP-16-032 per the Resolution including Exhibit A (Findings) and Exhibit B (Conditions of Approval as approved by the Planning Commission with added Conditions of Approval) provided in Attachment 3. The question was called and the motion failed 2-2-1, Mayor Pro Tem Rarback and Mayor Jimenez dissenting and Councilmember Penrose absent.

Vice Mayor Rarback suggested reconsideration of the item at the next meeting when the entire Council was present.

#### **RECESS**

Mayor Jimenez called a recess at 10:25 p.m. The meeting reconvened at 10:37 p.m. with Councilmember Ruddock remotely and Councilmember Penrose absent.

City Attorney Engberg explained the result of the 2-2 vote, indicating the Planning Commission decision stood and the matter was appealable to the Coastal Commission.

Councilmember Ruddock left the meeting at 10:42 p.m.

The Council asked additional questions and further discussed the item.

#### **RECESS**

Mayor Jimenez called a recess at 10:45 p.m. The meeting reconvened at 10:52 p.m. with Councilmembers Penrose and Ruddock absent.

### **3. RESOLUTIONS AND STAFF REPORTS**

#### **3.A APPOINTMENT OF CALPERS RETIRED ANNUITANT AS INTERIM COMMUNITY DEVELOPMENT DIRECTOR**

Administrative Services Director Rossi presented the staff report.

#### **MOTION**

Councilmember Brownstone moved and Vice Mayor Rarback seconded a motion to adopt a resolution authorizing the City Manager to appoint Steven McHarris, a retired CalPERS

annuitant, as the Interim Community Development Director. The question was called and the motion carried 3-0-2, Councilmembers Penrose and Ruddock absent.

### **3.B DOWNTOWN STREETScape MASTER PLAN – PROJECT UPDATE**

Economic and Community Vitality Manager Decker and Assistant City Manager Doughty presented the staff report.

The Council asked questions of staff and discussed the item.

### **3.C INTRODUCTION TO COASTSIDE VENTURE STUDIO**

Economic and Community Vitality Manager Decker, Krystlyn Giedt, Chamber of Commerce, Erica Wood, Consultant, and Eric Vettle, American Energy Society, presented the update.

The Council asked questions of staff and discussed the item.

### **3.D SEWER AUTHORITY MID-COASTSIDE (SAM) OPERATIONS BUDGET AMENDMENT REQUEST – PRINCETON PUMP STATION CAPITAL PROJECT**

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

#### **MOTION**

Councilmember Brownstone moved and Vice Mayor Rarback seconded a motion to adopt a resolution approving, under protest, the requested budget augmentation increasing the previously approved Princeton Pump Station Capital Replacement Project in the amount of \$823,849, and repeal Resolution 2024-08 approved on February 12, 2024. If the Council takes no action on this item, staff will proceed pursuant to Resolution 2024-08 and continue to seek a renewed stipulation of the parties. The question was called and the motion carried 3-0-2, Councilmembers Penrose and Ruddock absent.

### **3.E MID-YEAR REVIEW AND ADOPTION OF RESOLUTION TO AMEND THE FISCAL YEAR 2023-24 BUDGET**

Senior Accountant Stiles and City Manager Chidester presented the staff report.

The following individuals addressed the Council:

- Krystlyn Giedt

#### **MOTION**

Councilmember Brownstone moved and Vice Mayor Rarback seconded a motion to accept the Financial Report for the quarter ended on December 31, 2023 and adopt a resolution to

amend the FY 2023-24 Operating and Capital Budget. The question was called and the motion carried 3-0-2, Councilmembers Penrose and Ruddock absent.

**3.F DISCUSSION OF POTENTIAL REVENUE ENHANCEMENT MEASURES FOR THE NOVEMBER 5, 2024, GENERAL MUNICIPAL ELECTION**

Communications Director / City Clerk Blair and Senior Accountant Stiles presented the staff report.

The following individuals addressed the Council:

- Krystlyn Giedt

The Council asked questions of staff; discussed the item; and directed staff to explore a parcel tax and / or sales tax via polling and feasibility and return to the June 18, 2024 meeting with that information.

**COMMISSION / COMMITTEE UPDATES**

Assistant City Manager Doughty provided an update on the recent Joint Parks and Recreation Commission and Bike / Ped Advisory Committee meeting and the Joint Meeting of the Planning Commission and Architectural Advisory Committee.

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

None.

**CITY COUNCIL REPORTS**

None.

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 12:17 a.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, MARCH 19, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

Mayor Jimenez called the meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

None.

**MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

Mayor Jimenez discussed the recent Farmworker Conference in Escudero and announced the Opportunity Center Ribbon cutting on April 4, at 5:30 p.m.

**REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

None.

**CITY MANAGER UPDATES TO COUNCIL**

None.

**PUBLIC FORUM**

The following individual addressed the Council:

- Krystlyn Giedt

## **1. CONSENT CALENDAR**

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF JANUARY 2024**
- 1.C 2023 HOUSING ELEMENT ANNUAL PROGRESS REPORT**

### **MOTION**

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

## **2. ORDINANCES AND PUBLIC HEARINGS**

None.

## **3. RESOLUTIONS AND STAFF REPORTS**

### **3.A RESOLUTION IN OPPOSITION OF INITIATIVE NO. 21-0042A1, THE TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT, ON THE NOVEMBER 5, 2024 STATEWIDE BALLOT**

City Manager Chidester presented the staff report.

Seth Miller, League of California Cities Peninsula Division Public Affairs Manager, provided a PowerPoint outlining Cal Cities opposition to the Taxpayer Protection Act.

### **MOTION**

Councilmember Penrose moved and Councilmember Ruddock seconded a motion to adopt a resolution in opposition to the initiative. The question was called and the motion carried unanimously.

### **3.B OPTIONS FOR AMENDING MEASURE D**

City Attorney Engberg and Assistant to the City Manager Ekas presented the staff report.

The following individuals addressed the Council:

- Rachel Bross
- Tim Pond
- Sarah Bueno
- Jennifer Mazzon

The Council asked questions of staff and discussed the item.

**CONSENSUS**

By consensus, the Council directed staff to proceed with Options 2 and 4.

**RECESS**

Mayor Jimenez called a recess at 8:36 p.m. The meeting reconvened at 8:47 p.m. with all Councilmembers present.

**3.C WORK SESSION ON TENANT PROTECTIONS**

Assistant City Manager Doughty and Housing Coordinator Noce presented the staff report.

The following individuals addressed the Council:

- Bill Heavlin
- Lisa Warner-Carey
- Joanne Rokosky

The Council asked questions of staff and discussed the item.

**CONSENSUS**

By consensus, the Council provided the following direction: agreed to 60% of CPI; limit on cumulative rental charges to subtenants of a rent stabilized unit; hearing officer and Council as appellant body; including voluntary mediation provision with the cost built into the rent stabilization fee structure; enhanced tenant protections applied widely to residential rental units; and relocation assistance as drafted.

**COMMISSION / COMMITTEE UPDATES**

None.

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

None.

**CITY COUNCIL REPORTS**

None.

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 10:04 p.m.

Respectfully Submitted:

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Jessica Blair, City Clerk

Approved:

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Joaquin Jimenez, Mayor



**MINUTES  
CITY OF HALF MOON BAY CITY COUNCIL  
TUESDAY, APRIL 16, 2024  
ADCOCK COMMUNITY/SENIOR CENTER, 535 KELLY AVENUE**

**CALL TO ORDER / ROLL CALL**

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

**ROLL CALL**

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

**APPROVAL OF AGENDA**

**MOTION**

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

**PROCLAMATIONS AND PRESENTATIONS**

None.

**MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE**

Mayor Jimenez invited the community to the Opportunity Center of the Coastsides. He thanked the Sheriff's Department and CHP for services at the Buddhist Temple.

**REPORT OUT FROM RECENT CLOSED SESSION MEETINGS**

None.

**CITY MANAGER UPDATES TO COUNCIL**

**COMMUNITY PREPAREDNESS DAY REMINDER**

Assistant City Manager Doughty announced the Annual Coastsides Preparedness Day on April 20, from 9-12 pm.

## **PUBLIC FORUM**

The following individuals addressed the Council:

- Hal Bogner
- Trish Hayward
- Juli Spagnuolo
- Linda Donato
- Betsy Cuisinot
- Chris Krook
- Katy Krook
- Albert Buisnot
- Selina Zhang
- Chloe Shao
- Mandy

### **1. CONSENT CALENDAR**

Item 1.F was pulled by Vice Mayor Rarback and Councilmember Penrose.

The Consent Calendar consisted of followings items:

- 1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES**
- 1.B WARRANTS FOR THE MONTH OF FEBRUARY 2024**
- 1.C RECEIPT OF LEGISLATIVE POSITION LETTERS**
- 1.D JOHN L. CARTER PARK IMPROVEMENTS PROJECT (CIP NO. 611) - AMENDMENT NO. 7 TO PROFESSIONAL SERVICES AGREEMENT WITH ELS ARCHITECTURE AND URBAN DESIGN FOR ADDITIONAL CONSTRUCTION DESIGN SUPPORT**
- 1.E CONSTRUCTION CONTRACT AWARD FOR THE 2024 STREET MAINTENANCE PROJECT (CIP PROJECT NO. 0514)**

### **MOTION**

Councilmember Penrose moved and Vice Mayor Rarback seconded a motion to approve the Consent Calendar, with the exception of Item 1.F. The motion carried unanimously.

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

### **1.F URGENT CARE CENTER SERVICES AT SETON COASTSIDE**

Vice Mayor Rarback discussed the need for an urgent care facility.

Councilmember Penrose concurred with the need for an urgent care facility.

**MOTION**

Vice Mayor Rarback moved and Councilmember Penrose seconded a motion to adopt a resolution urging AHMC Seton to develop the necessary infrastructure to staff and maintain an Urgent Care. The question was called and the motion carried unanimously.

**2. ORDINANCES AND PUBLIC HEARINGS**

**2.A INTRODUCTION OF NEW CHAPTER 6.06 “RESIDENTIAL RENT STABILIZATION” TO TITLE 6 OF THE MUNICIPAL CODE**

Assistant City Manager Doughty presented the staff report.

Mayor Jimenez opened the public hearing.

The following individuals addressed the Council:

- Joanne Rokosky
- Bill Heavlin

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

The Council asked questions of staff and discussed the item.

**MOTION**

Vice Mayor Rarback moved and Councilmember Brownstone seconded a motion to introduce on first reading an ordinance creating a new Chapter 6.06 titled “Residential Rent Stabilization.” The question was called and the motion carried 4-1, Councilmember Ruddock dissenting.

**2.B INTRODUCTION OF NEW CHAPTER 6.08 “TENANT PROTECTIONS” TO TITLE 6 OF THE MUNICIPAL CODE**

Assistant City Manager Doughty presented the staff report.

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

The Council asked questions of staff and discussed the item.

**MOTION**

Vice Mayor Rarback moved and Councilmember Brownstone seconded a motion to introduce on first reading an ordinance creating a new Chapter 6.08 titled “Tenant Protections.” The question was called and the motion carried unanimously.

## **2.C INTRODUCTION OF AMENDMENTS TO 6.02 “HOUSING DEFINITIONS” OF TITLE 6 OF THE MUNICIPAL CODE**

Assistant City Manager Doughty presented the staff report.

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

### **MOTION**

Vice Mayor Rarback moved and Councilmember Brownstone seconded a motion to introduce on first reading an ordinance amending Chapter 6.02 titled “Housing Definitions” to incorporate defined terms from proposed New Chapter 6.06 (Residential Rent Stabilization”) and Chapter 6.08 (Tenant Protections). The question was called and the motion carried unanimously.

## **3. RESOLUTIONS AND STAFF REPORTS**

### **3.A AUTOMATED LICENSE PLATE READERS PILOT PROGRAM**

Captain Albin and Palo Alto Police Department Captain James Reifschneider presented the staff report.

The following individuals addressed the Council:

- Paul Grigorieff
- Krystlyn Giedt
- Kimberly Williams
- Carlyse Ann Young

The Council asked questions of staff and discussed the item.

### **MOTION**

Councilmember Penrose moved and Councilmember Ruddock seconded a motion to direct staff to proceed with implementation of an Automated License Plate Reader (ALPR) pilot program at specified locations within Half Moon Bay. The question was called and the motion carried 3-2, Vice Mayor Rarback and Mayor Jimenez dissenting.

### **3.B MUNICIPAL ENERGY IMPROVEMENTS - ENERGY SERVICE CONTRACT WITH WILLDAN ENERGY SOLUTIONS**

### **MOTION**

Councilmember Ruddock moved and Councilmember Brownstone seconded a motion to continue the item to the May 7, 2024 City Council meeting. The question was called and the motion carried unanimously.

**COMMISSION / COMMITTEE UPDATES**

None.

**FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS**

Councilmember Ruddock referenced comments from Ocean Colony residents regarding gate closure. City Manager Chidester stated the annual summer beach tourism plan, including gate closures would be brought to the Council at the next meeting.

**CITY COUNCIL REPORTS**

Vice Mayor Rarback discussed the Peninsula Clean Energy Board and PG&E rates.

**ADJOURNMENT**

Mayor Jimenez adjourned the meeting at 9:39 p.m.

Respectfully Submitted:

Approved:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Matthew Chidester, City Manager

**FROM:** Jessica Blair, Communications Director / City Clerk

**TITLE: RESOLUTIONS CALLING FOR THE HOLDING OF THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION**

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**RECOMMENDATION:**

Adopt a resolution calling for the holding of a General Municipal Election to be held on Tuesday, November 5, 2024, for the election of certain officers, and adopt a resolution requesting the Board of Supervisors of the County of San Mateo to consolidate a General Municipal Election to be held on Tuesday, November 5, 2024, and authorizing the City Manager to enter into a service agreement with the County of San Mateo for the provision of election services.

**FISCAL IMPACT:**

The San Mateo County Elections Office estimate for the November General Municipal Election is approximately \$45,000. An additional \$5,000 is required for advertising, translation services, and printing of election manuals and other candidate materials. If any measures are added, they would be added at roughly \$10,000 per measure. These costs have been incorporated into the proposed FY 2024-25 Budget.

**DISCUSSION:**

There are two City Council seats (District 2 and District 3) available in the November 5, 2024 election.

The nomination period for candidates opens Monday, July 15, 2024 at 8:30 a.m. and ends Friday, August 9, 2024 at 5:00 p.m. City Hall operating hours will determine the local filing deadlines in Half Moon Bay (Friday closures). The City Clerk's Office will be scheduling appointments for both pulling and filing of nomination papers.

**ATTACHMENTS:**

1. Resolution calling for the holding of a General Municipal Election to be held on Tuesday, November 5, 2024, for the election of certain officers
2. Resolution requesting the Board of Supervisors of the County of San Mateo to consolidate a General Municipal Election to be held on Tuesday, November 5, 2024

**RESOLUTION NO. C-2024-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES**

**WHEREAS**, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 5, 2024, for the election of two Municipal Officers; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HALF MOON BAY, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Half Moon Bay, California, on Tuesday, November 5, 2024, a General Municipal Election for the purpose of electing two members of the City Council (District 2 and District 3) for a full term of four years each.
2. That the ballots to be used at the election shall be in form and content as required by law.
3. That the City Clerk is authorized, instructed, and directed to coordinate with the County of San Mateo Registrar-Recorder / County Clerk to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.
4. That the polls for the election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. on the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.
5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.
6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.
7. That in the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County of San Mateo Registrar-Recorder / County Clerk, the City Council, in accordance with Election Code § 15651(b),

shall conduct a special runoff election to resolve the tie vote and such special runoff election is to be held on a Tuesday not less than 40 days nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

8. That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office may file a Candidate’s Statement of Qualifications, not to exceed 200 words, on an appropriate form provided by the City Clerk at the time of returning nomination papers for filing. Said statement shall be included in the Voter Information Pamphlet and Sample Ballot to be mailed to all registered voters unless said statement is withdrawn by the candidate no later than 5:00 p.m. of the next working day after the close of the nomination period. Each candidate filing a Candidate’s Statement of Qualifications shall be responsible for payment of a pro-rata share of costs of printing, handling, and mailing as a condition of having his or her statement included in the voter’s pamphlet. A deposit of \$300 shall be required and the City Clerk shall bill each candidate for any cost in excess of the deposit or shall refund within 30 days of the election any unused portion of the deposit.
  
9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

\*\*\*\*\*

I, the undersigned, hereby certify that the forgoing Resolution was duly passed and adopted on the 21<sup>st</sup> day of May, 2024 by the City Council of Half Moon Bay by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

ATTEST:

APPROVED:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor

**RESOLUTION NO. C-2024-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN MATEO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT FOR THE PROVISION OF ELECTION SERVICES**

**WHEREAS**, the City Council of the City of Half Moon Bay called a General Municipal Election to be held on November 5, 2024, for the purpose of the election of two Members of the City Council; and

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the city, the precincts, polling places, and election officers of the two elections be the same, and that the County Election Department of the County of San Mateo canvass the returns of the General Municipal Election, and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HALF MOON BAY, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

1. That pursuant to the requirements of § 10403 of the Elections Code, the Board of Supervisors of the County of San Mateo is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 5, 2024, for the purpose of the election of two Members of the City Council and potential ballot measures.
2. That the County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.
3. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.
4. That the City of Half Moon Bay recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs, which are estimated to be \$45,000, plus roughly \$10,000 for each measure added.
5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election Department of the County of San Mateo.

6. That the City Manager is authorized to enter into a Service Agreement for the Provision of Election Services between the City of Half Moon Bay and the San Mateo County Chief Elections Officer.
  
7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

\*\*\*\*\*

I, the undersigned, hereby certify that the forgoing Resolution was duly passed and adopted on the 21<sup>st</sup> day of May, 2024 by the City Council of Half Moon Bay by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:    \_

ATTEST:

APPROVED:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council  
**VIA:** Matthew Chidester, City Manager  
**FROM:** Jessica Blair, Communications Director / City Clerk  
**TITLE:** **RECEIPT OF LEGISLATIVE POSITION LETTERS**

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**RECOMMENDATION:**

Receive and file position letters for Senate Bill 1053, Assembly Bill 1889, and Assembly Bill 2236.

**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 2024 Legislative Platform was adopted by the City Council on March 5, 2024. The platform provides staff direction and allows the City staff, 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 sends action alerts for bills affecting municipalities. Staff reviews those alerts as well and takes 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 includes them in a City Council agenda packet for viewing by the Council and the community.

**ATTACHMENTS:**

Letters for Senate Bill 1053, Assembly Bill 1889, and Assembly Bill 2236



May 2, 2024

The Honorable Laura Friedman  
California State Assembly  
1021 O St, Room 5150  
Sacramento, CA 95814

**RE: AB 1889 (Friedman) Conservation Element: Wildlife and Habitat Connectivity  
City of Half Moon Bay – Notice of Support if Amended**

Dear Assembly Member Friedman,

On behalf of the City of Half Moon Bay I write to express our support if amended position on your bill, AB 1889, which requires a local government to consider the impact of development on the movement of wildlife and habitat connectivity as part of the conservation element of its general plan, after January 1, 2026.

Under existing law, local governments must adopt a general plan consisting of seven required elements: land use, transportation, housing, conservation, noise, open space, and safety. Additionally, local governments can consider other optional elements. Health, equity (environmental justice and community resilience), community development, water, and resiliency are examples of additional elements that can be added to a general plan, or that can be used to help frame a general plan, at the discretion of the local government.

Half Moon Bay appreciates and agrees with the intent of the bill, to protect and preserve wildlife. We also appreciate that your bill does not require a new, separate element in the general plan, as the issue of wildlife connectivity overlaps well with the conservation element.

However, we have the following concerns that we would like to see addressed, and that we feel if addressed, would allow us to support the bill:

1. Clarification in the bill as to whether the updated conservation element will be subject to some form of State certification, or just limited to local approval following circulation and comment from public and applicable agencies. As you know, State certification processes for general plan elements can be extremely arduous and consume a large amount of city staff time.

***As such, we would like to see language specifying that the additions to the conservation element do not need to go through a State certification process.***

2. Potential conflicts with approved plans and existing development: Many cities, including Half Moon

Bay, have long designated their downtowns or other areas for higher-density infill development, including affordable housing. If these are urbanized areas, will they be required to restore or create new corridors that have been compromised? I.e: culverted creeks that run through urbanized downtowns, especially on the bayside. What if a corridor is only partially compromised, but because of past modifications is no longer effective? Most bayside cities could face land use policy conflicts for this.

***As such, we would appreciate clarifying amendments to not hold local jurisdictions accountable for restoring or creating new corridors that have been compromised.***

3. Wildlife corridor/connectivity policies will intersect with Local Coastal Land Use Plans (LCLUP).

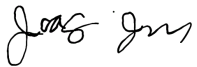
***The bill needs to allow jurisdictions with lands in the Coastal Zone to work this out through the LCP amendment process to ensure consistency with the Coastal Act.***

4. Adoption by reference: The bill includes the following language - (5) If a city, county, or city and county has already included policies in existing plans that meet the requirements of paragraph (4), the city, county, or city and county may incorporate the plan by reference into the general plan to comply with this section.

***We need to know if “existing plans” can include an LCLUP. The City’s certified LCLUP includes numerous policies to maintain wildlife corridors, without really calling them out. It would be important to be able to enhance the LCLUP language to acknowledge this context, and then adopt the relevant policies by reference as a means to fulfill this new requirement. Cities with robust biological resource protection policies should not have to start over.***

Thank you for your work on the bill thus far, and we look forward to engaging with you and your staff with the hope that with some refinement, Half Moon Bay can support the measure.

Sincerely,



Joaquin Jimenez  
Mayor  
City of Half Moon Bay



May 16, 2024

The Honorable Rebecca Bauer-Kahan  
California State Assembly  
1021 O Street, Suite 5210  
Sacramento, CA 95814

**Re: AB 2236 (Bauer-Kahan) Solid waste: reusable grocery bags: standards: plastic film prohibition  
Letter of Support – City of Half Moon Bay**

Dear Assembly Member Bauer-Kahan,

On behalf of the City of Half Moon Bay, I write to express my support for your bill, AB 2236, which would eliminate the exemption of thicker plastic film bags from the state’s single-use bag ban and specify the requirements for reusable bags and paper bags to be eligible for distribution and sale at stores.

As you know, the bag ban resulted in significant reductions in the number of plastic bags collected at beach cleanup days in the state. However, the definition used for “reusable bag” in SB 270 (Padilla, 2014) allowed the use of thicker film plastic bags that meet the requirements for reuse, but in reality, are not typically reused by consumers.

While the use of plastic bags did appear to decrease after the passage of the bag ban, more recent waste characterization studies show a reversal in that trend. The bag ban required film plastic bags to contain specified percentages of post-consumer recycled content and be recyclable in the state. However, the state law that requires stores to accept plastic bags for recycling sunset in 2020. Few stores continue to accept bags back for recycling, and curbside collection programs generally cannot accommodate film plastics for recycling because they contaminate the plastic recycling stream and clog up the machinery used to sort recyclables. In compost systems, plastic bags act as a contaminant that must be screened out, or is ground into the finished compost, contributing to microplastic pollution.

AB 2236 would eliminate the existing exemption of plastic film bags and require grocery and certain retail stores to no longer provide these bags to their customers. Further, it increases standards for reusable bags to ensure they are not replaced by a new bag-type with plastic film material, or a non-plastic bag that can be easily damaged and is not durable. Lastly, the bill increases the recyclability standard of paper bags to be made from 50% post-consumer recycled materials.

In all, this bill will close loopholes on “reusable” plastic bags and is a critical step to a more sustainable future. Again, I am pleased to support this bill and thank you for your dedicated work.

Sincerely,

A handwritten signature in black ink, appearing to read "Joao Gu".



May 16, 2024

The Honorable Catherine Blakespear  
California State Senate  
1021 O Street, Suite 7340  
Sacramento, CA 95814

**Re: SB 1053 (Blakespear) Solid waste: reusable grocery bags: standards: plastic film prohibition  
Letter of Support – City of Half Moon Bay**

Dear Senator Blakespear,

On behalf of the City of Half Moon Bay, I write to express my support for your bill, SB 1053, which would eliminate the exemption of thicker plastic film bags from the state’s single-use bag ban and specify the requirements for reusable bags and paper bags to be eligible for distribution and sale at stores.

As you know, the bag ban resulted in significant reductions in the number of plastic bags collected at beach cleanup days in the state. However, the definition used for “reusable bag” in SB 270 (Padilla, 2014) allowed the use of thicker film plastic bags that meet the requirements for reuse, but in reality, are not typically reused by consumers.

While the use of plastic bags did appear to decrease after the passage of the bag ban, more recent waste characterization studies show a reversal in that trend. The bag ban required film plastic bags to contain specified percentages of post-consumer recycled content and be recyclable in the state. However, the state law that requires stores to accept plastic bags for recycling sunset in 2020. Few stores continue to accept bags back for recycling, and curbside collection programs generally cannot accommodate film plastics for recycling because they contaminate the plastic recycling stream and clog up the machinery used to sort recyclables. In compost systems, plastic bags act as a contaminant that must be screened out, or is ground into the finished compost, contributing to microplastic pollution.

SB 1053 would eliminate the existing exemption of plastic film bags and require grocery and certain retail stores to no longer provide these bags to their customers. Further, it increases standards for reusable bags to ensure they are not replaced by a new bag-type with plastic film material, or a non-plastic bag that can be easily damaged and is not durable. Lastly, the bill increases the recyclability standard of paper bags to be made from 50% post-consumer recycled materials.

In all, this bill will close loopholes on “reusable” plastic bags and is a critical step to a more sustainable future. Again, I am pleased to support this bill and thank you for your dedicated work.

Sincerely,

A handwritten signature in black ink, appearing to read "Joao Jim".

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Matthew Chidester, City Manager

**FROM:** Lisa Rossi, Administrative Services Director  
Kenneth Stiles, Finance Manager

**TITLE: FINANCIAL REPORT AND TREASURER’S REPORT FOR THE QUARTER ENDED ON MARCH 31, 2024**

---

**RECOMMENDATION:**

Accept the Financial Report and Treasurer’s Report for the quarter ended on March 31, 2024.

**FISCAL IMPACT:**

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

**STRATEGIC ELEMENT:**

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

**BACKGROUND:**

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

**DISCUSSION:**

As of March 31, 2024, the General Fund revenues totaled \$13.6 million or 67% of the revised budget. General Fund expenditures total \$17.5 million or 69% of the budget. As stated in the attached report, revenues and expenditures are performing as anticipated.

The City’s cash and investment portfolio at fair market value, as of March 31, 2024, is \$53.1 million of which \$41.4 million is placed with the San Mateo County Treasurer’s Investment Pool and \$8.1 million is placed with the State Controller’s Local Agency Investment Fund (LAIF), and \$3.6 million in operating accounts with Wells Fargo Bank. The average weighted yield for the City’s cash and investments is 3.55 % for the quarter.

With the information available, staff holds no great concern for financial stability for the current fiscal year; however, a projected deficit going into the next year makes the upcoming budget process crucial. Cost containment strategies and/or revenue enhancements will be essential in the next few years for achieving long-term financial stability for the City.

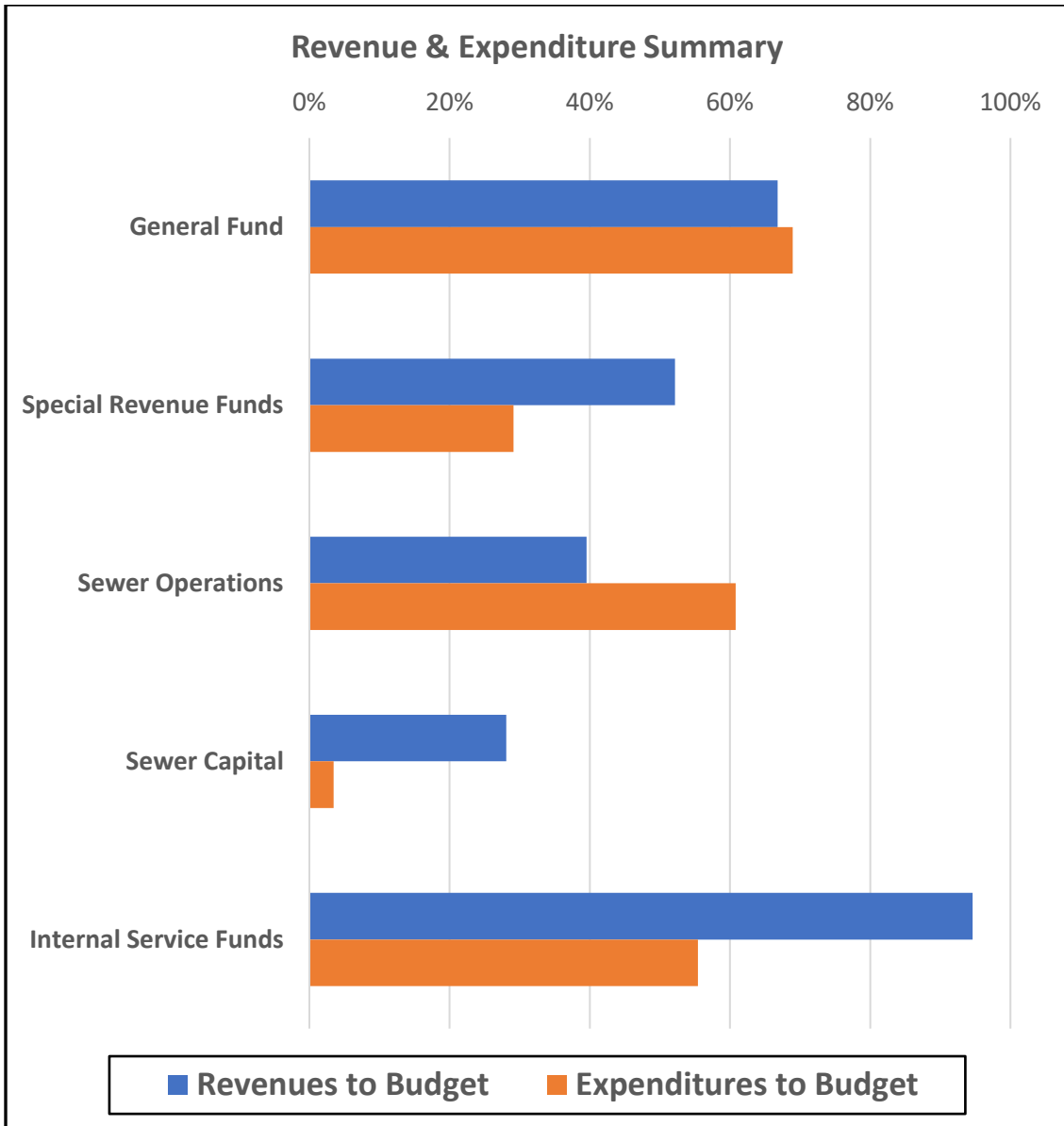
**ATTACHMENT:**

1. Financial Report for the quarter ended on March 31, 2024.
2. Treasurer's Report for the quarter ended on March 31, 2024.

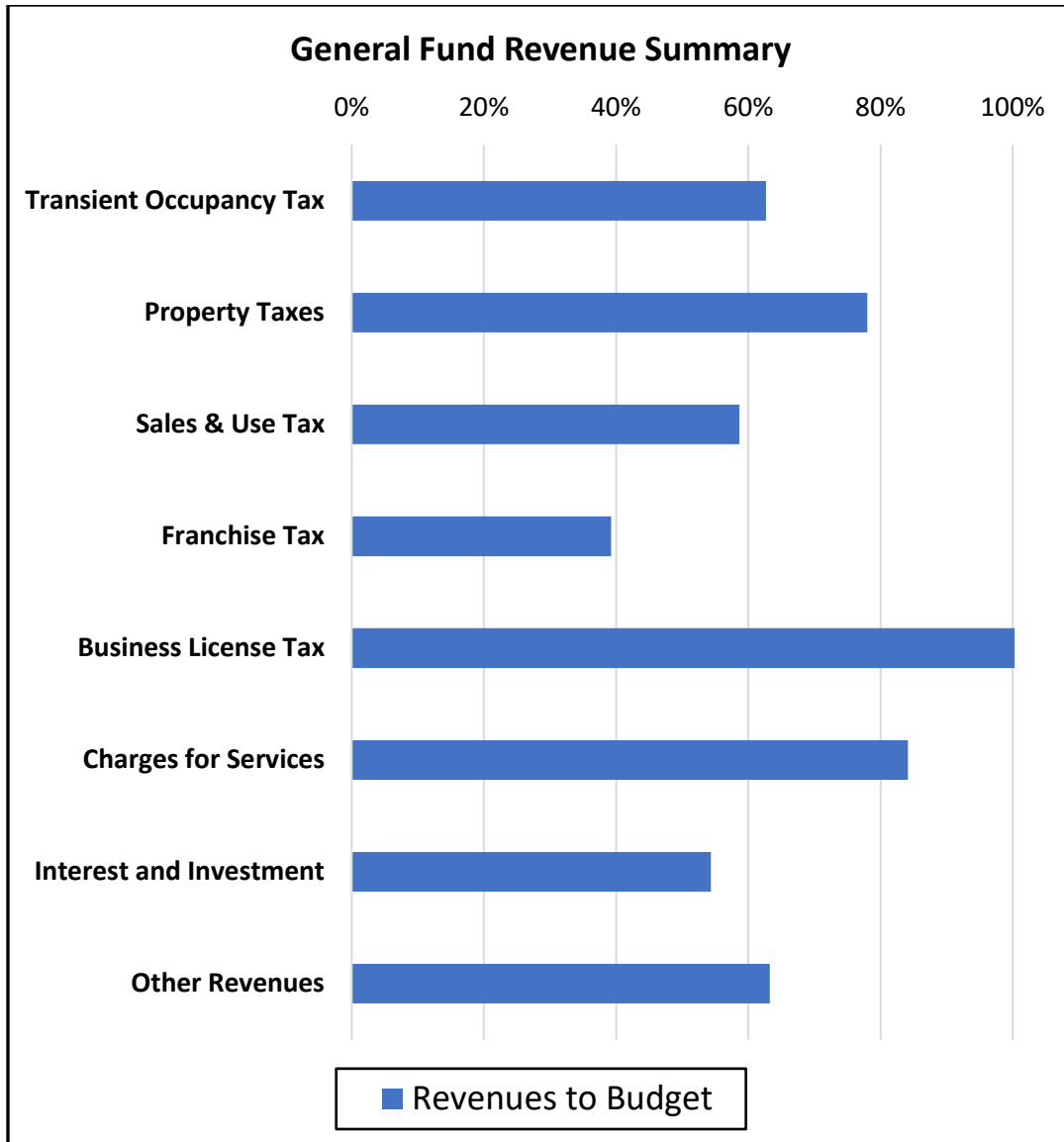
**CITY OF HALF MOON BAY**  
**Quarterly Financial Report**  
**March 31, 2024**



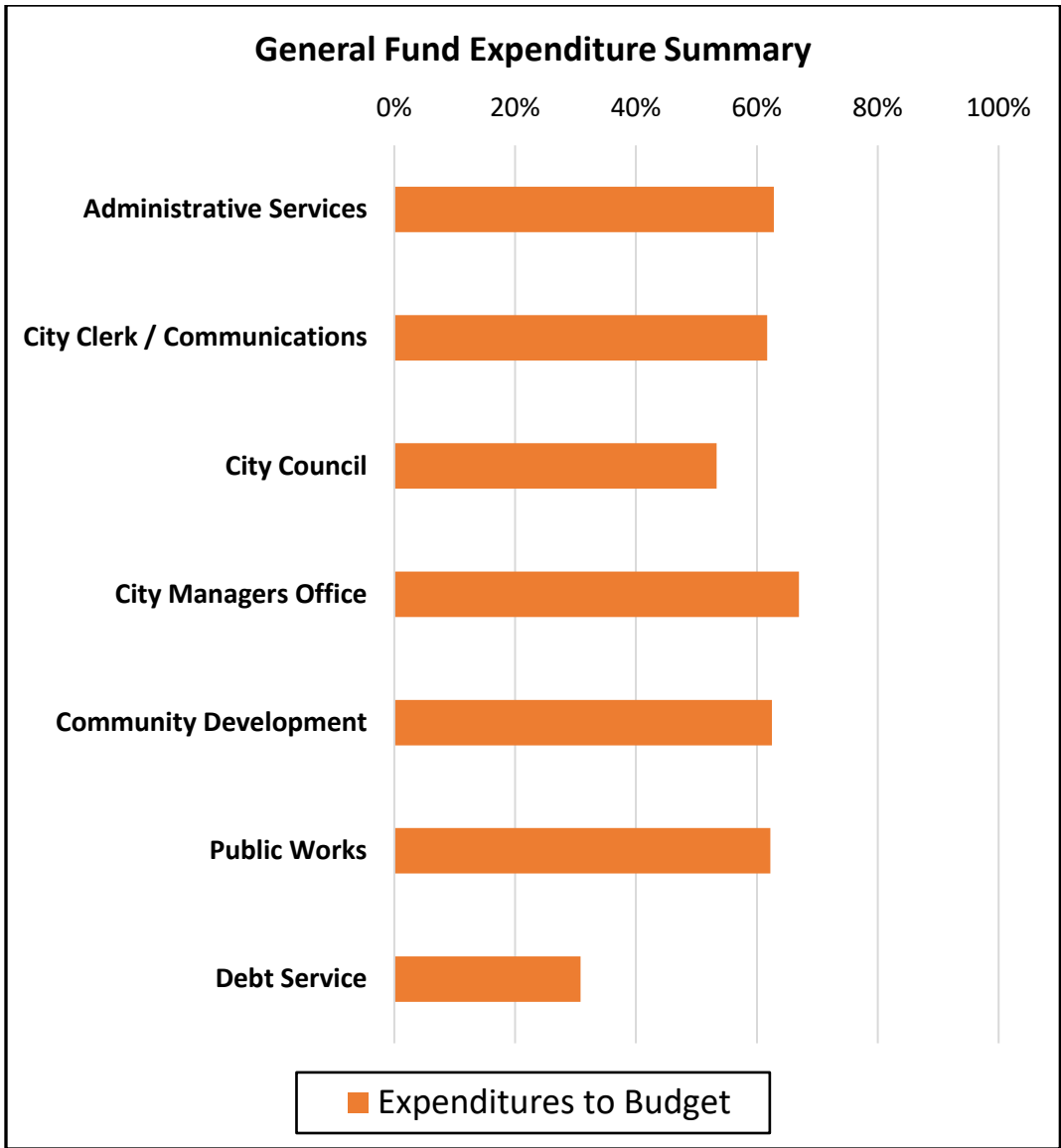
**Prepared By:**  
**Administrative Services Department**



Funds	Revenues		Expenditures	
	Actual	% of Budget	Actual	% of Budget
General Fund	13,661,223	67%	17,538,411	69%
Special Revenue Funds	12,812,887	52%	8,868,150	29%
Sewer Operations	2,899,904	40%	4,579,082	61%
Sewer Capital	77,002	28%	77,946	3%
Internal Service Funds	1,361,032	95%	978,119	55%
Pension Stabilization Fund	924,155	98%	913,474	100%
<b>TOTAL FOR ALL FUNDS</b>	<b>31,736,204</b>	<b>58%</b>	<b>32,955,181</b>	<b>48.2%</b>



Department	Budget	Actual	% of Budget	Prior Year Actual	Prior Year % of Actuals
Transient Occupancy Tax	8,626,313	5,404,621	63%	\$5,577,466	63%
Property Taxes	3,748,738	2,924,616	78%	\$2,460,641	59%
Sales & Use Tax	3,239,200	1,900,370	59%	\$1,852,873	59%
Franchise Tax	982,028	385,245	39%	\$ 365,978	39%
Business License Tax	305,000	312,164	102%	\$ 280,103	85%
Charges for Services	1,603,791	1,349,105	84%	\$1,353,611	66%
Interest and Investment	508,662	276,385	54%	\$ 120,942	34%
Other Revenues	903,213	571,432	63%	\$2,362,657	93%
Transfers in	537,285	537,285	100%	\$ 524,180	100%
<b>TOTAL</b>	<b>20,454,229</b>	<b>13,661,223</b>	<b>67%</b>	<b>14,898,452</b>	<b>65%</b>



Department	Budget	Actual	% of Budget	Prior Year Actual	Prior Year % of Actuals
Administrative Services	1,520,384	954,807	63%	\$ 867,218	75%
City Clerk / Communications	1,091,667	673,299	62%	\$ 668,144	76%
City Council	239,642	127,781	53%	\$ 123,809	63%
City Managers Office	11,575,941	7,751,906	67%	\$ 5,858,454	71%
Community Development	2,007,233	1,254,313	62%	\$ 1,237,322	68%
Public Works	3,757,958	2,337,584	62%	\$ 2,204,059	68%
Debt Service	736,610	226,983	31%	\$ 363,075	54%
Non-Departmental	-	-		\$ 52,120	0%
Operating Transfers	1,753,738	1,753,738	100%	\$ 1,954,936	100%
Capital Transfers	2,763,000	2,458,000	89%	\$ 4,015,419	100%
<b>TOTAL</b>	<b>25,446,173</b>	<b>17,538,411</b>	<b>68.9%</b>	<b>17,344,557</b>	<b>78%</b>

**GENERAL FUND ANALYSIS:**

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

<b>Table 1: Third Quarter Budget to Actual Comparison</b>						
	<b>FY 2023-24</b>			<b>FY 2022-23</b>		
	Revised Budget	Actuals as of 03/31/2024	% of Budget	Final Actuals	Actuals as of 03/31/2023	% of Actuals
<b>Revenues</b>						
Transient Occupancy Tax	8,626,313	5,404,621	63%	8,852,640	5,577,466	63%
Property Taxes	3,748,738	2,924,616	78%	4,135,613	2,460,641	59%
Sales & Use Tax	3,239,200	1,900,370	59%	3,160,478	1,852,873	59%
Franchise Tax	982,028	385,245	39%	945,755	365,978	39%
Business License Tax	305,000	312,164	102%	330,544	280,103	85%
Charges for Services	1,603,791	1,349,105	84%	2,037,767	1,353,611	66%
Interest and Investment	508,662	276,385	54%	353,945	120,942	34%
Other Revenues	903,213	571,432	63%	2,529,259	2,362,657	93%
Transfers in	537,285	537,285	100%	524,180	524,180	100%
<b>Total Revenues</b>	<b>20,454,229</b>	<b>13,661,223</b>	<b>67%</b>	<b>22,870,180</b>	<b>14,898,452</b>	<b>65%</b>
<b>Expenditures</b>						
Administrative Services	1,520,384	954,807	63%	1,149,168	867,218	75%
City Clerk / Communications	1,091,667	673,299	62%	884,782	668,144	76%
City Council	239,642	127,781	53%	197,756	123,809	63%
City Managers Office	11,575,941	7,751,906	67%	8,204,098	5,858,454	71%
Community Development	2,007,233	1,254,313	62%	1,807,920	1,237,322	68%
Public Works	3,757,958	2,337,584	62%	3,242,122	2,204,059	68%
Debt Service	736,610	226,983	31%	675,302	363,075	54%
Non Departmental	-	-	-	95,926	52,120	-
Operating Transfers	1,753,738	1,753,738	100%	1,954,936	1,954,936	100%
Capital Transfers	2,763,000	2,458,000	89%	4,015,419	4,015,419	100%
<b>Total Expenditures</b>	<b>25,446,173</b>	<b>17,538,411</b>	<b>69%</b>	<b>22,227,428</b>	<b>17,344,557</b>	<b>78%</b>

Through the third quarter, the city received \$13.6 million in revenues for the fiscal year. Revenues have decreased from the prior years but are meeting revised budgetary expectations. While last year’s revenues were 65%, the current fiscal year revenues are 67% of the budget. Expenditures through the third quarter total \$17.5 million. Expenditures are tracking at 69% of the budget.

Revenues

Table 2 below shows a year-to-date summary of actual revenues through the third quarter for the current fiscal year and the prior year.

<b>Table 2: Third Quarter Revenues</b>					
	<b>FY 2023-24</b>			<b>FY 2022-23</b>	
	Revised Budget	Actuals as of 03/31/2024	% of Budget	Actuals as of 03/31/2023	% of Actuals
<b>Revenues</b>					
Transient Occupancy Tax	8,626,313	5,404,621	63%	5,577,466	63%
Property Taxes	3,748,738	2,924,616	78%	2,460,641	59%
Sales & Use Tax	3,239,200	1,900,370	59%	1,852,873	59%
Franchise Tax	982,028	385,245	39%	365,978	39%
Business License Tax	305,000	312,164	102%	280,103	85%
Charges for Services	1,603,791	1,349,105	84%	1,353,611	66%
Interest and Investment	508,662	276,385	54%	120,942	34%
Other Revenues	903,213	571,432	63%	2,362,657	93%
Transfers in	537,285	537,285	100%	524,180	100%
<b>Total Revenues</b>	<b>20,454,229</b>	<b>13,661,223</b>	<b>67%</b>	<b>14,898,452</b>	<b>65%</b>

- **Transient Occupancy Tax:** The City has received \$5.4 million through the third quarter. This is a decrease of \$172 K from the prior year. This revenue stream is at 63% of the budget compared to the prior year’s 63%. This revenue underperformed the original adopted expectations and was revised downwards during the mid-year review process. The City is anticipating meeting the new revised budget.
- **Property Taxes:** Most property tax funds are received in December and April. \$2.9 million in revenues have been received thus far. Revenues are 78% of the budget, as compared to 59% in the prior year. This stream is overperforming primarily due to base property taxes and is anticipating exceeding budgetary expectations.
- **Sales & Use Taxes:** The City received \$1.9 million in sales & use taxes. This is a minimal increase from the prior year. The City has received 59% of the budget and is on track to meet expectations.

Expenditures

Table 3 below shows a summary of third quarter budget-to-actual revenues for fiscal years 2023-24 and 2022-23.

<b>Table 3: Third Quarter Expenditures</b>					
	<b>FY 2023-24</b>			<b>FY 2022-23</b>	
	Revised Budget	Actuals as of 03/31/2024	% of Budget	Actuals as of 03/31/2023	% of Actuals
<b>Expenditures</b>					
Administrative Services	1,520,384	954,807	63%	867,218	75%
City Clerk / Communications	1,091,667	673,299	62%	668,144	76%
City Council	239,642	127,781	53%	123,809	63%
City Managers Office	11,575,941	7,751,906	67%	5,858,454	71%
Community Development	2,007,233	1,254,313	62%	1,237,322	68%
Public Works	3,757,958	2,337,584	62%	2,204,059	68%
Debt Service	736,610	226,983	31%	363,075	54%
Non-Departmental	-	-		52,120	0%
Operating Transfers	1,753,738	1,753,738	100%	1,954,936	100%
Capital Transfers	2,763,000	2,458,000	89%	4,015,419	100%
<b>Total Expenditures</b>	<b>25,446,173</b>	<b>17,538,411</b>	<b>69%</b>	<b>17,344,557</b>	<b>78%</b>

General fund expenditures through the third quarter total \$17.5 million or 69% of budget. With salary savings throughout the year and adjustments made at mid-year, the City is anticipating expenditures to come in under budget.

Budget Adjustments

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

<b>Table 4: Budget Adjustments</b>			
Item	Major Funding Source	Total Fiscal Impact	GF Impact
<i>No budgetary adjustments during this quarter</i>			\$ -
<b>Total</b>		<b>\$ -</b>	<b>\$ -</b>

Conclusion

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

	Revised Budget	Ending Estimate
<b><i>Beginning Fund Balance*</i></b>	<b>\$ 16,227,904</b>	<b>\$ 16,227,904</b>
<b>Total Revenues</b>	<b>20,454,229</b>	<b>20,977,814</b>
<b>Expenditures</b>		
Operating Expenditures	22,683,173	21,705,168
Capital Transfers	2,763,000	2,763,000
<b>Total Expenditures</b>	<b>25,446,173</b>	<b>24,468,168</b>
<b><i>Ending Fund Balance</i></b>	<b>11,235,960</b>	<b>12,737,551</b>
<i>General Fund Reserve</i>	6,654,952	6,654,952
<i>Economic Uncertainty</i>	4,436,635	4,436,635
<b><i>Unassigned Fund Balance</i></b>	<b>144,373</b>	<b>1,645,964</b>

The revised budget estimated unassigned funds on June 30, 2024, to be \$144 thousand. However, due to property taxes performing better than expected and expenditures expected to come under budget, the City is estimating unassigned fund balance will be \$1.6 million at the end of the fiscal year.

While the City has fully funded reserves, existing obligations and expenditures exceed ongoing revenues, creating longer-term fiscal challenges for the City. With a structural deficit, the City is looking at all options to mitigate and strengthen the financial outlook. As we navigate these fiscal challenges, the City is diligently exploring all potential avenues for cost savings and revenue enhancements as we prepare for the Fiscal Year 2024-25 budget.

**City of Half Moon Bay  
Treasurer's Report  
March 31, 2024**

1. Cash and investments were comprised of the following instruments as of March 31, 2024, shown with the carrying amount, fair value, and corresponding yields on investment and interest earnings:

	City Treasury	Fiscal Agents	Carrying Amount	Fair Value	Quarterly Yield	Quarterly Interest Earnings	FYTD Interest Earnings
<u>Petty Cash</u>	331	-	331	331		-	-
<u>Wells Fargo Bank:</u>							
Checking	3,572,203	-	3,572,203	3,572,203		-	-
Payroll	3,340	-	3,340	3,340		-	-
<u>California State Treasurer:</u>							
LAIF - General Fund	8,114,596	-	8,114,596	8,067,460	4.12%	80,710	152,509
<u>San Mateo County Treasurer</u>							
SMC Pool - General Fund	41,988,446	-	41,988,446	41,495,502	3.75%	486,575	802,787
<b>TOTAL CASH AND INVESTMENTS</b>	<b>53,678,916</b>	<b>-</b>	<b>53,678,916</b>	<b>53,138,836</b>		<b>567,284</b>	<b>955,296</b>

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

2. **Investment maturities:**

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

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

Investments at March 31, 2024 mature as follows:

	City Treasury	Fiscal Agents	Total
Available immediately	53,678,916	-	53,678,916
Maturities less than one year	-	-	-
Maturities of one to five years	-	-	-
Greater than five years	-	-	-
<b>Total</b>	<b>53,678,916</b>	<b>-</b>	<b>53,678,916</b>

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

Investment sectors as a % of total portfolio		Investment performance comparisons			
Demand Deposits and Money		<u>Date</u>	<u>Total</u>	<u>Yield</u>	<u>Interest</u>
Market	6.66%				
Local Agency Investment Fund	15.12%	3/31/2022	48,731,323	0.74%	253,645
San Mateo Co. Investment Pool	78.22%	3/31/2023	49,150,313	2.32%	361,309
Fiscal Agent	0	3/31/2024	53,138,836	3.55%	955,296
	100.00%				

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

Kenneth Spiles  
Finance Manager

5/6/2024  
Date

[Signature]  
Administrative Services Director

5/6/2024  
Date

**CITY OF HALF MOON BAY  
CASH AND INVESTMENTS REPORT  
FOR QUARTER ENDING 03/31/2024**

<b>GENERAL FUND</b>	<b>13,673,735.16</b>
<b>RESTRICTED FUNDS</b>	
STORM DRAIN OPERATING FUND	266,291.95
TRAFFIC MITIGATION FUND	4,515,327.60
LIBRARY	16,777.32
MAIN STREET BRIDGE	56,179.01
GAS TAX	1,672,140.14
STREET AND ROAD FUND	3,258,217.96
MEASURE A FUND	1,593,885.40
PARK FACILITY DEVELOPMENT	2,562,826.85
AFFORDABLE HOUSING	5,512,184.27
PUBLIC FACILITIES	1,131,437.80
POLICE SPECIAL REVENUE	1,066,321.09
JOB-BOND PROCEED FD	0.96
MEASURE W FUND	791,713.79
LOT ACQUISITION/DEVELOPMENT	1,430,210.60
CZI GRANTS	219,415.46
OCC GRANT	232,958.02
AFFORDABLE HOUSING GRANT	888,000.60
JOB - DEBT SERVICE FD	6,531.03
GEN FD CAPITAL PROJECTS	2,755,023.19
DRAINAGE FUND	1,450,161.38
LIBRARY CAPITAL	459,608.29
GENERAL LONG TERM DEBT	-
SEWER FUNDS	3,521,593.63
VEHICLE REPLACEMENT	192,600.58
FURN/FIXT & EQUIP FUND	1,018,753.43
RISK MANAGEMENT	3,890,064.10
RETIREMENT STABILIZATION	1,496,956.18
<b>TOTAL RESTRICTED FUNDS</b>	<b>40,005,180.63</b>
<b>GENERAL LEDGER (BOOK) TOTAL</b>	<b>53,678,915.79</b>
<b>BANK BALANCES ON 03/31/2024</b>	
WELLS FARGO GENERAL CHECKING	4,507,200
WELLS FARGO PAYROLL CHECKING	3,340
LOCAL AGENCY INVESTMENT FUND (LAIF)	8,114,596
SAN MATEO COUNTY INVESTMENT POOL	41,988,446
Add: PETTY CASH ACCOUNTS	330.82
RECONCILING ITEMS	-
Less: OUTSTANDING CHECKS	(951,254.75)
Plus: DEPOSITS IN TRANSIT	16,257.45
Plus: VOID CHECKS	-
<b>BANK RECONCILIATION TOTAL</b>	<b>53,678,915.79</b>

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Matthew Chidester, City Manager

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

**TITLE: SB 1 LOCAL STREETS AND ROAD IMPROVEMENT PROJECT LIST – FY 2024-25**

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**RECOMMENDATION:**

Adopt a resolution approving the Pavement Management and Traffic Safety Program as the dedicated project for Road Maintenance and Rehabilitation Account (RMRA) Funding.

**FISCAL IMPACT:**

There is no fiscal impact associated with the approval of the program and project mentioned above as the dedicated project for the RMRA Funding. Approving the project list will retain Half Moon Bay’s eligibility for RMRA funds from the State. It is estimated that the City will receive approximately \$300,838 in RMRA funds in FY 2024-25. These program funds are brought before the City Council for allocation and approval through the annual budget.

**STRATEGIC ELEMENT:**

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

**BACKGROUND:**

On April 28, 2017, the Governor signed Senate Bill (SB) 1 which is known as the Road Repair and Accountability Act of 2017, to address basic road maintenance, rehabilitation, and critical safety needs on both the state highway and local streets and road system (<http://catc.ca.gov/programs/sb1/l srp/>). SB 1 is funded through an increase (per gallon) of fuel excise taxes, increases in diesel fuel sales taxes, and increases to vehicle registration fees. SB 1 includes provision for inflationary adjustments to tax rates in subsequent years.

On November 1, 2017, the State Controller started to deposit the SB-1 revenues into a newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of this new RMRA funding is being apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects through the Local Streets and Roads (LSR) Program.

On March 21, 2018, The California Transportation Commission (CTC) adopted the updated reporting guidelines for the Road Maintenance and Rehabilitation Account Local Streets and Roads Funding Program, which requires jurisdictions to identify the use of RMRA funds in an adopted resolution. It also requires a project expenditure report at the end of the year detailing the description, location, amount of funds expended, and estimated useful life of improvements constructed with program funding.

The City, since enactment, has received annual allocations from the Local Streets and Roads (LSR) Program. These funds have been designated, through Council adopted resolutions, primarily to the City's general road maintenance and pavement management efforts.

**DISCUSSION:**

In FY 2024-25, the City's LSR allocation is estimated to increase from \$281,434 to approximately \$300,838 with the new RMRA funds. While we appreciate the funding provided, the amount received annually does not meet the capital repair and construction needs of the City. These funds are often combined with other City funds, where possible, supplemented/leveraged with grant funds and/or benefit assessment district funds.

The objective of the Local Streets and Roads Program is to address deferred maintenance on local streets and roads system through the prioritization and delivery of basic road maintenance and rehabilitation projects as well as critical safety projects. The adopted Capital Improvement Program (CIP) includes the annual Pavement Management and Traffic Safety Program that addresses the types of projects/improvements envisioned under SB 1.

The focus of the Pavement Management and Traffic Safety Program (CIP No. 0514) for FY 2024-25 will be maintaining the existing streets throughout City Limits. Pavement maintenance is intended to extend the useful life of existing streets and reduce road hazards such as cracks, potholes, etc., which in turn will maintain/improve the City's Pavement Condition Index rating. Maintaining city streets benefits many users including bicyclist and mass transit. The City will commence design and construction of the annual street maintenance project while assessing other streets that are in the fair to good range to maintain the structural integrity of the street as well. In addition, the City intends to work on the plans, specifications, and estimate for Kelly Avenue pavement repairs between HWY 1 and San Benito Avenue in the next Fiscal Year.

Due to the broad and applicable scope of the Pavement Management and Traffic Safety Program and the limited amount of funding that the City expects to receive from the LSR Program (SB-1), staff is recommending that the City identify the Pavement Management and Traffic Safety Program of the CIP as the project recipients of RMRA Funding. It is important to note that adoption of the proposed project list does not limit the flexibility of the City to fund project in accordance with local needs and priorities as long as the projects are consistent with RMRA priorities.

**ATTACHMENT:**

1. Resolution
2. Estimated SB 1 Funding Sheet FY 2024-25

**RESOLUTION NO. C-2024-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2024-25 TO BE FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City of Half Moon Bay must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City of Half Moon Bay, will receive an estimated \$300,838 in RMRA funding in Fiscal Year 2024-25 from SB 1; and

**WHEREAS**, this is the eighth year in which the City of Half Moon Bay is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

**WHEREAS**, the City of Half Moon Bay has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

**WHEREAS**, the City of Half Moon Bay used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities' priorities for transportation investment; and

**WHEREAS**, the funding from SB 1 will help the City of Half Moon Bay maintain and rehabilitate several streets/roads and add active transportation infrastructure throughout the City this year and hundreds of similar projects into the future; and

**WHEREAS**, the 2021 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in an "at-risk" condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a "good" condition; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

**NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the City Council of the City of Half Moon Bay, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The following previously proposed and adopted projects may also utilize Fiscal Year 2024-25 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

**Project Title:** Pavement Management & Traffic Safety Program

**Project Description:** The project involves pavement maintenance, such as slurry sealing, crack sealing, mill and filling, and more, to prolong the usable life of existing streets by utilizing the most recent Pavement Management Survey completed in April 2022. Funds from this project will also evaluate possible Bike Lane improvements as described in the City's Bike/Ped Master Plan.

**Project Location:** Various Locations in Half Moon Bay Jurisdiction, including, but not limited to, streets within the Arleta Park Subdivision.

**Estimated Project Schedule:** Start 07/24 – Completion 06/25

**Estimated Project Useful Life:** 10 – 30 Years

\*\*\*\*\*

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 21<sup>st</sup> day of May 2024 by the City Council of Half Moon Bay by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

ATTEST:

APPROVED:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Matthew Chidester, City Manager

**FROM:** Maz Bozorginia, Public Works Director/City Engineer

**TITLE: HIGHWAY 1 - NORTH (CIP PROJECT NO. 538) DESIGN AGREEMENT AMENDMENT**

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**RECOMMENDATION:**

Adopt a resolution authorizing the City Manager to execute Amendment No. 6 to professional services agreement with Mark Thomas and Company, Inc. (MTCO) for additional coordination of utility relocations and easements for the Highway 1 Safety and Operational Improvements Project – North (CIP Project No. 0538) in the amount of \$127,070.

**FISCAL IMPACT:**

The Highway 1 Safety & Operational Improvements project is included in the City’s adopted FY 23-24 Capital Improvement Program and has sufficient funds for this Amendment No. 6 in the amount of \$127,070 for a new, not to exceed, contract amount of \$1,540,948. This work is covered under the construction funding agreement with SMCTA (dated October 19, 2022) at 78% reimbursable for a maximum construction-related reimbursement of \$8,475,000.

**STRATEGIC ELEMENT:**

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

**BACKGROUND:**

The Highway 1 North project includes a new signalized intersection at Terrace Avenue and Highway 1 to provide a safe east-west crossing for pedestrians/bicyclists, protected turn movements for automobiles, consolidated access from Grand Boulevard and Frontage Road as well as improvements to the Naomi Patridge Trail connection (across the previous access points to Highway 1). The project also includes a bicycle/pedestrian (Class I) path from N. Main Street to Spindrift Way on the east side (Eastside Parallel Trail) of the highway as well as extension of the four-lane highway configuration north to just south of Grandview Blvd with improved turning lanes, center median improvements, and green infrastructure. Bus stops will also be

improved in this section to meet current ADA requirements and provide a better experience for transit riders.

On April 2, 2019, the City Council executed an agreement with SMCTA to accept \$300,000 in funding for the design phase of the project and an agreement with MTCO for \$945,000 for the design and preparation of PS&E for the project.

On July 1, 2021, SMCTA Board of Directors allocated an additional \$138,500 for the design of additional safety improvements for the project. On July 20, 2021, the City Council approved an amendment to the professional services agreement with Mark Thomas and Company Inc. for the completion of the Plans, Specifications and Estimates in the amount of \$173,060. This additional work was due to new requirements imposed by Caltrans related to the design features of Highway 1/Terrace Avenue intersection. On September 6, 2022, the City Council executed a new construction funding agreement with SMCTA to accept \$8.475M in funding for the construction phase of the project.

On April 7, 2023, the City Council approved amendment no. 5 to the professional services agreement with Mark Thomas and Company Inc. for the completion of the Plans, Specifications and Estimates in the amount of \$148,892. This additional work was due to design coordination for the utility relocations and right-of-way clearance/easements required for the construction of the project.

**DISCUSSION:**

The project Plans, Specifications and Estimates (PS&E) are substantially complete and in for final review by Caltrans for issuance of the encroachment permit. The project is currently in the pre-construction utility relocation phase and requires further Caltrans coordination for modifications to utility infrastructure relocation which would be in conflict with the proposed Class I bike lane alignment.

Utility relocations include a gas mainline (PG&E), ten (10) utility poles (PG&E, AT&T) and two fire hydrants (CCWD). PG&E requested a new easement for the relocation of three (3) utility poles would have required an easement on a city-owned property with Environmentally-Sensitive Habitat (ESHA). Given the concerns with ESHA, City staff and MTCO worked to modify the design to address PG&E's access requirements and avoid the need for the easement through ESHA. This change does require special approval from Caltrans via a Design Standard Decision Document (DSDD).

The additional services for MTCO are needed to update landscaping to be ultra drought tolerant, coordinate additional Caltrans reviews, DSDD for the Class I Bikeway alignment and minor plan updates before construction bidding. One optional service being added is for coordination with the upcoming Caltrans Highway 1 Multi-Asset Project that overlaps with the location of the City's project. Depending on the timing, this would allow the city to make plan modifications to address Caltrans improvements in advance of the City project if necessary.

The total construction related costs are estimated at \$10,875,000 with SMCTA contributing \$8,475,000 (Measure A) and the City contributing \$2,400,000 (Developer Impact Fees). Once the construction solicitation is complete (anticipated to go out for bids in Winter 2024), staff will return to council with an update on financials, schedule and a recommendation to move forward with construction.

**ATTACHMENT:**

1. Resolution
2. MTCO proposal

**RESOLUTION NO. C-2024-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MARK THOMAS AND COMPANY INC. FOR ADDITIONAL COORDINATION OF UTILITY RELOCATIONS AND EASEMENTS FOR THE HIGHWAY 1 SAFETY AND OPERATIONAL IMPROVEMENTS PROJECT – NORTH (CIP PROJECT NO. 0538) IN THE AMOUNT OF \$127,070**

**WHEREAS**, on October 4, 2012, the SMCTA Board of Directors programmed up to \$300,000 for the design phase and \$3,200,000 for the construction phase of the Project; and

**WHEREAS**, on December 11, 2018, the Planning Commission adopted the Negative Declaration and approved the Coastal Development Permit for the project and Caltrans approved the Permit Engineering Evaluation Report (PEER) on February 8, 2019, thereby satisfying the SMCTA conditions of the allocation for the Design phase; and

**WHEREAS**, on April 2, 2019, the City Council executed an agreement with SMCTA to accept \$300,000 in funding for the design phase of the project and an agreement with Mark Thomas and Company Inc. in the amount of \$945,000 for the design of Highway 1 Safety and Operational Improvements Project North; and

**WHEREAS**, on July 1, 2021, SMCTA Board of Directors allocated an additional \$138,500 for the design of additional safety improvements for the project; and

**WHEREAS**, on September 6, 2022, the City Council executed a new construction funding agreement with SMCTA to accept \$8,475,000 in funding for construction phase of the project; and

**WHEREAS**, on February 7, 2023, the City Council authorized the City Manager to execute amendment no. 5 to the professional services agreement with Mark Thomas and Company, Inc. for additional utility relocation and construction easement support in an amount of \$148,892; and

**WHEREAS**, additional construction related services needed include design coordination with Caltrans for the utility relocations required prior to construction of the improvements.

**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. 6 to the professional services agreement with Mark Thomas and Company Inc. for additional coordination of utility relocations and easements for the Highway 1 Safety and Operational Improvements Project – North (CIP Project No. 538) in the amount of \$127,070.

\*\*\*\*\*

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 21<sup>st</sup> of May 2024 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

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Jessica Blair, City Clerk

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Joaquin Jimenez, Mayor



## MARK THOMAS

April 3, 2024

SJ-19102

Mr. Ray Razavi  
 Project Manager  
 City of Half Moon Bay  
 501 Main Street  
 Half Moon Bay, CA 94019

### **RE: Highway 1 Safety & Operational Improvements North – Additional Services Letter**

Dear Mr. Razavi:

At the request of the City of Half Moon Bay (City), Mark Thomas & Company, Inc. (Mark Thomas) has prepared this additional services letter for the Highway 1 Safety & Operational Improvements North (Project). The additional services are needed to provide additional landscape and irrigation design, coordinate additional Caltrans reviews, prepare a new Design Standard Decision Document (DSDD) for the Class I Bikeway and PG&E poles and make minor plan updates before bidding. One optional service being added is Caltrans SHOPP Project Coordination as this project may impact the project area before construction which would require additional plan edits. We are also proposing a budget reallocation to clean up and reconcile line-item budgets to better align with where we are in the project schedule and to close out tasks that have already been completed. A detailed scope of services is provided below.

## SCOPE OF SERVICES

### **4.0 100% DESIGN AND BID PHASE**

#### **Task 4.5 – Landscape**

As part of the Mark Thomas team, Kikuchi +Kankel Design Group (K+K) will provide 3D visualization services and revisions to our current construction documents to reflect the City's direction to eliminate the majority of the planting and all of the irrigation from the project scope. Below is an outline of the proposed services, broken down into sequential phases of tasks and deliverables.



- A. Update 3D model to reflect revised landscape features and determine vantage points for visualizations;
- B. Develop graphic master plan to illustrate City’s landscape direction, including limited planting areas and eliminated irrigation service;
- C. Develop up to three (3) rendered visualizations to illustrate impact and benefits of updated approach to landscaping;
- D. Progress Meeting #1: Meet with project team to review draft visualizations and master plan; obtain feedback and comments;
- E. Refine drawings and visualizations; prepare for Planning Commission meeting;
- F. Planning Commission Meeting: Present 3D visualizations and updated master plan to the City Planning Commission; answer questions, provide clarification, and obtain feedback;
- G. Progress Meeting #2: Meet with project team to review commission feedback and confirm approach for updates to construction documents;
- H. Update Construction Documents to reflect all approved changes, including Landscape Layout, Irrigation, and Planting Plans;
- I. Update landscape Specifications;
- J. Update project cost estimate.

**TASK 4.5 DELIVERABLES:**

- 3D Model: to provide a “bird’s eye” overview and to identify vantage points used for final visualizations;
- Draft Graphic Master Plan and Visualizations: draft graphic master plan and three (3) draft rendered visualizations for City/project team review and comment;
- Refined Master Plans and Final Visualizations: graphic master plan and three (3) final renderings reflecting input from City staff and project team in a format (.PDF, .JPG, .PSD) selected by the City and project team.

**Excluded Services:**

- *Graphic Refinements: refinements, including plan graphics and design images, beyond the scope outlined above.*
- *Additional visualizations beyond the three (3) identified above. If additional visualizations are requested, they will be billed as lump-sum “Additional Services” per the Fee Schedule below.*
- *Updates or revisions to other consultants’ drawings, including electrical and utility plans.*
- *Additional meetings beyond the scope outlined above. If additional meetings are requested they may be billed hourly as “Additional Services”.*



#### **Task 4.9 – Update Fact Sheets**

Mark Thomas will prepare a supplemental DSDD to document the design decisions made for accommodating the path (a Class I Bikeway) adjacent to the Beachwood property, where a series of utility poles owned by PG&E are in conflict with the path. It has been determined that these poles cannot be moved so we will need to document this non-standard condition and submit the DSDD for review and approval. This task assumes one round of Caltrans comments on the draft DSDD and then we will submit the Final DSDD for signatures.

##### **TASK 4.10 DELIVERABLES:**

- Draft and Final DSDD

#### **Task 4.10 – Encroachment Permit Process**

The Mark Thomas Team has prepared and submitted our PS&E package on typical intervals to Caltrans. Through this process additional asks from Caltrans have been made from a design perspective that have required additional submittal packages to meet their requirements. We will prepare an additional PS&E package to complete the Caltrans approval process and complete a signature-ready encroachment permit application.

Plan updates are also required to coincide with the DSDD mentioned above. These updates will shift the path over approximately 2-feet in the relevant area.

##### **TASK 4.10 DELIVERABLES:**

- Final PS&E
- Signature Ready Encroachment Permit Application
- *All deliverables will be submitted in .pdf format*

#### **Task 4.12 – Caltrans SHOPP Project Coordination**

Caltrans is currently designing improvements along Highway 1 that are throughout the limits of the City's Project area. If the Caltrans State Highway Operation and Protection Program (SHOPP) project goes into construction before the City's Project the Final PS&E will need to be revised to reflect these changes to the existing conditions. As the extent of the improvements are not known at this time, we have provided an estimated budget to complete this work. If the Caltrans improvements are extensive, additional budget may be needed.

##### **TASK 4.12 DELIVERABLES:**

- Revised Final PS&E
- *All deliverables will be submitted in .pdf format*



### FEE ESTIMATE

Attached is the reallocation and additional budget worksheet for the additional services along with our current rate schedule.

### SCHEDULE

The current contract expired on December 31, 2023. We are requesting an extension through December 31, 2026 in order to complete the scope above.

Thank you for the opportunity to provide these additional services for the Highway 1 Safety & Operational Improvements North Project. Please give me a call if you need additional information or have any questions regarding this proposal.

Sincerely,

**MARK THOMAS**



Shawn P. O'Keefe, PE, QSD  
Principal + Vice President

Accepted:
_____ Signature
_____ Name/Title
_____ Date



Original	945,000.00
Amendment 1 (Extension Only)	0.00
Amendment 2 (Extension Only)	0.00
Amendment 3	173,060.00
Amendment 4	146,926.00
Amendment 5	148,892.00
Proposed Amendment 6	127,069.82
<b>Total Contract Amount</b>	<b>1,540,947.82</b>

PHASE NO.	TASK NO.	PHASE/TASK DESCRIPTION	ORIGINAL BUDGET	AM 3 7/21/2021	AM 4 6/21/2022	AM 5 3/21/2023	PROPOSED AM 6	REALLOCATED BUDGET	COSTS TO DATE	BALANCE REMAINING	BILLED BUDGET	
100	1 PROJECT MANAGEMENT, ADMIN & QC											
	001	1.1 Project Management	15,366.00	6,219.00	12,040.00	23,809.47	-11,132.88	81,237.45	66,237.45	15,000.00	82%	
	002	1.2 Meetings	22,750.00	9,451.00			-3,663.42	23,527.23	18,527.23	5,000.00	79%	
	003	1.3 Invoicing	6,088.00	6,219.00			1,179.85	12,022.72	10,522.72	1,500.00	88%	
	004	1.4 Quality Management Plan	11,043.00	3,113.00			-3,113.00	13,994.03	13,994.03	0.00	100%	
<b>SUBTOTAL PHASE 100</b>			<b>55,247.00</b>	<b>25,002.00</b>	<b>12,040.00</b>	<b>23,809.47</b>	<b>-16,729.45</b>	<b>130,781.43</b>	<b>109,281.43</b>	<b>21,500.00</b>	<b>84%</b>	
500	2 35% DESIGN PHASE											
	001	2.2 Field Survey for Controls	14,491.00					14,026.41	14,026.41	0.00	100%	
	003	2.3 Field Survey for Design	38,102.00					9,844.33	9,844.33	0.00	100%	
	005	2.4-1 Geotechnical/Materials Design Report	1,326.00					0.00	0.00	0.00	0%	
	006	2.4-2 Geotechnical/Foundation Report	1,326.00					0.00	0.00	0.00	0%	
	007	2.4-3 ADL Report	1,607.00					0.00	0.00	0.00	0%	
	008	2.4-4 Supplemental Design Decision Doc	5,493.00					0.00	0.00	0.00	0%	
	009	2.5 Layout	48,212.00					48,185.58	48,185.58	0.00	100%	
	010	2.6 Retaining Wall Type Selection Report	32,002.00					4,606.11	4,606.11	0.00	100%	
	011	2.8 Signal	14,888.00					1,987.52	1,987.52	0.00	100%	
	012	2.9 Drainage Report	27,559.00					14,027.63	14,027.63	0.00	100%	
	013	2.10 Storm Water Data Report	8,979.00					11,963.70	11,963.70	0.00	100%	
	014	2.11 Striping & Signing	11,734.00					15,639.04	15,639.04	0.00	100%	
	100	KIKUCHI: 2.7 LANDSCAPE	23,600.00					23,600.00	23,600.00	0.00	100%	
	200	RADMAN: 2.1 NEW AUTOCAD BASE MAP	8,800.00					6,500.00	6,500.00	0.00	100%	
	300	PARIKH: 2.4-1 GEOTECHNICAL/MATERIALS DESIGN REPORT	30,812.00					20,849.07	20,849.07	0.00	100%	
	301	PARIKH: 2.4-2 GEOTECHNICAL/FOUNDATION REPORT	128,753.00					98,298.37	98,298.37	0.00	100%	
	400	GEOCON: 2.4-3 ADL REPORT	40,000.00					44,678.75	44,678.75	0.00	100%	
	500	EXARO: 2.4-5 POTHOLING	30,000.00					15,000.00	9,963.80	5,036.20	66%	
	600	Y&C: 2.11 SIGNAL & SIGNING	0.00					4,980.00	4,980.00	0.00	100%	
<b>SUBTOTAL PHASE 500</b>			<b>467,684.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>334,186.51</b>	<b>329,150.31</b>	<b>5,036.20</b>	<b>98%</b>	
510	3 65% DESIGN PHASE											
	001	3.1 Review 35%	6,680.00					9,718.85	9,718.85	0.00	100%	
	002	3.2 Plats and Descriptions	22,584.00				1,868.11	6,868.11	6,868.11	0.00	100%	
	003	3.3 Update Title, typical & layout	36,340.00					77,208.62	77,208.62	0.00	100%	
	004	3.4 Retaining Wall Layout, Elevation & Detail	33,509.00					33,481.21	33,481.21	0.00	100%	
	005	3.5 Utilities/Drainage	40,001.00					26,634.08	26,634.08	0.00	100%	
	006	3.7 Signal	19,594.00					1,331.90	1,331.90	0.00	100%	
	007	3.8 Striping & Signing	16,117.00					15,812.36	15,812.36	0.00	100%	
	008	3.9 Specifications & Estimates	32,876.00					18,445.32	18,445.32	0.00	100%	
	100	KIKUCHI: 3.6 LANDSCAPE	25,000.00					25,000.00	25,000.00	0.00	100%	
	600	Y&C: 3.7 SIGNAL	0.00					14,910.00	14,910.00	0.00	100%	
<b>SUBTOTAL PHASE 510</b>			<b>232,701.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,868.11</b>	<b>229,410.45</b>	<b>229,410.45</b>	<b>0.00</b>	<b>100%</b>	
530	4 100% DESIGN AND BID PHASE											
	001	4.1 Review 65%	4,643.00					4,637.98	4,637.98	0.00	100%	
	002	4.2 Update Title, typical and layout	24,305.00					43,482.30	43,482.30	0.00	100%	
	003	4.3 Retaining Wall/Independent Check	27,070.00					39,766.84	39,766.84	0.00	100%	
	004	4.4 Utilities/Drainage	25,825.00	14,438.00			982.82	47,245.19	47,245.19	0.00	100%	
	005	4.5 Signal	17,443.00	2,734.00				3,750.35	3,750.35	0.00	100%	
	006	4.7 Striping & Signing	16,895.00					21,415.26	21,415.26	0.00	100%	
	007	4.8 Specifications/Estimates	22,405.00					35,177.93	35,177.93	0.00	100%	
	008	4.9 Update Fact Sheets	7,595.00	13,870.00	43,538.00	21,782.77	-38,312.82	44,602.74	42,063.90	2,538.84	94%	
	009	4.10 Encroachment Permit Processing	7,595.00	100,846.00	71,848.00	83,299.76	134,074.13	447,041.81	397,041.81	50,000.00	89%	
	010	4.11 Bid Phase Support	9,592.00					2,687.03	12,279.03	4,779.03	7,500.00	39%
	011	4.12 Caltrans SHOPP Project Coordination						40,000.00	0.00	40,000.00	0%	
	099	MARK THOMAS REIMBURSABLES			9,500.00	6,000.00	-15,500.00	0.00	0.00	0.00	0%	
	100	KIKUCHI: 4.5 LANDSCAPE	15,000.00					18,000.00	33,000.00	13,475.00	41%	
	102	KIKUCHI: 4.10 ENCROACHMENT PERMIT PROCESSING	0.00	3,710.00	5,000.00			8,710.00	8,662.50	47.50	99%	
	103	KIKUCHI: 4.11 BID PHASE SUPPORT	0.00	4,095.00				4,095.00	0.00	4,095.00	0%	
	600	Y&C: 4.5 SIGNAL	0.00	4,580.00				26,880.00	26,695.20	184.80	99%	
	601	Y&C: 4.11 BID PHASE SUPPORT	0.00					700.00	0.00	700.00	0%	
	602	Y&C: 4.10 ENCROACHMENT PERMIT PROCESSING	0.00	3,760.00	5,000.00			8,760.00	1,890.00	6,870.00	22%	
	699	Y&C: REIMBURSABLES	0.00	25.00				25.00	0.00	25.00	0%	
	700	ARWS: 4.10 ENCROACHMENT PERMIT PROCESSING	0.00			14,000.00		14,000.00	8,551.25	5,448.75	61%	
<b>SUBTOTAL PHASE 530</b>			<b>178,368.00</b>	<b>148,058.00</b>	<b>134,886.00</b>	<b>125,082.53</b>	<b>141,931.16</b>	<b>835,569.43</b>	<b>698,634.54</b>	<b>136,934.89</b>	<b>84%</b>	
900	EXTRA WORK - NOT YET AUTHORIZED											
	001	4.12 Extra Work Budget Allocation	11,000.00					11,000.00	0.00	11,000.00	0%	
<b>SUBTOTAL PHASE 900</b>			<b>11,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>11,000.00</b>	<b>0.00</b>	<b>11,000.00</b>	<b>0%</b>	
<b>GRAND TOTAL SERVICES</b>			<b>945,000.00</b>	<b>173,060.00</b>	<b>146,926.00</b>	<b>148,892.00</b>	<b>127,069.82</b>	<b>1,540,947.82</b>	<b>1,366,476.73</b>	<b>174,471.09</b>	<b>89%</b>	

MARK THOMAS & COMPANY, INC. RATE SCHEDULE

EXPIRES JUNE 30, 2024

**Engineering**

Intern	\$55 - \$99
Technician	\$75 - \$151
Design Engineer I	\$97 - \$171
Design Engineer II	\$123 - \$207
Sr. Technician	\$130 - \$207
Civil Engineering Designer	\$130 - \$235
Project Engineer	\$162 - \$217
Sr. Project Engineer	\$181 - \$249
Sr. Technical Engineer	\$181 - \$249
Technical Lead	\$201 - \$296
Sr. Technical Lead	\$243 - \$371
Design Manager	\$327 - \$410
Engineering Manager	\$340 - \$396
Sr. Engineering Manager	\$363 - \$517

**Construction Management**

Office Technician	\$71 - \$118
Office Engineer	\$123 - \$235
* Asst. Resident Engineer	\$178 - \$328
* Inspector - CM	\$138 - \$365
Project Controls/Scheduler	\$172 - \$324
Resident Engineer	\$233 - \$356
Sr. Resident Engineer	\$292 - \$392
Area Manager - CM	\$340 - \$517

**Planning**

Planner I	\$91 - \$127
Planner II	\$100 - \$175
Sr. Planner	\$123 - \$207

**Landscape Architecture/Urban Design**

Landscape Intern	\$55 - \$99
Landscape Designer I	\$87 - \$130
Landscape Designer II	\$107 - \$164
Landscape Architect	\$123 - \$221
Sr. Landscape Architect	\$133 - \$246

**Grant Writing**

Funding Specialist	\$123 - \$242
Sr. Funding Specialist	\$168 - \$276
Funding Manager	\$285 - \$374

**Surveying**

Survey Technician I-III	\$61 - \$185
Lead Survey Technician	\$132 - \$195
Survey Specialist I-III	\$113 - \$275
Asst Surveyor I-III	\$113- \$203
Project Surveyor I-III	\$168 - \$265
* Chief of Party	\$179 - \$260
* Instrumentperson	\$165 - \$232
* Chainperson	\$156 - \$219
* Apprentice	\$78 - \$175
* 2-Person Crew	\$275 - \$400
* 3-Person Crew	\$425 - \$500
* Utility Locator	\$141 - \$225
* 2-person Utility Locate	\$290 - \$450
Drone	\$250

**Project Management & Oversight**

Project Manager	\$201 - \$296
Sr. Project Manager	\$243 - \$371
Survey Manager I-II	\$222 - \$321
Division Manager	\$275 - \$463
Principal	\$447 - \$535

**Project Support**

Technical/Sr. Technical Writer	\$68 - \$200
Project/Sr. Project Assistant	\$78 - \$153
Project/Sr. Project Coordinator	\$107 - \$196
Graphic/Sr. Graphic Designer	\$113 - \$214
Project/Sr. Project Accountant	\$117 - \$207
Sr. Graphic Manager	\$162 - \$239
Project Accountant Manager	\$178 - \$249

**District Management**

* Inspector - Apprentice	\$68 - \$121
* Inspector/Sr. Inspector	\$110 - \$178
Assistant/Associate Sanitary Engineer	\$156- \$235
Sanitary/Sr. Sanitary Project Engineer	\$185 - \$321
Operations/Deputy District Manager	\$253 - \$385
District Manager-Engineer	\$356 - \$421

**Special Services**

Expert Witness	\$494
Strategic Consulting	\$494

**Reimbursables** including, but not limited to; reproductions, delivery and filing fees; outside consultant fees; and survey field expenses will be billed at *Cost Plus 5%*. **Mileage** will be billed per *current IRS Rate*.

*Additional promotional steps exist within various rate categories.*

*This rate schedule expires June 30, 2024; rates are subject to escalation with new hourly rate schedule as of July 1, 2024.*

*\* These charge rates are subject to Prevailing Wage laws and Union contract.*

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Mathew Chidester, City Manager

**FROM:** Steven McHarris, Community Development Director  
Douglas Garrison, Senior Planner

**TITLE: TWO APPEALS (“CALTRANS APPEAL” AND “CARTER / ERICKSEN APPEAL”) OF THE PLANNING COMMISSION DECISION TO APPROVE THE CALTRANS SR-1 MULTI-ASSET MAINTENANCE PROJECT SUBJECT TO ADDITIONAL CONDITIONS OF APPROVAL (FILE NO. PDP-23-084)**

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**RECOMMENDATION:**

Conduct a public hearing on the Caltrans SR-1 Multi-asset Maintenance Project, PDP-23-084, review the matters brought forth by the two appellants, and:

1. Approve the Carter / Ericksen appeal request to direct staff to work with San Mateo County, Caltrans, and Coastal Commission staff to create and maintain adequate parking for the busiest visitor days in the Surfer’s Beach area, per the Resolution in Attachment 1. Approval of the appeal request does not overturn or modify the Planning Commission approval; and
2. Approve Caltrans Appeal Item 5 requesting to delete or amend Planning Commission Condition A.10 (Poplar Street intersection) and deny requests No’s. 1, 2, and 4 to delete or amend Conditions A.1 (Comply with approved plans) and A.2 (Additional Caltrans Commitments) and A.11 (Limit highway widening) and deny Appeal Item No. 3, the request to delete or accept the proposed revised language of Condition A.6 (Kelly Avenue) and approve the Condition A.6 revision proposed by staff; and uphold the Planning Commission approval of remaining conditions; and
3. Approve the project per the Resolution provided in Attachment 2 which includes modified conditions in response to Items 1 and 2 above.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item. The applicant is responsible for the costs associated with staff-related work on the appeals. As the subject property is within the Appeals Jurisdiction for the California Coastal Commission, no fee is required for filing an appeal.

**STRATEGIC ELEMENT:**

This action supports the *Inclusive Governance* Element of the Strategic Plan.

**OVERVIEW:**

The purpose of the Project is to preserve and extend the useful life of California State Route 1 (SR-1). The Caltrans Application Supplemental Information includes additional details concerning the need for the project, scope of work, environmental review and project plans. The project extends from approximately Wavecrest Road to the northern City limit. Primary components of the project include repaving SR-1, adding north and southbound bicycle lanes along the project length; replacing guardrails and associated safety equipment; replacing three existing culverts; minor roadway widening in three locations to accommodate new bicycle lanes; replacing existing traffic signal poles and pedestrian improvements in select locations. Additional information concerning these project features are included in the Application Supplemental Information with Appendices which are provided in the March 26 and April 9, 2024, Planning Commission reports (City Council Attachment 3).

**BACKGROUND:**

On, 2024, the Planning Commission conditionally approved a Coastal Development Permit for the Caltrans SR-1 Multi-Asset Maintenance project (File No. PDP-23-084)

On April 23, 2024, two written appeals of the Planning Commission decision to approve the Coastal Development Permit were filed. Appeal #1, submitted by Kathryn Slater-Carter and Len Ericksen or the “Carter/Ericksen Appeal”, did not specifically request overturning the Planning Commission approval. However, it did raise concerns about the loss of parking spaces and coastal access in the northern extent of the project, adjacent to Surfer’s Beach and Sam’s Chowder House (Attachment 5). Appeal #2, or the “Caltrans Appeal”, requested deletion or modification of certain conditions imposed by the Planning Commission at the April 9, 2024, hearing (Attachment 6).

**DISCUSSION:**

The grounds for appeal of the Carter / Ericksen appeal are paraphrased below, followed by the response to the primary concerns included in the appeal. Each item in the Caltrans Appeal is provided verbatim, along with staff responses.

**Appeal #1- Carter /Ericksen Appeal: Received April 23, 2024 (Attachment 5)**

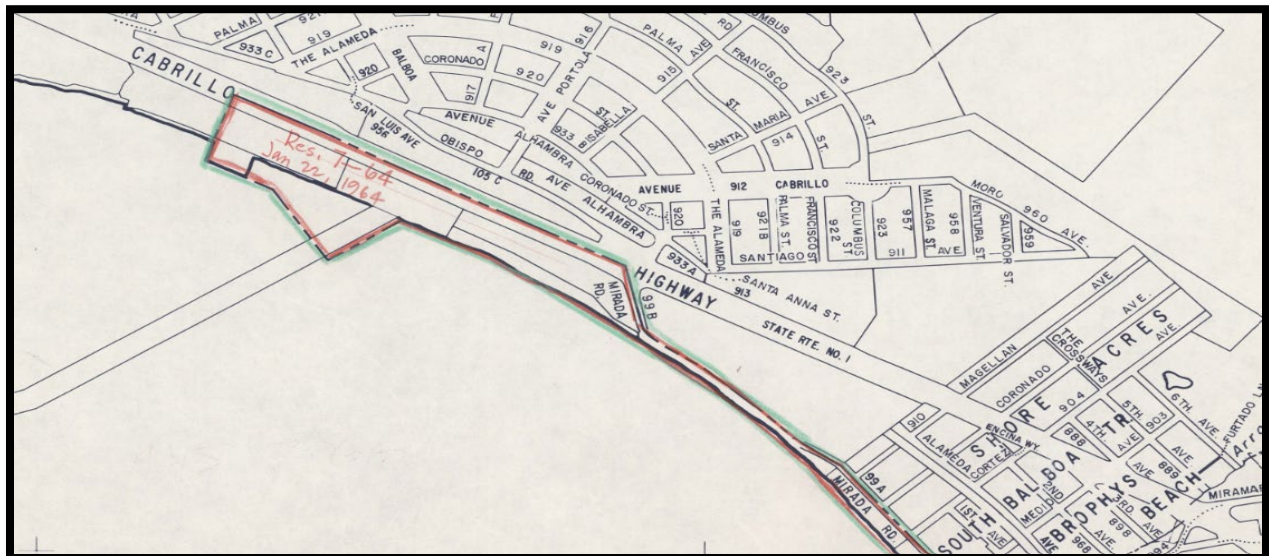
The appellants are concerned that the addition of bicycle lanes along the paved shoulders of the highway will eliminate existing roadside parking spaces and limit coastal beach access near Surfer’s Beach. The appellants note that recent Coastal Development Permit (CDP)

requirements for development on the Harbor District property has resulted in a net loss of parking spaces to accommodate larger ADA compliant spaces. The supplemental information submitted with the appeal includes excerpts from previous plans to improve coastal access parking and safe pedestrian crossings of the highway. The Appellants have requested that the City Council consider this information and then direct City staff to work with San Mateo County, Caltrans and Coastal Commission staff to create and maintain adequate parking for the busiest visitor days in the Surfer's Beach area.

### **Carter / Ericksen Appeal Response:**

The City boundary extends along a narrow strip from the ocean to the centerline of SR-1 in the Surfer's Beach area. San Mateo County (SMCO) has jurisdiction over the lands to the east of the centerline and both sides of the highway further north and south as shown below in Figure 1. The Caltrans project is subject to CDP approvals from both SMCO and the City. The SMCO CDP was approved with new bike lanes. The SMCO approval was subsequently appealed to the Coastal Commission by the same Appellants. The Caltrans stated position is that parking on the highway is prohibited and consequently no replacement spaces are required. The question of whether installation of the bike lanes will require comparable replacement parking has not been resolved by the Coastal Commission to date. The next scheduled Coastal Commission meeting dates are June 12-14 and July 10-12. Given the uncertainty over Coastal Commission guidance on this issue, the City Planning Commission approved the CDP with the addition of Condition No. A.9 which allows Caltrans to install the bike lanes, subject to compliance with Coastal Commission requirements that may be imposed in resolving the SMCO CDP appeal.

**Figure 1. City Jurisdiction Boundary (Source SMCO LAFCO)**



### **Conclusion / Recommendation.**

The materials submitted in support of this appeal show most of the existing parking and potential new parking areas are within SMCO jurisdiction. Caltrans has not objected to

Condition A.9. Staff recommends retaining Condition A.9. Providing safe multi-modal access to coastal areas is a central goal of the Coastal Act and the LUP, therefore staff recommends that the City Council approve the request in the Carter /Ericksen Appeal to direct City staff to support the efforts of, and work with San Mateo County, Caltrans and Coastal Commission staff to plan for, create and maintain enhanced coastal access in the Surfer's Beach area. The Resolution (Attachment 1) addressing this appeal includes a finding that the City Council has directed staff to work with these agencies.

**Appeal # 2 - Caltrans Appeal: Received April 23, 2024 (Attachment 6)**

The Applicant is objecting to certain conditions of approval that were included in the Planning Commission approval and is asking that the following conditions be deleted or modified.

1. **General Condition A.2 Additional Comments by Caltrans.** *Caltrans indicates that they believe "This condition is redundant with General Condition A.1 Conformance with Approved Plans as these changes were included in the 95% plans submitted for the CDP request. Caltrans requests that this condition be removed or consolidated with General Condition A.1."*
2. **General Condition A.11 Highway Widening.** *Caltrans indicates that they believe "This condition is redundant with General Condition A.1 as these features were included in the 95% plans submitted. Caltrans requests that this condition be removed or consolidated with Condition A.1."*

**Response to Caltrans Appeal Items 1 and 2.**

Condition A.2 was included in response to comments received from Coastside on Bikes, the City's Bicycle and Pedestrian Advisory Committee (BPAC), and Cabrillo Unified School District (Attachment 3 of March 26, 2024, PC Report and the April 9<sup>th</sup> Planning Commission Supplemental Information Memo). Caltrans agreed to include some of the requested improvements and declined to include others. Caltrans agreed to include signage for the Naomi Patridge Trail and to add crosswalks and stop lines on streets with existing trail crossings. Caltrans declined to include new crosswalks on the north side of Poplar Street and Kelly Avenue, because these requests were outside of the scope of this project. Condition A.2 was intended to ensure that the improvements that were agreed upon would be included in subsequent plans and implemented.

Staff notes that Caltrans staff and their consultants have had difficulty identifying specific features included in the 95% plans and have sometimes provided conflicting answers to City staff and the Planning Commission throughout the review process. These include the locations and widths of proposed road widening and whether the project included new intersection street safety lights. Additionally, the most recent proposed improvements to the Kelly Avenue intersection, as shown below in Figure 2, are not included in the original

95% plans. An additional standard City condition, B.2 requires all applicants to include the conditions of approval in the final project plans. This is required, in part, to ensure that the applicant's contractor (and all subcontractors) is aware of all conditions and requirements. **Recommendation.** For the reasons stated above, staff recommends denial of the appellants request to revise or deleting Condition A.1, A.2 or A.3. This will ensure that these improvements are constructed as proposed and will reduce the potential for future confusion or omissions.

### **Caltrans Appeal Item 3.**

**General Condition A.6 Kelly Ave. Intersection.** *This condition is based on consistency with LUP 5-25. The CDP in Findings for Approval already indicate (Section 1.LUP 5-25) that the project's inclusion of improvements to bicycle and pedestrian infrastructure meets the requirements of LUP 5-25. These elements were included in the CDP application and 95% plans submitted with the application, and improvements at Kelly Avenue were part of the application. Including General Condition A.6 into this CDP is not required to meet compliance with LUP 5-25. Caltrans has reviewed collision history and traffic operations data at this location, over the previous five years and has found no evidence of pedestrian- vehicle conflicts at this intersection. Reviewed vehicle crash data shows that the intersection has below average collision rates. Additionally, there is no support provided by the Planning Commission that removal of the "pork chop islands" required by General Condition A.6.b at this location would beneficially change safety conditions. Caltrans understands and acknowledges the comments provided by the public about safety concerns at and solutions at Kelly Avenue but does not believe the condition as written is appropriate for this project or would effectively improve safety for pedestrians or cyclists. Caltrans is requesting this condition be removed as it is not required to meet LUP 5-25 or be rephrased to state that Caltrans will cooperate with the City to better understand and coordinate on improvements to pedestrian and bicycle safety at the Kelly Avenue intersection.*

### **Response to Caltrans Appeal Item 3.**

Caltrans has proposed pedestrian and bicycle improvements to this intersection as shown below in Figure 2. Features shown in blue are included in the original 95% project plans. Items shown in red were included in response to staff and public comments and were presented and agreed upon by Caltrans at the April 9, 2024, Planning Commission meeting. These items are not included in the original 95% plans.

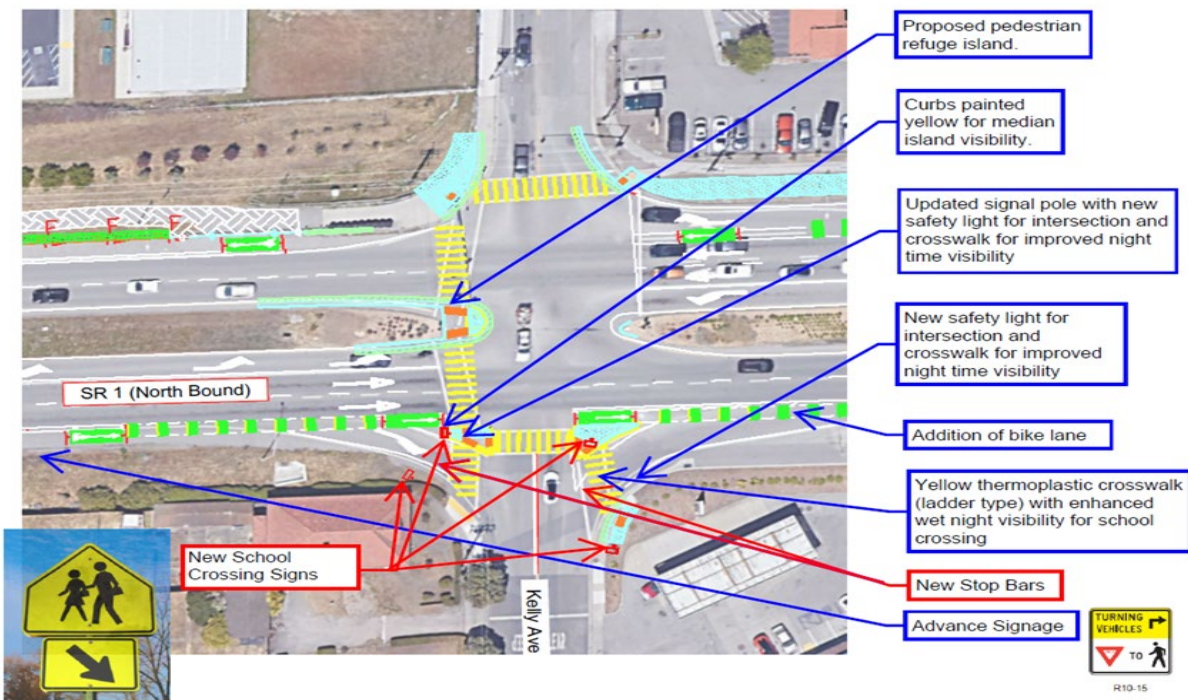
Proposed improvements include new high visibility (bright yellow) crosswalks, raising the height of the Island curbs, adding pedestrian crossing warning signs and adding streetlights to the intersection to improve visibility. A 6-foot-wide green striped bike lane is required as well.

Adding a green striped six-foot-wide bike lane will more clearly demarcate the vehicle travel lanes and provide a more secure buffer between through traffic and the Islands.

Public concerns about this intersection focused on the need to cross the right turn lanes to get to the “pork chop islands” (Island) to activate the pedestrian signal. From there, people would wait on the island with traffic passing on both sides for the signal to change. Some commenters recommended removing the islands and potentially extending the main curb further outward to reduce the distance that had to be traversed. Staff recognizes that this approach would address concerns but also recognizes that this may not be the only solution and would require extensive study, redesign and will delay the project. Caltrans has indicated that the intersection redesign requires an entirely different review process and may very well require funding via a different source within Caltrans.

### Figure 2 Proposed Kelly Avenue Intersection Improvements

*Proposed Kelly Avenue improvements as presented to the Planning Commission on 4/4/2024*



Staff recommended retaining the Islands, with the Caltrans proposed improvements, but also adding a new pedestrian signal activation switch on the main curbs and additional features such as a no right turn signal when the pedestrian signal is activated or similar visual cues such as flashing lights. This compromise approach addressed the primary concerns raised by the public. At the April 9<sup>th</sup> Planning Commission meeting Caltrans verbally committed to include the additional safety measures recommended by staff. Since then, Caltrans has indicated they do not wish to include this feature. Caltrans has acknowledged that while this approach would potentially improve intersection safety, these improvements are outside the

project scope of work, which is funded through highway maintenance funding sources, and intersection accident data does not warrant this type of improvement.

### Intersection Safety

Caltrans Accident data, covering 2018 to 2023 is provided in Attachment 7. During this period there were a total of 8 recorded collisions, none involving pedestrians or bicyclists. Additional accident data covering an earlier period of time was used by the City in support of grant applications for the USDOT Safe Streets for All Grant Program. This data, shown graphically in Figure 3 and in tabular form in Attachment 8, identifies the Kelly Avenue / Highway 1 intersection as an Accident Hotspot. There were 7 reported accidents involving pedestrians or bicyclists between 2014 and 2018 at the Kelly Avenue intersection.

Figure 3



Currently, as shown below in Figure 4, the Island is not clearly demarcated and as shown in Figure 4, the Island is also not adequately sized to accommodate groups of pedestrians waiting for the signal to change. Consequently, the Island provides minimal protection and when groups of pedestrians exceed the capacity of the island and overflow into the traffic lanes this may actually create a hazardous condition.

Caltrans asserts in the Appeal that the basis for requiring removal of the Islands provided by the Planning Commission was consistency with LUP Policy 5-25 and that this requirement is not necessary to comply with the policy.

**Figure 4. Existing Intersection Conditions**



**Figure 5. Students Waiting for Pedestrian Signal Change (Southeast Island).**



There are primarily three LUP policies that are relevant to this discussion: LUP Policy 5-24, 5-25 and 5-26. Project consistency with these policies is discussed below.

***5-24. Bicycle and Pedestrian Master Plan.*** Periodically update and implement the Bicycle and Pedestrian Master Plan to identify needs and prioritize improvements to bicycle and pedestrian facilities and programs.

The Bicycle and Pedestrian Plan was updated in 2019. It identifies pedestrian and cyclist safety at the Kelly Avenue / Highway 1 intersection as a City priority. It also notes that intersection improvements are planned and that they include new bright yellow crosswalks and other features to improve visibility. This is consistent with the current Caltrans proposal. Consequently, the project is consistent with the Bicycle and Pedestrian Plan, as it applies to the Kelly Avenue intersection and LUP Policy 5-24.

***LUP 5-25. Highway Crossings.*** Work with Caltrans to ensure that improvements to Highway 1 and Highway 92 incorporate safe access for bicycles and pedestrians from all neighborhoods to the beach, downtown, and schools.

***LUP 5-26. Downtown-Beach Pedestrian Connections.*** Require improvements of pedestrian east-west connections between downtown and the Francis State Park Beach and Poplar Beach where applicable to new public and private development projects. Kelly Avenue and Poplar Street should be high priorities for walkway enhancements suitable to the adjacent neighborhood environment, and pedestrian amenities as well as directional signage.

The project includes improvements that will enhance pedestrian and bicycle safety at the Kelly Avenue intersection and consequently improve access to beaches, downtown, and Hatch Elementary and Cunha Middle School. The project could include additional safety improvements, such as the staff recommendations discussed above, that Caltrans previously agreed to implement. The project does not include improvements to the Poplar Street intersection (see Item 5 discussion below).

The project is a maintenance and safety project that does not include or fund the construction of new roads, expansion of road capacity or new development that would cause an increase in traffic or pedestrian levels. Safe and efficient access to coastal resources is a principal goal of the Coastal Act. The Kelly Avenue/Highway 1 intersection is a primary access corridor to coastal resources including Francis State Beach, Poplar Beach and the California Coastal Trail. The intersection provides critical connections to Cunha Intermediate School and Hatch Elementary School. Providing safe routes to school is a basic public health and safety goal. While there may be no specific LCLUP policy on the scope of these intersection improvements, the overarching public health, safety and coastal access concerns are sufficient to retain Condition 6, as approved by the Planning Commission and agreed to by Caltrans; or, alternatively the staff recommended improvements that would not necessitate removal of the islands.

**Recommendation.**

Staff recommends denying the appeal request to delete Condition A.6 or to accept the Caltrans proposed modification of the condition and maintaining Condition A.6 as originally written or, alternatively, implementing the staff recommended improvements agreed to at the Planning Commission meeting as follows:

**Original Condition 6**

KELLY AVE INTERSECTION: Reconfigure the intersection to improve pedestrian and bicyclist safety, consistent with LUP Policy 5-25 requirements as follows.

- a. Provide new ADA compliant pedestrian walk signals that can be accessed from the main curb on the northeast and southeast intersection corners and the center median of the highway.
- b. Eliminate the "pork chop islands" separating right turn lanes from through traffic lanes at the northeast and southeast intersection corners. (Planning and Engineering)

**Alternative Condition 6**

KELLY AVE INTERSECTION: Reconfigure the intersection to improve pedestrian and bicyclist safety, consistent with LUP Policies and Safe Routes to Schools Standards as follows:

- a. Install new pedestrian signal switches on the main curbs, to eliminate the need for people to first cross the unprotected right turn lane to reach the pedestrian signal switch on the Islands.
- b. Evaluate additional improvements such as installing no right turn signs or signals when the pedestrian signal is activated.

**Caltrans Appeal Item 4.**

**General Condition A.7 Monitor Culvert Replacement.** *Culvert monitoring is not tied to any LUP or Coastal Act policies. This condition is not required to meet consistency with the LUP or Coastal Act. Caltrans requests that this condition be removed from the CDP.*

**Response Caltrans Appeal Item 4.**

Supplemental hydrological analysis was submitted by Caltrans in response to comments (Attachment 2 of April 9<sup>th</sup> Planning Commission Report). The study indicates that large storm events will result in some stormwater flowing offsite onto City streets including Filbert, Spruce, Poplar, and Grove. What the study does not show is that a portion of this stormwater would eventually flow into the Seymour Ditch. In recent years, the City has had to implement multiple emergency repairs to protect the Coastal Trail and associated pedestrian bridge due to accelerated erosion in the Seymour Ditch. The Ditch is also cutting into the southern edge of the old County landfill, located on a coastal bluff. In 2023, SMCO applied for and received approval for an Emergency CDP to control bluff erosion that was threatening the integrity of the landfill. The Caltrans analysis does not address the potential contribution of their runoff to flooding and erosion of these features. Caltrans notes that the existing 18-inch diameter culverts will be replaced with new 18-inch culverts, consequently there will be no substantial increase in runoff. Staff notes that this is an existing emergency condition and maintaining the same or similar water flows may contribute to the worsening of this unstable geologic condition. This additional runoff is contributory to ongoing erosion of Seymour Ditch and the likely loss of the Coastal Trail bridge, erosion of the Coastal Trail and ultimately the failure of slopes currently supporting the closed landfill. This would not be consistent with Coastal Act or LCLUP policies.

**Recommendation.**

The primary requirement of Condition A.7 is to monitor onsite conditions and address any problems that may occur. Caltrans stated at the Planning Commission hearing that they monitor the condition and perform maintenance on these culverts at least once a year. Consequently, this requirement is not an overly onerous requirement and staff does not recommend deleting condition A.7.

5. **General A.10. Poplar Street Intersection.** *This condition is not tied to any LUP or Coastal Act policy and is not required for the project to be in compliance with LUPs or the Coastal Act. Additionally, the City already has a project at this location that is*

*more appropriately suited to construct this feature. LUP 5-25 requires coordination with Caltrans on intersections and this condition would be appropriately applied to the other project being led by the City. Caltrans requests that this condition be removed from the CDP.*

**Caltrans Appeal Item 5 Response.** Improving pedestrian and bicycle safety at the Poplar Street / Highway 1 intersection is identified as a City priority in LUP Policies and the Bicycle and Pedestrian Plan. There is an existing crosswalk on the south side of the intersection that does connect to existing paved paths. The connecting paths are not optimal but are potentially better than the existing condition on the north side of the intersection, where there are no paved paths. Staff concurs that adding the northern pedestrian crossing prior to the City constructing planned improvements to Poplar Street on both the east and west side of the highway could create a false sense of security for pedestrians that could exacerbate existing hazards. However, staff also notes that if the City project is under construction or completed prior to the completion of the Caltrans project, there would be no reason for Caltrans not to include a new crosswalk in their plans.

**Recommendation.**

Staff recommends deleting Condition A.10, which requires installation of a new crosswalk on the north side of the Poplar Street / Highway 1 intersection. Staff will pursue funding and support of Caltrans for improvements to the intersection separately from this maintenance and safety project.

**CONCLUSION:**

**Carter /Ericksen Appeal.** The Appellants have not specifically requested the City Council to overturn the Planning Commission Approval or to modify existing conditions of approval. They have expressed concerns about coastal access and the importance of safe and convenient coastal access parking. They have requested the City Council to direct staff to work with San Mateo County, Caltrans, and Coastal Commission staff to create and maintain adequate parking for the busiest visitor days in the Surfer's Beach area. Staff supports this request and has included a Finding in the Resolution (Attachment 1) stating that the City Council has directed staff to work with these agencies.

**Caltrans Appeal.** Caltrans has documented the deteriorating condition of the highway pavement and other ancillary features. The proposed project will correct a number of these deficiencies and represents a substantial investment in the regional transportation infrastructure. Staff supports these efforts. However, staff also notes that a number of unsafe conditions have been identified and that Caltrans could do more to ensure public safety, as discussed in this report. Specifically, Kelly Avenue intersection improvements including relocating pedestrian signal push buttons be included. Staff also notes that the proposed Kelly Avenue features, as conditioned, will improve pedestrian and bicycle safety and are therefore consistent with the Coastal Act, LUP policies and general principles of protecting public health and safety.

**Public Comments.** Three written comments were submitted after the Planning Commission hearing (Attachment 9). Two of the commenters expressed opposition to creating bike lanes that would limit available roadside parking and beach access. The third comment letter, from the group Coastside on Bikes, was submitted directly to the Caltrans project manager and it was then forwarded to the City. The commenter notes that they are satisfied with the currently proposed safety improvements and understand that other recommended improvements are outside of the scope of the current project. They also note that these improvements should be Caltrans priorities for future projects and programs.

**ATTACHMENTS:**

1. Carter / Ericksen Draft City Council Resolution with Exhibit A (Findings and Evidence) and revised Conditions
2. Caltrans Appeal: Draft City Council Resolution with Exhibit A (Findings and Evidence) and revised Conditions
3. [March 26, 2024 - Planning Commission Agenda Packet](#)  
[March 26, 2024 –Planning Commission Minutes](#)  
[April 9, 2024 – Planning Commission Agenda Packet](#)  
[April 9, 2024 –Planning Commission Minutes](#)  
[Environmental Documents - City’s Caltrans webpage](#)
4. Planning Commission Amended and Approved Signed Resolution
5. Carter / Ericksen Appeal Application and Statement, April 23, 2024
6. Caltrans Appeal Application and Statement, April 23, 2024
7. CALTRANS Safety Data
8. City Safety Data
9. Public Comments

**Resolution No. C-2024-\_\_**  
**PDP-23-084**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY APPROVING AN APPEAL BY KATHRYN SLATER-CARTER AND LEN ERICKSEN, REQUESTING THE CITY COUNCIL DIRECT CITY STAFF TO WORK WITH SAN MATEO COUNTY, CALTRANS AND COASTAL COMMISSION STAFF TO CREATE AND MAINTAIN ADEQUATE PARKING FOR THE BUSIEST VISITOR DAYS IN THE SURFER’S BEACH AREA, FILED IN REPOSE TO THE PLANNING COMMISSION DECISION APPROVING A COASTAL DEVELOPMENT PERMIT TO ALLOW CALTRANS TO IMPLEMENT THE STATE ROUTE 1 (SR 1) MULTI-ASSET ROADWAY REHABILITATION PROJECT.**

**WHEREAS**, Caltrans submitted an application requesting approval of a Coastal Development Permit, to allow implementation of the State Route-1 Multi-Asset Maintenance Project within the highway right-of-way; and

**WHEREAS**, the procedures for processing the application were followed as required by law; and

**WHEREAS**, Land Use Plan policies and the zoning code regulations were evaluated during the review of the project; and

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing for PDP-23-084 on March 26 and on April 9, 2024, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

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

**WHEREAS**, the Planning Commission after reviewing the project and public comments, modified the project through additional conditions of approval and then determined that the project, as conditioned, is consistent with the Local Coastal Program including the Local Coastal Land Use Plan, the Half Moon Bay General Plan and Title 18; and

**WHEREAS**, Caltrans, acting as the CEQA lead agency, prepared and adopted an Initial Study and Negative Declaration (IS/ND) pursuant to the requirements of the California Environmental Quality Act (CEQA). Caltrans also prepared and adopted a Categorical Exclusion (CE) pursuant to the requirements of the National Environmental Policy Act (NEPA). These documents provided the analysis of potential environmental impacts of the project, which were determined to be less than significant with the implementation of standard avoidance measures; and

**WHEREAS**, as a responsible agency under CEQA, the City is required by CEQA Guidelines Section 15096 to review and consider the IS/ND prepared by the lead agency and to consider the environmental effects of the Project as described in the IS/ND prior to reaching a decision on the Project and did so; and

**WHEREAS**, on April 9, 2024 the Planning Commission made the required Findings for Approval of the Coastal Development Permit and then approved the Coastal Development Permit for the project; and

**WHEREAS**, a timely appeal was filed by Kathryn Slater-Carter and Len Ericksen on April 23, 2024, appealing the Planning Commission's decision to the City Council; and

**WHEREAS**, the appeal did not request denial or significant modification of the Planning Commission decision; but, did request the City Council direct staff to work with San Mateo County, Caltrans and Coastal Commission staff in the future to create and maintain adequate parking for the busiest visitor days in the surfer's beach area; and

**WHEREAS**, the City Council conducted a duly noticed public hearing on May 21, 2024, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

**WHEREAS**, the City Council considered all written and oral testimony presented for Consideration; and

**WHEREAS**, the City Council has made the following findings for approving the appeal and upholding the Planning Commission's decision to approve the permit including that the Appellants did not request overturning the Planning Commission decision and the City Council has directed staff to work with San Mateo County, Caltrans and Coastal Commission staff in the future to create and maintain adequate parking for the busiest visitor days in the surfer's beach area; and

**NOW, THEREFORE, BE IT RESOLVED** that, based upon the Findings contained herein, the City Council approves the Kathryn Slater / Len Ericksen appeal of the Planning Commission's decision.

**PASSED AND ADOPTED** by the City of Half Moon Bay City Council at a duly noticed public hearing held May 21, 2024.

.....

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 21st day of May, 2024 by the City Council of Half Moon Bay by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

Attest:

APPROVED

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor

**Resolution No. C-2024-\_\_**  
**PDP-23-084**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY CONCERNING THE APPEAL BY CALTRANS OF THE PLANNING COMMISSION DECISION APPROVING COASTAL DEVELOPMENT PERMIT PDP-23-084 APPROVING DELETION OF CONDITION A.10, DENYING DELETION OR MODIFICATIONS TO CONDITIONS A.1, A.2, AND A.11, AND APPROVE THE CONDITION A.6 REVISION PROPOSED BY STAFF; AND OTHERWISE UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO ALLOW CALTRANS TO IMPLEMENT THE STATE ROUTE 1 (SR 1) MULTI-ASSET ROADWAY REHABILITATION PROJECT**

**WHEREAS**, Caltrans submitted an application requesting approval of a Coastal Development Permit, to allow implementation of the State Route-1 Multi-Asset maintenance Project within the highway right-of-way; and

**WHEREAS**, the procedures for processing the application were followed as required by law; and

**WHEREAS**, Land Use Plan policies and the zoning code regulations were evaluated during the review of the project; and

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing for PDP-23-084 on March 26 and on April 9, 2024, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

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

**WHEREAS**, the Planning Commission after reviewing project materials and public comments, added additional conditions of approval and then determined that, as conditioned, the project is consistent with the Local Coastal Program including Local Coastal Land Use Plan policies, the Half Moon Bay General Plan and Title 18; and

**WHEREAS**, Caltrans, acting as the CEQA lead agency, prepared and adopted an Initial Study and Negative Declaration (IS/ND) pursuant to the requirements of the California Environmental Quality Act (CEQA). Caltrans also prepared and adopted a Categorical Exclusion (CE) pursuant to the requirements of the National Environmental Policy Act (NEPA). These documents provided the analysis of potential environmental impacts of the project, which were determined to be less than significant with the implementation of standard avoidance measures; and

**WHEREAS**, as a responsible agency under CEQA, the City is required by CEQA Guidelines Section 15096 to review and consider the IS/ND prepared by the lead agency and to consider the environmental effects of the Project as described in the IS/ND prior to reaching a decision on the Project and did so; and

**WHEREAS**, a timely appeal was filed by the applicant (Caltrans) on April 23, 2024 appealing the Planning Commission’s decision to the City Council; and

**WHEREAS**, the appeal requested that six of the Planning Commission conditions of approval be deleted or modified because the decision to impose the conditions was not supported by Coastal Land Use Plan policies or were unnecessary or duplicative; and

**WHEREAS**, the City Council conducted a duly noticed public hearing on May 21, 2024, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

**WHEREAS**, the City Council considered all written and oral testimony presented for Consideration; and

**WHEREAS**, the City Council has made the necessary findings for upholding the Planning Commission’s decision to approve the project, subject to modifications to conditions recommended by staff, which are based on the Land Use Plan Policy consistency analysis contained in the May 21, 2024 City Council staff report; and

**NOW, THEREFORE, BE IT RESOLVED** that, based upon the Findings contained herein, the City Council approves deletion of Condition A.10, as recommended by staff, and denies the request to delete or modify Conditions A.1, A.2, A.7 and A.11. and approve the Condition A.6 revision proposed by staff, of the Planning Commission’s decision and that, based upon the Findings in Exhibit A and subject to the Conditions of Approval contained in Exhibit B, the City Council otherwise upholds the Planning Commission’s decision and approves PDP-23-024.

**PASSED AND ADOPTED** by the City of Half Moon Bay City Council at a duly noticed public hearing held May 21, 2024.



I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 21st day of May, 2024 by the City Council of Half Moon Bay by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

Attest:

APPROVED

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor

**EXHIBIT A  
FINDINGS AND EVIDENCE  
City Council Resolution C-24-\_\_  
PDP-23-084**

**Coastal Development Permit allowing Caltrans to implement the State Route 1 (SR 1) Multi-Asset Roadway Rehabilitation Project, as described in the CDP Application Supplemental Information and project plans. The project includes: Repaving SR 1 and sections of the Naomi Patridge Trail; replacing safety equipment, including guardrails and traffic signal poles and associated electrical equipment; pedestrian and bicycle improvements, including the addition of new striped bicycle lanes and sidewalk and bus stop improvements to improve ADA accessibility; drainage improvements, including replacement of select culverts, with no alteration of drainage capacity or change in drainage patterns. The project will not expand or create additional roadway capacity.**

**Coastal Development Permit – Findings for Approval**

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

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

**Evidence:** The project consists of necessary repairs and minor enhancements to SR 1, a critical link in the regional transportation network. The Project consists primarily of repaving the existing roadway and replacing aging safety equipment. The project will not increase road capacity or disturb environmentally sensitive areas. Improvements to bicycle and pedestrian infrastructure will enhance bicycle and pedestrian safety and coastal access. As designed, and with implementation of Caltrans standard avoidance measures, the project will not substantially impact sensitive environmental resources, block scenic views, or inhibit coastal access.

**LUP Policy 3-5. Coastal Development Permit for Public Works.** *Require any public utility, government agency, or special district proposing a development project in the City to obtain a coastal development permit, unless explicitly exempted by the LCP, Coastal Act, or other controlling law.*

**Compliance:** This Coastal Development Permit review fulfills the requirements of Policy 3-

5, and the City has jurisdiction to issue coastal development permits pursuant to the certified LCP. This development site is located within the California Coastal Commission appeals jurisdiction and the development, as a major public works project, also qualifies as appealable to the Coastal Commission. As such if the project is appealed to the Coastal Commission, the City's certified LCP would serve as the standard of review.

**LUP Policy 3-34. Town Boulevard.** *Any Highway 1 and 92 improvements shall implement the Town Boulevard approach to improve traffic flow, multi-modal access and safety, and emergency access to best serve the circulation needs of visitors and residents in a manner consistent with Half Moon Bay's small coastal town aesthetic and to support Town Center buildout. Town Boulevard improvements may incorporate a lower speed limit, roundabouts, grade-separations and other approaches as potential options in addition to signalized traffic control systems. In addition, Town Boulevard improvements shall:*

- a. *Not increase highway capacity through lane widening projects or other expansions other than as specified in the General Plan Circulation Element provided that they are consistent with the Land Use Plan.*
- b. *Be coordinated with Caltrans and the San Mateo County Congestion Management Plan.*
- c. *Incorporate multi-modal improvements with safe crossings for bicyclists and pedestrians, as well as landscaping and other amenities intended to enhance the image and scenic quality of the city.*

**Compliance:** The proposed project would provide improvements along and within SR 1 without increasing capacity or roadway expansion and includes improvements for bicyclists and pedestrians in addition to safety enhancements.

**Coastal Act Section 30210 and LUP Policy 5-1. Maximum Coastal Access and Recreational Opportunities.** *Provide maximum coastal access and recreational opportunities for all people consistent with public safety needs and the need to protect public rights, rights of property owners, and natural resource areas from overuse.*

**Compliance:** The proposed project would provide improvements along and within SR 1 to extend the life of the roadway, improve the conditions of Naomi Patridge Trail, and enhance the safety of pedestrians, bicyclists, and vehicles at key intersections along SR 1. The proposed project will improve the main roadway serving access points to public coastal recreation opportunities and will include ADA-compliant walkways and crosswalks in specific locations. The proposed improvements are designed to accommodate the heavy pedestrian, bicyclist, and vehicular traffic that this area experiences, and has incorporated construction best management practices to avoid impacts to sensitive habitats and species. Condition A.6 requires additional

improvements to the Kelly Avenue intersection that will ensure maximum coastal access, consistent with public safety needs.

**LUP Policy 5-8. New Development Public Coastal Access Management Plan.** *Development with the potential to impact public coastal access, whether during construction or after, shall develop a public coastal access management plan designed to identify and limit impacts to public coastal access. Plans shall identify peak use times and measures to avoid disruption during those times; minimize beach, road, and trail closures; identify alternative access routes; and provide for public safety.*

**Compliance:** Construction equipment and vehicles will access the project site from SR 1, with staging and storage occurring within the Caltrans right-of-way. Access along SR 1 and SR 92 would be managed and maintained during construction, with the exception of temporary lane closures and detours. The temporary impacts to traffic would be minimized by implementation of the Project Traffic Management Plan (TMP), which will ensure safe bicycle, pedestrian, and vehicular access to and along the shoreline access points is maintained during construction. Condition No. B-7, requires the TMP to include measures to minimize traffic impacts during peak periods, including summer holiday weekends, large special events and peak commuter periods. The TMP is subject to approval by the City Engineer, prior to commencement of construction.

**LUP Policy 5-24 Bicycle and Pedestrian Master Plan.** *Periodically update and implement the Bicycle and Pedestrian Master Plan to identify needs and prioritize improvements to bicycle and pedestrian facilities and programs.*

**Compliance:** The Bicycle and Pedestrian Plan was updated in 2019. It identifies pedestrian and cyclist safety at the Kelly Avenue / Highway 1 intersection as a City priority. It also notes that intersection improvements are planned and that they include new bright yellow crosswalks and other features to improve visibility. This is consistent with the current Caltrans proposal. Consequently, the project is consistent with the Bicycle and Pedestrian Plan, as it applies to the Kelly Avenue intersection and LUP Policy 5-24.

**LUP Policy 5-25. Highway Crossings.** *Work with Caltrans to ensure that improvements to Highway 1 and Highway 92 incorporate safe access for bicycles and pedestrians from all neighborhoods to the beach, downtown, and schools.*

**Compliance:** The project includes improvements to bicycle and pedestrian infrastructure. Condition A.6 requires additional improvements to the Kelly Avenue intersection, that will ensure safe access for bicycles and restaurants.

**LUP Policy 5-26. Downtown-Beach Pedestrian Connections.** *Require improvements of pedestrian east-west connections between downtown and the Francis State Park Beach and*

*Poplar Beach where applicable to new public and private development projects. Kelly Avenue and Poplar Street should be high priorities for walkway enhancements suitable to the adjacent neighborhood environment, and pedestrian amenities as well as directional signage.*

**Compliance:** The project includes improvements that will enhance pedestrian and bicycle safety at the Kelly Avenue intersection and consequently improve access to beaches, downtown, and Hatch Elementary and Cunha Middle School. With the inclusion of Condition A.6, which requires additional improvements to the Kelly Avenue intersection, the project will comply with LUP Policy 5-26

**LUP Policy 6-7. Preliminary Biological Inventory.** *Require that proposals for development within or adjacent to areas with potential to support or contain sensitive plant or animal species, including mapped Potential ESHA and unmapped areas where determined necessary, include a preliminary inventory conducted by a qualified biologist of habitat types and plant and animal species present and likely to be present (e.g. seasonally) on the project site for the development review process. If the preliminary inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required pursuant to Policy 6-8.*

**LUP Policy 6-8. Biological Study.** *For development proposed in and adjacent to ESHA and projects for which the preliminary biological inventory indicates the presence or potential for sensitive species or habitat, require the preparation of a detailed biological study by a City-approved, qualified professional to be submitted prior to development review and prior to any ground disturbance. [ . . .*

**Compliance:** In addition to the LUP, zoning code section 18.38.035 also requires the preparation of a Biological Resource Evaluation (BRE) when projects are within or near ESHA. The BRE is then circulated to federal and State agencies for review and comments. In this case, the applicant has prepared a Natural Environment Study (NES) as required for environmental review under NEPA and federal permits. Federal and State resource agencies have reviewed the NES and prepared Biological Opinions. City staff have determined that the NES is comparable in scope and meets City requirements.

**LUP Policy 6-10. Protection and Enhancement of ESHA.** *Protect and, where possible, enhance or restore environmentally sensitive habitat areas (ESHAs).*

**LUP Policy 6-13. Pre-Existing Development and ESHA.** *Where an area within or adjacent to any preexisting permitted development or land use is confirmed to meet the definition of ESHA, the pre-existing use may continue provided that the use has not lapsed for more than one year at any point in time and that any changes to the site that constitute new development are sited and designed to avoid new impacts to ESHA and to avoid any increases to existing non-conformities. Implementation of best management practices and avoidance measures is encouraged for qualifying continuing uses.*

**Compliance:** The project has been designed to avoid impacts to nearby environmentally sensitive habitat areas. It will be compatible with the continuance of the existing habitat. The project includes replacement of select culverts and maintenance of one section of drainage ditch, but these areas are not designated as ESHA.

**LUP Policy 6-14. Resource Management Agencies.** *Uses and activities permitted in ESHA may be subject to review and approval by the U.S. Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board, California Coastal Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, National Marine Fisheries Service, and other resource management agencies, as applicable. Compliance with any applicable state or federal regulations is required.*

**Compliance:** Caltrans has prepared a Natural Environment Study (NES) as required for environmental review under NEPA and for the purpose of obtaining federal permits. Federal and State resource agencies have reviewed the NES and prepared Biological Opinions, where required. Measures identified in the Natural Environment Study (NES) shall apply to the project and will protect environmental resources. Furthermore, Caltrans is in ongoing consultation with the US Fish and Wildlife Service regarding potential impacts to threatened and/or endangered species and will be required to implement measures required by USFWS prior to and during construction.

**LUP Policy 6-47. Permitted Uses in Riparian Corridors.** *Permit only the following uses within riparian corridors... Where no feasible alternative exists, permit the following uses:*

- f. Flood, sedimentation, or erosion control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development;*
- g. Bridges providing an important public transportation or resource-dependent function where supports do not significantly impact the riparian corridor or its resources, such as free-span designs;*
- i. Repair, maintenance, or incidental improvement of roadways or road crossings that do not increase the capacity of the roadway;*

**Compliance:** The project consists primarily of roadway repaving and replacement of existing ancillary infrastructure. As such, it is specifically allowed pursuant to LUP Policy 6-47.i.

**LUP Policy 6-63. Construction and ESHA.** *Ensure that construction does not adversely impact sensitive bird or other animal species in on-site or nearby ESHA, wetlands, or watercourses by requiring construction projects to implement best management practices (e.g. pre-construction surveys, construction and/or tree removal timing restrictions, exclusionary fencing), and, as appropriate based on project scope and site conditions, noise and vibration reduction measures and monitoring by a qualified biologist during construction.*

**Compliance:** Sections of the highway are in close proximity to creeks and unnamed drainage ditches, characterized by diverse wildlife, vegetation, and intermittent riparian habitat. However, project activities will be primarily limited to the existing roadway and disturbed shoulders. Limited culvert replacement and ditch maintenance is proposed, in areas that are not identified as ESHA. Standard Caltrans Best Management Practices (BMPs) require pre-construction surveys and other protective measures.

**LUP Policy 6-64. Active Nest Monitoring.** *Ensure construction and tree removal during nesting seasons (generally from February 1 to August 15) complies with the Migratory Bird Treaty Act, California Fish and Game Code, and other applicable regulations by surveying the project vicinity for active nests, avoiding disturbance if active nests are found by employing exclusion buffers or other methods recommended by a qualified biologist, and monitoring active nests until all young have fledged.*

**Compliance:** Standard Caltrans BMPs require pre-construction nesting bird surveys and other protective measures. No tree removal is proposed.

**LUP Policy 6-68. Chemical Substances.** *Prohibit the use of insecticides, herbicides, or any toxic chemical substance within ESHA and ESHA buffer areas where application of such substances would impact the ESHA, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. When restoring habitat, ensure that organic material does not adversely alter natural bank and water chemistry.*

**Compliance:** The use of herbicides has not been included in the project description and is prohibited, unless compliance with the requirements of Condition of Approval No. A.5 of this CDP is documented. Condition A.5 requires documentation of compliance with the 2006 Final Stipulated Injunction, as amended by subsequent legal actions, resulting from the *Center for Biological Diversity vs. USFWS, et. al.* case.

**LUP Policy 6-83. Construction Best Management Practices (BMPs).** *Require new development proposals to include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation, provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials.*

**Compliance:** Standard Caltrans Best Management Practices (BMPs) require erosion control and runoff control plans to be implemented at construction sites.

**LUP Policy 9-2. Scenic Resource Protection.** *New development shall be sited and designed to protect views to and along the ocean, to minimize the alteration of natural land form, to be visually compatible with the character of its setting, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

**Compliance:** SR 1 is designated as “Town Boulevard Corridor” in the LUP and numerous policies address views from the highway. Significant plant communities are important SR 1 visual resources. This project will primarily consist of repaving and associated replacement of existing guardrails and other infrastructure adjacent to the existing pavement. As designed, the project will not result in significant alteration of natural land forms or adversely affect the visual character of the SR 1 corridor.

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

**Compliance:** An evaluation of Cultural and Archeological Resources was performed by Caltrans, pursuant to CEQA and NEPA. As a result of the evaluation, Caltrans is incorporating standard measures into the Project to avoid impacts to cultural and archeological resources, including the requirement that if historic or cultural resources are discovered during construction, all work is required to stop until qualified experts evaluate the resources and take appropriate actions to protect the resources. This requirement is further supported by Condition of Approval No. 11

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

**Evidence:** The project does not include residential development; therefore, the project conforms to the requirements of the City’s growth management system.

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

**Evidence:** The proposed project is located in the Caltrans right-of-way. There is no underlying zoning designation.

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

**Evidence:** The project includes replacement of pavement within the right of way of SR 1 in addition to existing traffic signals and additional traffic monitoring equipment. Adequate electrical capacity is available. The project does not include new facilities that would require additional water supply or sewer capacity. No new or expanded services or infrastructure will be required.

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

**Conformance:** The project is limited to rehabilitation of SR 1 and related infrastructure. All work will be within the Caltrans right-of-way. Aside from traffic control measures for temporary construction, the project will not adversely affect public access or recreation.

6. **Architectural and Site Design Review**- Section 14.37 of the Municipal Code establishes the purpose and applicability of architectural and site design review. The purpose of the design review process is set forth in section 14.030.010. It is:

- A. *To promote the orderly and harmonious development of the city's existing and new residential neighborhoods;*
- B. *To ensure that any proposed alterations or demolition of structures designated as historic will be subject to design review; and*
- C. *To require commercial, industrial, or institutional projects to comply with consistent design standards.*

*Section 14.37.020.C applies specifically to public projects: Architectural, landscape and site plan review and approval by the Planning Commission shall be required for public projects including new structures and public spaces in conjunction with its review of associated discretionary permits.*

**Compliance:** Compliance with design review requirements is a required finding for approval of Coastal Development Permits. However, in this case, the project does not include new buildings or other features identified as requiring design review. Design review criteria are not applicable.

**Environmental Review – Finding**

Caltrans, acting as the CEQA lead agency, prepared and adopted an Initial Study and Negative Declaration (IS/ND) pursuant to the requirements of the California Environmental Quality Act (CEQA). Caltrans also prepared and adopted a Categorical Exclusion (CE) pursuant to the requirements of the National Environmental Policy Act (NEPA). These documents provided the analysis of potential environmental impacts of the project, which were determined to be less than significant with the implementation of Caltrans standard avoidance measures.

Additionally, standard City CDP Conditions of Approval protect cultural and historic resources. The Planning Commission reviewed and considered the IS/ND prior to reaching a decision on the approval of the CDP and finds that no subsequent or supplemental environmental review is required in accordance with CEQA Guidelines Sections 15162 and 15163.

**EXHIBIT B**  
**CONDITIONS OF APPROVAL**  
**City Council Resolution C-24-\_\_\_**  
**PDP-23-**

**A. The following Ongoing General Conditions apply to this project:**

1. CONFORMANCE WITH APPROVED PLANS. Construction plans shall substantially conform to the approved plans labeled 95% Draft Project Plan Sheets submitted as Appendix B of the January 2024 update of the CDP Application Supplemental Information. The Community Development Director and the City Engineer shall review and may approve any deviation from the approved plans that is determined minor in nature. Any other change shall require an amendment to the CDP and shall be processed in accordance with Municipal Code Section 18.20.085 (Permit amendment and extensions) and shall be subject to Planning Commission Review as required by Title 18. (Planning)
2. ADDITIONAL COMMITMENTS BY CALTRANS. The Project Plans referenced above shall be modified to include the infrastructure commitments made in the Caltrans responses provided to Coastside on Bikes (dated February 2, 2024) and the City of Half Moon Bay Bicycle and Pedestrian Advisory Committee (dated February 15, 2024).
3. CONFORMANCE WITH CONDITIONS OF APPROVAL. The Community Development Director shall review and may approve any deviation from the Conditions of Approval that is determined minor in nature. (Planning)
4. CONFORMANCE WITH THE MUNICIPAL CODE. No part of this approval shall be construed to permit a violation of any part of the Half Moon Bay Municipal Code. (Planning)
5. HERBICIDE USE. The use of herbicides shall be prohibited unless documentation of compliance with the 2006 Final Stipulated Injunction, as amended by subsequent legal actions, resulting from the Center for Biological Diversity vs. USFWS, et. al. case is provided. (Planning)
6. ~~KELLY AVE INTERSECTION: Reconfigure the intersection to improve pedestrian and bicyclist safety, consistent with LUP Policies and Safe Routes to Schools Standards as follows:~~
  - ~~a. Install new pedestrian signal switches on the main curbs, to eliminate the need for people to first cross the unprotected right turn lane to reach the pedestrian signal switch on the Islands.~~
  - ~~b. Evaluate additional improvements such as installing no right turn signs or signals when the pedestrian signal is activated. (Planning and Engineering)~~
6. KELLY AVE INTERSECTION: Reconfigure the intersection to improve pedestrian and bicyclist safety, consistent with LUP Policies and Safe Routes to Schools Standards as follows:
  - a. Install new pedestrian signal switches on the main curbs, to eliminate the need for people to first cross the unprotected right turn lane to reach the pedestrian signal switch on the Islands.

- b. Evaluate additional improvements such as installing no right turn signs or signals when the pedestrian signal is activated.
7. Monitor Culvert Replacement: Project plans indicate Caltrans will replace the three culverts identified as Drainage Systems 1, 2, and 3 on Plan Sheets DP-1, D-1 and D-2. The applicant shall monitor changes in stormwater flow through these culverts before and after replacement, including any associated increase in erosion and downstream flooding. Applicant shall coordinate with the City Engineer about the scope of monitoring prior to initiating construction and monitoring results shall be reported to the City Engineer. The applicant shall implement necessary design improvements to ensure no increase in erosion or stormwater runoff to the satisfaction of the City Engineer. (Planning and Engineering)
  8. STREET SAFETY LIGHTING Applicant shall coordinate with the City to ensure that new or replaced street lights comply with City LUP policies to protect the visual quality of the "Town Boulevard" corridor, to maintain dark skies, and minimize effects on wildlife. (Planning)
  9. BICYCLE LANES. Proposed Class 2 bicycle lanes between Capistrano Road and Coronado Road within the City's jurisdiction may be installed. However, in the section extending from approximately 0.5 miles northward from Coronado Road to the northerly City boundary, installation of the bike lanes shall be, subject to compliance with any Coastal Commission requirements resulting from the appeal of the related San Mateo County CDP. This may require provision of replacement coastal access parking or other modifications. (Planning and Engineering)
  10. ~~POPLAR STREET INTERSECTION. The applicant shall add a crosswalk across the highway on northern side of the Poplar intersection. (Planning and Engineering)~~
  11. HIGHWAY WIDENING. Highway widening shall be limited to the two locations identified in Attachment 2 of the April 9, 2024 staff report. Road widening will range from 2 to 5 feet wide to accommodate the Class 2 bicycle lanes and will include approximately 200 linear feet south of Mirada Road and 423 linear feet south of Kelly Avenue. (Planning and Engineering)
  12. SIGNS. Caltrans shall cooperate with City staff in establishing enhanced pedestrian signage for the trail and pedestrian bridge over Pilarcitos Creek (Strawflower to Oak Park), to clarify alternative walking routes that avoid the Highway 1 shoulder between Kelly Ave. and the Pilarcitos Bridge. (Planning and Engineering)
- B. The following Conditions shall be fulfilled prior to construction:**
1. SIGNED CONDITIONS OF APPROVAL. The applicant shall submit a signed copy of the conditions of approval to the Community Development Department. (Planning)
  2. CONSTRUCTION PLANS. Final construction plans shall be submitted to the City prior to initiating construction. Conditions of approval for this project shall be provided on the cover page of the construction plans. (Planning / Engineering)

3. CONSTRUCTION NOTICE. At least two weeks prior to the commencement of construction, notices shall be posted at the site and advertised through online forums to notify the public of the anticipated temporary construction impacts. The City will provide assistance in identifying local social media platforms. (Engineering)
4. NOTICE OF DISRUPTION. The permittee shall provide written notice to affected property and business owners and a copy of such notice to the City Engineer a minimum of five business days prior to any planned disruption of pedestrian or vehicular traffic, parking, or public service facilities. (Engineering)
5. PRECONSTRUCTION MEETING. The applicant and their primary contractor shall conduct a preconstruction meeting to coordinate work scope, project complaint contacts and condition compliance reporting requirements with the City and other affected agencies. (Planning / Engineering)
6. STAGING AREA. All construction staging activities shall be in locations identified on approved plans and shall be limited to Caltrans right-of-way. Construction staging and storage shall occur in previously disturbed areas such that no impacts to the surrounding habitat areas occur. (Planning and Engineering)
7. TRAFFIC MANAGEMENT PLAN. Prior to construction, Caltrans shall prepare and submit to the City for approval a Traffic Management Plan (TMP). The TMP will be prepared in accordance with Caltrans and City of Half Moon Bay requirements and guidelines to minimize construction-related delays and impacts on emergency vehicles and the traveling public. The TMP will include the following provisions:
  - a. Coordination with San Mateo County, the City of Half Moon Bay, and any other applicable local jurisdictions for notification of closures and detours.
  - b. Coordination with the California Highway Patrol and other local law enforcement.
  - c. Use of temporary portable changeable message signs, the California Highway Patrol construction zone enhanced enforcement program, one-way traffic controls, and flaggers.
  - d. Provisions of continued access for emergency services.
  - e. Provisions of continued access to all driveways.
  - f. The TMP shall include working hours and days of the week, with measures to minimize traffic delays during high traffic congestion periods that may include but are not limited to summer holiday weekends, peak AM and PM commute hours and high attendance festivals and special events. (Planning /Engineering)

**C. The following conditions shall be implemented to the satisfaction of the Community Development Director prior to and during construction:**

1. ARCHAEOLOGY-DISCOVERY OF HUMAN REMAINS. Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the California Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American(s). If no satisfactory agreement can be reached as to the disposition

of the remains pursuant to this State law, then the permittee shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. (Planning)

2. ARCHAEOLOGY-DISCOVERY OF RESOURCES. If subsurface historic or archaeological resources are uncovered during construction, all work shall stop, the applicant shall notify the Community Development Director and retain a qualified archaeologist to perform an archaeological reconnaissance and identify any mitigation measures required to protect archaeological resources. Subsurface excavation shall not resume until expressly authorized by the Director. (Planning)
3. AIR QUALITY BEST MANAGEMENT PRACTICES. The project shall implement standard BAAQMD dust control measures during all phases of construction on the project site.
4. CONSTRUCTION HOURS. Construction work shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturdays; and 10:00 a.m. to 6:00 p.m. Sundays and holidays, except as expressly authorized by the City Engineer in conformance with Section 14.40.020 of the Half Moon Bay Municipal Code. (Engineering)
4. SITE CLEANUP. All construction-related materials will be removed after completion of construction activities. Temporary staging areas shall be cleaned up, and any remaining construction materials shall be removed and hauled to an appropriate recycling or waste disposal facility. The project footprint shall be contained entirely within the Caltrans right-of way primarily in paved areas and graveled/previously disturbed road shoulders. (Planning / Engineering)
5. SITE REHABILITATION. Caltrans will restore temporarily disturbed areas to their preconstruction contours and functions. Exposed slopes and bare ground will be reseeded with native local grasses and shrubs to stabilize and prevent erosion. A local hydroseed mix will be proposed in the plans, specifications, and estimates phase. Vegetation restoration shall be completed where temporary impacts to existing vegetation occurred for construction access. Monitoring and documentation of restoration success shall be submitted to the City.
6. TREE REMOVAL. This application and approval does not include the removal of any trees. However, should the removal of trees be necessary for access to a work site, coordination with the City shall be completed to determine permitting requirements prior to removal of any trees. The City may impose additional conditions of approval including replanting requirements. . (Planning)
7. OTHER PERMITS AND REQUIREMENTS. Copies of all approved State and Federal agency permits shall be submitted to the City prior to initiation of construction. Compliance with the following shall be demonstrated prior to commencing construction:
  - a. All mitigation/avoidance measures identified in the USFWS Biological Assessment and the Natural Environment Study (NES).
  - b. All measures identified in CDP Application Supplemental Information Section 2.10.1 (Project Features).
  - c. All measures identified in CDP Application Supplemental Information Section 2.10.2 (Project-Specific Avoidance and Minimization Measures), including:
    - i. Section 2.10.2.1, General Conservation Measures
    - ii. Section 2.10.2.2, Construction Measures

- iii. Section 2.10.2.3, Species-Specific Conservation Measures – California Red-Legged Frog and San Francisco Garter Snake(Planning)

**D. The following conditions shall be implemented to the satisfaction of the Public Works Director prior to and during construction:**

1. SWPPP DOCUMENTATION:

- a. Due to the work proposed, this project is subject to a SWPPP and is subject to implementation of stormwater retention features.
- b. Prior to construction, the applicant shall provide written confirmation and documentation of project SWPPP registration under the State Waterboard due to the size of the project. (Engineering)

2. CONSTRUCTION BEST MANAGEMENT PRACTICE (BMPs). This project is subjected to compliance with San Mateo Countywide Construction Best Management Practices. (Engineering)

3. EROSION AND SEDIMENT CONTROL PLANS. Provide plans that show erosion and sediment control measures for the site (i.e. the use of fiber rolls surrounding the project area) to ensure that no sediment runoff will impact or flow to the City’s Storm Drain System or to adjacent property owners. (Engineering)

4. ENCROACHMENT PERMIT:

- a. The applicant shall apply and obtain an approved encroachment permit with the City of Half Moon Bay.
- b. No construction activity shall occur and no pedestrian and vehicular traffic control shall be installed within the City right-of-way or affecting the City’s improvements prior to obtaining an encroachment permit from the City. All improvements constructed within the City right-of-way shall conform to City standards to the satisfaction of the City Engineer. Traffic control shall conform to Caltrans/MUTCD Standard Plans for Traffic Control in Construction and Maintenance Zones. (Engineering)

5. UNDERGROUND UTILITIES. Electric wiring infrastructure shall be underground. (Engineering)

6. NOTIFICATIONS TO THE CITY OF HALF MOON BAY. Notify the City of Half Moon Bay at least fourteen calendar (14) days prior to the start of work. The City shall provide assistance to Caltrans in notifying residents of this work on the City’s social media platforms and public outreach channels. (Planning /Engineering)

7. AS-BUILT PLANS. Prior to the end of construction, marked-up as-builts are required to be provided to the City. (Engineering)

8. SIDEWALK MAINTENANCE. The applicant is liable for sidewalk maintenance within the City’s ROW. Sidewalk maintenance shall include removal and replacement of concrete to eliminate tripping hazards; and pruning and trimming of trees, shrubs, ground cover and other landscaping within the public right-of-way when damaged during construction. (Engineering) .

**E. Validity and Expiration of Permits.**

1. EFFECTIVE DATE. This site is located within the California Coastal Commission Appeals Jurisdiction. This permit shall take effect after expiration of the Coastal Commission appeal period, or if the permit is appealed to the Coastal Commission during the appeal period, it shall take effect after final Coastal Commission action. (Planning)
2. ACCURACY OF APPLICATION MATERIALS. The applicant shall be responsible for the completeness and accuracy of all forms and material submitted for this application. Any errors or discrepancies found therein may be grounds for the revocation or modification of this permit and/or any other City approvals. (Planning /Engineering)
3. PERMIT EXPIRATION. The Coastal Development Permit (CDP) shall expire one year from its date of final approval if the use/development has not commenced in conformance with this permit or the applicant has not obtained an extension of the permit. (Planning)
4. PERMIT EXTENSION. The Community Development Director may, at the Director's discretion, approve a Minor Amendment for a single one-year extension of this permit based on a written request and fee submitted to the Director prior to expiration of the permit. Any other extension shall require approval of a Major Permit Amendment prior to expiration of the permit. Any Major Permit Amendment Application to extend the permit beyond the initial one year extension shall be filed a minimum of ninety (90) days prior to permit expiration to ensure adequate processing time. (Planning)
5. HOLD HARMLESS. The permittee agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against an and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, any review by the California Coastal Commission conducted under the California Coastal Act Public Resources Code Section 30000 et seq., or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee's duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City. (City Attorney).

**OWNER'S/PERMITTEE'S CERTIFICATION:**

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

APPLICANT:

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(Signature)

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(Date)

**PLANNING COMMISSION RESOLUTION P-24-03  
RESOLUTION FOR APPROVAL  
PDP-23-084**

Coastal Development Permit allowing Caltrans to implement the State Route 1 (SR 1) Multi-Asset Roadway Rehabilitation Project, as described in the CDP Application Supplemental Information and project plans. The project includes: Repaving SR 1 and sections of the Naomi Patridge Trail; replacing safety equipment, including guardrails and traffic signal poles and associated electrical equipment; pedestrian and bicycle improvements, including the addition of new striped bicycle lanes and sidewalk and bus stop improvements to improve ADA accessibility; drainage improvements, including replacement of select culverts, with no alteration of drainage capacity or change in drainage patterns. The project will not expand or create additional roadway capacity.

**WHEREAS**, an application was submitted requesting approval of a Coastal Development Permit, to repave SR 1 and sections of the Naomi Patridge Trail as well as replace, relocate, and update equipment and ancillary facilities without expansion or additional roadway capacity; and

**WHEREAS**, Caltrans' stated purpose for the project is to prolong roadway life, improve ride quality, replace drainage systems, improve roadway safety, enhance pedestrian and bicycle access, and upgrade the traffic system infrastructure; and

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

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on March 26, 2024, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

**WHEREAS**, the Planning Commission requested additional information and then continued the hearing to a date certain, April 9, 2024;

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

**WHEREAS**, Caltrans, acting as the CEQA lead agency, prepared and adopted an Initial Study and Negative Declaration (IS/ND) pursuant to the requirements of the California Environmental Quality Act (CEQA). Caltrans also prepared and adopted a Categorical Exclusion (CE) pursuant to the requirements of the National Environmental Policy Act (NEPA). These documents provided the analysis of potential environmental impacts of the project, which were determined to be less than significant with the implementation of standard avoidance measures; and

**WHEREAS**, as a responsible agency under CEQA, the City is required by CEQA Guidelines Section 15096 to review and consider the IS/ND prepared by the lead agency and to consider the environmental effects of the Project as described in the IS/ND prior to reaching a decision on the Project; and

**WHEREAS**, the Planning Commission has reviewed the Coastal Development Permit application, in accordance with the Half Moon Bay General Plan, Local Coastal Land Use Plan, Municipal Code Title 18 and the Coastal Act; and

**WHEREAS**, the Planning Commission has required modifications to the project that ensure compliance with the Half Moon Bay General Plan, Local Coastal Land Use Plan, Municipal Code Title 18 and the Coastal Act; and

**WHEREAS**, documents and other material constituting the record of the proceedings upon which the City's decision and its findings are based are located at the City of Half Moon Bay Community Development Department, located at 501 Main Street, Half Moon Bay; and

**WHEREAS**, the Planning Commission has made the required Findings for Approval of the Coastal Development Permit, as set forth in Exhibit A to this resolution and subject to the Conditions of Approval contained in Exhibit B to this resolution; and

**NOW, THEREFORE, BE IT RESOLVED** that, based upon the Findings in Exhibit A and subject to the Conditions of Approval contained in Exhibit B, the Planning Commission approves this application (PDP-24-084).

**PASSED AND ADOPTED** by the City of Half Moon Bay Planning Commission at a duly noticed public hearing held on April 9, 2024.

AYES, Hernandez, Joanes and Gossett

NOES,

ABSENT, Ruddock and Gorn

ABSTAIN,

APPROVED:

ATTEST:

  
Margaret Gossett, Chair

  
Steven McHarris, Community Development Director

## EXHIBIT A

### FINDINGS AND EVIDENCE Planning Commission Resolution P-24-03 PDP-24-084

Coastal Development Permit allowing Caltrans to implement the State Route 1 (SR 1) Multi-Asset Roadway Rehabilitation Project, as described in the CDP Application Supplemental Information and project plans. The project includes: Repaving SR 1 and sections of the Naomi Patridge Trail; replacing safety equipment, including guardrails and traffic signal poles and associated electrical equipment; pedestrian and bicycle improvements, including the addition of new striped bicycle lanes and sidewalk and bus stop improvements to improve ADA accessibility; drainage improvements, including replacement of select culverts, with no alteration of drainage capacity or change in drainage patterns. The project will not expand or create additional roadway capacity.

#### Coastal Development Permit – Findings for Approval

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

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

**Evidence:** The project consists of necessary repairs and minor enhancements to SR 1, a critical link in the regional transportation network. The Project consists primarily of repaving the existing roadway and replacing aging safety equipment. The project will not increase road capacity or disturb environmentally sensitive areas. Improvements to bicycle and pedestrian infrastructure will enhance bicycle and pedestrian safety and coastal access. As designed, and with implementation of Caltrans standard avoidance measures, the project will not substantially impact sensitive environmental resources, block scenic views, or inhibit coastal access.

**LUP Policy 3-5. Coastal Development Permit for Public Works.** *Require any public utility, government agency, or special district proposing a development project in the City to obtain a coastal development permit, unless explicitly exempted by the LCP, Coastal Act, or other controlling law.*

**Compliance:** This Coastal Development Permit review fulfills the requirements of Policy 3-5, and the City has jurisdiction to issue coastal development permits pursuant to the certified LCP. This development site is located within the California Coastal Commission appeals jurisdiction and the development, as a major public works project, also qualifies as

appealable to the Coastal Commission. As such if the project is appealed to the Coastal Commission, the City's certified LCP would serve as the standard of review.

**LUP Policy 3-34. Town Boulevard.** *Any Highway 1 and 92 improvements shall implement the Town Boulevard approach to improve traffic flow, multi-modal access and safety, and emergency access to best serve the circulation needs of visitors and residents in a manner consistent with Half Moon Bay's small coastal town aesthetic and to support Town Center buildout. Town Boulevard improvements may incorporate a lower speed limit, roundabouts, grade-separations and other approaches as potential options in addition to signalized traffic control systems. In addition, Town Boulevard improvements shall:*

- a. Not increase highway capacity through lane widening projects or other expansions other than as specified in the General Plan Circulation Element provided that they are consistent with the Land Use Plan.*
- b. Be coordinated with Caltrans and the San Mateo County Congestion Management Plan.*
- c. Incorporate multi-modal improvements with safe crossings for bicyclists and pedestrians, as well as landscaping and other amenities intended to enhance the image and scenic quality of the city.*

**Compliance:** The proposed project would provide improvements along and within SR 1 without increasing capacity or roadway expansion and includes improvements for bicyclists and pedestrians in addition to safety enhancements.

**Coastal Act Section 30210 and LUP Policy 5-1. Maximum Coastal Access and Recreational Opportunities.** *Provide maximum coastal access and recreational opportunities for all people consistent with public safety needs and the need to protect public rights, rights of property owners, and natural resource areas from overuse.*

**Compliance:** The proposed project would provide improvements along and within SR 1 to extend the life of the roadway, improve the conditions of Naomi Patridge Trail, and enhance the safety of pedestrians, bicyclists, and vehicles at key intersections along SR 1. The proposed project will improve the main roadway serving access points to public coastal recreation opportunities and will include ADA-compliant walkways and crosswalks in specific locations. The proposed improvements are designed to accommodate the heavy pedestrian, bicyclist, and vehicular traffic that this area experiences, and has incorporated construction best management practices to avoid impacts to sensitive habitats and species.

**LUP Policy 5-8. New Development Public Coastal Access Management Plan.** *Development with the potential to impact public coastal access, whether during construction or after, shall develop a public coastal access management plan designed to identify and limit impacts to public coastal access. Plans shall identify peak use times and measures to avoid disruption during those times; minimize beach, road, and trail closures; identify alternative access routes; and provide for public safety.*

**Compliance:** Construction equipment and vehicles will access the project site from SR 1, with staging and storage occurring within the Caltrans right-of-way. Access along SR 1 and SR 92 would be managed and maintained during construction, with the exception of temporary lane closures and detours. The temporary impacts to traffic would be minimized by implementation of the Project Traffic Management Plan (TMP), which will ensure safe bicycle, pedestrian, and vehicular access to and along the shoreline access points is maintained during construction. Condition No. B-7, requires the TMP to include measures to minimize traffic impacts during peak periods, including summer holiday weekends, large special events and peak commuter periods. The TMP is subject to approval by the City Engineer, prior to commencement of construction.

**LUP Policy 5-25. Highway Crossings.** *Work with Caltrans to ensure that improvements to Highway 1 and Highway 92 incorporate safe access for bicycles and pedestrians from all neighborhoods to the beach, downtown, and schools.*

**Compliance:** The project includes improvements to bicycle and pedestrian infrastructure.

**LUP Policy 6-7. Preliminary Biological Inventory.** *Require that proposals for development within or adjacent to areas with potential to support or contain sensitive plant or animal species, including mapped Potential ESHA and unmapped areas where determined necessary, include a preliminary inventory conducted by a qualified biologist of habitat types and plant and animal species present and likely to be present (e.g. seasonally) on the project site for the development review process. If the preliminary inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required pursuant to Policy 6-8.*

**LUP Policy 6-8. Biological Study.** *For development proposed in and adjacent to ESHA and projects for which the preliminary biological inventory indicates the presence or potential for sensitive species or habitat, require the preparation of a detailed biological study by a City-approved, qualified professional to be submitted prior to development review and prior to any ground disturbance. [ . . . ]*

**Compliance:** In addition to the LUP, zoning code section 18.38.035 also requires the preparation of a Biological Resource Evaluation (BRE) when projects are within or near ESHA. The BRE is then circulated to federal and State agencies for review and comments. In this case, the applicant has prepared a Natural Environment Study (NES) as required for environmental review under NEPA and federal permits. Federal and State resource agencies have reviewed the NES and prepared Biological Opinions. City staff have determined that the NES is comparable in scope and meets City requirements.

**LUP Policy 6-10. Protection and Enhancement of ESHA.** *Protect and, where possible, enhance or restore environmentally sensitive habitat areas (ESHAs).*

**LUP Policy 6-13. Pre-Existing Development and ESHA.** *Where an area within or adjacent to any preexisting permitted development or land use is confirmed to meet the definition of ESHA, the pre-existing use may continue provided that the use has not lapsed for more than one year at any point in time and that any changes to the site that constitute new development are sited and designed to avoid new impacts to ESHA and to avoid any increases to existing non-conformities. Implementation of best management practices and avoidance measures is encouraged for qualifying continuing uses.*

**Compliance:** The project has been designed to avoid impacts to nearby environmentally sensitive habitat areas. It will be compatible with the continuance of the existing habitat. The project includes replacement of select culverts and maintenance of one section of drainage ditch, but these areas are not designated as ESHA.

**LUP Policy 6-14. Resource Management Agencies.** *Uses and activities permitted in ESHA may be subject to review and approval by the U.S. Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board, California Coastal Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, National Marine Fisheries Service, and other resource management agencies, as applicable. Compliance with any applicable state or federal regulations is required.*

**Compliance:** Caltrans has prepared a Natural Environment Study (NES) as required for environmental review under NEPA and for the purpose of obtaining federal permits. Federal and State resource agencies have reviewed the NES and prepared Biological Opinions, where required. Measures identified in the Natural Environment Study (NES) shall apply to the project and will protect environmental resources. Furthermore, Caltrans is in ongoing consultation with the US Fish and Wildlife Service regarding potential impacts to threatened and/or endangered species and will be required to implement measures required by USFWS prior to and during construction.

**LUP Policy 6-47. Permitted Uses in Riparian Corridors.** *Permit only the following uses within riparian corridors... Where no feasible alternative exists, permit the following uses:*

- f. Flood, sedimentation, or erosion control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development;*
- g. Bridges providing an important public transportation or resource-dependent function where supports do not significantly impact the riparian corridor or its resources, such as free-span designs;*
- i. Repair, maintenance, or incidental improvement of roadways or road crossings that do not increase the capacity of the roadway;*

**Compliance:** The project consists primarily of roadway repaving and replacement of existing ancillary infrastructure. As such, it is specifically allowed pursuant to LUP Policy 6-47.i.

**LUP Policy 6-63. Construction and ESHA.** *Ensure that construction does not adversely impact sensitive bird or other animal species in on-site or nearby ESHA, wetlands, or watercourses by requiring construction projects to implement best management practices (e.g. pre-construction surveys, construction and/or tree removal timing restrictions, exclusionary fencing), and, as appropriate based on project scope and site conditions, noise and vibration reduction measures and monitoring by a qualified biologist during construction.*

**Compliance:** Sections of the highway are in close proximity to creeks and unnamed drainage ditches, characterized by diverse wildlife, vegetation, and intermittent riparian habitat. However, project activities will be primarily limited to the existing roadway and disturbed shoulders. Limited culvert replacement and ditch maintenance is proposed, in areas that are not identified as ESHA. Standard Caltrans Best Management Practices (BMPs) require pre-construction surveys and other protective measures.

**LUP Policy 6-64. Active Nest Monitoring.** *Ensure construction and tree removal during nesting seasons (generally from February 1 to August 15) complies with the Migratory Bird Treaty Act, California Fish and Game Code, and other applicable regulations by surveying the project vicinity for active nests, avoiding disturbance if active nests are found by employing exclusion buffers or other methods recommended by a qualified biologist, and monitoring active nests until all young have fledged.*

**Compliance:** Standard Caltrans BMPs require pre-construction nesting bird surveys and other protective measures. No tree removal is proposed.

**LUP Policy 6-68. Chemical Substances.** *Prohibit the use of insecticides, herbicides, or any toxic chemical substance within ESHA and ESHA buffer areas where application of such substances would impact the ESHA, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. When restoring habitat, ensure that organic material does not adversely alter natural bank and water chemistry.*

**Compliance:** The use of herbicides has not been included in the project description and is prohibited, unless compliance with the requirements of Condition of Approval No. A.5 of this CDP is documented. Condition A.5 requires documentation of compliance with the 2006 *Final Stipulated Injunction*, as amended by subsequent legal actions, resulting from the *Center for Biological Diversity vs. USFWS, et. al.* case.

**LUP Policy 6-83. Construction Best Management Practices (BMPs).** *Require new development proposals to include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation, provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials.*

**Compliance:** Standard Caltrans Best Management Practices (BMPs) require erosion control and runoff control plans to be implemented at construction sites.

**LUP Policy 9-2. Scenic Resource Protection.** *New development shall be sited and designed to protect views to and along the ocean, to minimize the alteration of natural land form, to be visually compatible with the character of its setting, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

**Compliance:** SR 1 is designated as “Town Boulevard Corridor” in the LUP and numerous policies address views from the highway. Significant plant communities are important SR 1 visual resources. This project will primarily consist of repaving and associated replacement of existing guardrails and other infrastructure adjacent to the existing pavement. As designed, the project will not result in significant alteration of natural land forms or adversely affect the visual character of the SR 1 corridor.

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

**Compliance:** An evaluation of Cultural and Archeological Resources was performed by Caltrans, pursuant to CEQA and NEPA. As a result of the evaluation, Caltrans is incorporating standard measures into the Project to avoid impacts to cultural and archeological resources, including the requirement that if historic or cultural resources are discovered during construction, all work is required to stop until qualified experts evaluate the resources and take appropriate actions to protect the resources. This requirement is further supported by Condition of Approval No. 11

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

**Evidence:** The project does not include residential development; therefore, the project conforms to the requirements of the City’s growth management system.

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

**Evidence:** The proposed project is located in the Caltrans right-of-way. There is no underlying zoning designation.

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

**Evidence:** The project includes replacement of pavement within the right of way of SR 1 in addition to existing traffic signals and additional traffic monitoring equipment. Adequate electrical capacity is available. The project does not include new facilities that would require additional water supply or sewer capacity. No new or expanded services or infrastructure will be required.

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

**Conformance:** The project is limited to rehabilitation of SR 1 and related infrastructure. All work will be within the Caltrans right-of-way. Aside from traffic control measures for temporary construction, the project will not adversely affect public access or recreation.

6. **Architectural and Site Design Review-** Section 14.37 of the Municipal Code establishes the purpose and applicability of architectural and site design review. The purpose of the design review process is set forth in section 14.030.010. It is:

- A. *To promote the orderly and harmonious development of the city's existing and new residential neighborhoods;*
- B. *To ensure that any proposed alterations or demolition of structures designated as historic will be subject to design review; and*
- C. *To require commercial, industrial, or institutional projects to comply with consistent design standards.*

*Section 14.37.020.C applies specifically to public projects: Architectural, landscape and site plan review and approval by the Planning Commission shall be required for public projects including new structures and public spaces in conjunction with its review of associated discretionary permits.*

**Compliance:** Compliance with design review requirements is a required finding for approval of Coastal Development Permits. However, in this case, the project does not include new buildings or other features identified as requiring design review. Design review criteria are not applicable.

### **Environmental Review – Finding**

Caltrans, acting as the CEQA lead agency, prepared and adopted an Initial Study and Negative Declaration (IS/ND) pursuant to the requirements of the California Environmental Quality Act (CEQA). Caltrans also prepared and adopted a Categorical Exclusion (CE) pursuant to the requirements of the National Environmental Policy Act (NEPA). These documents provided the analysis of potential environmental impacts of the project, which were determined to be less than significant with the implementation of Caltrans standard avoidance measures. Additionally, standard City CDP Conditions of Approval protect cultural and historic resources. The Planning Commission reviewed and considered the IS/ND prior to reaching a decision on the approval of

the CDP and finds that no subsequent or supplemental environmental review is required in accordance with CEQA Guidelines Sections 15162 and 15163.

**EXHIBIT B**  
**CONDITIONS OF APPROVAL**  
**Planning Commission Resolution P-24-03**  
**PDP-23-084**

**A. The following Ongoing General Conditions apply to this project:**

1. CONFORMANCE WITH APPROVED PLANS. Construction plans shall substantially conform to the approved plans labeled 95% Draft Project Plan Sheets submitted as Appendix B of the January 2024 update of the CDP Application Supplemental Information. The Community Development Director and the City Engineer shall review and may approve any deviation from the approved plans that is determined minor in nature. Any other change shall require an amendment to the CDP and shall be processed in accordance with Municipal Code Section 18.20.085 (Permit amendment and extensions) and shall be subject to Planning Commission Review as required by Title 18. (Planning)
2. ADDITIONAL COMMITMENTS BY CALTRANS. The Project Plans referenced above shall be modified to include the infrastructure commitments made in the Caltrans responses provided to Coastside on Bikes (dated February 2, 2024) and the City of Half Moon Bay Bicycle and Pedestrian Advisory Committee (dated February 15, 2024).
3. CONFORMANCE WITH CONDITIONS OF APPROVAL. The Community Development Director shall review and may approve any deviation from the Conditions of Approval that is determined minor in nature. (Planning)
4. CONFORMANCE WITH THE MUNICIPAL CODE. No part of this approval shall be construed to permit a violation of any part of the Half Moon Bay Municipal Code. (Planning)
5. HERBICIDE USE. The use of herbicides shall be prohibited unless documentation of compliance with the 2006 Final Stipulated Injunction, as amended by subsequent legal actions, resulting from the Center for Biological Diversity vs. USFWS, et. al. case is provided. (Planning)
6. KELLY AVE INTERSECTION: Reconfigure the intersection to improve pedestrian and bicyclist safety, consistent with LUP Policy 5-25 requirements as follows.
  - a. Provide new ADA compliant pedestrian walk signals that can be accessed from the main curb on the northeast and southeast intersection corners and the center median of the highway.
  - b. Eliminate the "pork chop islands" separating right turn lanes from through traffic lanes at the northeast and southeast intersection corners. (Planning and Engineering)
7. Monitor Culvert Replacement: Project plans indicate Caltrans will replace the three culverts identified as Drainage Systems 1, 2, and 3 on Plan Sheets DP-1, D-1 and D-2. The applicant shall monitor changes in stormwater flow through these culverts before and after replacement, including any associated increase in erosion and downstream flooding.

Applicant shall coordinate with the City Engineer about the scope of monitoring prior to initiating construction and monitoring results shall be reported to the City Engineer. The applicant shall implement necessary design improvements to ensure no increase in erosion or stormwater runoff to the satisfaction of the City Engineer. (Planning and Engineering)

8. STREET SAFETY LIGHTING Applicant shall coordinate with the City to ensure that new or replaced street lights comply with City LUP policies to protect the visual quality of the "Town Boulevard" corridor, to maintain dark skies, and minimize effects on wildlife. (Planning)
9. BICYCLE LANES. Proposed Class 2 bicycle lanes between Capistrano Road and Coronado Road within the City's jurisdiction may be installed. However, in the section extending from approximately 0.5 miles northward from Coronado Road to the northerly City boundary, installation of the bike lanes shall be, subject to compliance with any Coastal Commission requirements resulting from the appeal of the related San Mateo County CDP. This may require provision of replacement coastal access parking or other modifications. (Planning and Engineering)
10. POPLAR STREET INTERSECTION. The applicant shall add a crosswalk across the highway on northern side of the Poplar intersection. (Planning and Engineering)
11. HIGHWAY WIDENING. Highway widening shall be limited to the two locations identified in Attachment 2 of the April 9, 2024 staff report. Road widening will range from 2 to 5 feet wide to accommodate the Class 2 bicycle lanes and will include approximately 200 linear feet south of Mirada Road and 423 linear feet south of Kelly Avenue. (Planning and Engineering)
12. SIGNS. Caltrans shall cooperate with City staff in establishing enhanced pedestrian signage for the trail and pedestrian bridge over Pilarcitos Creek (Strawflower to Oak Park), to clarify alternative walking routes that avoid the Highway 1 shoulder between Kelly Ave. and the Pilarcitos Bridge. (Planning and Engineering)

**B. The following Conditions shall be fulfilled prior to construction:**

1. SIGNED CONDITIONS OF APPROVAL. The applicant shall submit a signed copy of the conditions of approval to the Community Development Department. (Planning)
2. CONSTRUCTION PLANS. Final construction plans shall be submitted to the City prior to initiating construction. Conditions of approval for this project shall be provided on the cover page of the construction plans. (Planning / Engineering)
3. CONSTRUCTION NOTICE. At least two weeks prior to the commencement of construction, notices shall be posted at the site and advertised through online forums to notify the public of the anticipated temporary construction impacts. The City will provide assistance in identifying local social media platforms. (Engineering)

4. **NOTICE OF DISRUPTION.** The permittee shall provide written notice to affected property and business owners and a copy of such notice to the City Engineer a minimum of five business days prior to any planned disruption of pedestrian or vehicular traffic, parking, or public service facilities. (Engineering)
5. **PRECONSTRUCTION MEETING.** The applicant and their primary contractor shall conduct a preconstruction meeting to coordinate work scope, project complaint contacts and condition compliance reporting requirements with the City and other affected agencies. (Planning / Engineering)
6. **STAGING AREA.** All construction staging activities shall be in locations identified on approved plans and shall be limited to Caltrans right-of-way. Construction staging and storage shall occur in previously disturbed areas such that no impacts to the surrounding habitat areas occur. (Planning and Engineering)
7. **TRAFFIC MANAGEMENT PLAN.** Prior to construction, Caltrans shall prepare and submit to the City for approval a Traffic Management Plan (TMP). The TMP will be prepared in accordance with Caltrans and City of Half Moon Bay requirements and guidelines to minimize construction-related delays and impacts on emergency vehicles and the traveling public. The TMP will include the following provisions:
  - a. Coordination with San Mateo County, the City of Half Moon Bay, and any other applicable local jurisdictions for notification of closures and detours.
  - b. Coordination with the California Highway Patrol and other local law enforcement.
  - c. Use of temporary portable changeable message signs, the California Highway Patrol construction zone enhanced enforcement program, one-way traffic controls, and flaggers.
  - d. Provisions of continued access for emergency services.
  - e. Provisions of continued access to all driveways.
  - f. The TMP shall include working hours and days of the week, with measures to minimize traffic delays during high traffic congestion periods that may include but are not limited to summer holiday weekends, peak AM and PM commute hours and high attendance festivals and special events. (Planning /Engineering)

**C. The following conditions shall be implemented to the satisfaction of the Community Development Director prior to and during construction:**

1. **ARCHAEOLOGY-DISCOVERY OF HUMAN REMAINS.** Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the California Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American(s). If no satisfactory agreement can be reached as to the disposition of the remains pursuant to

this State law, then the permittee shall re-enter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. (Planning)

2. ARCHAEOLOGY-DISCOVERY OF RESOURCES. If subsurface historic or archaeological resources are uncovered during construction, all work shall stop, the applicant shall notify the Community Development Director and retain a qualified archaeologist to perform an archaeological reconnaissance and identify any mitigation measures required to protect archaeological resources. Subsurface excavation shall not resume until expressly authorized by the Director. (Planning)
3. AIR QUALITY BEST MANAGEMENT PRACTICES. The project shall implement standard BAAQMD dust control measures during all phases of construction on the project site.
4. CONSTRUCTION HOURS. Construction work shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturdays; and 10:00 a.m. to 6:00 p.m. Sundays and holidays, except as expressly authorized by the City Engineer in conformance with Section 14.40.020 of the Half Moon Bay Municipal Code. (Engineering)
4. SITE CLEANUP. All construction-related materials will be removed after completion of construction activities. Temporary staging areas shall be cleaned up, and any remaining construction materials shall be removed and hauled to an appropriate recycling or waste disposal facility. The project footprint shall be contained entirely within the Caltrans right-of way primarily in paved areas and graveled/previously disturbed road shoulders. (Planning / Engineering)
5. SITE REHABILITATION. Caltrans will restore temporarily disturbed areas to their preconstruction contours and functions. Exposed slopes and bare ground will be reseeded with native local grasses and shrubs to stabilize and prevent erosion. A local hydroseed mix will be proposed in the plans, specifications, and estimates phase. Vegetation restoration shall be completed where temporary impacts to existing vegetation occurred for construction access. Monitoring and documentation of restoration success shall be submitted to the City.
6. TREE REMOVAL. This application and approval does not include the removal of any trees. However, should the removal of trees be necessary for access to a work site, coordination with the City shall be completed to determine permitting requirements prior to removal of any trees. The City may impose additional conditions of approval including replanting requirements. . (Planning)
7. OTHER PERMITS AND REQUIREMENTS. Copies of all approved State and Federal agency permits shall be submitted to the City prior to initiation of construction. Compliance with the following shall be demonstrated prior to commencing construction:
  - a. All mitigation/avoidance measures identified in the USFWS Biological Assessment and the Natural Environment Study (NES).
  - b. All measures identified in CDP Application Supplemental Information Section 2.10.1 (Project Features).

- c. All measures identified in CDP Application Supplemental Information Section 2.10.2 (Project-Specific Avoidance and Minimization Measures), including:
    - i. Section 2.10.2.1, General Conservation Measures
    - ii. Section 2.10.2.2, Construction Measures
    - iii. Section 2.10.2.3, Species-Specific Conservation Measures – California Red-Legged Frog and San Francisco Garter Snake(Planning)
- D. The following conditions shall be implemented to the satisfaction of the Public Works Director prior to and during construction:**
1. SWPPP DOCUMENTATION:
    - a. Due to the work proposed, this project is subject to a SWPPP and is subject to implementation of stormwater retention features.
    - b. Prior to construction, the applicant shall provide written confirmation and documentation of project SWPPP registration under the State Waterboard due to the size of the project. (Engineering)
  2. CONSTRUCTION BEST MANAGEMENT PRACTICE (BMPs). This project is subjected to compliance with San Mateo Countywide Construction Best Management Practices. (Engineering)
  3. EROSION AND SEDIMENT CONTROL PLANS. Provide plans that show erosion and sediment control measures for the site (i.e. the use of fiber rolls surrounding the project area) to ensure that no sediment runoff will impact or flow to the City’s Storm Drain System or to adjacent property owners. (Engineering)
  4. ENCROACHMENT PERMIT:
    - a. The applicant shall apply and obtain an approved encroachment permit with the City of Half Moon Bay.
    - b. No construction activity shall occur and no pedestrian and vehicular traffic control shall be installed within the City right-of-way or affecting the City’s improvements prior to obtaining an encroachment permit from the City. All improvements constructed within the City right-of-way shall conform to City standards to the satisfaction of the City Engineer. Traffic control shall conform to Caltrans/MUTCD Standard Plans for Traffic Control in Construction and Maintenance Zones. (Engineering)
  5. UNDERGROUND UTILITIES. Electric wiring infrastructure shall be underground. (Engineering)
  6. NOTIFICATIONS TO THE CITY OF HALF MOON BAY. Notify the City of Half Moon Bay at least fourteen calendar (14) days prior to the start of work. The City shall provide assistance to Caltrans in notifying residents of this work on the City’s social media platforms and public outreach channels. (Planning /Engineering)

7. AS-BUILT PLANS. Prior to the end of construction, marked-up as-builts are required to be provided to the City. (Engineering)
8. SIDEWALK MAINTENANCE. The applicant is liable for sidewalk maintenance within the City's ROW. Sidewalk maintenance shall include removal and replacement of concrete to eliminate tripping hazards; and pruning and trimming of trees, shrubs, ground cover and other landscaping within the public right-of-way when damaged during construction. (Engineering) .

**E. Validity and Expiration of Permits.**

1. EFFECTIVE DATE. This site is located within the California Coastal Commission Appeals Jurisdiction. This permit shall take effect after expiration of the Coastal Commission appeal period, or if the permit is appealed to the Coastal Commission during the appeal period, it shall take effect after final Coastal Commission action. (Planning)
2. ACCURACY OF APPLICATION MATERIALS. The applicant shall be responsible for the completeness and accuracy of all forms and material submitted for this application. Any errors or discrepancies found therein may be grounds for the revocation or modification of this permit and/or any other City approvals. (Planning /Engineering)
3. PERMIT EXPIRATION. The Coastal Development Permit (CDP) shall expire one year from its date of final approval if the use/development has not commenced in conformance with this permit or the applicant has not obtained an extension of the permit. (Planning)
4. PERMIT EXTENSION. The Community Development Director may, at the Director's discretion, approve a Minor Amendment for a single one-year extension of this permit based on a written request and fee submitted to the Director prior to expiration of the permit. Any other extension shall require approval of a Major Permit Amendment prior to expiration of the permit. Any Major Permit Amendment Application to extend the permit beyond the initial one year extension shall be filed a minimum of ninety (90) days prior to permit expiration to ensure adequate processing time. (Planning)
5. HOLD HARMLESS. The permittee agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against an and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, any review by the California Coastal Commission conducted under the California Coastal Act Public Resources Code Section 30000 et seq., or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this

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

**OWNER'S/PERMITTEE'S CERTIFICATION:**

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

APPLICANT:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

11

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11



CITY OF HALF MOON BAY

City of Half Moon Bay

APR 23 2024

Planning Department  
501 Main Street Half Moon Bay CA 94019  
Phone: 650.726.8250 / Fax: 650.726.8261

RECEIVED

APPEAL FORM

ACTION OF CITY BEING APPEALED: Caltrans project between Capistrano

PROJECT OR REFERENCE NUMBER: PDP 23-084 & Coronado ISR-1  
HMB

LOCATION: Between Capistrano & Coronado in HMB

DATE OF ACTION: April 9, 2024

DATE APPEAL PERIOD ENDS April 23, 2024  
(If Applicable)

NAME OF APPELLANT: Kathryn Slater-Carter Len  
(Please Print) ERICKSEN

ADDRESS: PO 370325, Monterey, CA 94037 650.400.3175

PHONE NUMBER AND EMAIL: 650.346.5255 Kathryn.S.C@ len.ERICKSEN@  
gmail.com gmail.com

SIGNATURE OF APPELLANT: Kathryn Slater Carter

STAFF USE ONLY

Action Appealable to Coastal Commission  Yes  No

Subject to City Appeal Fee Per Master Fee Schedule  Yes  No

City Fee Collected: N/A

Received by: [Signature]

Date: 4/23/24

Please Attach a Separate Statement of Appeal That Describes in Detail the Grounds for the Appeal and the Relief Being Sought



APR 23 2024

Appeal of PDP-23-084  
Caltrans SR 1 Multi-Asset Roadways Rehabilitation Project

RECEIVED

I am asking the City Council to add conditions to this project in light of the Coastal Commission Adopted Environmental Justice Policy adopted in March 2019. It is very well stated in Planning Commission Resolution P-19-18, Resolution for Approval PDP-18-006 approving the layout and bathroom changes for the San Mateo County Harbor District (SMCHD).

Chapter 5 of the HalfMoon Bay Local Coastal Program calls Surfers Beach as an area of concern:

"Surfers Beach. For this location, the primary improvements needed are a safer Highway 1 pedestrian crossing and improved parking areas to accommodate surfers and beach goers who park on the east side of the roadway. This location involves the Caltrans Highway 1 right-of-way and straddles the City and San Mateo County boundary; thus implementing improvements in this area would require multi-jurisdictional coordination.

I am asking for conditions that CalTrans work with The City to create, with The City, San Mateo County, CA Coastal Commission and Cal Trans to maintain adequate parking for the busiest parking need days at Surfers Beach and the ocean. One suggestion is to utilize the east side of SR 1 for diagonal parking with a pedestrian safe mechanism to cross the busy highway. Perhaps bicycle lanes can be moved into El Granada on Obispo Rd.

CalTrans proposes to virtually eliminate all the SR-1 parking on the Half Moon Bay lands along the highway side of Surfers Beach to the north side of Sam's Chowder House and is also asking to remove all the SR1 parking on the San Mateo County easement on the west of SAMs and entire the entire SR-1 easement on the inland side will be designated no parking. This will essentially remove all parking serving the Surfers Beach area south of the harbor breakwater, with no replacement parking area close to Surfers Beach. This is not allowed in the Coastal Act and not allowed in each of the underlying Local Coastal Plans.

Incremental losses When the SMCHD was getting the bathroom permits to serve Surfers Beach It proposed removing all 21 general parking and adding six additional handicapped spaces to the existing two handicapped spaces, for a total of eight handicapped spaces. The HMB Planning Commission conditioned the bathroom approval on adding six general use parking spaces for a total of 14 spaces (8 handicapped spaces + 6 general use spaces).

Half Moon Bay recognizes Surfers is used by folks from throughout California, the United States, and the world. It has been growing in use, folks depend on the SR 1 roadside easements to access the beach; eliminating this parking will deny Californians beach access. Handicapped, old, young, families, singles, essentially all who now have access will be denied access by CalTrans' replacing parking with bicycle lanes.

I am appealing this Planning Commission approval to the HMB City Council to ensure Half Moon Bay has a voice and influence at the table. In the near future there are many decisions concerning this to be made by adjacent landowners: The unique interests and responsibility of HMB need to part of the crafting of the maintenance of the Public Access Chapter of the California Coastal Act and HMB's recently amended Local Coastal Plan.

Over the years the SMCo Planning Dept. has spent many dollars and lots of time working with the community to craft various solutions. Len Ericksen has compiled an excellent collection many photos and maps showing potential solutions. These are all more relevant to past, in the past few years the Covid Crisis increased the use of the coastal resource areas. With current



gasoline prices the popularity of coastal resources continues to grow. A solution needs to accommodate a busy, sunny day when one can see, over the course of the day, hundreds of cars parked in the easements. Sometimes a car may park for a few moments, frequently for hours for surfing, or a picnic, playing in the edge of the ocean.

Based on the Coastal Access provisions of the Coastal Act and the Half Moon Bay Local Coastal Program I appeal this decision to eliminate parking on the Half Moon Bay section of SR 1 at the northern area of Half Moon Bay from Sam's Chowder House to Surfers Beach to the Half Moon Bay City Council.



Parking / Coastal Access on SR 1 Multi-Asset Roadway  
Rehabilitation Project between  
Capistrano Road and Coronado Street

Presentation to City of Half Moon Bay Planning  
Commission

Len Erickson – April 9, 2024  
lenericksonst@gmail.com

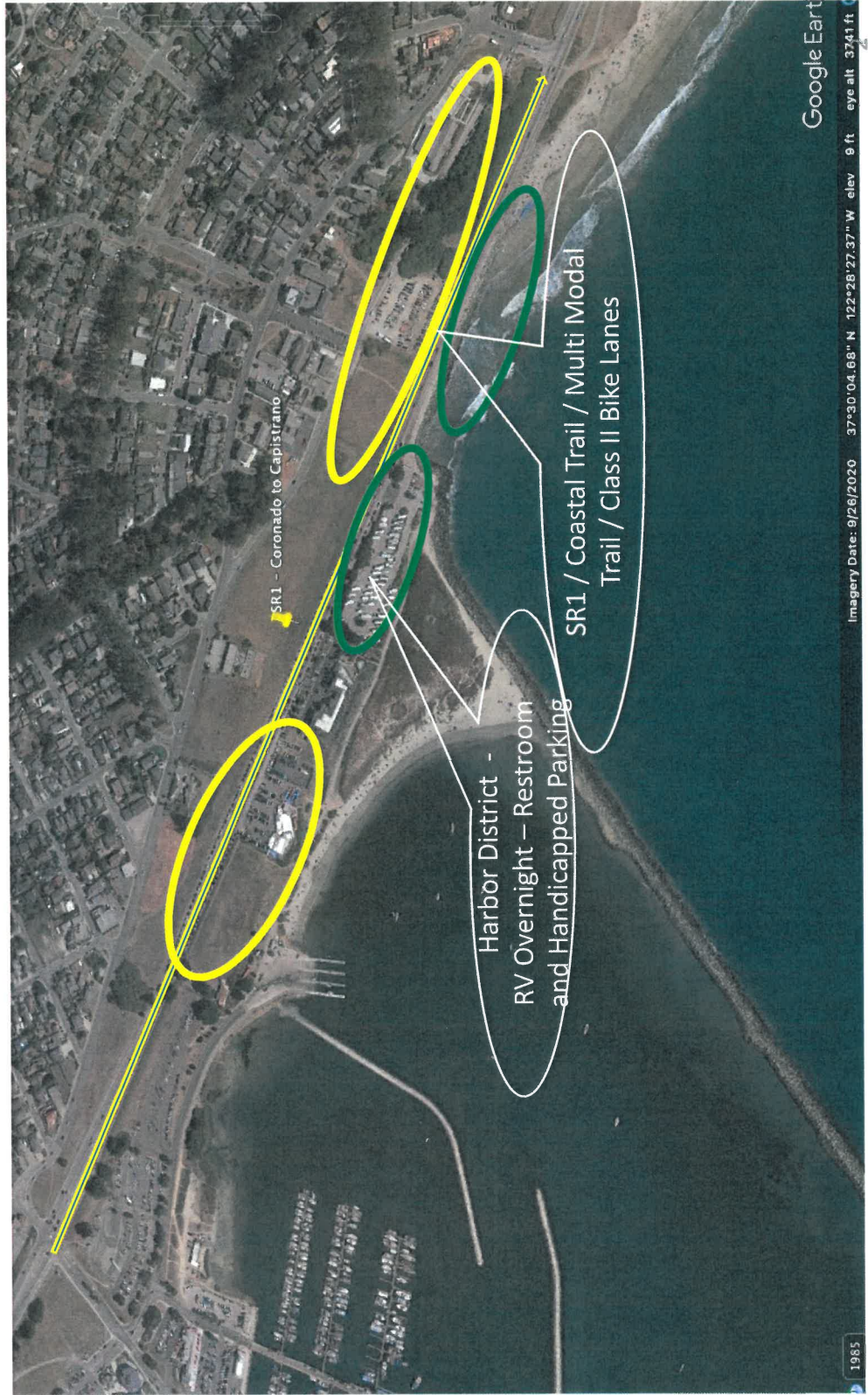
CITY OF HALF MOON BAY

APR 23 2024

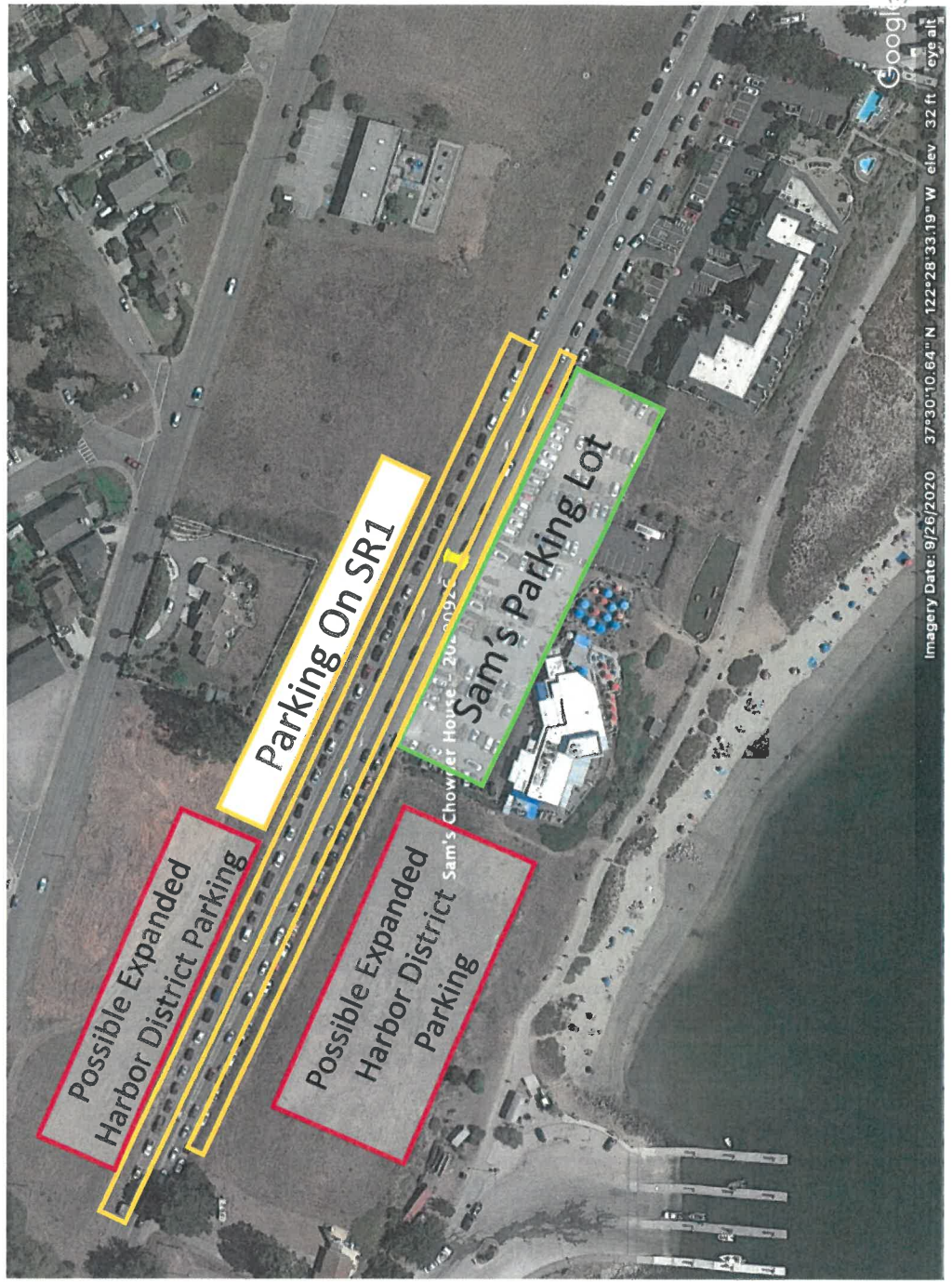
RECEIVED

# Impact of Class II Bike Lanes on Visitor Parking in the SR1 Multi-Asset Project

Date of Maximum Parking Demand – September 26, 2020  
Capistrano Road and Coronado Street



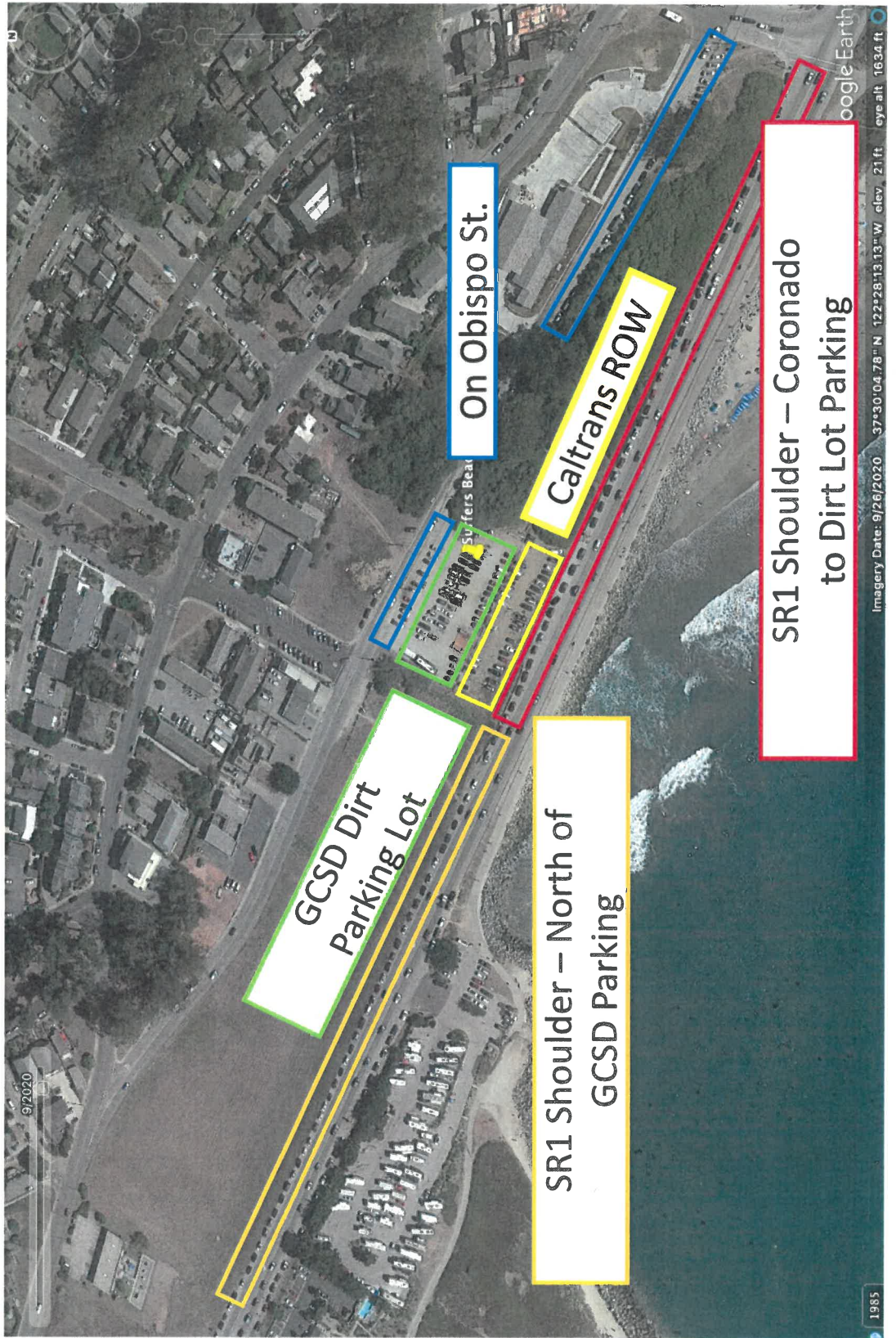
# Sam's Chowder House Parking Harbor District Purchases



# Parking in vicinity of Surfers Beach



# Surfers Beach Access



Car Count  
Image from Google Earth  
2020/09/26  
Heavy use of roadside parking from Coronado to Capistrano  
(Data Counts have not been vetted)

Potential Lost Parking Spaces

47 - SR1 shoulder – North of GCSD Parking
47 - SR1 shoulder – Coronado to GCSD Parking
30 – Caltrans ROW

45 - GCSD Dirt Parking Lot

18 – Parking on Obispo St.

# Current Beach Access

- Safety and Mobility Study – 2012
- Connect the Coastside – 2022
- Granada Park and Community Center
- Shifting Parking / Access Patterns

## July, 2023 - Surfers Beach Access

With increased erosion at Surfers' Beach SR1 Parking has gravitated toward the Coronado Interstction. The stairs are not open, but it is possible to walk down to the beach from the Coastal Trail

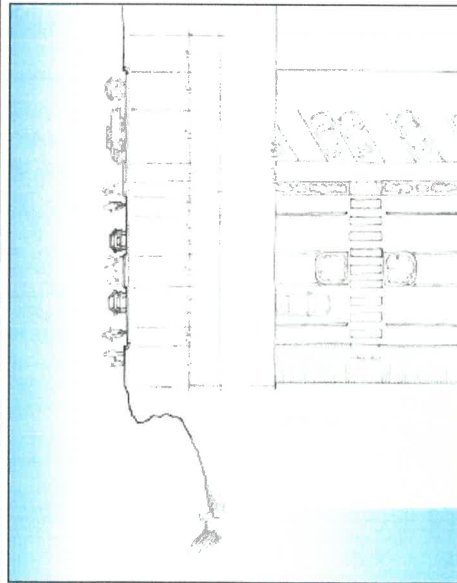


# Highway 1 Safety and Mobility Improvement Study - 2012

Option A: No Realignment



Plan details are illustrated above.



A cross section and plan view is shown on the left facing north near Carmelita Street. A midblock crosswalk with a channelized pedestrian island connects the parking area to a section of the Coastal Trail developed as a pedestrian in the high erosion area.

- 1 Pedestrian crossings for all legs at Capitrazano Road
- 2 Potential new access point
- 3 Potential improved path on existing "goat trail" with mid-block crossing to restaurant and hotel
- 4 Improved diagonal parking and access lane separated from the highway.\*
- 5 Alternative parking lot location.\*\*
- 6 Central improved path with mid-block crossing, steps to beach.
- 7 Improved existing dirt parking area or landscape restoration.
- 8 Obispo Road rerouted up to Alhambra Avenue. Leftover road and adjacent land could be alternative site for parking or converted for landscape restoration.\*\*
- 9 Coastal trail to Harbor, Princeton and Moss Beach.
- 10 Coastal trail to Miramar and Half Moon Bay.

\*Spaces can be marked on the northeast or southwest side of the separated parking area depending upon preferred circulation.  
 \*\*Potential optional sites developed in lieu of highway adjacent diagonal parking.

The concept from the Phase 1 Study shown above retained the existing roadway alignment. Informal parallel parking in the shoulder area on the inland side of the highway was re-organized into diagonal parking with a one-way northbound access way. Two other alternative sites for parking accessible from Alhambra and Obispo were identified. Development of any of these sites would reduce or possibly eliminate the need for parking along the highway.

The current parking supply of the combined shoulder parking, Snuffer's Beach lot and Granada Sundry District unpaired lot is about 300 spaces. Diagonal parking as shown in the scenario illustrated above, combined with retention of the District and Snuffer's Beach lots, would yield an estimated total of 398 spaces.

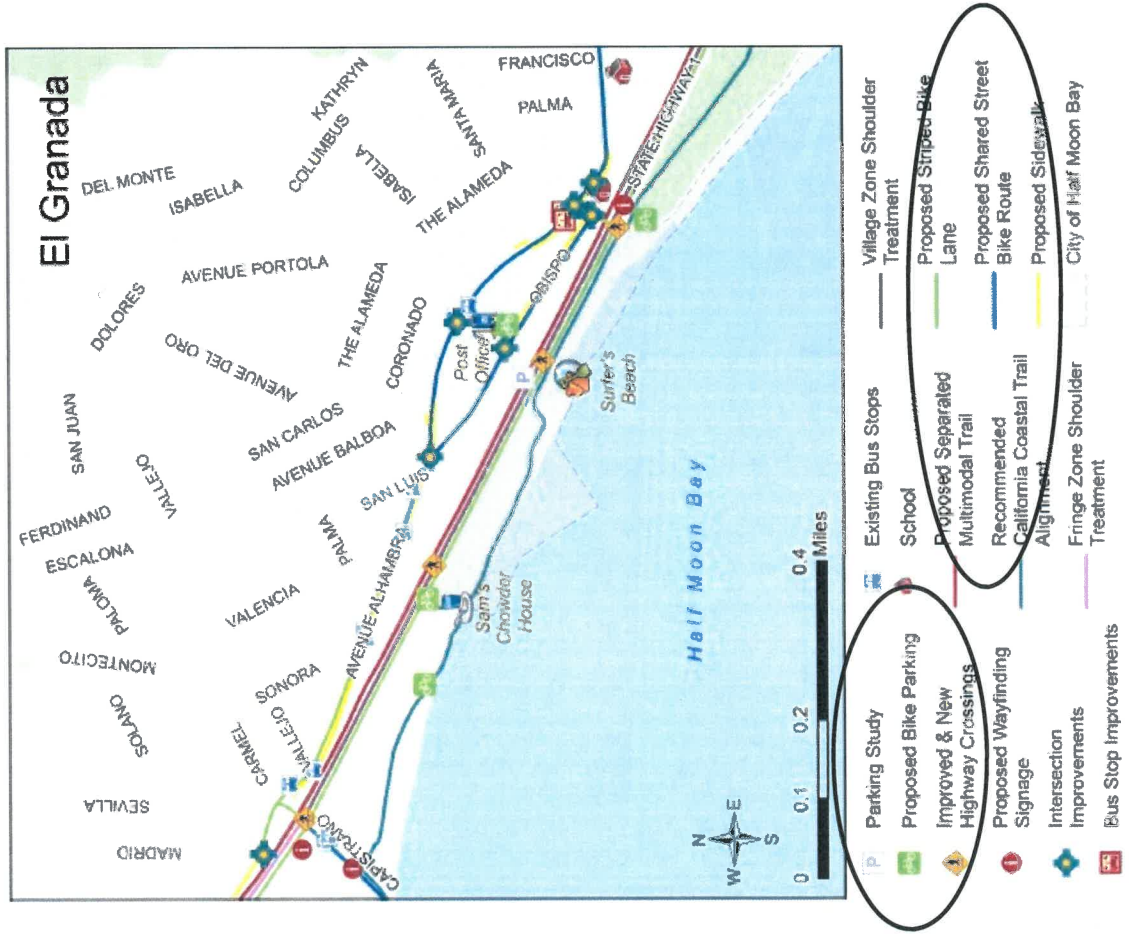
A continuous raised center median would be added, with existing

Painted northbound left turn bays retained. The median would encourage speed moderation and eliminate illegal u-turns by southbound travelers seeking shoulder parking on the northeast side of the highway. The median would also provide a refuge area for pedestrians at both designated crosswalks and for the inevitable random mid-block crossing activity that will continue to take place on this section of highway.

Two potential mid-block crosswalk locations were identified at Snuffer's Beach and Sam's Chowder House. The crossings are aligned with well-worn informal foot paths between the two signalized intersections at Capitrazano and Coronado, with one spaced at nearly a mile and located a substantial distance from the preferred direct path of travel for many pedestrians that need to cross the highway.

# Connect the Coastside - 2022

Map 14: Recommended Infrastructure Improvements El Granada



# Overlay of Proposed Park / Community Center (Area neat Surfers' Beach)



## Comments from GCSD Board President

In response to your query yesterday, I confirm that GCSD is developing plans for a new community park and recreation center on Obispo Road in El Granada. The number of parking spaces outlined in the current plan is to serve the park and is similar to the amount of parking that occurs in the informal dirt lot on GCSD's property between Obispo Road and the CalTrans right-of-way along the east side of Highway 1, near the intersection of Obispo Road and Coronado Street. There will also be parking available for the recreation center around the existing building that is currently leased to a preschool. The site of the park and recreation center cannot accommodate more parking due to riparian areas or would require the loss of land for park purposes. Hopefully CalTrans will provide an accommodation for lost street parking in their own right of way.



# City of Half Moon Bay

Planning Department  
501 Main Street Half Moon Bay CA 94019  
Phone: 650.726.8250 / Fax: 650.726.8261

## APPEAL FORM

**ACTION OF CITY BEING APPEALED:** Planning Commission CDP Approval

**PROJECT OR REFERENCE NUMBER:** PDP-23-084

**LOCATION:** State Route 1

**DATE OF ACTION:** 4/9/24

**DATE APPEAL PERIOD ENDS** 4/23/24  
**(If Applicable)**

**NAME OF APPELLANT:** California Department of Transportation District 4  
**(Please Print)**

**ADDRESS:** 111 Grand Avenue, Oakland, CA, 94612

**PHONE NUMBER AND EMAIL:** 510-506-1264 zachary.gifford@dot.ca.gov

**SIGNATURE OF APPELLANT:** Zachary Gifford

Digitally signed by Zachary Gifford  
Date: 2024.04.23 13:45:22 -07'00'

### STAFF USE ONLY

Action Appealable to Coastal Commission  Yes  No

Subject to City Appeal Fee Per Master Fee Schedule  Yes  No

City Fee Collected: \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

**Please Attach a Separate Statement of Appeal That Describes in Detail the Grounds for the Appeal and the Relief Being Sought**



## Statement of Appeal

Caltrans State Route 1 Multi-Asset Roadway Rehabilitation Project (EA 0Q130)  
City of Half Moon Bay Coastal Development Permit  
Planning Commission Resolution P-24-03  
Resolution for Approval PDP-23-084

Caltrans is requesting appeal to the City of Half Moon Bay's City Council on Planning Commission Resolution P-24-03 Resolution for Approval PDP-23-084. The grounds for appeal and requested changes for specific conditions found in Coastal Development Permit Exhibit B Conditions of Approval follow.

- **General Condition A.2 Additional Comments by Caltrans.** This condition is redundant with General Condition A.1 Conformance with Approved Plans as these changes were included in the 95% plans submitted for the CDP request. Caltrans requests that this condition be removed or consolidated with General Condition A.1.
- **General Condition A.11 Highway Widening.** This condition is redundant with General Condition A.1 as these features were included in the plans submitted. Caltrans requests that this condition be removed or consolidated with General Condition A.1.
- **General Condition A.6. Kelly Ave Intersection** This condition is based on consistency with LUP 5-25. The CDP in Findings for Approval already indicate (Section 1. LUP 5-25) that the project's inclusion of improvements to bicycle and pedestrian infrastructure meets the requirements of LUP 5-25. These elements were included in the CDP application and 95% plans submitted with the application, and improvements at Kelly Avenue were part of the application. Including General Condition A.6 into the CDP is not required to meet compliance with LUP 5-25. Caltrans has reviewed collision history and traffic operations data at this location over the previous five years and has found no evidence of pedestrian-vehicle conflicts at this intersection. Reviewed vehicle crash data shows that the intersection has below average collision rates. Additionally, there is no support provided by the Planning Commission that removal of the "pork chop islands" required by General Condition A.6.b at this location would beneficially change safety conditions. Caltrans understands and acknowledges the comments provided by the public about safety concerns at this intersection and is willing to coordinate with the City to identify specific safety concerns and solutions at Kelly Avenue, but does not believe the condition as written is appropriate for this project or would effectively improve safety for pedestrians or cyclists. Caltrans is requesting this condition be removed as it is not required to meet LUP 5-25 or be rephrased to state that Caltrans will cooperate with the City to better understand and coordinate on improvements to pedestrian and bicycle safety at the Kelly Avenue intersection.
- **General Condition A.7. Monitor Culvert Replacement.** Culvert monitoring is not tied to any LUP or Coastal Act policies. This condition is not required to meet consistency with the LUP or Coastal Act. Caltrans requests that this condition be removed from the CDP.
- **General Condition A. 10. Poplar Street Intersection.** This condition is not tied to any LUP or Coastal Act policy and is not required for the project to be in compliance with LUPs or the Coastal Act. Additionally, the City already has a project at this location that is more appropriately suited to construct this feature. LUP 5-25 requires coordination with Caltrans on intersections and this condition would be appropriately applied to the other project being led by the City. Caltrans requests that this condition be removed from the CDP.



**PLANNING COMMISSION RESOLUTION P-24-03  
RESOLUTION FOR APPROVAL  
PDP-23-084**

Coastal Development Permit allowing Caltrans to implement the State Route 1 (SR 1) Multi-Asset Roadway Rehabilitation Project, as described in the CDP Application Supplemental Information and project plans. The project includes: Repaving SR 1 and sections of the Naomi Patridge Trail; replacing safety equipment, including guardrails and traffic signal poles and associated electrical equipment; pedestrian and bicycle improvements, including the addition of new striped bicycle lanes and sidewalk and bus stop improvements to improve ADA accessibility; drainage improvements, including replacement of select culverts, with no alteration of drainage capacity or change in drainage patterns. The project will not expand or create additional roadway capacity.

**WHEREAS**, an application was submitted requesting approval of a Coastal Development Permit, to repave SR 1 and sections of the Naomi Patridge Trail as well as replace, relocate, and update equipment and ancillary facilities without expansion or additional roadway capacity; and

**WHEREAS**, Caltrans' stated purpose for the project is to prolong roadway life, improve ride quality, replace drainage systems, improve roadway safety, enhance pedestrian and bicycle access, and upgrade the traffic system infrastructure; and

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

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on March 26, 2024, at which time all those desiring to be heard on the matter were given an opportunity to be heard; and

**WHEREAS**, the Planning Commission requested additional information and then continued the hearing to a date certain, April 9, 2024;

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

**WHEREAS**, Caltrans, acting as the CEQA lead agency, prepared and adopted an Initial Study and Negative Declaration (IS/ND) pursuant to the requirements of the California Environmental Quality Act (CEQA). Caltrans also prepared and adopted a Categorical Exclusion (CE) pursuant to the requirements of the National Environmental Policy Act (NEPA). These documents provided the analysis of potential environmental impacts of the project, which were determined to be less than significant with the implementation of standard avoidance measures; and

**WHEREAS**, as a responsible agency under CEQA, the City is required by CEQA Guidelines Section 15096 to review and consider the IS/ND prepared by the lead agency and to consider the environmental effects of the Project as described in the IS/ND prior to reaching a decision on the Project; and

**WHEREAS**, the Planning Commission has reviewed the Coastal Development Permit application, in accordance with the Half Moon Bay General Plan, Local Coastal Land Use Plan, Municipal Code Title 18 and the Coastal Act; and

**WHEREAS**, the Planning Commission has required modifications to the project that ensure compliance with the Half Moon Bay General Plan, Local Coastal Land Use Plan, Municipal Code Title 18 and the Coastal Act; and

**WHEREAS**, documents and other material constituting the record of the proceedings upon which the City's decision and its findings are based are located at the City of Half Moon Bay Community Development Department, located at 501 Main Street, Half Moon Bay; and

**WHEREAS**, the Planning Commission has made the required Findings for Approval of the Coastal Development Permit, as set forth in Exhibit A to this resolution and subject to the Conditions of Approval contained in Exhibit B to this resolution; and

**NOW, THEREFORE, BE IT RESOLVED** that, based upon the Findings in Exhibit A and subject to the Conditions of Approval contained in Exhibit B, the Planning Commission approves this application (PDP-24-084).

**PASSED AND ADOPTED** by the City of Half Moon Bay Planning Commission at a duly noticed public hearing held on April 9, 2024.

AYES, Hernandez, Joanes and Gossett

NOES,

ABSENT, Ruddock and Gorn

ABSTAIN,

APPROVED:

ATTEST:

  
Margaret Gossett, Chair

  
Steven McHarris, Community Development Director

## EXHIBIT A

### FINDINGS AND EVIDENCE Planning Commission Resolution P-24-03 PDP-24-084

Coastal Development Permit allowing Caltrans to implement the State Route 1 (SR 1) Multi-Asset Roadway Rehabilitation Project, as described in the CDP Application Supplemental Information and project plans. The project includes: Repaving SR 1 and sections of the Naomi Patridge Trail; replacing safety equipment, including guardrails and traffic signal poles and associated electrical equipment; pedestrian and bicycle improvements, including the addition of new striped bicycle lanes and sidewalk and bus stop improvements to improve ADA accessibility; drainage improvements, including replacement of select culverts, with no alteration of drainage capacity or change in drainage patterns. The project will not expand or create additional roadway capacity.

#### Coastal Development Permit – Findings for Approval

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

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

**Evidence:** The project consists of necessary repairs and minor enhancements to SR 1, a critical link in the regional transportation network. The Project consists primarily of repaving the existing roadway and replacing aging safety equipment. The project will not increase road capacity or disturb environmentally sensitive areas. Improvements to bicycle and pedestrian infrastructure will enhance bicycle and pedestrian safety and coastal access. As designed, and with implementation of Caltrans standard avoidance measures, the project will not substantially impact sensitive environmental resources, block scenic views, or inhibit coastal access.

**LUP Policy 3-5. Coastal Development Permit for Public Works.** *Require any public utility, government agency, or special district proposing a development project in the City to obtain a coastal development permit, unless explicitly exempted by the LCP, Coastal Act, or other controlling law.*

**Compliance:** This Coastal Development Permit review fulfills the requirements of Policy 3-5, and the City has jurisdiction to issue coastal development permits pursuant to the certified LCP. This development site is located within the California Coastal Commission appeals jurisdiction and the development, as a major public works project, also qualifies as

appealable to the Coastal Commission. As such if the project is appealed to the Coastal Commission, the City's certified LCP would serve as the standard of review.

**LUP Policy 3-34. Town Boulevard.** *Any Highway 1 and 92 improvements shall implement the Town Boulevard approach to improve traffic flow, multi-modal access and safety, and emergency access to best serve the circulation needs of visitors and residents in a manner consistent with Half Moon Bay's small coastal town aesthetic and to support Town Center buildout. Town Boulevard improvements may incorporate a lower speed limit, roundabouts, grade-separations and other approaches as potential options in addition to signalized traffic control systems. In addition, Town Boulevard improvements shall:*

- a. Not increase highway capacity through lane widening projects or other expansions other than as specified in the General Plan Circulation Element provided that they are consistent with the Land Use Plan.*
- b. Be coordinated with Caltrans and the San Mateo County Congestion Management Plan.*
- c. Incorporate multi-modal improvements with safe crossings for bicyclists and pedestrians, as well as landscaping and other amenities intended to enhance the image and scenic quality of the city.*

**Compliance:** The proposed project would provide improvements along and within SR 1 without increasing capacity or roadway expansion and includes improvements for bicyclists and pedestrians in addition to safety enhancements.

**Coastal Act Section 30210 and LUP Policy 5-1. Maximum Coastal Access and Recreational Opportunities.** *Provide maximum coastal access and recreational opportunities for all people consistent with public safety needs and the need to protect public rights, rights of property owners, and natural resource areas from overuse.*

**Compliance:** The proposed project would provide improvements along and within SR 1 to extend the life of the roadway, improve the conditions of Naomi Patridge Trail, and enhance the safety of pedestrians, bicyclists, and vehicles at key intersections along SR 1. The proposed project will improve the main roadway serving access points to public coastal recreation opportunities and will include ADA-compliant walkways and crosswalks in specific locations. The proposed improvements are designed to accommodate the heavy pedestrian, bicyclist, and vehicular traffic that this area experiences, and has incorporated construction best management practices to avoid impacts to sensitive habitats and species.

**LUP Policy 5-8. New Development Public Coastal Access Management Plan.** *Development with the potential to impact public coastal access, whether during construction or after, shall develop a public coastal access management plan designed to identify and limit impacts to public coastal access. Plans shall identify peak use times and measures to avoid disruption during those times; minimize beach, road, and trail closures; identify alternative access routes; and provide for public safety.*

**Compliance:** Construction equipment and vehicles will access the project site from SR 1, with staging and storage occurring within the Caltrans right-of-way. Access along SR 1 and SR 92 would be managed and maintained during construction, with the exception of temporary lane closures and detours. The temporary impacts to traffic would be minimized by implementation of the Project Traffic Management Plan (TMP), which will ensure safe bicycle, pedestrian, and vehicular access to and along the shoreline access points is maintained during construction. Condition No. B-7, requires the TMP to include measures to minimize traffic impacts during peak periods, including summer holiday weekends, large special events and peak commuter periods. The TMP is subject to approval by the City Engineer, prior to commencement of construction.

**LUP Policy 5-25. Highway Crossings.** *Work with Caltrans to ensure that improvements to Highway 1 and Highway 92 incorporate safe access for bicycles and pedestrians from all neighborhoods to the beach, downtown, and schools.*

**Compliance:** The project includes improvements to bicycle and pedestrian infrastructure.

**LUP Policy 6-7. Preliminary Biological Inventory.** *Require that proposals for development within or adjacent to areas with potential to support or contain sensitive plant or animal species, including mapped Potential ESHA and unmapped areas where determined necessary, include a preliminary inventory conducted by a qualified biologist of habitat types and plant and animal species present and likely to be present (e.g. seasonally) on the project site for the development review process. If the preliminary inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required pursuant to Policy 6-8.*

**LUP Policy 6-8. Biological Study.** *For development proposed in and adjacent to ESHA and projects for which the preliminary biological inventory indicates the presence or potential for sensitive species or habitat, require the preparation of a detailed biological study by a City-approved, qualified professional to be submitted prior to development review and prior to any ground disturbance. [ . . . ]*

**Compliance:** In addition to the LUP, zoning code section 18.38.035 also requires the preparation of a Biological Resource Evaluation (BRE) when projects are within or near ESHA. The BRE is then circulated to federal and State agencies for review and comments. In this case, the applicant has prepared a Natural Environment Study (NES) as required for environmental review under NEPA and federal permits. Federal and State resource agencies have reviewed the NES and prepared Biological Opinions. City staff have determined that the NES is comparable in scope and meets City requirements.

**LUP Policy 6-10. Protection and Enhancement of ESHA.** *Protect and, where possible, enhance or restore environmentally sensitive habitat areas (ESHAs).*

**LUP Policy 6-13. Pre-Existing Development and ESHA.** *Where an area within or adjacent to any preexisting permitted development or land use is confirmed to meet the definition of ESHA, the pre-existing use may continue provided that the use has not lapsed for more than one year at any point in time and that any changes to the site that constitute new development are sited and designed to avoid new impacts to ESHA and to avoid any increases to existing non-conformities. Implementation of best management practices and avoidance measures is encouraged for qualifying continuing uses.*

**Compliance:** The project has been designed to avoid impacts to nearby environmentally sensitive habitat areas. It will be compatible with the continuance of the existing habitat. The project includes replacement of select culverts and maintenance of one section of drainage ditch, but these areas are not designated as ESHA.

**LUP Policy 6-14. Resource Management Agencies.** *Uses and activities permitted in ESHA may be subject to review and approval by the U.S. Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board, California Coastal Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, National Marine Fisheries Service, and other resource management agencies, as applicable. Compliance with any applicable state or federal regulations is required.*

**Compliance:** Caltrans has prepared a Natural Environment Study (NES) as required for environmental review under NEPA and for the purpose of obtaining federal permits. Federal and State resource agencies have reviewed the NES and prepared Biological Opinions, where required. Measures identified in the Natural Environment Study (NES) shall apply to the project and will protect environmental resources. Furthermore, Caltrans is in ongoing consultation with the US Fish and Wildlife Service regarding potential impacts to threatened and/or endangered species and will be required to implement measures required by USFWS prior to and during construction.

**LUP Policy 6-47. Permitted Uses in Riparian Corridors.** *Permit only the following uses within riparian corridors... Where no feasible alternative exists, permit the following uses:*

- f. Flood, sedimentation, or erosion control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development;*
- g. Bridges providing an important public transportation or resource-dependent function where supports do not significantly impact the riparian corridor or its resources, such as free-span designs;*
- i. Repair, maintenance, or incidental improvement of roadways or road crossings that do not increase the capacity of the roadway;*

**Compliance:** The project consists primarily of roadway repaving and replacement of existing ancillary infrastructure. As such, it is specifically allowed pursuant to LUP Policy 6-47.i.

**LUP Policy 6-63. Construction and ESHA.** *Ensure that construction does not adversely impact sensitive bird or other animal species in on-site or nearby ESHA, wetlands, or watercourses by requiring construction projects to implement best management practices (e.g. pre-construction surveys, construction and/or tree removal timing restrictions, exclusionary fencing), and, as appropriate based on project scope and site conditions, noise and vibration reduction measures and monitoring by a qualified biologist during construction.*

**Compliance:** Sections of the highway are in close proximity to creeks and unnamed drainage ditches, characterized by diverse wildlife, vegetation, and intermittent riparian habitat. However, project activities will be primarily limited to the existing roadway and disturbed shoulders. Limited culvert replacement and ditch maintenance is proposed, in areas that are not identified as ESHA. Standard Caltrans Best Management Practices (BMPs) require pre-construction surveys and other protective measures.

**LUP Policy 6-64. Active Nest Monitoring.** *Ensure construction and tree removal during nesting seasons (generally from February 1 to August 15) complies with the Migratory Bird Treaty Act, California Fish and Game Code, and other applicable regulations by surveying the project vicinity for active nests, avoiding disturbance if active nests are found by employing exclusion buffers or other methods recommended by a qualified biologist, and monitoring active nests until all young have fledged.*

**Compliance:** Standard Caltrans BMPs require pre-construction nesting bird surveys and other protective measures. No tree removal is proposed.

**LUP Policy 6-68. Chemical Substances.** *Prohibit the use of insecticides, herbicides, or any toxic chemical substance within ESHA and ESHA buffer areas where application of such substances would impact the ESHA, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. When restoring habitat, ensure that organic material does not adversely alter natural bank and water chemistry.*

**Compliance:** The use of herbicides has not been included in the project description and is prohibited, unless compliance with the requirements of Condition of Approval No. A.5 of this CDP is documented. Condition A.5 requires documentation of compliance with the *2006 Final Stipulated Injunction*, as amended by subsequent legal actions, resulting from the *Center for Biological Diversity vs. USFWS, et. al.* case.

**LUP Policy 6-83. Construction Best Management Practices (BMPs).** *Require new development proposals to include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation, provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials.*

**Compliance:** Standard Caltrans Best Management Practices (BMPs) require erosion control and runoff control plans to be implemented at construction sites.

**LUP Policy 9-2. Scenic Resource Protection.** *New development shall be sited and designed to protect views to and along the ocean, to minimize the alteration of natural land form, to be visually compatible with the character of its setting, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

**Compliance:** SR 1 is designated as “Town Boulevard Corridor” in the LUP and numerous policies address views from the highway. Significant plant communities are important SR 1 visual resources. This project will primarily consist of repaving and associated replacement of existing guardrails and other infrastructure adjacent to the existing pavement. As designed, the project will not result in significant alteration of natural land forms or adversely affect the visual character of the SR 1 corridor.

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

**Compliance:** An evaluation of Cultural and Archeological Resources was performed by Caltrans, pursuant to CEQA and NEPA. As a result of the evaluation, Caltrans is incorporating standard measures into the Project to avoid impacts to cultural and archeological resources, including the requirement that if historic or cultural resources are discovered during construction, all work is required to stop until qualified experts evaluate the resources and take appropriate actions to protect the resources. This requirement is further supported by Condition of Approval No. 11

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

**Evidence:** The project does not include residential development; therefore, the project conforms to the requirements of the City’s growth management system.

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

**Evidence:** The proposed project is located in the Caltrans right-of-way. There is no underlying zoning designation.

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

**Evidence:** The project includes replacement of pavement within the right of way of SR 1 in addition to existing traffic signals and additional traffic monitoring equipment. Adequate electrical capacity is available. The project does not include new facilities that would require additional water supply or sewer capacity. No new or expanded services or infrastructure will be required.

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

**Conformance:** The project is limited to rehabilitation of SR 1 and related infrastructure. All work will be within the Caltrans right-of-way. Aside from traffic control measures for temporary construction, the project will not adversely affect public access or recreation.

6. **Architectural and Site Design Review-** Section 14.37 of the Municipal Code establishes the purpose and applicability of architectural and site design review. The purpose of the design review process is set forth in section 14.030.010. It is:
- A. *To promote the orderly and harmonious development of the city's existing and new residential neighborhoods;*
  - B. *To ensure that any proposed alterations or demolition of structures designated as historic will be subject to design review; and*
  - C. *To require commercial, industrial, or institutional projects to comply with consistent design standards.*

*Section 14.37.020.C applies specifically to public projects: Architectural, landscape and site plan review and approval by the Planning Commission shall be required for public projects including new structures and public spaces in conjunction with its review of associated discretionary permits.*

**Compliance:** Compliance with design review requirements is a required finding for approval of Coastal Development Permits. However, in this case, the project does not include new buildings or other features identified as requiring design review. Design review criteria are not applicable.

### **Environmental Review – Finding**

Caltrans, acting as the CEQA lead agency, prepared and adopted an Initial Study and Negative Declaration (IS/ND) pursuant to the requirements of the California Environmental Quality Act (CEQA). Caltrans also prepared and adopted a Categorical Exclusion (CE) pursuant to the requirements of the National Environmental Policy Act (NEPA). These documents provided the analysis of potential environmental impacts of the project, which were determined to be less than significant with the implementation of Caltrans standard avoidance measures. Additionally, standard City CDP Conditions of Approval protect cultural and historic resources. The Planning Commission reviewed and considered the IS/ND prior to reaching a decision on the approval of

the CDP and finds that no subsequent or supplemental environmental review is required in accordance with CEQA Guidelines Sections 15162 and 15163.

**EXHIBIT B**  
**CONDITIONS OF APPROVAL**  
**Planning Commission Resolution P-24-03**  
**PDP-23-084**

**A. The following Ongoing General Conditions apply to this project:**

1. CONFORMANCE WITH APPROVED PLANS. Construction plans shall substantially conform to the approved plans labeled 95% Draft Project Plan Sheets submitted as Appendix B of the January 2024 update of the CDP Application Supplemental Information. The Community Development Director and the City Engineer shall review and may approve any deviation from the approved plans that is determined minor in nature. Any other change shall require an amendment to the CDP and shall be processed in accordance with Municipal Code Section 18.20.085 (Permit amendment and extensions) and shall be subject to Planning Commission Review as required by Title 18. (Planning)
2. ADDITIONAL COMMITMENTS BY CALTRANS. The Project Plans referenced above shall be modified to include the infrastructure commitments made in the Caltrans responses provided to Coastside on Bikes (dated February 2, 2024) and the City of Half Moon Bay Bicycle and Pedestrian Advisory Committee (dated February 15, 2024).
3. CONFORMANCE WITH CONDITIONS OF APPROVAL. The Community Development Director shall review and may approve any deviation from the Conditions of Approval that is determined minor in nature. (Planning)
4. CONFORMANCE WITH THE MUNICIPAL CODE. No part of this approval shall be construed to permit a violation of any part of the Half Moon Bay Municipal Code. (Planning)
5. HERBICIDE USE. The use of herbicides shall be prohibited unless documentation of compliance with the 2006 Final Stipulated Injunction, as amended by subsequent legal actions, resulting from the Center for Biological Diversity vs. USFWS, et. al. case is provided. (Planning)
6. KELLY AVE INTERSECTION: Reconfigure the intersection to improve pedestrian and bicyclist safety, consistent with LUP Policy 5-25 requirements as follows.
  - a. Provide new ADA compliant pedestrian walk signals that can be accessed from the main curb on the northeast and southeast intersection corners and the center median of the highway.
  - b. Eliminate the "pork chop islands" separating right turn lanes from through traffic lanes at the northeast and southeast intersection corners. (Planning and Engineering)
7. Monitor Culvert Replacement: Project plans indicate Caltrans will replace the three culverts identified as Drainage Systems 1, 2, and 3 on Plan Sheets DP-1, D-1 and D-2. The applicant shall monitor changes in stormwater flow through these culverts before and after replacement, including any associated increase in erosion and downstream flooding.

Applicant shall coordinate with the City Engineer about the scope of monitoring prior to initiating construction and monitoring results shall be reported to the City Engineer. The applicant shall implement necessary design improvements to ensure no increase in erosion or stormwater runoff to the satisfaction of the City Engineer. (Planning and Engineering)

8. STREET SAFETY LIGHTING Applicant shall coordinate with the City to ensure that new or replaced street lights comply with City LUP policies to protect the visual quality of the "Town Boulevard" corridor, to maintain dark skies, and minimize effects on wildlife. (Planning)
9. BICYCLE LANES. Proposed Class 2 bicycle lanes between Capistrano Road and Coronado Road within the City's jurisdiction may be installed. However, in the section extending from approximately 0.5 miles northward from Coronado Road to the northerly City boundary, installation of the bike lanes shall be, subject to compliance with any Coastal Commission requirements resulting from the appeal of the related San Mateo County CDP. This may require provision of replacement coastal access parking or other modifications. (Planning and Engineering)
10. POPLAR STREET INTERSECTION. The applicant shall add a crosswalk across the highway on northern side of the Poplar intersection. (Planning and Engineering)
11. HIGHWAY WIDENING. Highway widening shall be limited to the two locations identified in Attachment 2 of the April 9, 2024 staff report. Road widening will range from 2 to 5 feet wide to accommodate the Class 2 bicycle lanes and will include approximately 200 linear feet south of Mirada Road and 423 linear feet south of Kelly Avenue. (Planning and Engineering)
12. SIGNS. Caltrans shall cooperate with City staff in establishing enhanced pedestrian signage for the trail and pedestrian bridge over Pilarcitos Creek (Strawflower to Oak Park), to clarify alternative walking routes that avoid the Highway 1 shoulder between Kelly Ave. and the Pilarcitos Bridge. (Planning and Engineering)

**B. The following Conditions shall be fulfilled prior to construction:**

1. SIGNED CONDITIONS OF APPROVAL. The applicant shall submit a signed copy of the conditions of approval to the Community Development Department. (Planning)
2. CONSTRUCTION PLANS. Final construction plans shall be submitted to the City prior to initiating construction. Conditions of approval for this project shall be provided on the cover page of the construction plans. (Planning / Engineering)
3. CONSTRUCTION NOTICE. At least two weeks prior to the commencement of construction, notices shall be posted at the site and advertised through online forums to notify the public of the anticipated temporary construction impacts. The City will provide assistance in identifying local social media platforms. (Engineering)

4. NOTICE OF DISRUPTION. The permittee shall provide written notice to affected property and business owners and a copy of such notice to the City Engineer a minimum of five business days prior to any planned disruption of pedestrian or vehicular traffic, parking, or public service facilities. (Engineering)
5. PRECONSTRUCTION MEETING. The applicant and their primary contractor shall conduct a preconstruction meeting to coordinate work scope, project complaint contacts and condition compliance reporting requirements with the City and other affected agencies. (Planning / Engineering)
6. STAGING AREA. All construction staging activities shall be in locations identified on approved plans and shall be limited to Caltrans right-of-way. Construction staging and storage shall occur in previously disturbed areas such that no impacts to the surrounding habitat areas occur. (Planning and Engineering)
7. TRAFFIC MANAGEMENT PLAN. Prior to construction, Caltrans shall prepare and submit to the City for approval a Traffic Management Plan (TMP). The TMP will be prepared in accordance with Caltrans and City of Half Moon Bay requirements and guidelines to minimize construction-related delays and impacts on emergency vehicles and the traveling public. The TMP will include the following provisions:
  - a. Coordination with San Mateo County, the City of Half Moon Bay, and any other applicable local jurisdictions for notification of closures and detours.
  - b. Coordination with the California Highway Patrol and other local law enforcement.
  - c. Use of temporary portable changeable message signs, the California Highway Patrol construction zone enhanced enforcement program, one-way traffic controls, and flaggers.
  - d. Provisions of continued access for emergency services.
  - e. Provisions of continued access to all driveways.
  - f. The TMP shall include working hours and days of the week, with measures to minimize traffic delays during high traffic congestion periods that may include but are not limited to summer holiday weekends, peak AM and PM commute hours and high attendance festivals and special events. (Planning /Engineering)

**C. The following conditions shall be implemented to the satisfaction of the Community Development Director prior to and during construction:**

1. ARCHAEOLOGY-DISCOVERY OF HUMAN REMAINS. Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the California Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American(s). If no satisfactory agreement can be reached as to the disposition of the remains pursuant to

this State law, then the permittee shall re-enter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. (Planning)

2. ARCHAEOLOGY-DISCOVERY OF RESOURCES. If subsurface historic or archaeological resources are uncovered during construction, all work shall stop, the applicant shall notify the Community Development Director and retain a qualified archaeologist to perform an archaeological reconnaissance and identify any mitigation measures required to protect archaeological resources. Subsurface excavation shall not resume until expressly authorized by the Director. (Planning)
3. AIR QUALITY BEST MANAGEMENT PRACTICES. The project shall implement standard BAAQMD dust control measures during all phases of construction on the project site.
4. CONSTRUCTION HOURS. Construction work shall be limited to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturdays; and 10:00 a.m. to 6:00 p.m. Sundays and holidays, except as expressly authorized by the City Engineer in conformance with Section 14.40.020 of the Half Moon Bay Municipal Code. (Engineering)
4. SITE CLEANUP. All construction-related materials will be removed after completion of construction activities. Temporary staging areas shall be cleaned up, and any remaining construction materials shall be removed and hauled to an appropriate recycling or waste disposal facility. The project footprint shall be contained entirely within the Caltrans right-of way primarily in paved areas and graveled/previously disturbed road shoulders. (Planning / Engineering)
5. SITE REHABILITATION. Caltrans will restore temporarily disturbed areas to their preconstruction contours and functions. Exposed slopes and bare ground will be reseeded with native local grasses and shrubs to stabilize and prevent erosion. A local hydroseed mix will be proposed in the plans, specifications, and estimates phase. Vegetation restoration shall be completed where temporary impacts to existing vegetation occurred for construction access. Monitoring and documentation of restoration success shall be submitted to the City.
6. TREE REMOVAL. This application and approval does not include the removal of any trees. However, should the removal of trees be necessary for access to a work site, coordination with the City shall be completed to determine permitting requirements prior to removal of any trees. The City may impose additional conditions of approval including replanting requirements. . (Planning)
7. OTHER PERMITS AND REQUIREMENTS. Copies of all approved State and Federal agency permits shall be submitted to the City prior to initiation of construction. Compliance with the following shall be demonstrated prior to commencing construction:
  - a. All mitigation/avoidance measures identified in the USFWS Biological Assessment and the Natural Environment Study (NES).
  - b. All measures identified in CDP Application Supplemental Information Section 2.10.1 (Project Features).

- c. All measures identified in CDP Application Supplemental Information Section 2.10.2 (Project-Specific Avoidance and Minimization Measures), including:
  - i. Section 2.10.2.1, General Conservation Measures
  - ii. Section 2.10.2.2, Construction Measures
  - iii. Section 2.10.2.3, Species-Specific Conservation Measures – California Red-Legged Frog and San Francisco Garter Snake(Planning)

**D. The following conditions shall be implemented to the satisfaction of the Public Works Director prior to and during construction:**

**1. SWPPP DOCUMENTATION:**

- a. Due to the work proposed, this project is subject to a SWPPP and is subject to implementation of stormwater retention features.
- b. Prior to construction, the applicant shall provide written confirmation and documentation of project SWPPP registration under the State Waterboard due to the size of the project. (Engineering)

**2. CONSTRUCTION BEST MANAGEMENT PRACTICE (BMPs). This project is subjected to compliance with San Mateo Countywide Construction Best Management Practices. (Engineering)**

**3. EROSION AND SEDIMENT CONTROL PLANS. Provide plans that show erosion and sediment control measures for the site (i.e. the use of fiber rolls surrounding the project area) to ensure that no sediment runoff will impact or flow to the City’s Storm Drain System or to adjacent property owners. (Engineering)**

**4. ENCROACHMENT PERMIT:**

- a. The applicant shall apply and obtain an approved encroachment permit with the City of Half Moon Bay.
- b. No construction activity shall occur and no pedestrian and vehicular traffic control shall be installed within the City right-of-way or affecting the City’s improvements prior to obtaining an encroachment permit from the City. All improvements constructed within the City right-of-way shall conform to City standards to the satisfaction of the City Engineer. Traffic control shall conform to Caltrans/MUTCD Standard Plans for Traffic Control in Construction and Maintenance Zones. (Engineering)

**5. UNDERGROUND UTILITIES. Electric wiring infrastructure shall be underground. (Engineering)**

**6. NOTIFICATIONS TO THE CITY OF HALF MOON BAY. Notify the City of Half Moon Bay at least fourteen calendar (14) days prior to the start of work. The City shall provide assistance to Caltrans in notifying residents of this work on the City’s social media platforms and public outreach channels. (Planning /Engineering)**

7. AS-BUILT PLANS. Prior to the end of construction, marked-up as-builts are required to be provided to the City. (Engineering)
8. SIDEWALK MAINTENANCE. The applicant is liable for sidewalk maintenance within the City's ROW. Sidewalk maintenance shall include removal and replacement of concrete to eliminate tripping hazards; and pruning and trimming of trees, shrubs, ground cover and other landscaping within the public right-of-way when damaged during construction. (Engineering) .

**E. Validity and Expiration of Permits.**

1. EFFECTIVE DATE. This site is located within the California Coastal Commission Appeals Jurisdiction. This permit shall take effect after expiration of the Coastal Commission appeal period, or if the permit is appealed to the Coastal Commission during the appeal period, it shall take effect after final Coastal Commission action. (Planning)
2. ACCURACY OF APPLICATION MATERIALS. The applicant shall be responsible for the completeness and accuracy of all forms and material submitted for this application. Any errors or discrepancies found therein may be grounds for the revocation or modification of this permit and/or any other City approvals. (Planning /Engineering)
3. PERMIT EXPIRATION. The Coastal Development Permit (CDP) shall expire one year from its date of final approval if the use/development has not commenced in conformance with this permit or the applicant has not obtained an extension of the permit. (Planning)
4. PERMIT EXTENSION. The Community Development Director may, at the Director's discretion, approve a Minor Amendment for a single one-year extension of this permit based on a written request and fee submitted to the Director prior to expiration of the permit. Any other extension shall require approval of a Major Permit Amendment prior to expiration of the permit. Any Major Permit Amendment Application to extend the permit beyond the initial one year extension shall be filed a minimum of ninety (90) days prior to permit expiration to ensure adequate processing time. (Planning)
5. HOLD HARMLESS. The permittee agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against an and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, any review by the California Coastal Commission conducted under the California Coastal Act Public Resources Code Section 30000 et seq., or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this

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

**OWNER'S/PERMITTEE'S CERTIFICATION:**

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

APPLICANT:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)



## Collision History Review At the Intersection of State Route 1 / Kelly Avenue in Half Moon Bay

### Collision Data Overview

From July 1, 2018 to June 30, 2023 (available data for the most recent 5-year period), there were a total of 8 recorded collisions at the intersection of State Route 1 / Kelly Avenue in Half Moon Bay. Table 1 below is a breakdown of the 8 collisions by collision types and the severity of the collision outcome.

*Table 1 – Collisions Summary By Types and Severity*

Collision Type	Fatal	Severe Injury	Other Injury	No Injury	Total by Type
Rear End	0	0	2	5	7
Hit Object	0	0	0	1	1
Grand Total	0	0	2	6	8

Using the recorded number of collisions shown above and the average daily traffic volume entering the intersection of State Route 1 / Kelly Avenue, collision rates (collision per million vehicle entering the intersection) have been compiled. These actual collision rates and the State-wide average collision rates for similar intersections are shown in Table 2 below.

*Table 2 – Collision Rates*

Severity Category	Actual Collision Rate (Per Million Vehicle)	State-wide Average Collision Rate (Per Million Vehicle)
Fatal Collisions	0.0	0.002
Fatal + all Injury Collisions	0.04	0.16
All Collisions	0.16	0.33

### Discussion

As shown in Table 2 above, the actual collision rates for all severity categories are lower than State-wide averages for similar intersections. Most of the recorded collisions did not result in injury, and none of the collisions resulted in fatality or severe injury. There were no pedestrian or bicyclist involved in the collisions identified in Table 1. These recent collision data do not appear to show evidence of conflict between vehicles and pedestrian / bicyclists at the intersection of State Route 1 / Kelly Avenue.

With a proactive safety approach in mind, Caltrans plans to implement additional safety enhancement measures at the intersection of State Route 1 / Kelly Avenue as part of the 0Q130 project. These measures include high visibility crosswalk markings, pedestrians / school crossing signage upgrade, intersection lighting improvement, and bicycle facility upgrade. Once implemented, these safety enhancements will further improve safety of all road users in the area.

# Half Moon Bay Kelly Ave & Hwy 1 Crash Map

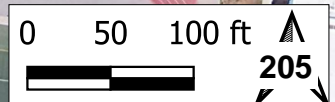


Crash Data: 2013 - 2023 TIMS



 Half Moon Bay City Boundry

2013 - 2023 Crash data provided by the UC Berkeley, SafeTREC Transportation Injury Mapping System.



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**Subject:** RE: HMB Maintenance Project

**From:** Marin Holt <[marin@coastsideonbikes.org](mailto:marin@coastsideonbikes.org)>

**Sent:** Friday, May 10, 2024 6:55 PM

**To:** Ma, Kelly@DOT <[Kelly.Ma@dot.ca.gov](mailto:Kelly.Ma@dot.ca.gov)>

**Subject:** HMB Maintenance Project

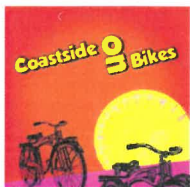
**EXTERNAL EMAIL.** Links/attachments may not be safe.

Hello Kelly,

I just wanted to reach out to thank you for all your work on this project and to let you know that we are in support of the project as it stands. We wanted to push for some additional safety considerations (esp at the Kelly intersection) but now understand that these requests fall outside the scope of this project. We will hope to see the requested safety upgrades addressed in a future project.

I will be meeting with HMB Councilmembers over the next week to urge them to support the project, and I hope they agree that this will be a major improvement to current conditions. Have a nice weekend!

Sincerely,  
Marin Holt  
Coastside on Bikes





To:rich; Bridget Jett

Tue 4/23/2024 4:29 PM

Folks:

Please forward my comments below to the planning appeals committee.

Surfers Beach is quintessential California. I walk by every day from my home in El Granada and I love watching the huge number and variety of people, locals and visitors, young and old, that get off work, park next to the waves, and commune with the ocean each day. This slows traffic a bit, which is great since it makes the pedestrian activity safer. A wider road with no parking would make things more dangerous and diminish this wonderful corner of the universe. Please keep things safe and human and fight back against Caltrans's well-meaning but misguided attempt to replace paradise with efficiency, and safety with speed.

Rich Klein, El Granada



From: tommattusch  
To: Bridget Jett

Tue 4/23/2024 4:27 PM

I am opposed to the bikes lanes on the west side of Hwy 1 from the light at Coronado and extending past Sam's Restaurant. The loss of parking would be devastating for our visitors that come from far away to enjoy the coast, see the beach and perhaps have a meal. The parking that would be eliminated is truly 'visitor serving parking'. Those amount of spaces that would be lost cannot be made up anywhere locally. The bikes lanes as proposed would be dangerous for those entering and leaving the Surfers Beach Restroom, the RV park and Sam's Restaurant. There is also the Coastal Trail. The bikes have plenty of room on the trail, do not cut parking on Highway 1 in that area.

Tom Mattusch  
El Granada, CA



**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

---

**TO:** Honorable Mayor and City Council  
**VIA:** Matthew Chidester, City Manager  
**FROM:** John Doughty, Assistant City Manager  
Mike Noce, Housing Programs Manager

**TITLE: RESIDENTIAL RENT STABILIZATION FEE AND RELATED MATTERS**

---

**RECOMMENDATION:**

Adopt a resolution:

1. Establishing a new fee titled, “Residential Rent Stabilization Fee” in the amount of \$286 and adding the fee to the City user fee schedule as presented in Exhibit A to the resolution; and
2. Applying the annual automatic Consumer Price Index (CPI) adjustment beginning July 1, 2025; and
3. Allocating up to \$150,000 in City Affordable Housing Funds to cover initial start-up and implementation costs of the program; and
4. Directing Staff to direct user fees and citations related to FY 2024-25 Residential Rent Stabilization Program to the City Affordable Housing Fund.

*Note: This fee will take effect sixty (60) days from approval July 21, 2024.*

**FISCAL IMPACT:**

Staff is seeking authorization to allocate up to \$150,000 from the City’s Affordable Housing Fund to cover first year implementation with anticipation that much of the allocated funds will be returned over the course of the fiscal year. Program costs are expected to stabilize and perhaps reduce slightly in subsequent years following implementation and integration of efforts with other tenant protection efforts.

**STRATEGIC ELEMENTS:**

This action supports all the City Council Strategic Plan Elements including *Infrastructure and Environment, Healthy Communities and Public Safety, Fiscal Sustainability, and Inclusive Governance*.

**OVERVIEW/BACKGROUND:**

The Half Moon Bay City Council has identified affordable housing as a multi-year City priority. The City Council has specifically cited their desire to help facilitate development of new multi-family rental development affordable to extremely low-, very low-, and low-income households. To that end, the City Council adopted, and the Coastal Commission certified, a new Local Coastal Land Use Plan (LCLUP), which reduced the constraints to preserving existing affordable housing and created new affordable housing land use opportunities. This work has been followed by the preparation of the Cycle 6 (2023-2031) Housing Element which identifies various affordable housing opportunity sites and policy initiatives to protect and create new housing throughout the City in alignment with the LCLUP. During Cycle 6, the City is required to demonstrate housing production capacity beyond the regional housing needs allocation (RHNA) assigned to the City of 480 housing units. The production of housing units, especially units for lower-income households, is a vital component of supporting the local community with stable housing options. The [Draft Housing Element](#) is nearing completion and available on the City website for public viewing. The items being discussed in this report reflect many of the implementation programs contained in the Draft Housing Element.

The Draft Housing Element outlines numerous other housing projects that are on the horizon. One significant characteristic of the City's housing pipeline is that new units often take multiple years to plan, permit, and construct. Unfortunately, this means there will be a delay between the time that a project is conceived, and it is constructed and occupied. Predevelopment such as architectural design, engineering, financing, and entitlements often spans 1-3 years with construction adding an additional 1-2 years, with timelines sometimes increasing for large multi-family developments. Due to this multi-year process to develop additional housing units, with a focus on affordable housing development, the need to introduce mechanisms that protect existing rental housing stock and renters (particularly lower-income renters) is a strategy the City Council has directed staff to initiate.

On November 7, 2023, the City Council held a work session on tenant protections. This meeting provided an opportunity for staff to present potential opportunities to assist renters within the City of Half Moon Bay. The work session was an opportunity for landlords and tenants to provide their observations and recommendations. Following community input and City Council discussion, staff was directed to immediately initiate work on: 1) a rental registration ordinance; 2) a rent control ordinance; 3) an enhanced tenant protections and relocation assistance ordinance; and 4) a code enforcement related relocation assistance ordinance. Staff recommended and the City Council affirmed that the residential rental registration program represented critical foundational support to the development and success of the overall tenant protections program.

On February 6, 2024, the City Council adopted the first of the four ordinances intended to support data collection, policy development and provide tenant support. This ordinance established a residential rental registration program which is scheduled to commence on June 1, 2024.

Also on February 6, the City Council adopted a new Chapter 6.10, re-codifying the landlord and tenant dispute resolution processes, noticing requirements for landlords, tenant remedies, and prohibitions on retaliatory evictions based upon a tenant exercising rights derived under Chapter 6.10. New Chapter 6.10 expands the 12-month lease term option to all rental units in the City. This Chapter re-codified and amended City Council adopted Ordinance C-2019-07 which established a new Municipal Code Chapter 7.70 titled [Residential Rental Security Measures](#) in 2019. The Chapter was originally created to supplement the protections authorized under the Tenant Protection Act of 2019. This Chapter supplements proposed new Chapter 6.08.

On March 19, 2024, the City Council conducted a study session on rent stabilization and tenant protections. At this meeting, the City Council authorized staff to bring a new Chapter 6.08 “Tenant Protections” to the Council for consideration in April or May 2024.

On April 16, 2024, the City Council introduced an ordinance creating a City of Half Moon Bay Rent Stabilization Program (new Chapter 6.06 to the Municipal Code) consistent with the State Costa-Hawkins Act. New Chapter 6.06 (Residential Rent Stabilization), which was adopted on May 7, 2024, establishes a rent stabilization/control program that governs the annual maximum rent adjustments that landlords may seek. The Costa-Hawkins Act allows the City to adopt, by ordinance, local limits to annual rent adjustments. Per the Act, rent adjustment limits may be applied to rental units (duplexes, triplexes, fourplexes and multi-family) built before 1995. As previously discussed, the City cannot limit rent adjustments on single-family detached or attached homes, or rental units built after 1995.

The City has provided updates to the community on Rent Stabilization and all other aspects of tenant protections via the City Homepage and Enews.

**DISCUSSION:**

Staff is seeking City Council approval of fees necessary to implement and administer the program in FY 2024-25. Staff is recommending a fee of \$286 for each stabilized unit in FY 2024-25 to help cover implementation and administration of the Rent Stabilization Program per new Chapter 6.06.

Staff will be returning to City Council by October to consider adopting application fees for petitions and appeals of petition decisions. No petitions or appeals can be submitted until after December 1, 2024. As noted earlier, Staff is recommending that all related fees be returned to the City Affordable Housing Fund in FY 2024-25.

The Residential Rent Stabilization fee will be evaluated annually and adjusted based upon costs, revenues, and City Council cost recovery policy direction. Rent Stabilization is part of the broader rental registration and tenant protections initiative. We anticipate having far better information at the end of FY 2024-25 as all tenant protection initiatives are established and implemented. As noted earlier, we anticipate improved economies of scale with the full program implementation.

First year implementation and operating costs for the residential Rent Stabilization Program are estimated at \$150,000. The estimates include initial set up, administration and a portion of costs for legal and mediation services. Staff estimates that \$120,000 of this total is attributable to the direct cost of the program. The remaining portion of the costs are associated with petition processes, tenant/landlord relations and compliance efforts and are proposed to be recovered via filing fees and administrative citations. The recommended fee for FY 2024-25 does not represent full cost recovery and are best estimates for a newly created program.

**CONCLUSION:**

The proposed new Chapter 6.06 (Residential Rent Stabilization) supports City housing goals as reflected in the soon-to-be certified Housing Element. Further, the provisions are necessary to protect public health, safety, and welfare of Half Moon Bay residents who rent or lease stabilized units within the City limits. The adoption of a per unit fee ensures that the City can fund the ongoing day-to-day operations of the rent stabilization program.

**NEXT STEPS:**

The fee resolution will become effective in 60-days (July 21, 2024). Staff is currently developing the list of stabilized units and pursuant to Chapter 6.06 will calculate the maximum annual rent increase (December 1, 2024-November 30, 2025) in July and provide notice to landlord by August 1, 2024. Staff will simultaneously be working on policies, procedures and informational materials regarding rent stabilization and initiate collection of fees per the adopted resolution. Staff will return by October 2024 with recommended fees for petitions and appeals.

**ATTACHMENT:**

Resolution

**RESOLUTION NO. C-2024-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY CREATING A FEE FOR THE RESIDENTIAL RENT STABILIZATION PROGRAM PER CHAPTER 6.06 OF THE HALF MOON BAY MUNICIPAL CODE AND ALLOCATING UP TO \$150,000 FROM THE CITY AFFORDABLE HOUSING FUND TO COVER INITIAL START-UP AND IMPLEMENTATION COSTS**

**WHEREAS**, pursuant to Article XI, Section 7 of the California Constitution, the City of Half Moon Bay ("City") has broad authority to maintain the public peace, health and safety of its community and preserve the quality of life for its residents and may make and enforce all regulations and ordinances using its police powers to do so; and

**WHEREAS**, the City, with direction from the City Council, has developed goals, objectives, policies, and action programs that directly address the City's housing needs; and

**WHEREAS**, the City Council has identified an acute rental housing shortage within the City limits and on the greater Coastsides; and

**WHEREAS**; the community has testified that the cost of rental housing is increasing faster than wages and that this affects all renters in the City limits and the greater Coastsides; and

**WHEREAS**, the City is contemplating adoption of the Cycle 6 Housing Element including goals, policies, and programs to support renters including the establishment of a rent stabilization; and

**WHEREAS**, on April 16, 2024, the City Council conducted a Public Hearing and introduced an ordinance creating a Residential Rent Stabilization program as a new Chapter 6.06 to the Half Moon Bay Municipal Code; and

**WHEREAS**, on May 7, 2024, the City Council adopted an ordinance creating a Residential Rent Stabilization program as a new Chapter 6.04 to the Half Moon Bay Municipal Code; and

**WHEREAS**, on February 6, 2024, the City Council conducted a Public Hearing regarding the proposed resolution establishing the Residential Rent Stabilization fee pursuant to new Chapter 6.06 to the Half Moon Bay Municipal Code; and

**WHEREAS**, the City completed a fee study and determined that the per stabilized unit fee of \$286 will cover the approximate cost of implementation and administration of the program in the first year; and

**WHEREAS**, City staff will return by October 2024 to propose fees associated with petition and appeal processing which are not included in the \$286 annual fee for stabilized units; and

**WHEREAS**, the City will evaluate costs of the program over the course of FY 2024-25 and propose modifications to the fee effective July 1, 2025, in conjunction with implementation of other tenant protection efforts.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF HALF MOON BAY :**

1. Approves the establishment of a new fee titled, "Residential Rent Stabilization Fee" in the amount of \$286 and adding the fee to the City user fee schedule as presented in Exhibit A to the resolution; and
2. Directs staff to apply the annual automatic Consumer Price Index (CPI) adjustment beginning July 1, 2025; and
3. Allocates up to \$150,000 in City Affordable Housing Funds to cover initial start-up and implementation costs of the program; and
4. Directs Staff to direct user fees and citations related to FY 2024-25 residential rent stabilization to the City Affordable Housing Fund.
5. Acknowledges that this fee will be in effect on July 7, 2024 (sixty days from approval) in accordance with State law.

\*\*\*\*\*

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 21st day of May 2024 by the City Council of Half Moon Bay by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

ATTEST:

APPROVED:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor

# EXHIBIT A

## City of Half Moon Bay Master Fee Schedule Other Fees, Charges and Services

<b>15 Residential Rent Stabilization Program</b>	<b>Coding</b>	<b>Prev. FY 21-22 Amount</b>	<b>Prev. FY 22-23 Amount</b>	<b>FY 23-24 Amount</b>	<b>FY 24-25 Amount</b>	<b>Unit/Type</b>
Annual Fee	101-110-4443	None	None	None	\$286	Per stabilized unit

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Matthew Chidester, City Manager

**FROM:** Karen Decker, Economic and Community Vitality Manager  
Irma Acosta, Administrative Analyst

**TITLE: HALF MOON BAY HOTEL BUSINESS IMPROVEMENT DISTRICT 2023 ANNUAL REPORT AND RESOLUTION OF INTENT TO INCREASE THE PER NIGHT ASSESSMENT OF THE DISTRICT FOR FISCAL YEAR 2024-25.**

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**RECOMMENDATION:**

By motion:

1. Approve the Half Moon Bay Hotel Business Improvement District 2023 Annual Report from the Half Moon Bay Coastside Chamber of Commerce, the designated managing agency for the District; and
2. Adopt a Resolution Declaring the City Council's intention to levy an assessment for the Half Moon Bay Hotel Business Improvement District for Fiscal Year 2024-25; and directing the City Clerk to schedule a public meeting on June 18, 2024, and a public hearing for July 16, 2024, regarding increasing the nightly per room assessment rate from \$1 to \$2; and
3. Approve an allocation of \$40,000 in support from the General Fund for Fiscal Year 2024-25.

**FISCAL IMPACT:**

The requested action includes an allocation of \$40,000 from the General Fund, which will be used to commission a formal visitor study to inform future marketing and promotion activities by the District.

**STRATEGIC ELEMENT:**

This action supports the *Fiscal Sustainability* Element of the Strategic Plan.

**BACKGROUND:**

In 2004, the City of Half Moon Bay established the Half Moon Bay Hotel Business Improvement District (BID) pursuant to Part 6 Division 18 of the under the California Streets and Highways Code Section 36533. The purpose of this BID is to promote lodging at hotels within the City, administer marketing programs that increase overnight lodging, and fund BID-related activities.

In 2017, the San Mateo County Board of Supervisors allowed the BID to expand its boundaries to include 10 additional commercial lodging establishments operating in the unincorporated areas of the Coastside, believing that adding these establishments would further its purpose of promoting tourism and lodging along the coast.

The Half Moon Bay Coastside Chamber of Commerce (Chamber) is designated as the managing agency for BID-related activities and, pursuant Section 36533 of the Code, prepares an annual report which summarizes the BID's priorities, outcomes, and expenditures from the previous calendar year. The report is to be reviewed and approved by the Council and, following approval, the Council must adopt a resolution of intent to levy the annual assessment for the following fiscal year. The resolution of intent also sets a public hearing to receive any written or oral protests for the continuation of the BID. A copy of the BID Annual Report is included as Attachment A.

The assessment in 2004 was set at \$1 per room per night, and the purpose of the assessment was to provide a funding mechanism for marketing in Half Moon Bay and the San Mateo County Coastside. The assessment applies to 18 hotels located on the Coastside.

**DISCUSSION:**

As noted earlier, the Chamber is required to provide an annual report on the BID activities in conjunction with a request for levying assessments. Per the annual report, Coastside hotels are continuing to rebound from the COVID-19 pandemic. The 2023 average annual occupancy was 55%, whereas the occupancy in 2020 was less than 40%. The City itself has experienced a slight reduction/flat lining of Transient Occupancy Taxes (TOT) over the last 18 months. TOT represents 40-percent of the City's General Fund revenues and has generated \$8.6 million this Fiscal Year, to date.

The Chamber is seeking to increase the per night assessment to \$2 beginning in FY 2024-25. The assessment has not increased since 2004 and the cost of marketing the Coast has far outpaced the \$1 per night set 20 years ago. Over the course of the years, the marketing budget has remained static, while advertising and print media costs have increased substantially. The Chamber met with and has discussed the proposed increase in assessment with affected hotel properties. Many of the parties have agreed, in principle, to the increase in assessment. The City sees this as an opportunity to assist our local Coastside businesses which in turn will result in positive returns from the TOT perspective.

For FY 2024-25, the BID is again requesting sustaining support through an allocation of \$40,000 in General Funds to help fund a visitor study, which will inform marketing and outreach efforts as the local tourism industry continues to gain back its momentum. Any City contribution would be leveraged against the carried forward fund balance from 2023 and current year BID revenues to develop a campaign to encourage overnight travel to the Coastside and hopefully assist our local economy in its recovery.

The purpose of this item is to adopt a Resolution of Intention setting the public hearing for levying the annual assessments for Fiscal Year 2024-25 for July 16, 2024, and notifying properties in the BID of the City Council's intention to increase the levy to \$2 per room per night. At the public hearing, the testimony of all interested persons for or against the continuation of the BID, the boundaries of the BID, or furnishing of specified types of improvements or activities will be heard. Any interested person may make a protest orally or in writing. However, only written protest protests will be considered in determining if there is a majority protest. The form and manner of protests shall comply with Streets and Highways Code Section 36524 and 36525. The City Council will hold a public meeting on June 18, 2024, to allow public testimony regarding the proposed increase in assessment and to call for the commencement of the required protest hearing.

Per the Government Code, a notice of the proposed increase in assessment is being published in the San Mateo Daily Journal three consecutive weeks beginning on May 22, 2024.

**ATTACHMENTS:**

1. Resolution of Intention
2. Half Moon Bay Hotel BID 2023 Annual Report

Resolution No. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF HALF MOON BAY DECLARING ITS INTENTION TO LEVY AN ASSESSMENT FOR THE DISTRICT IN FISCAL YEAR 2024-25, AND STATING ITS INTENT TO INCREASE THE PER NIGHT ASSESSMENT OF THE BUSINESS IMPROVEMENT DISTRICT FROM \$1 TO \$2 FOR FISCAL YEAR 2024-25**

**WHEREAS**, Section 36500 et seq. of the California Streets and Highway Code (the Parking and Business Improvement Area Law of 1989) authorizes cities to establish and renew business improvement areas for the purpose of promoting tourism; and

**WHEREAS**, on June 15, 2004, the City Council approved an ordinance adding Section 3.100 (Hotel Business Improvement District) to the Municipal Code, which established the Half Moon Bay Hotel Business Improvement District and appointed the Half Moon Bay Coastside Chamber of Commerce as the Managing Agency to provide oversight and recommendations regarding the use of the assessment funds; and

**WHEREAS**, the California Streets and Highway Code requires that the Chamber, as the Managing Agency, prepare and submit an annual report for the prior year and stating the proposed changes, improvements, and activities for the upcoming year, and requires the City Council to adopt a resolution of its intent to continue the BID and levy the assessment; and

**WHEREAS**, on April 9, 2024, the Chamber submitted the Annual Report for 2023, which was presented to the City Council on May 21, 2024; and

**WHEREAS**, the Chamber requested the City Council increase the per room nightly assessment to \$2 to respond to the increased cost of BID activities including marketing since 2004; and

**WHEREAS**, the City Council has determined that an increase in the assessment is warranted given the increased cost of advertising and marketing since the original District formation in 2004, and the establishments subject to the assessment have concurred; and

**WHEREAS**, the City Council will hold a public meeting on June 18, 2024, to allow public testimony regarding the proposed increase in assessment and to call for the commencement of the required protest hearing; and

**WHEREAS**, the City Council, following receipt of the 2023 Annual Report, is being requested to adopt this Resolution declaring its intention to increase the nightly per room assessment rate from \$1 to \$2 for FY 2024-25, schedule a public meeting on June 18, 2024, and set the Public Hearing for formal approval for July 16, 2024.

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

1. Accepts the Annual Report for 2023; and
2. Declares its intention to levy an assessment for the Half Moon Bay Business Improvement District for Fiscal Year 2024-25 and to increase the assessment from \$1 to \$2; and
3. Directs the City Clerk to schedule a Public Meeting on June 18, 2024, and a Public Hearing for July 16, 2024, regarding increasing the nightly per room assessment rate from \$1 to \$2 to respond to the increasing cost of BID activities including marketing since 1994; and
4. Directs the City Clerk to notice the June 18, 2024, public meeting, and the July 16, 2024, public hearing as required per California Government Code; and
5. Approves \$40,000 in General Funds for support of the District through the Half Moon Bay Coastside Chamber of Commerce.

\*\*\*\*\*

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 21<sup>st</sup> day of May 2024 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

\_\_\_\_\_  
Jessica Blair, City Clerk

\_\_\_\_\_  
Joaquin Jimenez, Mayor

# HOTEL BUSINESS IMPROVEMENT DISTRICT - 2023

## Annual Report



# VISIT Half Moon Bay CALIFORNIA

The \$1 per room night assessment levied on travelers through the hotels, by the Business Improvement District shall be used to promote lodging within the district and administer marketing programs that increase overnight lodging. The district region is Coastside from Montara through Pescadero, with the interior land boundary being Skyline/Highway 35.

## Priorities & Outcomes

### MID-WEEK STAYS

Re-engage Corporate Planners from the Bay Area & Silicon Valley.

- Slower than anticipated due to the mass layoffs happening across the region in the tech sector.

Meeting Planner FAM Trip to showcase HMB as a meeting destination.

- New team member will facilitate the FAM trip and reboot our corporate engagement.

### DIGITAL & PRINT MARKETING

Update/refresh the Visit HMB brand.

- A new logo was finalized in Q3. A new website build began in Q4. The new website solidifies the new brand, utilizes a more flexible platform, and will be easier to update and refresh in the future. As the website is built, existing content is being refreshed and new content being created.

Continue to diversify marketing channels.

- Performed well with online advertising. Print advertising has become increasingly expensive and cost prohibitive with the current budget. The BID has assessed the need to increase the budget by increasing the \$1 per room night to \$2 per room night. This would take effect in July 2024.

### GENERATE MEDIA

Proactively pitch and respond to media.

- In June of 2023, the BID began a media audit to better understand the organic articles written versus pitched articles. An in-house team member will be hired in 2024 to support media requests and seek out media opportunities.

Coordinate and host travel writers.

- Worked with a local PR Consultant from Fattoria e Mare Restaurant and with Visit California to host multiple travel writers and influencers.

### DIGITAL

All Users

- 425k (+0.8%)

Total Page Views

- 752k (-12%)

Avg. Session

- 45s (-16s)

Top Countries

- USA 357k
- Canada 14k
- India 6.2k

Top Pages

- Stay 197k
- Main St 28k
- Trails 22k

Top Acquisitions

- Search 333k
- Ads 93k
- Direct 60k
- Referral 8.9k

### MEDIA

Print Ads

- 2 (CoOps)

Articles Written

- 60 (+2)

Hosted Writers

- 9 (+1)

Notable

- NPR Travel

*Occupancy*

	2023	2022	2021
• Aristocrat	\$9,085	\$6,890	\$8,979
• Beach House Half Moon Bay	\$14,079	\$15,761	\$15,505
• Cameron's Inn	\$116	\$146	\$148
• Cypress Inn on Miramar Beach	\$4,605	\$4,950	\$5,431
• Half Moon Bay Inn	\$1,418	\$1,815	\$1,808
• Half Moon Bay Lodge	\$20,175	\$18,077	\$16,979
• Harbor View Inn	\$4,561	\$6,041	\$2,551
• Inn at Mavericks	\$2,053	\$1,948	\$1,640
• Mill Rose Inn & Garden	\$1,222	\$437	\$805
• Miramar Inn & Suites	\$3,756	\$4,845	\$4,373
• Nantucket Whale Inn	\$1,798	\$1,668	\$1,109
• Ocean View Inn	\$0*	\$2,170	\$774
• Oceano Hotel & Spa	\$20,713	\$22,070	\$21,160
• Quality Inn	\$10,359	\$12,621	\$9,903
• Ritz Carlton	\$55,436	\$60,454	\$45,604
• San Benito House	\$0 (Reno.)	\$0	\$71
• Seal Cove Inn	\$0*	\$1,589	\$0
• Zaballa House	\$212	\$161	\$378

Total Available  
Rooms a Night  
**739**

Total Available  
Room Nights  
**269,735**

Total Occupied  
Room Nights  
**149,588\***

Occupancy  
**55%\*** (-5%)

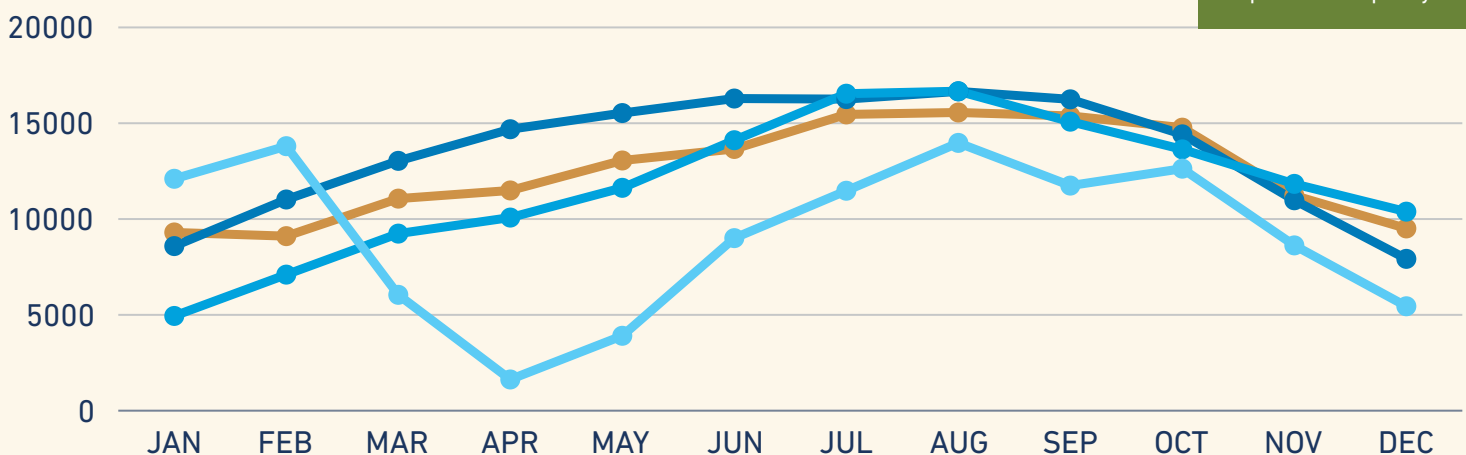
Ave. Room Rate  
**\$327** (-\$43)

TOT Revenue  
**\$8,626,313**

Estimated  
Economic Impact  
**\$7.2B** (-\$1.2B)

**BOOKED ROOM NIGHTS**

2023 2022 2021 2020



\*Two hotels have not reported occupancy.

*Budget*

ITEM	CARRYOVER	INCOME	EXPENSE	NET
Assessments		\$149,588	\$0	\$149,588
Management			\$53,500	-\$53,500
Software			\$565	-\$565
Marketing Firm			\$45,000	-\$45,000
Website			\$23,000	-\$23,000
Digital Ads	\$25,822	\$15,000	\$31,933	\$8,889
Print Ads		\$15,000	\$9,500	\$5,500
PR Firm			\$27,000	-\$27,000
Media Aquisition	\$20,808	\$2,500	\$4,627	\$18,681
Corp. Group Coordinator	\$10,559	\$7,500	\$0	\$18,059
Corp. Group Aquisitions			\$0	\$0
<b>TOTALS</b>	<b>\$57,189</b>	<b>\$189,588</b>	<b>\$195,125</b>	<b>\$51,652</b>
<b>RESERVE</b>	<b>\$21,587</b>	<b>\$0</b>	<b>\$0</b>	<b>\$21,587</b>

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Matthew Chidester, City Manager

**FROM:** Maz Bozorginia, Public Works Director/City Engineer

**TITLE:** **SEWER AUTHORITY MID-COASTSIDE REVISED FISCAL YEAR 2024-25 OPERATIONS AND MAINTENANCE (GENERAL) BUDGET**

---

**RECOMMENDATION:**

Adopt a resolution approving the Sewer Authority Mid-Coastside Revised General (Operations and Maintenance) Budget for FY 2024-25 (included as Exhibit A to the resolution), without waiving its current and prior votes under protest related to the capital improvements to the Integrated Pipeline System (IPS).

**FISCAL IMPACT:**

SAM’s proposed Operations and Maintenance (O&M or General) Budget for Fiscal Year 2024-25 totals \$9,375,173, of which \$3,000,000 is for Capital. The City’s purported share of the General Budget is \$5,642,255 (60.82% of total). SAM costs will be paid from City sewer revenues (sewer user fees—Sewer Fund 05) and transfers of funds from the Sewer Capital Fund (Sewer Fund 06) as adopted by City Council per the 2020 Rate Study. While there are sufficient funds at present, staff will assess potential funding actions in the coming fiscal year.

**BACKGROUND:**

The Sewer Authority Mid-Coastside (SAM), a Joint Powers Authority (JPA), is made up of three member-agencies: City of Half Moon Bay (City), Granada Community Services District (Granada), and the Montara Water and Sanitary District (Montara). Each year, the three member-agencies must each adopt the SAM General Budget, which includes General Operation and Maintenance and Infrastructure (capital repair and construction) Projects, what typically is included in a separate Capital Budget. The JPA provides that O&M costs are funded by the three agencies based on their respective flows into the SAM Treatment Plant. The City’s flows are calculated at 60.82% of total down from 61.5% in the current fiscal year budget.

**DISCUSSION:**

The budget includes \$6,375,173 for General Operations and Maintenance, and \$3,000,000 for Capital Projects, currently consists only for funding of the capital replacement of the Montara Force Main, an IPS project. The City holds that IPS improvements do not benefit the City sewer

system and that, consistent with the JPA, City ratepayers are not obligated to pay capital replacement costs of a project that does not benefit them. This issue is subject to pending litigation and we are currently scheduled for trial in February 2025. The City is asking the other member agencies to return to the settlement table to end the stalemate over the IPS and to revise the JPA.

Approval of this budget will ensure that SAM receives its ongoing funding contributions from all member agencies, which it depends on to operate the treatment plant. The City will continue to work with the other agencies on the distribution of costs for capital projects, pending resolution of the existing lawsuit between the parties, which is currently pending in the court of appeals. Staff expects to return to council with updates on this process during the upcoming fiscal year.

The attached resolution reflects that the City Council is approving the budget with the understanding that the City Council continues to hold that City ratepayers are not obligated to pay for capital replacement costs of a project (IPS) that does not benefit the system or ratepayer and that approval of the \$3,000,000 in funding for the Montara Force Main capital replacement project is being made under protest. The City is continuing to rely on the opinion from SAM Legal Counsel, that a stipulation and order is not necessary to protect the rights of the City to protest payment for the IPS.

**ATTACHMENT:**

Resolution approving the Sewer Authority Mid-Coastside Revised General (Operations and Maintenance) Budget for FY 2024-25 without waiving its prior protest votes related to IPS projects

**Resolution No. C-2024-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY APPROVING THE REVISED SEWER AUTHORITY MID-COASTSIDE GENERAL (OPERATIONS AND MAINTENANCE) BUDGET FOR FISCAL YEAR 2024-25, WITHOUT WAIVING ITS CURRENT AND PRIOR VOTES UNDER PROTEST RELATED TO IPS PROJECTS**

**WHEREAS**, City of Half Moon Bay representatives have reviewed and provided input on the proposed Revised General Budget of the Sewer Authority Mid-Coast (SAM) Budget for Fiscal Year (FY) 2024-25; and

**WHEREAS**, the proposed Revised SAM General (Operations and Maintenance) Budget for FY 2024-25 totals \$9,375,173, of which the City's purported share is \$5,642,255 (60.82% of total); and

**WHEREAS**, the total proposed Capital/Infrastructure Budget for SAM is \$3,000,000, which includes funding only for the Montara Force Main Project; and

**WHEREAS**, optimally, SAM would prepare a separate Capital/Infrastructure Budget for all capital projects; and

**WHEREAS**, the September 13, 2017, Stipulation and Order regarding Expenses and Assessments for the Sewer Authority Mid-Coastside in the matter of *City of Half Moon Bay v. Granada Community Services District et al.* ("declaratory relief action") Santa Clara Superior Court Case No. 17CV316927 provides that the City shall be deemed to approve under protest that part of SAM's 2017-18 General Budget characterized as the "Infrastructure Division", which includes the IPS and Portola Pump Station; and

**WHEREAS**, the SAM FY 2018-19, FY 2019-20, FY 2020-21, FY 2021-22, FY 2022-23, and FY 2023-24 budgets included Infrastructure Division items that are at issue in the pending appeal of the declaratory relief action, and which the City seeks to pay under protest based on the same terms set forth in the September 13, 2017, Stipulation and Order; and

**WHEREAS**, the City of Half Moon Bay continues to advocate for more accurate and predictable methodology, whether flow or non-flow-based, for assessing SAM operations costs to make long term rate structuring and budgeting easier for all agencies; and

**WHEREAS**, the City of Half Moon Bay continues to advocate, regardless of litigation, for a separate Capital/Infrastructure Budget consistent with the JPA, member agency budgeting methodology, and government accounting standards; and

**WHEREAS**, the City of Half Moon Bay continues to advocate for a non-flow-based allocation methodology (such as ownership-based) for assessing SAM related capital costs in line consistent with the JPA and capital depreciation; and

**WHEREAS**, the City of Half Moon Bay continues to advocate for long-term facility planning for the SAM Treatment Plant in light of known (and greater anticipated) risks of flooding as well as to address aging systems and structures; and

**WHEREAS**, the City of Half Moon Bay continues to advocate for evaluation of financing options for the capital improvement program rather than the present pay-as-you-go funding; and

**WHEREAS**, the other member agencies refuse to negotiate a new Stipulation and Order to preserve the City's protest of IPS capital costs; and

**WHEREAS**, absent a new Stipulation and Order, the City, based upon opinion of the SAM Legal Counsel, to vote for the Capital/Infrastructure portion of the General Budget under protest;

**WHEREAS**, the costs of SAM operations for FY 2024-25 will be funded from City Sewer Enterprise Funds including a one-time transfer of funds from the Sewer Capital Fund (Fund 06).

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of the City of Half Moon Bay Approves the General (O&M) Budget of SAM for FY 2024-25 (included as Exhibit A to this resolution), without waiving its prior protest votes related to IPS projects and acknowledging that the City Council is paying under protest for the City's 60.82 percent of the \$3,000,000 budgeted for the Montara Force Main capital replacement project

\*\*\*\*\*

I, the undersigned, hereby certify that the foregoing Resolution (2024-\_) was duly passed and adopted on the 21<sup>st</sup> day of May, 2024 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

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Jessica Blair, City Clerk

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Joaquin Jimenez, Mayor

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Matthew Chidester, City Manager

**FROM:** Maz Bozorginia, Public Works Director/City Engineer

**TITLE:** **HALF MOON BAY SEWER COLLECTION SYSTEM MAINTENANCE, SEWER AUTHORITY MID-COASTSIDE**

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**RECOMMENDATION:**

Adopt a resolution approving the FY 2024-25 Sewer Authority Mid-Coastside Collections Budget and authorizing the City Manager to execute Amendment No. 7 to the sewer collection system maintenance professional services agreement with the Sewer Authority Mid-Coastside establishing the FY 2024-25 annual cost at \$212,209 and extending the Agreement for one (1) additional year (expiration date of June 30, 2025).

**FISCAL IMPACT:**

The \$212,209 cost of the contract represents a decrease of 20% from the prior year and has been included in the Recommended FY 2024-25 Half Moon Bay Sewer Operating Budget. Collection contract services were anticipated and included generally in the 2020 Sewer Rate Study and proposed rate adjustment. The costs are borne by sewer customers via sewer user fees.

**BACKGROUND:**

The City owns and operates approximately 35 miles of sewer main lines. The system also includes three pump (lift) stations and three force mains. These together comprise the sewer collection system. These sewer system components require regular oversight, maintenance, and cleaning.

From 2018, the collections system cleaning has been a hybrid approach, with SAM providing cleaning services (pipe network and pump stations) and sanitary sewer overflow (SSO) response. Mark Thomas Company provides Fats, Oils, and Grease (FOG) inspections and closed-circuit television (CCTV) services. Over these last few years, cleaning and maintenance have gone well and overall operations have improved from a cleaning standpoint. The collection system maintenance has been fully operational under the new contracts and scopes of work since July 23, 2018. Having SAM as our 24-hour, 7 day a week emergency call-out provider has also been a major factor in our success to date.

**DISCUSSION**

The SAM Joint Powers Authority authorizes the Agency to provide contract services to Member Agencies. SAM has provided collections system services under contract to each of the Member Agencies for many years. For accounting purposes, SAM prepares (with assistance of Agency Managers), and the Board of Directors approve, a formal budget for the program. The budget covers staffing, equipment and accounting for collection system services which includes sewer cleaning, pump station inspections (and wet well cleaning), SSO response, and USA markings.

Since 2018, SAM has provided collections services to the City under a separate professional services agreement. This Agreement was negotiated following the RFP process and has been agreeable to both parties and their respective counsels since. The Agreement was initially valid for a three-year term. The Agreement has been amended to modify terms and extend a total of six times to date. Staff is recommending Amendment No. 7 to reflect the FY 2024-25 monetary amount and extend the expiration date by an additional year (to June 30, 2025). The Agreement calls for continuation of cleaning at roughly 50-percent cleaning (one-half system each year); the proposed contract may ultimately result in slightly more than 50-percent. Hotspot cleaning would remain on the established cleaning schedules; the amount and frequency of "Hot Spot" cleaning has and is anticipated to be reduced based on improved cleaning and documentation. Based upon the work completed, conditions observed and the documentation, we are comfortable continuing with current regular cleaning schedule (Granada and Montara are doing the same).

The annual cost will be \$212,209. Overall costs of service continue to increase based upon SAM employee MOUs and inflation.

**CONCLUSION:**

There is an inherent cost to operating and maintaining a sewer collection system. The contract services recommended in this report are necessary for the safe and efficient operation of the collection system. Staff has continued to evaluate needs and to look for cost savings wherever possible.

**ATTACHMENT:**

Resolution

**Resolution No. C-2024-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY APPROVING THE FISCAL YEAR 2024-25 SEWER AUTHORITY MID-COASTSIDE (SAM) COLLECTIONS BUDGET AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 7 TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE SEWER AUTHORITY MID-COASTSIDE FOR SEWER COLLECTION SYSTEM CLEANING, MAINTENANCE AND RELATED SERVICES**

**WHEREAS**, City of Half Moon Bay representatives have reviewed and provided input on the proposed Collections (Contract Services) Budget of the Sewer Authority Mid-Coast (SAM) Budget for Fiscal Year 2024-25; and

**WHEREAS**, the proposed SAM Collections Budget totals \$624,145 for FY 2024-25; and

**WHEREAS**, with the City’s share of the FY 2024-25 SAM Collections Budget totals \$212,209, representing 24-percent of the total; and

**WHEREAS**, the City entered into a professional services agreement with the Sewer Authority Mid-Coastside on July 23, 2018, with annual amendments; and

**WHEREAS**, the City has worked with SAM and the Member Agencies to develop a cost-sharing arrangement for FY 2024-25; and

**WHEREAS**, the cost-sharing agreement calls for continuance of the same level of cleaning, no less than 50-percent of all lines plus “Hot Spots”; and

**WHEREAS**, the agreement continues to allow the City to manage its Fats, Oils and Greases (FOG) program.

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

- 1) Approves the Collections Budget of SAM for FY 2024-25 of \$624,145 (included as Exhibit A to this resolution) of which the City’s share is \$212,209 (24% of total); and
- 2) Authorizes the City Manager to execute Amendment No. 7 to the Professional Services Agreement with the Sewer Authority Mid-Coastside extending the expiration date to June 30, 2025, in an amount not to exceed amount of \$212,209.

\*\*\*\*\*

I, the undersigned, hereby certify that the foregoing resolution was duly passed and adopted on the 21<sup>st</sup> day of May, 2024 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

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Jessica Blair, City Clerk

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Joaquin Jimenez, Mayor

**BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY**

**AGENDA REPORT**

For meeting of: **May 21, 2024**

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**TO:** Honorable Mayor and City Council

**VIA:** Matthew Chidester, City Manager

**FROM:** Lisa Rossi, Administrative Services Director  
Kenneth Stiles, Finance Manager

**TITLE:** **FISCAL YEAR 2024-25 OPERATING BUDGET DEVELOPMENT UPDATE**

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**RECOMMENDATION:**

Receive an informational update and provide policy direction on the development of the Fiscal Year 2024-25 Operating Budget.

**FISCAL IMPACT:**

There is no fiscal impact associated with the acceptance of this report. The draft budget will be finalized and presented to the Council at the June 4, 2024, City Council Meeting.

**STRATEGIC ELEMENT:**

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

**BACKGROUND:**

During the budget development process for FY 2023-24, concerns about a significant ongoing structural deficit were identified, primarily caused by new increases in existing contracted public safety costs, accelerating increases in costs to deliver other services, and decreases/flattening of major revenues. In response to this forecast, staff have been exploring and implementing potential cost-cutting measures, investigating available revenue enhancement options, and identifying possible one-time grants and other funds to mitigate the anticipated deficit.

After the mid-year review in March 2024, the City entered the FY 2024-25 budget cycle predicting a structural deficit of \$5.4 million. The primary objective of budget development has been to reduce the deficit as much as possible while preserving current service levels. The draft budget for FY 2024-25 has been developed, which currently reflects a remaining deficit of \$3.9 million. On May 16, 2024, the draft was reviewed by the City Council Finance committee, where further discussions were held on reducing expenditures and revenue enhancements. This report will provide an overview of the financial estimates for the end of FY 2023-24 and present

the draft budget for FY 2024-25. Staff is seeking guidance on both short-term and longer-term policy decisions to help the City achieve financial stability. This input is crucial for addressing ongoing financial challenges and ensuring the City's fiscal health moving forward.

**DISCUSSION:**

**FY 2023-24 ENDING ESTIMATES**

As seen in the 3<sup>rd</sup> Quarter Financial Report, the City is anticipating property tax revenues to be better than anticipated. Along with expected salary savings from vacancies, Staff is estimating the City will end the year with more unassigned funds than initially expected.

The table below highlights the fund balance expected on June 30, 2024:

<b>GENERAL FUND: FUND BALANCES</b>		
	<b>Revised Budget</b>	<b>Ending Estimate</b>
<b>Beginning Fund Balance *</b>	<b>\$ 16,227,904</b>	<b>\$ 16,227,904</b>
<b>Total Revenues</b>	<b>20,454,229</b>	<b>20,977,814</b>
<b>Expenditures</b>		
Operating Expenditures	22,683,173	21,705,168
Capital Transfers	2,763,000	2,763,000
<b>Total Expenditures</b>	<b>25,446,173</b>	<b>24,468,168</b>
<b>Ending Fund Balance</b>	<b>11,235,960</b>	<b>12,737,551</b>
<i>General Fund Reserve</i>	6,654,952	6,654,952
<i>Economic Uncertainty</i>	4,436,635	4,436,635
<b>Unassigned Fund Balance</b>	<b>144,373</b>	<b>1,645,964</b>

With \$1.6 million estimated in unassigned fund balance, there is an option to use these funds in the following year to mitigate the budget deficit, as discussed further in this report.

**FY 2024-25 DRAFT BUDGET**

Revenues

The draft budget includes General Fund revenues totaling \$21.2 million, \$790,429 (4%) higher than the prior-year revised budget of \$20.4 million. This increase is primarily due to increases in base property taxes and other revenues.

The following table illustrates the FY 2024-25 revenue budget:

	<b>Revised Budget</b>	<b>FY 2024-25 Draft Budget</b>	<b>% Change</b>	<b>\$ Change</b>
Transient Occupancy Tax	8,626,313	8,626,314	0%	1
Property Tax	3,748,738	3,979,867	6%	231,129
Sales & Use Tax	3,239,200	3,283,100	1%	43,900
All other revenues	4,839,978	5,355,377	11%	515,399
<b>TOTALS</b>	<b>20,454,229</b>	<b>21,244,659</b>	<b>4%</b>	<b>790,429</b>

- **Transient Occupancy Tax** Considering the current performance of TOT revenues and lagging tourism, staff is currently recommending TOT revenue projections remain flat going into the next fiscal year.
- **Property Taxes** Base property taxes are performing better than anticipated. Along with an increase in total assessment values as provided by the County, staff is recommending a 6% change in this category.
- **Sales & Use Taxes** Sales and Use taxes are expected to minimally increase in the following year with a 1% change.
- **Other Revenues** This category includes revenues such as business license, golf facilities fees, parking fees, and grant funding. This category is increasing primarily due to increases in charges for services and credits in the public safety contracts for pension costs.

Expenditures

The draft expenditures budget is \$25.2 million, a 1% decrease from the prior year. While operational departments were able to achieve an average reduction of 9%, these savings were partially outweighed by increases in obligatory expenditures such as public safety, pension, and debt service costs. The table below shows a summary of expenditures by type:

	FY 2023-24 Revised	FY 2024-25 Draft Budget	% Change	\$ Change
<b>Salaries and Benefits</b>	7,169,712	7,272,094	1%	102,382
<b>Operations Only</b>				
City Council	171,500	160,500	-6%	(11,000)
City Attorney	969,250	1,043,223	8%	73,973
Public Safety	6,860,462	7,237,728	5%	377,266
Debt Service	736,610	945,778	28%	209,168
Administrative Services	428,675	358,080	-16%	(70,595)
City Clerk / Communications	485,500	433,000	-11%	(52,500)
City Manager's Office	1,631,942	1,357,888	-17%	(274,054)
Community Development	704,223	753,000	7%	48,777
Public Works	1,771,561	1,644,800	-7%	(126,761)
<b>Transfers</b>				
Internal Service Funds	840,264	915,319	9%	75,055
Pension	913,474	1,346,432	47%	432,958
Capital Transfers	2,763,000	1,760,100	-36%	(1,002,900)
<b>TOTALS</b>	<b>25,446,173</b>	<b>25,227,942</b>	<b>-1%</b>	<b>(218,232)</b>

- **Salaries & Benefits** Includes an increase from cost-of-living adjustments per labor agreements, partially offset by freezing one vacant position and shifting a portion of one position to be funded by a grant. No new positions are included.
- **Operations** Cost containment changes include the defunding of the CARES program following the conclusion of grant funds, relocating Annex staff to City Hall and eliminating expenditures associated with the Annex location, shifting applicable

affordable housing work to the Affordable Housing fund, and reduction of various over-budgeted accounts. Increases include more non-discretionary expenditures such as public safety and debt service obligations.

- **Transfers** Increases primarily include the annual payment to the Unfunded Accrued Liability (UAL) payment for pensions. This amount is determined by CalPERS and is influenced by investment gains and losses in the market.
- **Capital Transfers** Decreases result from scaling back program budgets and reallocating capital efforts towards key projects, including those funded through grants and special revenues.

**THE DEFICIT AND BALANCING OPTIONS**

Should the Council approve the draft budget as is the City will have a structural deficit of \$3.9 million going into Fiscal Year 2024-25.

<b>FY 2024-25</b>	
<b>Draft Budget</b>	
Revenues	21,244,659
Operating Expenditures	(23,467,842)
Capital Transfers	(1,760,100)
<b>Surplus / (Deficit)</b>	<b>(3,983,283)</b>

The following are short-term options available to the City that can mitigate the deficit for a single year:

- **Use of Unassigned Funds** As mentioned above, staff anticipates ending the current fiscal year with unassigned fund balance. These funds can be used to help balance the deficit for the following year. However, this is essentially a one-time and temporary solution, as unassigned funds result from unexpected savings during the previous year. The estimated amount available is \$1.6 million.
- **Use of the Economic Uncertainty Reserve** Created in 2020, this reserve was set aside with one of the allowed uses to prevent a reduction of required services during economic downturns. This reserve has \$4.4 million available.
- **Use of the General Fund Reserve** This reserve was set aside with one of the allowed uses being to respond to unexpected expenditure requirements or revenue shortfalls. This reserve has \$6.6 million available.

While it is possible for the deficit to be mitigated in FY 2024-25 without significant impacts, it is structural in nature and will require permanent changes to either ongoing revenues and/or ongoing expenditures.

The following are longer-term options available to the City that could directly address the structural deficit.

- **Sales & Use Tax Increase** As a result of research throughout the year with the Finance Subcommittee, a Sales & Use Tax increase appears to be the most advantageous revenue enhancement option available to the City. If approved by voters, this may generate an additional \$2 million per year.
- **Parcel Tax Increase** The Finance Committee also expressed interest in a parcel tax. After more research and developing a potential tax structure, the City may generate approximately \$1 - 1.6 million. However, due to the higher voter requirements and an expected parcel tax increase from the school district, Staff is not recommending this pathway.
- **Investment in Tourism** With flattened tourism and associated Transient Occupancy Tax and Sales Tax revenues, expanded strategies to increase overnight visits to Half Moon Bay are crucial to the local economy and the City budget. The City formed a Hotel Business Improvement District (BID) in 2004 that adds a nightly fee to overnight hotel visitors which is then utilized to promote lodging at local hotels, administer marketing programs that increase overnight lodging, and fund other BID-related activities. The Chamber administers the BID program and budget. The assessment rate has been flat for the entire 20 years of the BID, with annual revenues only increasing minimally, while costs to advertise have increased significantly. This year the Chamber, BID members, and City have discussed increasing the assessment fee to improve the budget, allowing for expanded marketing and promotion of the Coastside, with the aim of increasing overnight visits to hotels, as well as more patronage of local businesses and services. Additionally, the Chamber plans to commission a visitor study and refresh the BID's marketing strategies by releasing a request for proposals for digital and print media services.
- **Investment in Economic Development** Following implementation of the Coastside Recovery Initiative, the City, County, and local partners have invested in strategies to expand and diversify the local economy, with an aim at making the coast more economically resilient, adding new and improved local jobs, and ultimately increasing tax revenues to the City. Continued investment in the Opportunity Center and its workforce development, small business/entrepreneur support, and business incubator services will be crucial to create the future economy of the Coast and add new revenues to support City operations. The completion of the Downtown Streetscape Master Plan provides the City with a road map for downtown revitalization. Some design concepts from the Plan such as a gateway arch at the intersection of Highways One and 92 are intended to spur greater economic activity by directing residents and visitors to the City's primary business district.
- **Deeper Cuts to Services and Operations** Staff have made cuts in operating expenditures with a focus on saving ongoing costs while not significantly impacting important City services or programs valued by the community. Absent increased revenues in the next

few years, the City will need to make more significant cuts which will likely impact the quality of life for residents of Half Moon Bay, focusing expenditures on the most basic core services that the City is required to provide.

Although the City has always been conservative in its budget approach, the current financial challenges are significant and require action to resolve. Staff seeks additional input and direction from the Council on strategies to manage the upcoming fiscal year budget deficit, as well as the long-term future of City operations.

**ATTACHMENTS:**

None