



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

TUESDAY, SEPTEMBER 17, 2019

**Adcock Community Senior Center, 535 Kelly
Avenue, Half Moon Bay, California 94019**

**Harvey Rarback, Mayor
Adam Eisen, 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. Those wishing to speak on a Public Hearing matter will be called forward at the appropriate time during the Public Hearing consideration.

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

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

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

<http://hmbcity.com/>

MEETING WILL CONCLUDE BY 11:00 PM UNLESS OTHERWISE EXTENDED BY COUNCIL VOTE

ROLL CALL / PLEDGE OF ALLEGIANCE

PUBLIC FORUM

PROCLAMATIONS AND PRESENTATIONS

FUTURE LEADERS CIVICS ACADEMY GRADUATION

PROCLAMATION RECOGNIZING THE RETIREMENT OF 30-YEAR CITY EMPLOYEE CAROLINE WEIGANDT

CLEAN AIR DAY PROCLAMATION

WELCOME WEEK PROCLAMATION

HISPANIC HERITAGE MONTH PROCLAMATION

MAYOR'S ANNOUNCEMENTS OF COMMUNITY ACTIVITIES AND COMMUNITY SERVICE

REPORT OUT FROM RECENT CLOSED SESSION MEETINGS

CITY MANAGER UPDATES TO COUNCIL

1. CONSENT CALENDAR

1.A WAIVE READING OF RESOLUTIONS AND ORDINANCES

1.B FUNDING AGREEMENT BETWEEN THE CITY OF HALF MOON BAY AND THE HALF MOON BAY HOTEL BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2019-2020

Staff Recommendation: Adopt a resolution authorizing the City Manager to execute the funding agreement between the City of Half Moon Bay and the Half Moon Bay Hotel Business Improvement District for \$40,000 for FY 2019-20, to promote lodging at hotels within the city and administer marketing programs that increase overnight lodging and fund BID-related activities.

[STAFF REPORT](#)

[RESOLUTION](#)

1.C APPROVAL OF THE CARNOUSTIE PHASE 4 FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT

Staff Recommendation: Adopt a resolution approving the Final Map and the Subdivision Improvement Agreement for the Carnoustie Phase 4 Subdivision and directing the City Manager to execute and record the Final Map and Subdivision Improvement Agreement with the office of the San Mateo County Recorder.

[STAFF REPORT](#)

[RESOLUTION](#)

1.D GRANT WRITING AND ADVOCACY SERVICES AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC.

Staff Recommendation: Adopt a resolution authorizing the City Manager to enter into an agreement with Townsend Public Affairs, Inc. (TPA), to provide grant writing and advocacy services for a period of one year at an amount of \$60,000.

[STAFF REPORT](#)

[RESOLUTION](#)

[ATTACHMENT 2](#)

1.E ADOPTION OF THE GREEN INFRASTRUCTURE PLAN

Staff Recommendation: Adopt a resolution approving the Green Infrastructure Plan and authorizing the City Engineer to forward to the Regional Water Quality Control Board San Francisco Bay Region no later than September 30, 2019.

[STAFF REPORT](#)

[RESOLUTION](#)

2. ORDINANCES AND PUBLIC HEARINGS

2.A AMENDMENT TO HALF MOON BAY MUNICIPAL CODE CHAPTER 1.30 – CONTRIBUTIONS AND LOANS TO CITY CANDIDATE CAMPAIGNS

Staff Recommendation: Conduct a public hearing and introduce on first reading, an ordinance amendment Chapter 1.30 of the Half Moon Bay Municipal Code – Contributions and Loans to City Candidate Campaigns.

[STAFF REPORT](#)

[ORDINANCE](#)

2.B ADOPTION OF THE BICYCLE AND PEDESTRIAN MASTER PLAN, MITIGATED NEGATIVE DECLARATION, AND MITIGATION MONITORING AND REPORTING PROGRAM

Staff Recommendation: By resolution, adopt the Bicycle and Pedestrian Master Plan and its Guidelines, the Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program and errata based upon the Findings and Evidence contained in Exhibit A of the Draft Resolution.

[STAFF REPORT](#)

[RESOLUTION](#)

[ATTACHMENT 6](#)

[ATTACHMENT 7](#)

[ATTACHMENT 8](#)

3. RESOLUTIONS AND STAFF REPORTS

3.A CLOSURE OF BAY CITY FLOWERS

3.B APPOINTMENTS TO THE ARCHITECTURAL ADVISORY COMMITTEE AND AMENDMENT TO BYLAWS

Staff Recommendation: Appoint three individuals from those submitting “Willing to Serve” forms as Architectural Advisory Committee regular members and up to two alternate members, and adopt a resolution amending the Architectural Advisory Committee Bylaws to allow for up to two alternate members.

[STAFF REPORT](#)

[RESOLUTION](#)

[ATTACHMENT 2](#)

3.C 2019 MEASURE D ALLOCATIONS TRANSFER

Staff Recommendation: 1) Adopt a resolution establishing a procedure for reviewing and approving transfers of Measure D certificates from within downtown to outside downtown; and 2) adopt a resolution approving a transfer for 2019 of up to 12 Measure D allocations from the 23 downtown base allocations to be used for project proposals that include accessory dwelling unit.

[STAFF REPORT](#)

[RESOLUTION 1](#)

[RESOLUTION 2](#)

COMMISSION / COMMITTEE UPDATES

FOR FUTURE DISCUSSION / POSSIBLE AGENDA ITEMS

CITY COUNCIL REPORTS

ADJOURNMENT

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 17, 2019**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Matthew Chidester, Deputy City Manager

**TITLE: FUNDING AGREEMENT WITH THE HALF MOON BAY HOTEL BUSINESS
IMPROVEMENT DISTRICT FOR FISCAL YEAR 2019-2020**

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to execute the funding agreement between the City of Half Moon Bay and the Half Moon Bay Hotel Business Improvement District for \$40,000 for FY 2019-20, to promote lodging at hotels within the city and administer marketing programs that increase overnight lodging and fund BID-related activities.

FISCAL IMPACT:

The fiscal impact for the agreement is \$40,000, which is included in the FY 2019-20 Operational Budget.

STRATEGIC ELEMENT:

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

BACKGROUND:

Transient Occupancy Tax (TOT) is the City's single highest revenue source, accounting for approximately 40 percent of the annual operating budget. TOT revenue typically grows year-over-year, and since 2017 has been over \$6 million annually. TOT taxes are collected from hotels, bed and breakfasts, inns, RV Parks, campgrounds and short-term vacation rentals. Hotels are the largest contributor, providing approximately 95 percent of TOT collections. In 2004, the City of Half Moon Bay established a Hotel Business Improvement District (BID) pursuant to Part 6 Division 18 of the California Streets and Highway Code, commencing with Section 36500 (Code). The purpose of the BID is to promote lodging at hotels within the city,

administer marketing programs that increase overnight lodging, and fund BID-related activities. In 2017, after receiving approval from the San Mateo County Board of Supervisors, the BID's boundaries were expanded 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 Chamber of Commerce and Visitors Bureau (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 prior-year activities, estimates revenues and expenses for the upcoming, and recommended assessments for the upcoming year or any recommended changes to the BID boundaries. The report is to be reviewed and approved by the Council and, following approval, the Council must adopt a resolution of intention in order to levy the annual assessment for the following fiscal year. The resolution of intent also sets a public hearing in order to receive any written or oral protests against the continuation of the BID.

Since 2013, the City has provided annual funding to help support the BID's activities, including expanded marketing activities and helping support a Professional Corporate Sales Manager to increase mid-week overnight stays in local hotels.

DISCUSSION:

For FY 2019-20, the BID requested \$40,000 to help cover the cost of the corporate group sales contractor, to help cover the costs of staff and contractors exhibiting at local meeting planner conventions, to host more FAM tours for meeting planners and event coordinators, and for general marketing purposes.

At the May 21, 2019 Council meeting, the Council received an update on the BID's annual report and approved the BID's funding request of \$40,000 for FY 2019-20.

Staff has prepared a funding agreement between the City and the BID which specifies the funding amount of \$40,000 which will be split into two payments of \$20,000. The first payment will be made within 30 days after the funding agreement is fully signed and executed. The second payment will be made no later than January 17, 2020. The funding agreement also describes the services that will be provided and lists performance measures which the City will use to assess the success of the funding provided to the BID, as listed below:

1. Transient Occupancy Tax value from Mid-Week Corporate Sales generated by Corporate group sales contractor.
2. Number of leads generated from exhibition activities at local meeting planner conventions.
3. Number of FAM Tour participants.
4. Number of Articles written about Half Moon Bay as a result of public relations and marketing efforts.
5. Website Statistics (all users, new users, average sessions per user, total page views)

For each performance measure, the BID would provide a report showing the total for Fiscal Year 2019-20 (July 1 through June 30).

ATTACHMENTS:

Resolution authorizing the City Manager to execute the funding agreement between the City of Half Moon Bay and the Half Moon Bay Hotel Business Improvement District for \$40,000 for FY 2019-20.

Resolution No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDING AGREEMENT WITH
THE HALF MOON BAY HOTEL BUSINESS IMPROVEMENT DISTRICT TO PROMOTE LODGING AT
HOTELS WITHIN THE CITY**

WHEREAS, the Half Moon Bay Hotel Business Improvement District (BID) promotes lodging at hotels within the City, administers marketing programs that increase overnight lodging, and funds BID related activities (Program); and

WHEREAS, the BID has requested financial assistance in order to conduct the Program for residents of the City during the fiscal year commencing on July 1, 2019, and ending on June 30, 2019; and

WHEREAS, on May 21, 2019, the City Council received an update on the BID’s annual report and approved the BID’s funding request of \$40,000 for FY 2019-20; and

WHEREAS, the City has reviewed the request and desires to allocate to the BID the sum of \$40,000; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Half Moon Bay hereby approved and authorizes the City Manager to execute a Funding Agreement between the City of Half Moon Bay and the Half Moon Bay Hotel Business Improvement District in the amount of \$40,000.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 17th day of September, 2019 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

Harvey Rarback, Mayor

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 17, 2019**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: John Doughty, Public Works Director
Maziar Bozorginia, City Engineer
Evelyn Moran, Assistant Engineer

**TITLE: APPROVAL OF THE CARNOUSTIE PHASE 4 FINAL MAP AND SUBDIVISION
IMPROVEMENT AGREEMENT**

RECOMMENDATION:

Adopt a resolution approving the Final Map and the Subdivision Improvement Agreement for the Carnoustie Phase 4 Subdivision and directing the City Manager to execute and record the Final Map and Subdivision Improvement Agreement with the office of the San Mateo County Recorder.

FISCAL IMPACT:

There is no fiscal impact associated with this action. City staff and consultant charges related to this project are reimbursed by the developer. The City Council may consider future costs associated with maintenance of public improvements to be installed pursuant to the Subdivision Improvement Agreement at the time it considers acceptance of such improvements.

STRATEGIC ELEMENT:

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

BACKGROUND:

On May 21, 2019, the City Council conditionally approved the Carnoustie Phase 4 Subdivision project, consisting of a Coastal Development Permit (PDP-18-074), a Use Permit, Architectural Review, a Vesting Tentative Subdivision Map and Planned Unit Development Plan to allow the developer, Carnoustie LLC, to subdivide an existing parcel into eight residential lots in the PUD Zoning District at the eastern terminus of Carnoustie Drive within Ocean Colony Association.

The developer (applicant) has submitted a Final Map (see Exhibit A to Resolution) and required subdivision improvement plans. As the developer will be constructing public improvements

following the Final Map recordation a Subdivision Improvement Agreement (SIA) (see Exhibit B to Resolution) is required. The SIA guarantees completion of the sewer improvements required for the subdivision per plans approved by the City Engineer, Coastside County Water District, and Coastside Fire Protection District.

DISCUSSION:

The tentative map and related entitlements were conditionally approved by the City Council. The Final Map and improvement plans have been reviewed by City staff and a licensed surveyor to ensure the Final Map and related improvement plans comply with the Conditions of Approval and applicable local and State laws. The Final Map and improvement plans are compliant.

As indicated earlier, the developer will be constructing public improvements (sewer improvements) after the recording of the Final Map. As such, a Subdivision Improvement Agreement has been prepared and executed by the developer. The Subdivision Improvement Agreement will guarantee completion of these improvements by requiring the developer to post adequate security.

The Agreement will also ensure that required improvements are satisfactory to the City Engineer and other agencies and require the correction of any defects discovered within a one-year period after completion, and submittal of certified "As-Built" records. This document is recorded to ensure full disclosure to any future landowners. The developer will pay for all costs related to the installation of public improvements which consists of design, construction, and inspections.

As part of the City Council's approval of the tentative map, the Council authorized the payment of a parkland in-lieu fee to the City. This in-lieu fee is provided under the Municipal Code Section 17.48 and serves as an alternative method of meeting park land dedication obligations where the City is not interested in developing a public park onsite or the site is ill-suited for public park development. The City Council concurred with staff recommendation as the project site is located within a gated community and not available for the general public. The City Council also authorized a 50 percent credit for the provision of private parkland in excess of the City's five acre/1,000 residents standards within Ocean Colony; this is the maximum credit allowed by City code (17.48.040). This land serves Ocean Colony's local parks and recreation needs at no cost to the City. The developer has provided an appraisal for Ocean Colony Partner holdings which includes Carnoustie Phase 4. Based upon the appraisal and the 50-percent private open space credit, the developer will provide \$68,581.20 in parkland in-lieu fees or the equivalent of \$8,572.65 per unit.

Other fees are established through the Master Fee Schedule and Chapter 17.48 for the Park Dedication/In-Lieu fee. The following are estimated fees paid to date and fees pending prior to building permit issuance are as follows:

Carnoustie Phase 4 Subdivision Fees		
Fee	Paid	Due
Public Improvement Plan Review	\$ 23,608.00	
Final Map Review	\$ 8,211.00	\$ -
Tentative Subdivision Map Review	\$ 12,654.80	\$ -
Subdivision Imp. Agreement	\$ 3,269.00	\$ -
Park Land Dedication/In-Lieu Fee*	\$ 68,581.00	\$ -
Public Improvement Inspections**	\$ 37,450.00	\$ -
Sewer Connection***	\$ -	\$ 140,792.00
Storm Drainage***	\$ -	\$ 6,032.00
Traffic Mitigation**	\$ -	\$ 55,720.00
Park Facility***	\$ -	\$ 62,912.00
Capital Outlay***	\$ -	\$ 8,552.00
Subtotal Paid:	\$ 153,773.80	
Subtotal Due:		\$ 274,008.00
Total Fees:	\$	274,008.00

*Fee to be collected prior to September 17, 2019 City Council meeting

**Fee to be paid with Grading Permit issuance

***Collect with Building Permit

The City will consider acceptance of the sewer improvements and easements for maintenance upon acceptable completion. Water system improvements will be accepted for maintenance by the Coastside County Water District.

ATTACHMENT:

1. Resolution including Exhibit A (Final Map) and Exhibit B Subdivision Improvement Agreement

Resolution No. C-2019-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
TO APPROVE THE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT OF
CARNOUSTIE PHASE 4 SUBDIVISION SUBJECT TO APPROVAL AS TO FORM OF THE REQUIRED
SECURITIES AND INSURANCE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND
RECORD THE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT**

WHEREAS, on May 21, 2019, the City Council approved, subject to certain conditions of approval, for the Carnoustie Phase 4 Subdivision project, consisting of a Coastal Development Permit, a Use Permit, Architectural Review, a Vesting Tentative Subdivision Map and a Planned Unit Development Plan to allow the subdivision of one parcel into eight residential lots in the PUD Zoning District at the eastern terminus of Carnoustie Drive within Ocean Colony Association; and

WHEREAS, Carnoustie LLC (the Developer) has submitted a proposed Final Map for said subdivision consisting of eight (8) residential lots (Final Map) and has requested City Council approval before completion of the required improvements; and

WHEREAS, the Developer has also submitted improvement plans for the required improvements and has executed a Subdivision Improvement Agreement for timely completion of the required improvements and has furnished the required security; and

WHEREAS, the City Engineer has determined that the Final Map and Improvement Plans meet the requirements of the Subdivision Map Act and the City Code; and

WHEREAS, the Developer has fulfilled all conditions of approval to the City's satisfaction.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby: 1) Approves the Final Map included as Exhibit A and the Subdivision Improvement Agreement included as Exhibit B of Carnoustie Phase 4 Subdivision subject to City's approval as to form of the required securities and insurance documents; and 2) Authorizes the City Manager to execute and record the Final Map and the Subdivision Improvement Agreement and any security instruments with the office of the San Mateo County Recorder.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 17st day of September 2019 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

Harvey Rarback, Mayor

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, AND WE HEREBY CONSENT TO THE MAKING AND FILING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY DEDICATE FOR PUBLIC USE THOSE CERTAIN AREAS SHOWN HEREIN AS "E.V.A.E." (EMERGENCY VEHICLE ACCESS EASEMENT), "P.S.E." (PUBLIC SERVICE EASEMENT) AND "P.U.E." (PUBLIC UTILITY EASEMENT).

WE HEREBY RESERVE THOSE AREAS DESIGNATED AS "CARNOUSTIE COURT" AS A PRIVATE STREET AND IT IS NOT OFFERED FOR DEDICATION FOR THE PUBLIC.

THOSE CERTAIN AREAS SHOWN HEREIN AS "R.W.M.E." (RETAINING WALL MAINTENANCE EASEMENT) ARE RESERVED AND ARE NOT DEDICATED FOR PUBLIC USE, BUT SHALL BE MAINTAINED BY THE INDIVIDUAL HOMEOWNERS OF AFFECTED LOTS PURSUANT TO A SEPARATE RECORDED EASEMENT AGREEMENT.

WE HEREBY RESERVE THOSE AREAS SHOWN AS "P.A.E." (PRIVATE ACCESS EASEMENT) AND THEY ARE NOT OFFERED FOR DEDICATION.

OWNER: CARNOUSTIE, LLC, A LIMITED LIABILITY COMPANY

NAME: _____ TITLE: _____

NAME: _____ TITLE: _____

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA } SS
COUNTY OF

ON _____ BEFORE ME, _____, PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY'S SIGNATURE _____

CITY ENGINEER'S STATEMENT

I HEARBY STATE THAT I HAVE EXAMINED THE HEREIN MAP AND THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL OF THE PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT", AS AMMENDED AND OF ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

DATE: _____

MAZIER BOZORGINIA
CITY ENGINEER
R.C.E. NO. _____
LICENSE EXPIRES: _____

ACTING CITY SURVEYOR'S STATEMENT

I HEARBY STATE THAT I HAVE EXAMINED THE HEREIN MAP AND THAT I AM SATISFIED THAT IT IS TECHNICALLY CORRECT.

DATE: _____

DAVID C. FEYER
ACTING CITY SURVEYOR
R.C.E. NO. 30060
LICENSE EXPIRES 12-31-2019

COUNTY RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2019, AT _____, IN BOOK _____ OF PARCEL MAPS AT PAGES _____ AT THE REQUEST OF CARNOUSTIE, LLC.

FILE NO. _____
FEE _____

MARK CHURCH, SAN MATEO COUNTY RECORDER

BY: _____
DEPUTY RECORDER

CITY CLERK'S STATEMENT

I, _____, CLERK OF THE CITY OF HALF MOON BAY STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE CITY COUNCIL OF SAID CITY APPROVED THE WITHIN MAP ACCEPTED ON BEHALF OF THE PUBLIC ALL EASEMENTS AND STREETS OFFERED FOR DEDICATION FOR PUBLIC USE ON _____ SAID CITY COUNCIL ALSO APPROVED OF THE ABANDONMENT OF THAT CERTAIN 5 FOOT WIDE "P.A.E." (PUBLIC ACCESS EASEMENT) PER 137 MAPS 1-7 AND REPLACED BY THE 5 FOOT WIDE "P.A.E." (PUBLIC ACCESS EASEMENT) SHOWN HEREIN.

DATED: _____

CITY CLERK
CITY OF HALF MOON BAY

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF CARNOUSTIE, LLC ON 2/12/2019. I HEREBY STATE THAT THIS SUBDIVISION MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP AND THAT ALL THE MONUMENTS WILL BE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED AND WILL BE SET BEFORE _____.

WAYNE HAAS, L.S. 7701
LICENSE EXPIRES: 12-31-2020

DATED _____



CARNOUSTIE NO. 4

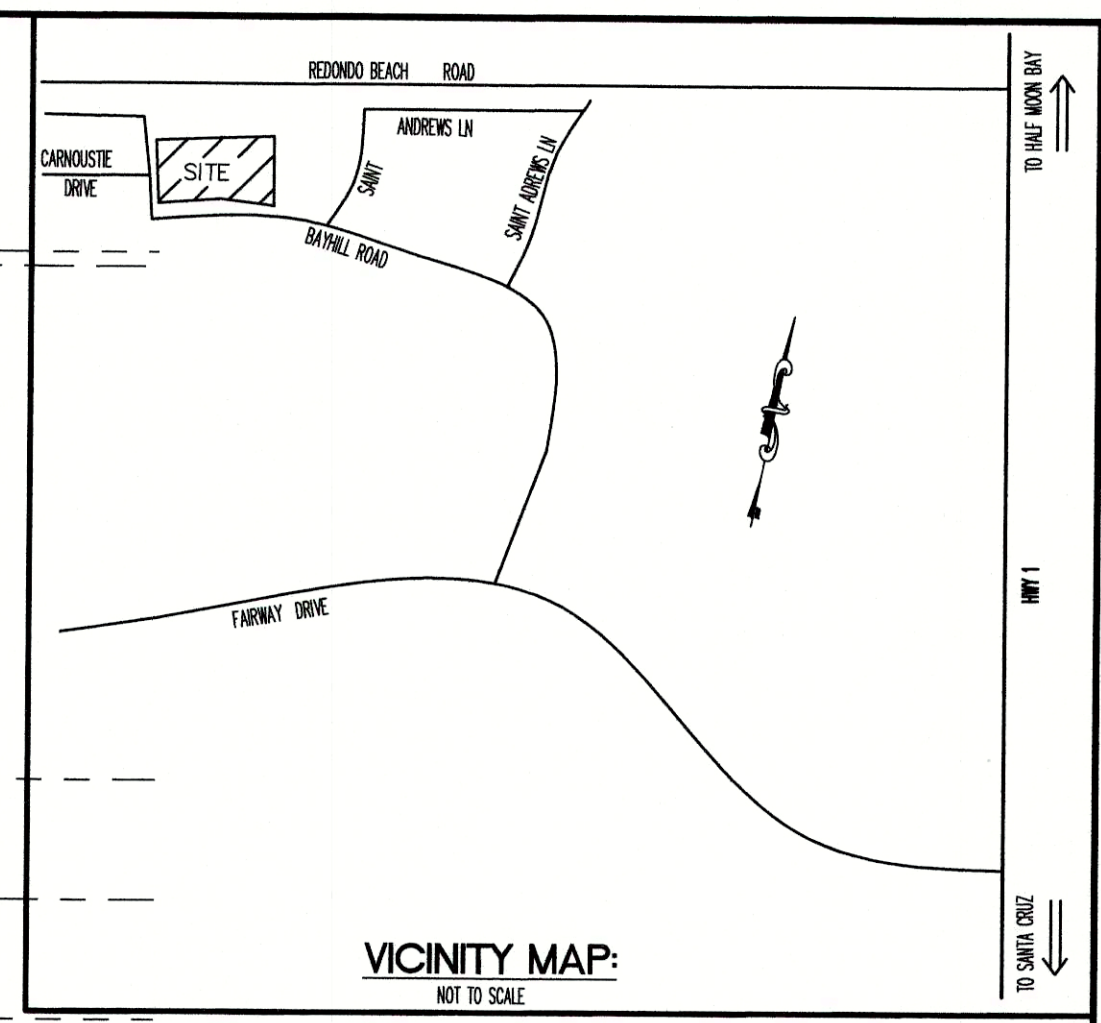
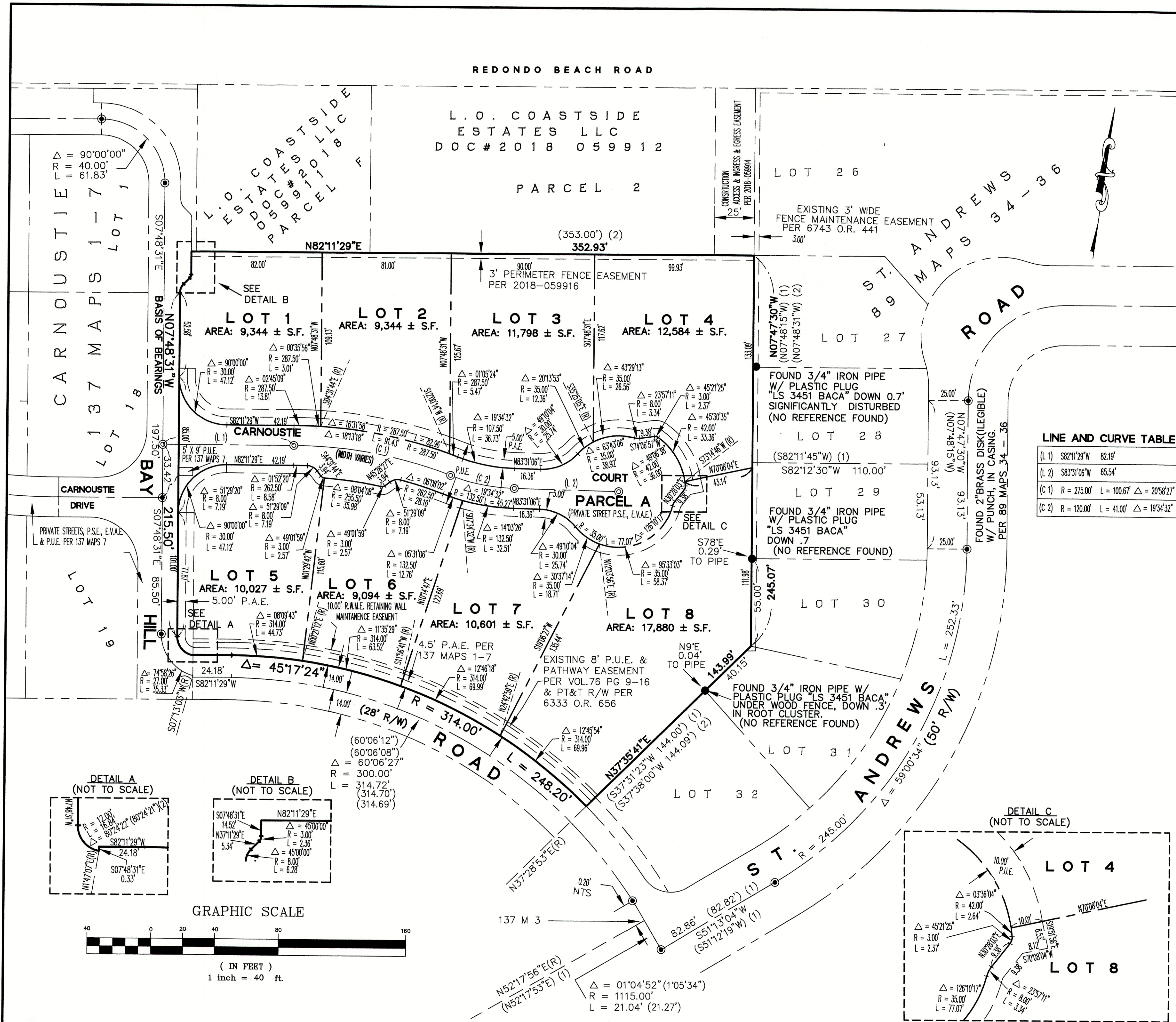
BEING A SUBDIVISION OF POST ADJUSTMENT OF PARCEL H LANDS OF CARNOUSTIE, LLC DOCUMENT #2018-059909 O.R. ASSESSOR'S PARCEL NUMBER: 066-092-830

HALF MOON BAY SAN MATEO COUNTY CALIFORNIA
SCALE: 1" = 20' SEPTEMBER, 2019

B & H SURVEYING, INC.
PROFESSIONAL LAND SURVEYING

901 WALTERMIRE ST.
BELMONT, CA 94002
OFFICE (650) 637-1590
FAX (650) 637-1059

SHEET ONE OF TWO



LINE AND CURVE TABLE

(L 1)	S82°11'29"W	82.19'	
(L 2)	S83°31'06"W	65.54'	
(C 1)	R = 275.00'	L = 100.67'	$\Delta = 20°58'27"$
(C 2)	R = 120.00'	L = 41.00'	$\Delta = 19°34'32"$

BASIS OF BEARINGS:
 THE BEARING S7°48'31"E BETWEEN TWO MONUMENTS IN THE CENTER LINE OF BAY HILL ROAD, AS SHOWN ON THE MAP ENTITLED "CARNOUSTIE" FILE IN VOL. 137 OF MAPS AT PAGES 1 - 7, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

- LEGEND:**
- MONUMENT FOUND 1.5" BRASS DISK W/ PUNCH "PLS 5797" IN 6" DIAMETER CONCRETE CYLINDER, IN CASING SET PER 137 MAPS 1 - 7
 - ⊙ MONUMENT TO BE SET BY THIS SUBDIVISION 3" BRASS DISK W/ PUNCH "LS 7701" IN 6" DIAMETER CONCRETE CYLINDER, IN CASING
 - (1) RECORD DATA PER 89 RSM 34-36
 - (2) RECORD DATA PER DOC. NO. 2018-059909 O.R.
 - E.V.A.E. EMERGENCY VEHICLE ACCESS EASEMENT
 - P.A.E. PRIVATE ACCESS EASEMENT
 - P.S.E. PUBLIC SERVICE EASEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT
 - R.W.M.E. RETAINING WALL MAINTENANCE EASEMENT

CARNOUSTIE NO. 4

BEING A SUBDIVISION OF POST ADJUSTMENT OF PARCEL H LANDS OF CARNOUSTIE, LLC DOCUMENT #2018-059909 O.R. ASSESSOR'S PARCEL NUMBER: 066-092-830

HALF MOON BAY SAN MATEO COUNTY CALIFORNIA
 SCALE: 1" = 40' SEPTEMBER 2019

B & H SURVEYING, INC.
 PROFESSIONAL LAND SURVEYING
 901 WALTERMIRE ST.
 BELMONT, CA 94002
 OFFICE (650) 637-1590
 FAX (650) 637-1059

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)
)
City of Half Moon Bay)
501 Main Street)
Half Moon Bay, California 94019)

(Space Above This Line for Recorder's Use Only)
Exempt from recording fee per Gov. Code Sec 27383

IMPROVEMENT AGREEMENT

CITY OF HALF MOON BAY

CARNOUSTIE SUBDIVISION (PHASE 4)

THIS IMPROVEMENT AGREEMENT (the "Agreement") is made and entered into on this ___ day of September, 2019 (the "Effective Date") by and between CARNOUSTIE, LLC ("Developer"), and the CITY OF HALF MOON BAY, a California municipal corporation ("City").

RECITALS

- A. On May 21, 2019, the City Council of the City of Half Moon Bay adopted among other approvals, Resolution No. C-2019-44, approving the Vesting Tentative Map for Carnoustie Phase 4, hereinafter referred to as "Carnoustie Phase 4", prepared by BKF ENGINEERS dated September 21, 2018 (the "Tentative Map"), subject to certain conditions of approval (the "Conditions").
- B. The Conditions require either (1) that certain public improvements for Carnoustie Phase 4 be constructed prior to approval of the final map, or (2) that Developer enter into an agreement with the City providing for the future construction of such improvements.
- C. Developer has submitted the final map and applied to City for final map approval without having completed the required public improvements and therefore will enter into an agreement with the City providing for the future construction and installation of such improvements, as required by Government Code section 66462(a)(1).
- D. Developer has submitted to the City plans, specifications, and drawings entitled "Carnoustie Phase 4 Improvement Plans", prepared by Precision Engineering, dated June 19, 2019 with certain revisions dated August 27, 2019 (the "Improvement Plans"), which, in addition to other improvements, provide for certain on-site public improvements consisting of sanitary sewer systems for Carnoustie Phase 4, (the "Improvements").
- E. Developer is the current fee owner of that certain real property consisting of approximately 2.34 acres located within the City of Half Moon Bay, County of San Mateo, State of California, described in Exhibit A, attached hereto and incorporated herein by reference (the "Property"). Upon approval and recordation of the final map,

the Property will be divided into eight (8) lots and associated parcels intended for residential development.

- F. City and Developer desire to enter into an agreement providing for the construction and installation of the Improvements in accordance with the Improvement Plans.

AGREEMENT

NOW, THEREFORE, in consideration of the faithful performance of the terms and conditions set forth in this Agreement, the parties hereto agree as follows:

1. Purpose. The purpose of this Agreement is to guarantee completion of the Improvements and ensure satisfactory performance by Developer of Developer's obligations to satisfy the Conditions pertaining solely to the Improvements.
2. Property Subject to Agreement. The Property shall be subject to this Agreement; provided, however, that from and after acceptance of the Improvements as set forth in Section 12 below, the Property shall be released and no longer subject to this Agreement, and a release shall be executed and recorded by the City.
3. Duty to Install Improvements. Developer shall construct, install and complete, or cause to be constructed, installed or completed, at the Developer's sole cost and expense, the Improvements, in accordance with the Improvement Plans (defined in Recital D. above) and to the satisfaction of the City Engineer, in his reasonable discretion consistent with the Conditions and Improvement Plans. Developer will also supply all labor and materials therefore, all in strict accordance with the terms and conditions of this Agreement. The construction, installation and completion of the Improvements and all labor and materials furnished in connection therewith are hereinafter referred to collectively as the "Work".
4. Completion Date. Developer shall complete the Work within one year of the commencement of the Work. All Work shall be completed and in a good and workmanlike manner in accordance with accepted design and construction practices consistent with the Conditions and Improvement Plans. This completion date may be extended by the City in its sole and absolute discretion at the request of the Developer, which request shall be accompanied by a written assurance acceptable to the City Attorney that the securities required by Section 13 shall remain enforceable throughout the term of the extension.
5. Estimated Cost of Work. The engineer's estimated cost of the Work is \$98,000.
6. Modifications to the Plans. Approval of this Agreement by the City does not release Developer of its responsibility to correct mistakes, errors or omissions in the Improvement Plans. If, at any time, in the opinion of the City Engineer, in his reasonable discretion, the Improvement Plans are deemed inadequate in any respect Developer

agrees to make such modifications, changes or revisions as necessary in order to complete the Work in a good and workmanlike manner in accordance with accepted design and construction standards consistent with the Conditions and Improvement Plans.

7. Repairs. Developer agrees to repair or have repaired in a timely manner at its sole cost and expense all other public or private property damaged as a result of or incidental to the Work or in connection with the development of the project, or to pay to the City or property owner of any damaged property, the full cost of such repair. In addition, Developer shall obtain the written acceptance of such repair or payment from any owner whose private property was repaired by Developer or to whom Developer has paid the full cost of such repair in accordance with this Section 7. City shall be under no obligation whatsoever to accept the Work completed under this Agreement until such time as all repairs have been completed or have been paid for and written acceptances have been provided to the City Engineer, except as otherwise provided in Section 12.1
8. Foreman or Superintendent. Developer shall give personal attention to the Work. A competent foreman or superintendent, satisfactory to the City Engineer, in his reasonable discretion, with authority to act for and on behalf of Developer, shall be named in writing by Developer prior to commencement of the Work, shall be present on the Property during the performance of the Work and may not be changed without the advance notification to and satisfaction and concurrence of the City Engineer.
9. Examination of Work. All the Work shall be performed to the satisfaction of the City Engineer, in his reasonable discretion consistent with the Improvement Plans. The City and its authorized agents shall, at all times during the performance of the Work, have free access to the Work and shall be allowed to examine the Work and all materials used and to be used in the Work.
10. City's Inspection, Administration and Testing Costs. Developer shall pay to the City the actual cost for all inspection, administration and testing services furnished by City in connection with this Agreement, including those performed by consultants under contract with the City (the "City Costs"). The estimated City Costs are \$61,058.00 (the "Estimated Cost"). Prior to or concurrently with the execution of this Agreement, Developer shall deposit an amount equal to the Estimated Cost with City for the payment of the City Costs. In the event that the Estimated Cost is insufficient to cover the actual City Costs incurred, Developer shall, upon notice in writing by the City Engineer, deposit such additional amount as may be required to pay the City Costs. Any amount of the Estimated Cost, initial deposit or additional amounts deposited remaining after payment of all City Costs shall be returned to Developer. City may, at its discretion, deposit such funds in an interest-bearing account and retain any and all interest earned.
11. Completion of Work. After Developer (a) completes the Work in accordance with the

Improvement Plans and the terms and conditions of this Agreement, and (b) repairs any private or public property (other than public roads and streets) damaged as a result of the Work or pays the full cost of such repair to the owner whose property was damaged and (c) obtains the written acceptance of such repair or payment from any owner whose private property was repaired by Developer or to whom Developer paid the full cost of such repair, Developer will provide City with a written notice of completion, together with copies of all written acceptances, if any.

12. Final Acceptance.

12.1 Notice of Completion. Within thirty (30) days of receipt of Developer's written notification pursuant to Section 11 above, City Engineer shall inspect the Work and repairs and review the written acceptances, if any, and send Developer a written notice stating whether the Work and repairs are complete to the satisfaction of the city Engineer, in his reasonable discretion, and whether the written acceptances have been provided. If the Work and repairs are, in the opinion of the City Engineer, not complete and satisfactory, and/or written acceptances have not been provided, the City Engineer shall list the deficiencies that must be corrected to find the Work and repairs complete and satisfactory. Upon satisfactory completion of the Work and repairs and submittal of written acceptances, the City Engineer shall send Developer a written notice of satisfactory completion. The requirement for written acceptances may be waived by the City Engineer, in his reasonable discretion, if Developer has made commercially reasonable efforts to obtain such acceptances.

12.2 Acceptance of Improvements. After sending Developer a written notice of satisfactory completion pursuant to Section 12.1, the City Engineer shall recommend acceptance of the Improvements to the City Council. The acceptance of the Improvements shall be by resolution of the City Council, with the hearing on said resolution held within thirty (30) days of the City Engineer's written notice of satisfactory completion. Upon adoption of such resolution, the City Engineer shall promptly record a notice of acceptance, in a form to be approved by the City Attorney, in the Official Records of San Mateo County. Alternately, the City may in its sole discretion request that Developer deliver to the City a quitclaim deed conveying the fee interest in the Improvements. Prior to City Council consideration of acceptance, Developer shall deliver to the City an easement deed in a form approved by the City Attorney granting the City the right to access, maintain, repair, and replace the Improvements thereon, which easement deed the City shall record simultaneously with the notice of recordation and/or quitclaim deed. The Improvements shall be deemed to be finally accepted upon recordation of such notice and/or deed ("Final Acceptance" or "Finally Accepted").

13. Performance, Labor and Materials and Warranty Security. Developer shall furnish and deliver to the City, within the times set forth below, the following surety bonds, each of which must be issued by a surety company duly and regularly authorized to do general

surety business in the State of California, or such other surety as may be acceptable to the City Attorney.

13.1 Performance Bond. Developer shall furnish and deliver a performance surety bond in the amount of \$98,000 (100% of estimated "hard" cost of completion of the construction and installation of the Improvements and the installation of monuments as required by the Final Map, as determined by the City Engineer) concurrently with the execution of this Agreement, which bond must meet the requirements of Government Code Section 66499.1 and be reasonably acceptable to the City Attorney. The bond shall be conditioned upon the faithful performance of this Agreement with respect to the Work and shall be released by the City upon final acceptance of the Improvements as described in Section 12.2 and Developer's delivery of the Warranty Bond described in Section 13.3.

13.2 Labor and Materials Bond. Developer shall furnish and deliver a labor and materials surety bond in the amount of \$98,000 (100% of estimated "hard" cost of completion of the construction and installation of the Improvements and the installation of monuments as required by the Final Map, as determined by the City Engineer) concurrently with the execution of this Agreement, which bond must meet the requirements of Government Code Section 66499.2 and be acceptable to the City Attorney. The bond shall secure payment to the contractor(s) and subcontractor(s) performing the Work and to all persons furnishing labor, materials or equipment to them. The City shall retain the bond until both (i) the City accepts the Work in accordance with Section 12 above and (ii) the statute of limitations to file an action under Civil Code section 3114 *et seq.* has expired. After said date, the bond may be reduced by the City Engineer to an amount not less than the total amount claimed by all claimants for whom claims of lien have been recorded and notice given in writing to the City Council. The balance of the bond shall be retained until the final settlement of all such claims and obligations. If no such claims have been recorded within the statutory time limits, the bond shall be released in full by the City Engineer.

13.3 Warranty Bond. Developer shall furnish and deliver a warranty bond in the amount of \$24,500 (25% of estimated "hard" cost of completion of the construction and installation of the Improvements, as determined by the City Engineer) upon Final Acceptance of the Improvements and prior to release of the Performance Bond. The bond shall be in a form reasonably acceptable to the City Attorney and shall guarantee and warrant the Work for a period of one (1) year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished.

14. Warranty Period; Repair and Reconstruction. Without limiting the foregoing, Developer expressly warrants and guarantees all Work performed under this Agreement and all materials used in the Work for a period of one (1) year after final acceptance in accordance with Section 12. If, within this one (1) year period, any Improvement or part

of any Improvement installed or constructed, or caused to be installed or constructed by Developer, or any of the Work done under this Agreement, fails to fulfill any of the requirements of the Improvement Plans or this Agreement, Developer shall, without delay and without cost to City, repair, replace or reconstruct any defective or otherwise unsatisfactory part or parts of the Work or Improvement to the satisfaction of the City Engineer. Should Developer fail to act promptly or in accordance with this requirement, or should the exigencies of the situation require repairs, replacements or reconstruction to be made before Developer can be notified, City may, at its option, make the necessary repairs, replacement or perform the necessary reconstruction and Developer shall pay to the City upon demand the actual cost of such repairs, replacements or reconstruction. The warranty provided in this section shall survive the termination of this Agreement.

15. Maintenance. At all times prior to Final Acceptance, Developer shall be solely responsible for the maintenance of the Improvements.
16. Developer Not Agent of City. Neither Developer nor Developer's contractors, subcontractors, agents, officers, or employees are agents or employees of City and the Sub-divider's relationship to the City, if any, arising here from is strictly that of an independent contractor.
17. Indemnification. Developer agrees to indemnify, defend and hold the City, its elective and appointed boards, commission, officers, agents, employees and consultants, harmless from and against any and all claims, liabilities, losses, damages or injuries to persons or property of any kind, including the reasonable costs to the City of carrying out the terms of any judgment, settlement, consent decree, or other partial or complete termination of an action or procedure that requires the City to take any action (collectively, "Claims") arising out of (a) Developer's or Developer's contractors', subcontractors', agents' or employees', acts, omissions, or operations or (b) the non-compliance of the Improvements with any applicable federal, State, or local law. The aforementioned indemnity shall apply regardless of whether any insurance required under this Agreement is applicable to any Claims. The City does not and shall not waive any of its rights under this indemnity provisions because of its acceptance of the bonds or insurance required under the provisions of this Agreement. The indemnification herein shall survive termination of this Agreement.
18. Insurance.
 - a. Developer shall maintain Comprehensive Liability Insurance protecting the City from incidents as to bodily injury liability and property damage liability that may occur as a result of the Work and additional warranty repairs. Developer shall provide a certificate of insurance to City before any Work commences. The insurance policy shall contain, or be endorsed to contain, the following provisions:

- (1) The City, its officers, officials, employees, consultants and agents are to be covered as additional insureds as respects liability arising out of activities performed by or on behalf of Developer. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, officials, employees, consultants and agents.
- (2) The amounts of public liability and property damage coverage shall not be less than \$2,000,000 (Two Million Dollars) per occurrence for bodily injury, personal injury and property damage. Coverage shall include Contractual Liability, owners' and contractors' protection, products and operations coverages, and Premises and Operations Liability with no explosion, underground, or collapse exclusions.
- (3) The insurance shall be maintained in full force until the City Engineer issues a notice of satisfactory completion pursuant to Section 12.1 above.
- (4) The insurance policy shall provide for 30 days notice of cancellation to the City. The policy shall not be cancelled earlier than nor the amount of coverage be reduced earlier than 30 days after the City receives notice from the insurer of the intent of cancellation or reduction.
- (5) Any failure to comply with the reporting provisions of the policy shall not affect the coverage provided to the City, its officers, officials, employees, consultants and agents.
- (6) Developer's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, consultants and agents. Any insurance or self-insurance maintained by the City, its officers, officials, employees, consultants or agents shall be in excess of Sub-divider's insurance and shall not contribute to it. If commercially available, the insurance policy shall contain a waiver of subrogation for the benefit of the City.
- (7) In the event that Developer's insurance is cancelled, Developer shall provide replacement coverage or all Work must cease as of the cancellation date until replacement insurance coverage is provided.
- (8) Any deductibles or self-insured retentions shall be the Developer's responsibility to pay; any such deductible or self-insured retention greater than \$75,000 shall be approved by the City Manager.
- (9) The insurer shall waive its right of subrogation against the City. Developer hereby waives all rights against the City for loss or damage to the extent covered by the insurance required under this Agreement.

(10) Prior to commencing Work and upon request by the City, Developer shall provide a Certificate of Insurance with endorsements showing compliance with the requirements of this Agreement.

19. Worker's Compensation Insurance. Developer shall provide, or cause to be provided, Workers' Compensation insurance to the extent required by law and shall cause its contractors and their subcontractors, agents and representatives to also maintain such insurance to the extent required by law. No Work shall commence until such Workers' Compensation insurance as is required by law is obtained and in full force and effect.
20. Compliance with Laws. Developer shall comply with all federal, state and local laws, ordinances and regulations in the performance of this Agreement. Developer shall, at its own cost and expense, obtain all necessary permits and licenses for the Work, give all necessary notices, pay all fees and taxes required by law and make any and all deposits legally required by those public utilities that will serve the residential development on the Property. Copies and/or proof of payment of said permits, licenses, notices, fee and tax payments and deposits shall be furnished to the City Engineer upon request.
21. Encroachment Permits. Developer shall obtain, at its sole cost and expense, any encroachment permits required by the City in order to perform the Work.
22. Payments. Developer agrees that it will pay, when due, all those furnishing labor or materials in connection with the Work. Developer further agrees that pursuant to Government Code section 66499.7, the Labor and Materials Bond provided by Developer in accordance with Section 13.1 of this Agreement shall not be released if any mechanics liens or stop notices are outstanding, unless said liens are released by bond in compliance with Civil Code section 3143.
23. Notice of Breach and Default. The occurrence of any of the following constitutes a breach and default of this Agreement:
 - (1) Developer refuses or fails to complete the Work within the time set forth herein or abandons the Work.
 - (2) Developer assigns the Agreement in violation of Section 29 below.
 - (3) Developer is adjudged bankrupt or makes a general assignment for the benefit of creditors, or a receiver is appointed in the event of Developer's insolvency.
 - (4) Developer or Developer's contractors, subcontractors, agents or employees, fail to comply with any terms or conditions of this Agreement.
 - (5) Any delay in the construction of any portion of the Work or repairs, which in the reasonable opinion of the City Engineer, endangers public or private property.
 - (6) Developer fails to maintain insurance in the amounts and subject to the terms required in Sections 18 and 19 above.

The City may serve written notice of breach and default upon Developer and the financial institution holding the bonds.

24. Opportunity to Cure. If the City gives Developer notice under Section 23 of breach and default of this Agreement, Developer shall have 30 days within which to correct, remedy or cure the default. If the written notification states that the problem is urgent and relates to the public health and safety, then Developer shall have 24 hours to correct, remedy or cure the default, If Developer does not cure the default within the applicable timeframe, the City may pursue the remedies set forth in Section 25 below.

25. Remedies.

25.1 City may proceed to complete the Work by contract or other method the City considers advisable at the sole expense of Developer. Developer, immediately upon demand, shall pay the costs and charges related to the Work and any subsequent repairs. City, without liability for doing so, may take possession of and utilize in completing the Work and repairs, if any, such materials and other property belonging to the Developer as may be on or about the Property and necessary for completion of the Work. Developer hereby grants the City an easement, effective upon the running of the 30-day cure period for an uncured default under Sections 23(1) –(5) above, to enter the Property as necessary to complete the Work. In the event of default, the financial institution holding the bonds shall be liable to City to pay the face amount of the bonds, as specified under Section 13.

25.2 City may bring legal action to compel performance of this Agreement and recover the cost of completing the Work and/or repairs, if any, including City's administrative and legal costs or pursue any other action at law or equity.

25.3 Developer agrees that if legal action is brought by City under this section of the Agreement, Developer shall pay all of the costs of suit, reasonable attorney fees, arbitration costs and such other costs as may be determined by the court or arbitrator.

25.4 No failure on the part of City to exercise any right or remedy hereunder shall operate as a waiver of any right or remedy that City may have hereunder.

25.5 The rights and remedies of City are cumulative, and the exercise by City of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default.

26. Final Drawings. Upon completion of the Work and prior to Final Acceptance, Developer shall deliver to City a set of "As-Built" drawings as required by the Conditions. These drawings shall be in a form reasonably acceptable to the City Engineer, shall be certified as being "As-Built" and shall reflect the Work as actually constructed, with any and all changes incorporated therein. Said drawings shall be signed and sealed as accurate by the engineer of record.

27. Attorney Fees. Should any legal action or arbitration be brought by either party because of breach of this Agreement or to enforce any provision of this Agreement, the prevailing party shall be entitled to all costs of suit, reasonable attorney fees, arbitration costs and such other costs as may be determined by the court or arbitrator.
28. Notices. Formal written notices, demands, correspondence and communications between City and Developer shall be sufficiently given if: (a) personally delivered; or (b) dispatched by next day delivery by a reputable carrier such as Federal Express to the office of City and Developer indicated below, provided that a receipt for delivery is provided; or (c) if dispatched as first class mail, postage prepaid, to the offices of City and Developer indicated below. Such written notices, demands, correspondence and communications may be sent in the same manner to such persons and addresses as either party may from time-to-time designate by next day delivery or by mail as provided in this section.

City: City of Half Moon Bay
501 Main Street
Half Moon Bay, CA 94109
Attn: City Manager

With a copy to: City of Half Moon Bay
501 Main Street
Half Moon Bay, CA 94109
Attn: City Attorney

Developer: Carnoustie, LLC
2450 S. Cabrillo Highway
Suite 200
Half Moon Bay, CA 94019
Attn: Bruce J. Russell

Notices delivered by deposit in the United States mail as provided above shall be deemed to have been served two (2) business days after the date of deposit if addressed to an address within the State of California, and three (3) business days if addressed to an address within the United States but outside the state of California.

29. Transfers; Assignments. Developer may not assign its obligations under this Agreement without the prior written approval of the City, which approval shall not be unreasonably withheld. In connection with any such assignment, Developer and its assignee shall execute and deliver to City a written assignment and assumption agreement in a form reasonably acceptable to the City Attorney.

30. Binding Upon Heirs, Successors and Assigns. Subject to the transfer restrictions set forth in Section 29, the terms, covenant and conditions of this Agreement shall be binding upon all heirs, successors and assigns of the parties hereto.
31. Headings. Section headings in this Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants or conditions contained in this Agreement.
32. Severability. If any provision of this Agreement is held, to any extent, invalid, the remainder of this Agreement shall not be affected, except as necessarily required by the invalid provision, and shall remain in full force and effect.
33. Entire Agreement. The terms and conditions of this Agreement constitute the entire agreement between City and Developer with respect to the matters addressed in this Agreement. This Agreement may not be altered, amended or modified without the written consent of all parties hereto.
34. Governing Law; Venue. This Agreement shall be construed and enforced in accordance with the laws of the State of California, without reference to choice of law provisions. Any legal actions under this Agreement shall be brought only in the Superior Court of the County of San Mateo, State of California.
35. Authority. Each party executing this Agreement on behalf of a party represents and warrants that such person is duly and validly authorized to do so on behalf of the entity it purports to bind and if such party is a partnership, corporation or trustee, that such partnership, corporation or trustee has full right and authority to enter into this Agreement and perform all of its obligations thereunder.
36. Time is of the Essence. Time is of the essence of this Agreement and of each and every term and condition hereof.
37. Runs with the Land; Recordation. This Agreement pertains to and shall run with the Property. Upon execution, this Agreement shall be recorded in the Official Records of San Mateo County. Upon City Final Acceptance of the Improvements, a written statement shall be recorded by the City in the Official Records of San Mateo County terminating this Agreement and releasing all of the Property as set forth in Section 2 above. The recorded written statement does not release the parties from obligations that survive termination of the Agreement, including indemnification.
38. Domestic Water System. The City and Developer acknowledge and agree that the public domestic water system for the Property (the "Water System") is also shown on the Improvement Plans, but is not subject to this Agreement. The Water System will be the subject of a Water Service Agreement by and between the Developer and Coastside

County Water District, which district (as opposed to the City) has jurisdiction over plan approval, construction, bonding and acceptance of the public domestic water system.

IN WITNESS WHEREOF, City and Developer have executed this Agreement as of the Effective Date.

"CITY"

CITY OF HALF MOON BAY, a California municipal corporation

Dated: _____

By: _____

City Manager

(City Council Action dated _____)

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

"DEVELOPER"

CARNOUSITE, LLC, a California limited liability company

Dated: Sept. 18, 2019

By: Whitestar Advisors, LLC, a Florida limited liability company, its Manager

By: James E. Bishop
Name: James E. Bishop

Title: President

Exhibit A

LEGAL DESCRIPTION

Real property in the City of Half Moon Bay, County of San Mateo, State of California, described as follows:

PARCEL ONE:

POST-ADJUSTMENT PARCEL H -

BEING A PORTION PARCEL 2 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON JANUARY 3, 1972, IN BOOK 15 OF PARCEL MAPS AT PAGE 14, ALL OF PARCEL H AS SHOWN ON THAT CERTAIN MAP FILED FOR RECORD ON IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, ON JUNE 12, 2009 IN BOOK 137 OF MAPS, AT PAGES 1 THROUGH 7, INCLUSIVE, AND A PORTION OF PARCEL F ON SAID MAP (137 M L-7), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF SAID PARCEL 2 (15 M 14) AND THE WESTERLY LINE OF SAID PARCEL F (137 M 1-7), BEING ALSO THE EASTERLY LINE OF BAY HILL ROAD;

THENCE LEAVING SAID EASTERLY LINE AND ALONG THE NORTHERLY LINE OF SAID PARCEL 2 AND ITS WESTERLY EXTENSION, NORTH 82°11'29" EAST, 353.00 FEET TO THE EASTERLY LINE OF SAID PARCEL 2;

THENCE ALONG SAID EASTERLY LINE SOUTH 7°48'31" EAST, 245.07 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL H (137 M 1-7);

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL H, SOUTH 37° 38'00" WEST, 144.09 FEET TO THE NORTHEASTERLY LINE OF BAY HILL ROAD, BEING A POINT ON A NON-TANGENT CURVE HAVING A RADIUS OF 314.00 FEET, CONCAVE SOUTHERLY, FROM THE CENTER OF SAID CURVE A RADIAL LINE BEARS NORTH 37°28'53" EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°17'24", AN ARC LENGTH OF 248.20 FEET;

THENCE SOUTH 82°11'29" WEST, 24.18 FEET TO THE EASTERLY LINE OF SAID PARCEL F;

THENCE SOUTHERLY ALONG SAID EASTERLY LINE, SOUTH 7°48'31" EAST, 0.33 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET, CONCAVE NORTHEASTERLY, FROM THE CENTER OF SAID CURVE A RADIAL LINE BEARS SOUTH 1°47'07" WEST;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 80°24'21", AN ARC LENGTH OF 16.84 FEET;

THENCE ALONG THE WESTERLY LINE OF PARCEL F, NORTH 7°48'31" WEST, 215.50 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 8.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°00'00", AN ARC LENGTH OF 6.28 FEET;

THENCE SOUTH 37°11'29" WEST, 5.34 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 3.00 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°00'00", AN ARC LENGTH OF 2.36 FEET;

THENCE NORTH 7°48'31" WEST, 14.52 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

THE EASEMENT OF CONSTRUCTION, INGRESS, EGRESS AND UTILITIES AS DESCRIBED IN THE GRANT OF EASEMENT DATED JULY 25, 2018 AND RECORDED AUGUST 1, 2018 AS INSTRUMENT NO. 2018-059914, SAN MATEO COUNTY RECORDS.

APN: PTN 066-092-830 formerly a portion of 066-092-230 and 066-371-160

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of SAN MATEO)

On 9/12/2019 before me, MARK HANCOCK, Notary Public
(insert name and title of the officer)

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

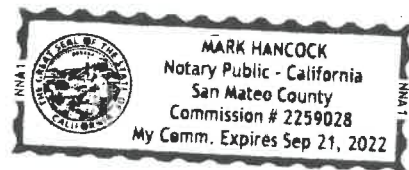
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 17, 2019**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, Communications Director / City Clerk

TITLE: **GRANT WRITING AND ADVOCACY SERVICES AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC.**

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to enter into an agreement with Townsend Public Affairs, Inc. (TPA), to provide grant writing and advocacy services for a period of one year at an amount of \$60,000.

FISCAL IMPACT:

The cost of the agreement is \$60,000. This amount has been included in the FY 2019-20 operating budget.

STRATEGIC ELEMENT:

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

BACKGROUND:

In early 2016, the City Council identified the pursuit of grant funding opportunities related to ongoing City operations and capital improvement projects as a priority. Following the determination that it was not practical to accomplish this with in-house staff, the City released a request for proposals. Townsend Public Affairs, Inc. was selected as the firm who was most qualified to provide the services requested in the request for proposals, and the City and Townsend have since entered into annual agreements, the last of which expired on June 30, 2019. Starting with the 2018-2019 agreement, Townsend also provides the City with legislative advocacy services.

DISCUSSION:

In addition to legislative advocacy, TPA will continue to assist the City with grant funding opportunities. Since 2017, Townsend has secured \$1.2M in grant funding for the City. With this agreement, TPA has dedicated additional resources to the City's grants program, including

onsite monthly meetings with the staff grants committee as well as an additional grant writer on TPA's staff.

TPA's scope of work for legislative advocacy includes working closely with staff to develop legislative strategy, implement legislative strategy, build and leverage relationships, ordinance advocacy trips and track legislation, craft testimony and position letters, prepare and file lobbying disclosure reports, and draft bill language. TPA and staff also work closely with the City Council Legislative Affairs Subcommittee.

For grant funding services, TPA's scope includes working with staff to craft a strategic funding plan, monitor grant opportunities, establish clear accountabilities, grant application development and submittal, post-grant submittal advocacy, assistance with awarded grant administration and compliance, and progress reports.

Staff recommends the City Council authorize the City Manager to execute an agreement with TPA for an additional year of grant and legislative advocacy services, with enhanced scope of work, at an amount of \$60,000 for the 2019-20 Fiscal Year.

ATTACHMENTS:

1. Resolution authorizing the City Manager to enter into a one-year agreement with Townsend Public Affairs, Inc to provide grant writing and advocacy services in an amount of \$60,000
2. Scope of Services

Resolution No. C-2019-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC. FOR GRANT WRITING AND LEGISLATIVE ADVOCACY SERVICES

WHEREAS, in July 2018, the City of Half Moon Bay entered into an agreement with Townsend Public Affairs, Inc. for grant writing services; and

WHEREAS, the agreement expired June 30, 2019; and

WHEREAS, the City Council has expressed an interest in continuing grant writing and legislative advocacy services; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby authorizes the City Manager to enter into a one-year agreement with Townsend Public Affairs, Inc. for grant writing services and legislative advocacy services in the amount of \$60,000.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 5th day of June, 2018 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

Harvey Rarback, Mayor

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HALF MOON BAY
CALIFORNIA

**Proposal for
State Legislative Advocacy
and Grant Funding Services**

August 28, 2019

August 27, 2019

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

Dear Mr. Nisbet:

Thank you for the opportunity for Townsend Public Affairs, Inc. ("TPA") to submit our proposal for State Legislative Advocacy and Grant Funding Services to the City of Half Moon Bay ("City").

TPA has been proud and honored to serve as the state lobbyist and grant writer for the City over the past four years. During our tenure, TPA has demonstrated its focused and unwavering commitment to the legislative and funding priorities of the City, securing **over \$1.1 million** in funding for the City, while serving as an extension of City staff.

Since its inception in 1998, TPA has earned the reputation as ***Champions for Better Communities*** by providing the experience, resources, and relationships expected from a premier legislative advocacy and grant writing firm while also giving clients the unique brand of customer service they deserve: personal attention, maximum accessibility, and passion for their mission.

Our strategic approach to advocacy and funding is tailored to meet the individual needs of each client by leveraging the breadth and depth of our team as well as our vast network of relationships with key stakeholders and decision makers.

Utilizing this method on behalf of our clients, TPA has shepherded over 80 legislative and regulatory proposals into law, and secured over \$1.7 billion in grants from state, federal, and local government agencies as well as nonprofit foundations and private companies.

Thank you again for your interest in our firm and your consideration of this proposal. Please contact us if you have any questions or need additional information. We would be honored to continue to serve the City of Half Moon Bay.

Yours truly,



Christopher Townsend
President

ABOUT TPA

TPA is a state and federal legislative advocacy and grant writing firm that provides lobbying and funding services to public agencies and nonprofit organizations throughout California.

- Founder/Owner/President: Christopher Townsend
- Advocacy Success: Shepherded **over 80** client-sponsored legislative proposals into law
- Funding Success: Over **\$1.7 billion** in state, federal, and local government grants as well as grants from nonprofit organizations and private companies
- Longevity: 21 years (founded in 1998)
- Number of Employees: 17
- Number of Registered State and Federal Lobbyists and Grant Writers: 14
- Number of Offices: Five
 - TPA State Capitol Office, Sacramento
 - TPA Federal Office, Washington, DC
 - TPA Northern California Office, Oakland
 - TPA Central California Office, Fresno
 - TPA Southern California Office, Newport Beach
- Number of Current Clients: 105
 - City Governments
 - County Governments
 - Water and Sanitation Districts
 - Transportation Districts
 - K-12 School Districts
 - Community College Districts
 - Parks and Recreation Districts
 - Museums, Science Centers, and Cultural Facilities
- Areas of Specialization:
 - Local Governance (Cities, Counties, Special Districts)
 - Transportation Policy and Infrastructure
 - Water and Sanitation Policy and Infrastructure
 - Education Policy and Infrastructure
 - Housing and Economic Development
 - Parks and Community Facilities (Recreational, Cultural, Historical)
 - Energy, Environment, and Natural Resources
 - Public Safety
 - Budget and Finance
- Ranking by Revenue Reported to the California Secretary of State:
 - 9th of 474 Firms Registered for 2017-18 Legislative Session
 - 98th Percentile



LEGISLATIVE ADVOCACY ACHIEVEMENTS

Policy Sector	Issue	Description
Local Governance	Local Control and Finance	<ul style="list-style-type: none"> Public Facilities and Finance Public Employee Programs Contractual Assessment Programs Infrastructure Financing Opportunities
	Public Employee Benefits	<ul style="list-style-type: none"> PEPRA Compliance JPA Benefits Medical Benefits Vesting
Transportation	Local Streets and Roads	<ul style="list-style-type: none"> State Highway Relinquishments Local Venue Signage on State Highways
	State Highway System	<ul style="list-style-type: none"> State Bond Funding for Highway Projects Expansion of Toll Lanes/Toll Roads
Water and Sanitation	Water Quality	<ul style="list-style-type: none"> Drinking Water Public Health Regulations Groundwater Pollution Liability Groundwater Management Plans Direct/Indirect Potable Reuse
	Water Infrastructure	<ul style="list-style-type: none"> State Bond Funding for Water Projects Local Reliability Projects Water Conservation Programs
	Sanitation Infrastructure	<ul style="list-style-type: none"> Integrated Regional Watershed Projects Advanced Water Treatment Facilities
Education	Community College Districts	<ul style="list-style-type: none"> Veterans Resources Alternative Energy Job Training ADA Reform
	K-12 School Districts	<ul style="list-style-type: none"> K-12 Safety Planning Programs Joint Use Projects with Civic Agencies
	School Facilities	<ul style="list-style-type: none"> Charter School Facilities Funding Community College Facilities Funding K-12 School District Facilities Funding
Housing and Community Development	Affordable Housing	<ul style="list-style-type: none"> Developing Funding for Affordable Housing Expanding Affordable Housing Eligibility
	Economic Development	<ul style="list-style-type: none"> Capital Investment Incentive Program Expansion Enterprise Zone Program Regulations Military Base Re-Use Land Planning
	Redevelopment	<ul style="list-style-type: none"> Agency Dissolution Process Developing Post-RDA Funding Sources State Liability Reduction
Recreation and Community Resources	Park Facilities	<ul style="list-style-type: none"> Joint-Use Projects with Schools Districts State Bond Funding for Local Park Projects
	Cultural Facilities	<ul style="list-style-type: none"> CA Cultural and Historical Endowment CA Nature Education Facilities Program
Energy, Environment, and Natural Resources	Health and Safety	<ul style="list-style-type: none"> Air Pollution Reduction Methods Treatment of the Remains of a Deceased Veteran
	Greenhouse Gas Reduction	<ul style="list-style-type: none"> TOD Housing to Support Cap and Trade Objectives Increase Transit Accessibility for Active Transportation
Public Safety	Crime Reduction	<ul style="list-style-type: none"> Sex Trafficking Control Gun Control
	Local Law Enforcement	<ul style="list-style-type: none"> Increasing Local Police Presence/COPS Police Body Cameras Regional Public Safety Task Force Initiatives
	Cannabis	<ul style="list-style-type: none"> Drafting Local and State Cannabis Regulations Local Control

A DETAILED SCHEDULE OF OUR STATE, FEDERAL, AND LOCAL LEGISLATIVE ADVOCACY ACHIEVEMENTS CAN BE PROVIDED UPON REQUEST



GRANT FUNDING ACHIEVEMENTS

This table provides an overview of our grant funding achievements on behalf of our clients from state, federal, and local government agencies as well as private and nonprofit grant programs.

These amounts represent grants secured through a competitive and/or legislative process and do NOT include any funds awarded to clients via formulas or related forms of funding entitlements.

Policy Sector	State Funding	Federal Funding	All Sources
Transportation	\$544.9 Million	\$101.7 Million	\$646.6 Million
Parks and Recreation	\$108.7 Million	\$6.2 Million	\$114.9 Million
Water and Sanitation	\$117.8 Million	\$6.2 Million	\$124.0 Million
Housing and Economic Development	\$363.2 Million	\$5.0 Million	\$368.2 Million
Cultural Resources	\$94.1 Million	\$7.0 Million	\$101.6 Million
Public Safety	\$49.9 Million	\$45.6 Million	\$95.5 Million
Education	\$247.5 Million	\$22.3 Million	\$269.8 Million
TOTAL	\$1.526 Billion	\$194 Million	\$1.720 Billion

A DETAILED SCHEDULE OF OUR STATE, FEDERAL, AND LOCAL GRANT FUNDING ACHIEVEMENTS CAN BE PROVIDED UPON REQUEST



CITY OF HALF MOON BAY FUNDING ACHIEVEMENTS

PROJECT NAME	FUNDING SOURCE	YEAR AWARDED	AMOUNT AWARDED
Poplar Complete Streets	Metropolitan Transportation Commission: One Bay Area Grant Program	2017	\$1,000,000
Crosswalk Safety and Beautification	San Mateo C/CAG Safe Routes to School/Green Infrastructure Pilot Program	2017	\$153,000
Half Moon Bay Main Street Bicycle Safety Project	Bay Area Air Quality Management District Bicycle Facilities Program	2018	\$25,000
Electric Vehicle Charging	Bay Area Air Quality Management District Charge Point Electric Vehicle Charging Station Grant	2018	\$12,000
CITY OF HALF MOON BAY TOTAL FUNDING ACHIEVEMENTS			\$1,190,000



CLIENT SERVICE TEAM

TPA uses a strategic and comprehensive approach to legislative advocacy and grant funding that will be tailored to meet the specific needs of the City. With a team of 14 registered state and federal lobbyists and grant writers, TPA has the breadth and depth of experience AND the ability to deploy as many lobbyists and grant writers as needed to maximize success for the City. The proposed team for this engagement:



Christopher Townsend, President

- 37 years of legislative and public policy experience and 21 years as the Founder and President of TPA
- Provides strategic guidance and grant funding support for every client, including cities
- Widespread bi-partisan relationships with Members and staff of the State Legislature, and with the Brown Administration, including key officials in various agencies and departments
- Promotes funding for public infrastructure projects, including facilities for water and sanitation, transportation, education, public safety, housing and economic development, recreation, culture, and other community purposes



Niccolo De Luca, Senior Director

- 22 years of legislative and public policy experience, including service as the Deputy City Administrator to Oakland Mayor Jerry Brown
- Secured significant grant funding for clients throughout California
- Widespread bi-partisan relationships with Members and staff of the State Legislature, and with the Governor's Office, including key officials in various agencies and departments
- Expertise in the policy sectors of public safety, cannabis, parks and recreation, natural resources, local government, cultural resources, and consumer affairs





Alex Gibbs, Senior Associate

- Nine years of legislative and public policy experience
- Four years of experience working for the State Legislature analyzing, researching, writing, and shepherding bills through the legislative process
- Secured significant grant funding for clients throughout California
- Widespread bi-partisan relationships with Members and staff of the State Legislature, and with the Governor's Office, including key officials in various agencies and departments
- Expertise in the policy sectors of parks and recreation, local governance, public safety, transportation, cap and trade, and labor relations



Anakaren Cervantes, Associate

- Experience working with local public agency clients throughout California
- Widespread bi-partisan relationships with Members and staff of the State Legislature, and with the Governor's Office, including key officials in various agencies and departments
- Expertise in several policy sectors including local governance, housing, economic development, transportation, and higher education

Casey Elliott
State Capitol Director



Policy Expertise

- Budget & Finance
- Education
- Local Governance
- Water Resources
- Parks & Recreation
- Cultural Resources
- Grant Writing

Richard Harmon
Senior Director



Policy Expertise

- Transportation
- Public Safety
- Parks & Recreation
- Local Governance
- Water Resources
- Grant Writing

Cori Williams
Senior Director



Policy Expertise

- Water Resources
- Local Governance
- Transportation
- Parks & Recreation
- Economic Development
- Grant Writing

Sharon Gonsalves
Senior Associate



Policy Expertise

- Housing
- Local Governance
- Water Resources
- Environment
- Energy
- Agriculture
- Grant Writing



Eric O'Donnell
Senior Associate



Policy Expertise

- Water Resources
- Natural Resources
- Local Governance
- Parks & Recreation
- Transportation
- Grant Writing

Austin Webster
Senior Associate



Policy Expertise

- Higher Education
- K-12 Education
- Parks & Recreation
- Local Governance
- Economic Development
- Grant Writing

Jonathan Jackson
Senior Associate



Policy Expertise

- Education
- Water Resources
- Environmental Hazards
- Agriculture
- Healthcare
- Foreign Affairs
- Veterans Resources
- Grant Writing

Laura Kroeger
Associate



Policy Expertise

- Education
- Water Resources
- Environmental Hazards
- Agriculture
- Healthcare
- Foreign Affairs
- Veterans Resources
- Grant Writing

Sean McReynolds
Associate



Policy Expertise

- Local Governance
- Healthcare
- Transportation
- Housing
- Economic Development
- Grant Writing

Andres Ramirez
Associate



Policy Expertise

- Local Governance
- Parks & Recreation
- Transportation
- Housing
- Economic Development
- Grant Writing

LEGISLATIVE ADVOCACY SCOPE OF SERVICES

- **Conduct Detailed Orientation:** TPA utilizes a comprehensive onboarding process that includes extensive meetings with various relevant members of City leadership and key City departments to help develop a strategic plan that is carefully tailored to satisfy the needs of the City, as well as designed for maximum success in the current political climate and funding environment.
- **Develop Legislative Strategy:** Utilizing the information gathered during the onboarding process, TPA will coordinate with the City to develop an official legislative platform and strategy that represents the City's priorities in Sacramento. This blueprint will be shared with key stakeholders in the State Legislature and Governor's Administration.
- **Implement the Legislative Strategy:** TPA will advocate for the City's legislative agenda utilizing the following methods:
 - **Build and Strengthen Relevant Relationships:** TPA has cultivated a network of valuable relationships that will be leveraged to promote the City's legislative agenda.
 - **Leverage Relationships for Strategic Advocacy Plan:** TPA will engage various techniques to leverage our network of key relationships on behalf of the City:
 - Schedule meetings for the City to discuss relevant legislation
 - Prepare all briefing materials and talking points for the City
 - Brief legislative offices and stakeholders on the City's legislative agenda
 - Follow-up on meetings to ensure commitments and deliverables are being met
 - **Coordinate Advocacy Trips:** TPA will work with the City to coordinate advocacy trips to Sacramento to meet with the City's legislative delegation, as well as legislators that serve on committees relevant to the City's agenda. Furthermore, whenever possible, TPA will also schedule site visits by legislators to the City.
 - **Track Legislation:** TPA will identify, analyze, and monitor all bill introductions and amendments relevant to the City's legislative platform and assess their potential impact on the City.
 - **Craft Testimony and Position Letters:** TPA will prepare and submit written and verbal testimony regarding legislation relevant to the City. TPA will also draft and deliver position letters to legislators and key officials on specific bill language.
 - **Draft Bill Language:** TPA will draft language and amendments for relevant legislation, as required to protect and promote the City's agenda.



- **Provide Progress Reports:** TPA will confer regularly with the City on our activities. TPA will provide timely electronic reports on the status of all legislative activity, such as bill language, amendments, and committee analyses. In addition to written reports, TPA will be available to the City for conference calls, in-person briefings, and meetings.
- **Prepare and File Lobbying Disclosure Reports:** TPA will prepare and file, on behalf of the City, all applicable state lobbying disclosure reports.



GRANT FUNDING SCOPE OF SERVICES

- **Craft Strategic Funding Plan:** Utilizing the information gathered during the onboarding process, TPA will coordinate with the City to develop a proactive and comprehensive strategic funding plan that serves the needs of the City’s priorities. *The plan will do more than simply identify City projects*; it will outline and prioritize multiple funding options for each project, and develop a specific plan of work tailored for each project. It will also identify key “strings attached” to help assess the cost/benefit ratio for each grant opportunity.
- **Identify, Research, and Monitor Grant Funding Opportunities:** TPA will utilize list-serve subscription programs, funding workshops, agency canvassing, and other networking tactics to ensure every potential opportunity is identified and reviewed for relevance with the City’s projects. TPA will then share these opportunities with the City for further assessment and determination if a grant application is warranted. The City will also receive a grant matrix of funding programs that is updated regularly as new opportunities arise.
- **Establishment of Clear Accountabilities:** TPA will coordinate with the City to ensure the assignment of responsibilities and tasks are made clear so that confusion and inefficiency are avoided and the City is burdened as little as possible while TPA pursues a grant opportunity.
- **Grant Application Development and Submittal:** TPA will develop, draft, submit, and follow up on each City grant application. TPA will also leverage relationships with relevant officials and program officers in various state funding agencies to ensure that City grant applications are aligned with the goals of the specific grant program and that the applications are well-crafted and well-positioned for funding. TPA will also provide strategic assistance, such as letters of support from key stakeholders and other materials, to make the application as compelling and competitive as possible. TPA will ensure that applications are submitted prior to the deadline. TPA will also obtain a receipt for proof of submission.
- **Post-Grant Submittal Advocacy:** TPA will frequently contact legislators and agency officials to follow up on the status of a grant application and promote its need and urgency. This will include drafting letters of support after grant submissions and distributing them to legislators for their consideration. In addition, TPA will work with legislators to reach out to individual granting agencies to provide background on City’s projects and convey their support for those projects.



- **Post-Award Grant Administration and Compliance:** TPA will also assist, as needed, with post-award administration and compliance for all grant applications submitted by TPA on behalf of the City. This assistance will include interacting with granting agencies on behalf of the City, providing support for the drafting and submission of required reports, evaluations, and other tasks related to the successful monitoring of and compliance with the program requirements.
- **Comprehensive Follow-Up on Unsuccessful Applications:** Despite all best efforts, some grant applications are not selected for funding. In those instances where grant applications are unsuccessful, TPA will work with the relevant state funding agencies to set up in-person or telephone debriefing sessions to discuss the grant applications and how to best revise the grant applications for the next funding round to ensure success.
- **Provide Progress Reports:** TPA will confer regularly with the City on our activities. TPA will provide timely electronic reports on the status of all funding activity. In addition to written reports, TPA will be available to the City for conference calls, in-person briefings at the regularly scheduled Grants Committee Meeting, and regular updates at City Council meetings.



FEE SCHEDULE

DESCRIPTION OF SERVICES	FEE
State Legislative Advocacy and Grant Funding Services	\$5,000 Per Month*
• Conduct Detailed Orientation	Included
• Develop Legislative Strategy	Included
• Implement the Legislative Strategy	Included
• Build and Strengthen Relevant Relationships	Included
• Leverage Relationships for Strategic Advocacy Plan	Included
• Coordinate Advocacy Trips	Included
• Track Legislation	Included
• Craft Testimony and Position Letters	Included
• Draft Bill Language	Included
• Provide Progress Reports	Included
• Prepare and File Lobbying Disclosure Reports	Included
• Craft Strategic Funding Plan	Included
• Identify, Research, and Monitor Grant Funding Opportunities	Included
• Establishment of Clear Accountabilities	Included
• Grant Application Development and Submittal	Included
• Post-Grant Submittal Advocacy	Included
• Post-Award Grant Administration and Compliance	Included
• Comprehensive Follow-Up on Unsuccessful Applications	Included
<i>*The monthly fee includes all reasonable business and travel expenses</i>	



BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of **September 17, 2019**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: John Doughty, Public Works Director
Maziar Bozorginia, City Engineer
Evelyn Moran, Assistant Engineer

TITLE: ADOPTION OF THE GREEN INFRASTRUCTURE PLAN

RECOMMENDATION:

Adopt a resolution approving the Green Infrastructure Plan and authorizing the City Engineer to forward to the Regional Water Quality Control Board San Francisco Bay Region no later than September 30, 2019.

FISCAL IMPACT:

The adopted FY 2019-20 Operating Budget has allocated funding for the City's Storm Water Program efforts, which includes development of the Green Infrastructure Plan.

The GI Plan describes the City's goals and priorities for implementing GI projects over a 20-year time frame (2020 to 2040). The GI Plan identifies potential future projects and funding options for GI implementation goals. The total cost of GI includes costs for planning, capital (design, engineering, construction), and ongoing expenditures, including operations and maintenance (O&M), utility relocation, and future replacement. Total costs are unknown, but the cost of individual infrastructure projects under the City's Capital Improvement Program (CIP) will increase with the addition of GI components.

STRATEGIC ELEMENT:

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

BACKGROUND:

City Council adopted a resolution authorizing execution of an amendment to the Professional Services Agreement with CSG Consultants, Inc. (consultant) for storm water support services. The amendment included support for FY 2019-20 on all matters related to the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit (MRP), with an emphasis on the development and adoption of the City's Green Infrastructure Plan.

The MRP identifies and regulates the control of various pollutants in stormwater runoff from municipal storm drain systems throughout San Mateo, Santa Clara, Alameda, and Contra Costa Counties. Provision C.3.j of the MRP requires each jurisdiction subject to the MRP, including the City of Half Moon Bay, to develop a Green Infrastructure Plan (GI Plan) that demonstrates how each jurisdiction will gradually shift from traditional “gray” storm drain infrastructure—which channels polluted runoff directly into receiving waters without treatment—to a more resilient and sustainable storm drain system comprised of “green” infrastructure facilities and sustainable practices to capture, store and treat stormwater using specially designed landscape systems before the runoff enter the bay or ocean.

Examples of GI include the following:

- Landscape-based “biotreatment” areas that use soil and plants to treat stormwater;
- Pervious paving systems (e.g., interlocking concrete pavers, porous asphalt, and pervious concrete) that allow stormwater to soak into the ground;
- Rainwater harvesting systems (e.g., cisterns and rain barrels) that capture stormwater for non-potable uses such as toilet flushing and landscape irrigation; and
- Other methods to capture, infiltrate and/or treat stormwater.

City Council approved a work plan to develop the Green Infrastructure Plan in 2017. For the City of Half Moon Bay to be compliant with the requirements of the MRP, the City’s Green Infrastructure Plan must be completed and then submitted to the Regional Water Quality Control Board (Water Board) by September 2019 with the City’s Annual Report.

City staff provided a general overview of the City’s Storm Water Program and the upcoming GI Plan during the April 15, 2019 City Council meeting. Staff identified potential locations and timeframes for implementing GI, including numeric targets for retrofitting impervious areas to achieve mandated pollutant load reductions.

On August 20, 2019, the City Council conducted a study session on the Draft Green Infrastructure Plan. City staff and our consultant provided a detailed presentation of the Draft GI Plan and to sought comments from the City Council and community. Based on feedback and comments received, the Draft GI Plan was updated. Staff included in Chapter 2 of the plan a section on erosion with examples of projects to tackle this issue in Section 10.4.2. Additional technical editing was also completed.

DISCUSSION:

The GI Plan is a guide to the identification, prioritization, design, implementation, tracking, and reporting of green infrastructure projects within the City of Half Moon Bay. The GI Plan will be coordinated with other plans to achieve multiple potential benefits to the community, including improved water and air quality, reduced local flooding, increased water supply, climate resiliency, improved wildlife habitat, and a more pleasant urban environment.

The approval of the GI Plan will promote the development of Green Infrastructure through future private and public projects within the City. Having a plan in place will help guide projects to build sustainable storm water treatment facilities which will enhance water quality into the ocean. The GI Plan has been positively received by Council and the Community. During the August 20 study session, the City Council indicated its support and directive to staff to aggressively seek opportunities for GI within both public and private projects.

The GI Plan addresses all the MRP requirements including the following:

1. Adoption of green infrastructure milestones for 2020, 2030, 2040, which are targets for impervious surface to be managed by GI. The City will aspire to meet the milestones by integrating GI in the Capital Improvement Plan and create opportunities within the Private Development Sector.
2. Identification, prioritization, and mapping of planned and potential projects.
3. Tracking and mapping of completed projects.
4. Development and adoption of countywide guidelines, design details and specifications for GI projects.
5. Evaluation of funding options to outline needs and provide strategies to procure funds for GI. The evaluation of funding options will be an ongoing process.
6. Outreach, education, and training efforts coordinated with GI Plan approval, and GI implementation efforts.
7. Development of an implementation approach toolbox to guide design and construction of public and private GI facilities.

The GI Plan is intended to be a living document. Changes in regulations and best practices are going to change as new technologies are developed and as we learn from the development of GI projects here and in the greater Bay area. The Plan recognizes the need to address future changes. Minor changes and updates to the Plan are subject to approval by the Public Works Director while more significant changes in requirements and/or philosophy will be subject to City Council review.

CONCLUSION:

Staff recommends the City Council approve the City of Half Moon Bay's Green Infrastructure Plan in accordance with C.3.j of the Municipal Regional Permit.

ATTACHMENT:

[FINAL DRAFT OF THE GREEN INFRASTRUCTURE PLAN](#)

CITY COUNCIL RESOLUTION C-2019-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY ADOPTING
THE GREEN INFRASTRUCTURE PLAN**

WHEREAS, the Provision C.3.j of the San Francisco Bay Regional Water Quality Control Board’s Municipal Regional Permit (MRP) requires the development a Green Infrastructure Plan by the County and each City in San Mateo County; and

WHEREAS, City staff has prepared the Green Infrastructure Plan for consideration by the City Council in accordance with the Municipal Regional Permit (MRP); and

WHEREAS, on April 16, 2019, staff provided City Council a general overview of the City’s Storm Water Program and the upcoming Green Infrastructure Plan; and

WHEREAS, on August 20, 2019 the City Council held a study session to review the Draft Green Infrastructure Plan; and

WHEREAS, staff and the consultant have completed technical edits and minor revisions recommended by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council adopts the Green Infrastructure Plan (Plan) along with its associated Guidelines and Specifications included as Exhibit A and directs the City Manager to convey the Plan to the Regional Water Quality Control Board San Francisco Bay Region no later than June 30, 2019.

PASSED AND ADOPTED by the Half Moon Bay City Council at a duly noticed public hearing held September 17, 2019.

.....

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 17th day of September 2019 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

Harvey Rarback, Mayor

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 17, 2019**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jessica Blair, City Clerk

**TITLE: AMENDMENT TO HALF MOON BAY MUNICIPAL CODE CHAPTER 1.30 –
CONTRIBUTIONS AND LOANS TO CITY CANDIDATE CAMPAIGNS**

RECOMMENDATION:

Conduct a public hearing and introduce on first reading, an ordinance amendment Chapter 1.30 of the Half Moon Bay Municipal Code – Contributions and Loans to City Candidate Campaigns.

FISCAL IMPACT:

None associated with this action.

STRATEGIC ELEMENT:

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

BACKGROUND:

In 2005, the City Council adopted Ordinance No. 02-05, adding Chapter 1.30, Contributions and Loans to City Candidate Campaigns, to the Half Moon Bay Municipal Code. This chapter established limits on the amount of contributions that may be made to City Council candidate campaigns to \$250 by an individual and \$500 by an organization, as well as limiting the amount a candidate may loan to their campaign to an outstanding balance of \$5,000 at any given time.

In 2007, Chapter 1.30 was reviewed by the City Council and amended to allow for \$1,000 maximum contributions by an individual or corporation, while clarifying that the contributions of an organization whose contributions are directed and controlled by any individual shall be aggregated with contributions made by the individual.

Section 1.30.080 of the Half Moon Bay Municipal Code requires that the City Council conduct a post-election review of the requirements of this chapter no later than three months following the certification of results of an election at which a city councilmember is elected. The purpose of this review is to allow the City Council to consider the ongoing appropriateness of the

provisions of this chapter, including, but not limited to the amount of contribution loan limits established in Section 1.30.030. The City Council certified the results of the November 6, 2018 election on December 18, 2018 and reviewed the chapter on February 5, 2019. At that meeting, the City Council directed staff to bring back an ordinance revising campaign contribution limits to \$250 by an individual, \$500 by an organization, and limiting the outstanding balance a candidate may loan to their campaign to \$1,500.

ATTACHMENT:

Ordinance Amending Chapter 1.30 of the Half Moon Bay Municipal Code

ORDINANCE NO. 2019-__

**AN ORDINANCE OF THE CITY OF HALF MOON BAY AMENDING
CHAPTER 1.30, "CONTRIBUTIONS AND LOANS TO CITY CANDIDATE CAMPAIGNS," OF
THE HALF MOON BAY MUNICIPAL CODE**

The City Council of the City of Half Moon Bay does ordain as follows:

SECTION 1. Chapter 1.30, "Contributions and Loans to City Candidate Campaigns," Section 1.30.030, "Limitations on Contributions," of the Half Moon Bay Municipal Code is hereby amended to read as follows:

1.30.030 Limitations on Contributions.

A. For any particular election, including a recall election, no individual or organization shall make, and no candidate, candidate committee treasurer or other person acting on behalf of a candidate committee shall solicit or accept from any individual or organization, any contribution which will cause the total amount contributed by such individual to exceed \$250, or such organization to exceed \$500.

1. The contributions of an organization whose contributions are directed and controlled by any individual shall be aggregated with contributions made by the individual and other organizations whose contributions are directed and controlled by the same individual.

2. If two or more organizations make contributions that are directed and controlled by a majority of the same persons, the contributions of those organizations shall be aggregated.

3. Contributions made by organizations that are majority owned by any person shall be aggregated with the contributions of all other organizations majority owned by that person, unless those organizations act independently in their decisions to make contributions. "Majority owned" means an ownership of more than fifty percent.

B. Any contribution or portion thereof that exceeds the limits in this section shall be returned to the contributor within seventy-two hours of receipt.

C. The limitations imposed by this section shall not apply to contribution of a candidate's personal funds to the candidate's own campaign, or to any loan which is personally guaranteed by the candidate or is secured by property owned by the candidate.

D. 1. The limitations imposed by this section shall not apply to contributions received for the purposes of defraying the costs of a recount, provided all of the following occur:

- a. The contributions are maintained in a separate bank account;
- b. The contributions are not used for any purpose not relating to a recount;
and
- c. Once the recount is concluded, and all expenses associated with the recount have been discharged, the candidate disposes of any funds remaining by refunding recount contributors.

2. In addition to all other applicable reporting and disclosure requirements, candidates receiving funds to defray the costs of a recount shall file the following information with the city clerk no later than sixty days following conclusion of the recount:

- a. List of Contributions. The total amount of contributions to the refund account received, along with the full name of each person from whom a contribution or contributions has been received, together with the contributor's street address, occupation, and the name of the contributor's employer, if any, or the principal place of business if the contributor is self-employed, the amount of the contribution, and the date the contribution was received.
- b. Expenditures. A listing of all expenditures, including contributor refunds, made using funds from the refund account. Each listing shall provide a brief description of the expenditure, the amount of the expenditure and the date the expenditure was made. If there are still outstanding expenses associated with the recount at the time the list of expenditures is submitted to the city clerk, the candidate shall include a brief description of each outstanding expense and the expected amount, if known, and the expected date by which the expenditure will be paid. No later than ten days following the final outstanding recount-related expenditure, the candidate shall file a final list of expenditures with the city clerk.

SECTION 2. Chapter 1.30, "Contributions and Loans to City Candidate Campaigns," Section 1.30.040, "Candidate Loans," of the Half Moon Bay Municipal Code is hereby amended to read as follows:

1.30.040 Candidate Loans. No candidate shall personally loan their campaign an amount the outstanding balance of which exceeds one thousand five hundred dollars (\$1,500) at any given point in time.

SECTION 3. Publication. The City Clerk of the City of Half Moon Bay is hereby directed to publish this Ordinance pursuant to Government Code section 36933.

SECTION 4. Effective date. This Ordinance shall take effect and be in force on the 30th day from and after its final passage.

INTRODUCED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 17th of September 2019.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the ___ of _____, 2019, by the following vote:

Ayes, Councilmembers:

Noes, Councilmembers:

Absent, Councilmembers:

Abstain, Councilmembers:

ATTEST:

APPROVED:

Jessica Blair, City Clerk

Harvey Rarback, Mayor

1160374.1

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 17, 2019**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jill Ekas, Community Development Director

**TITLE: ADOPTION OF THE BICYCLE AND PEDESTRIAN MASTER PLAN, MITIGATED
NEGATIVE DECLARATION, AND MITIGATION MONITORING AND REPORTING
PROGRAM**

RECOMMENDATION:

By resolution, adopt the Bicycle and Pedestrian Master Plan and its Guidelines, the Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program and errata based upon the Findings and Evidence contained in Exhibit A of the Draft Resolution (Attachment #1).

FISCAL IMPACT:

The Bicycle and Pedestrian Master Plan and associated environmental review were funded through the Capital Improvement Program budget.

STRATEGIC ELEMENT:

The Bicycle and Pedestrian Master Plan supports all of the elements of the strategic plan: Fiscal Sustainability, Healthy Communities and Public Safety, Inclusive Governance, and Infrastructure and Environment.

BACKGROUND:

City Council approved inclusion of the Bicycle and Pedestrian Master Plan in the Capital Improvement Program and directed staff to commence work on the plan in Fiscal Year 2016-17. Throughout preparation of the plan, extensive engagement opportunities were provided to ensure that the forthcoming plan would address the diverse needs and interests of the community. The Bicycle and Pedestrian Master Plan was drafted with oversight by a newly formed Bicycle and Pedestrian Advisory Committee (BPAC). In summer 2017, the BPAC held a joint study session with the Planning Commission to coordinate their direction and review. The BPAC held numerous sessions throughout plan development, including a biking tour through Downtown and some residential neighborhoods. The BPAC subsequently reviewed and recommended approval of a final draft version of the Bicycle and Pedestrian Master Plan to City Council in spring 2018.

City Council confirmed the scope and recommendations in the draft Bicycle and Pedestrian Master Plan on June 5, 2018. At that same meeting, Council directed staff to commence environmental review of the draft plan to ensure conformance with the California Environmental Quality Act (CEQA). At that same meeting, Council also directed completion of environmental review of the Parks Master Plan. The Bicycle and Pedestrian Master Plan and Parks Master Plan were prepared concurrently up through summer 2018. At that point, because staff could not provide project management for both environmental analyses at the same time, the Parks Master Plan was prioritized, most specifically to ensure that it was adopted in advance of Proposition 68 park funding grant opportunities. City Council adopted the Parks Master Plan in February 2019. Staff was able to return to complete the environmental review of the Bicycle and Pedestrian Master Plan in late spring.

The Bicycle and Pedestrian Master Plan and its associated environmental review documents (Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program) were presented to the Planning Commission August 27, 2019. The Planning Commission recommended that City Council adopt the Bicycle and Pedestrian Master Plan; Mitigated Negative Declaration; and Mitigation, Monitoring, and Reporting Program. The Commission also found that the Bicycle and Pedestrian Master Plan is consistent with the Local Coastal Program and the California Coastal Act.

The final draft Bicycle and Pedestrian Master Plan is provided in Attachment 2 and plan Guidelines are in Attachment 3. The environmental review documents are provided in Attachments 4 and 5. Minutes from the Planning Commission's final recommendation regarding the Bicycle and Pedestrian Master Plan are provided as Attachment 6. The Planning Commission's recommended revisions to the Bicycle and Pedestrian Master Plan are presented in Attachment 7. These recommended revisions will be incorporated into the adopted Bicycle and Pedestrian Master Plan if they are approved by City Council.

DISCUSSION:

The Bicycle and Pedestrian Master Plan identifies needs and prioritizes improvements to the City's bicycle and pedestrian facilities and programs. The plan recommends improvements to address current and future demand based on current conditions and anticipated infill development. The master plan also provides the City with the necessary tools to apply for grant funding for implementation. A number of studies are also included for potential future improvements for cases where alignments or other details are not well defined. The Bicycle and Pedestrian Master Plan is further supported by a robust set of guidelines to provide options for how to implement plan components in different settings.

Although the Bicycle and Pedestrian Master Plan has been positively received by a broad cross-section of the community, a number of important topics are highlighted herein to ensure that City Council is aware of these remaining concerns and gives them their fullest consideration.

Studies: The Bicycle and Pedestrian Master Plan includes specific projects for pedestrians, bicyclists, and both pedestrians and bicyclists. These projects include trails, routes, crossings, and spot improvements with fairly well defined locations and scope. In addition to these

projects, the Bicycle and Pedestrian Master Plan also identifies a number of “studies.” Studies are potential improvements for which feasibility, location, and many other aspects of potential project design are unknown. In most cases, potential improvements are designated as studies because of the presence of environmentally sensitive habitat areas (ESHAs) or other important site constraints such as agricultural soils, slopes, or drainage requirements. Because of a heightened concern about ESHA in several cases, staff initially directed, as presented in the final draft Bicycle and Pedestrian Master Plan, that certain study areas be considered only for pedestrian use. These include the potential Beachwood Path, Frenchmans Creek Trail, and Vista Walking Trail (see page 3-8 of the final draft Bicycle and Pedestrian Master Plan).

The Planning Commission deliberated about the scope of these studies and the potential future improvements. The Commissioners specifically discussed reconsidering these study areas for both pedestrian and bicycle use. Fully understanding that the outcome of a feasibility analysis may determine that both or neither use could be accommodated in any of these cases, the Commission’s motion referred the matter to the City Council. The Commission requested that Council consider amending the final draft plan to include both pedestrian and bicycle use within the study areas noted above. The Commission did not make a final determination about their recommendation to Council, but rather emphasized the importance of rigorous assessment by qualified engineers and other applicable specialists, based on a body of evidence in order for any of these studies to result in future improvements.

To amend these study areas to include bicycles, several changes to the plan will be required. They are presented in Attachment 8. It is important to note that these changes do not affect the environmental review that was prepared pursuant to CEQA because none of these potential projects are well-defined by the plan and they are identified only conceptually. Staff also notes that potential equestrian use could also be a consideration for some of these cases, but the Bicycle and Pedestrian Master Plan was not focused on that mode.

Pilarcitos Creek Trail Study: In June 2018, when they directed completion of the environmental review of the Bicycle and Pedestrian Master Plan, City Council instructed staff to revise the plan with respect to a potential extension of the Pilarcitos Creek Trail west of Highway 1 to the California Coastal Trail. Although this trail has been on various maps and plans for many years, Council directed that the time was not ripe to pursue the trail segment west of Highway 1 as a project because affected property owners were not currently willing to accommodate such a project. City Council’s specific motion was to remove the Pilarcitos Creek Trail west of Highway 1 from the list of priority projects, but to keep it in the plan as a future item.¹ In their deliberation leading up to the motion, Council made a reference to presenting it as a “hatched line” or to otherwise indicate the trail in a conceptual way.

¹ The Bicycle and Pedestrian Advisory Committee prioritized several projects for soonest possible implementation and added the Pilarcitos Creek Trail to that list upon their final review of priority projects. Council’s direction to staff reconsidered this ranking by re-designating this potential improvement as a study. Staff updated the Bicycle and Pedestrian Advisory Committee about this change last year.

This direction was followed throughout revisions made to the final draft Bicycle and Pedestrian Master Plan. The Pilarcitos Creek Trail west of Highway 1 was taken off the priority projects list and made into a study. It is indicated on maps only as a study and is shown on maps with no implication of if or where such a future improvement might ever be established. As drafted, the status of the Pilarcitos Creek Trail west of Highway 1 is conceptual and would require an extensive feasibility study, including evaluation of alignment options, environmental review, funding, and policy assessment.

Narrative in the Bicycle and Pedestrian Master Plan on page 3-8 further explains the context for all of the study corridors presented in the plan area as follows:

“The BP Master Plan recommends several studies for corridor improvements. Studies are necessary to assess feasibility and/or evaluate routes or design options before specific recommendations can be made, and are especially important for projects with limited available roadway width or environmental concerns, or for projects that require additional community engagement or would involve several jurisdictions. Studies for facilities near an Environmentally Sensitive Habitat Area (ESHA) would take into account Local Coastal Program and Zoning Code requirements in regard to biological assessment, permitted uses, setbacks and development standards, and all studies would consider compatibility with adjacent uses. Studies can help the City and the public understand potential tradeoffs that may arise during implementation. An open and public process when considering potential changes is important for successful coordination and implementation.”

This is highlighted in this report because additional comments were received about the Pilarcitos Creek Trail Study during the Planning Commission’s review. Staff would like to reassure City Council that Council’s direction from June 2018 has been heeded; and moreover, that the plan is fully mindful of the requirements associated with the Coastal Act and Local Coastal Program. The plan is not positioned to overstep the Local Coastal Program, dismiss the interests of property owners, or otherwise introduce land use conflicts. Staff believes that the final draft of the plan fully conforms to City Council’s direction with respect to study areas generally as well as specifically for the Pilarcitos Creek Trail west of Highway 1.

Wavecrest Trails: Several bicycle and pedestrian paths in the Wavecrest area are included in the final draft Bicycle and Pedestrian Master Plan. Public and Commission comments expressed the need for caution with respect to the number of these trails because they could cause divisions within a larger habitat area. The Commission did not change the draft plan with respect to the Wavecrest trails, but instead confirmed with staff that project level environmental review would be required for these projects to proceed. Furthermore, it was acknowledged that there are many informal/social trails laced throughout Wavecrest. A principle intent to formalizing a trail system in the Wavecrest area is to provide high quality interlinked access via trails that are implemented as required by the LCP and to in turn eliminate informal trails that may negatively impact the habitat value of this area.

Cumulative Impacts of Increased Trail Use: The Planning Commission also deliberated about the potential cumulative impact of increased trail use, especially by bicyclists. The concern was primarily focused on the trail linkages between the Miramar and Casa del Mar neighborhoods and the California Coastal Trail. Staff has considered numerous approaches to evaluating the future cumulative impacts on these trail linkages, and provided language for the Bicycle and Pedestrian Master Plan to address this matter through maintenance and monitoring over time.

Other clarifications of note that came up through the Planning Commission review include the following:

Bicycle Circulation Facilities on Highway 92: The Bicycle and Pedestrian Master Plan indicates a Class III facility (a bike route) along Highway 92 east of the city limits on page 2-5, Figure 2-4: Regional Bicycle Network. Commissioners expressed concern about the safety of such a provision in this location. Staff clarified for the Commission that this is not a City designation. For areas outside the city limits, the Half Moon Bay Bicycle and Pedestrian Master Plan reflects the San Mateo County Comprehensive Bicycle and Pedestrian Plan (adopted 2011). For Highway 92 east of the city limits, San Mateo County's plan designates the route as "unclassified on street" for bicycle circulation (page 59, Figure 18: Countywide Bikeway Network Map Coastal). The category most consistent with this classification in the Half Moon Bay Bicycle and Pedestrian Master Plan is a Class III facility.

Naomi Patridge Trail Alignment: It is possible that improvements for the sake of trail safety near the Casa del Mar neighborhood may require relocation of portions of the trail closer to or onto Frontage Road, possibly as bike lanes. The narrative in the plan provides flexibility for this potential future improvement.

ENVIRONMENTAL REVIEW:

Environmental review has been conducted on the final draft Bicycle and Pedestrian Master Plan. A CEQA determination has been made and an Initial Study and draft Mitigated Negative Declaration have been prepared. A draft Mitigation, Monitoring and Reporting Program was also prepared, which lists the mitigation measures and the timing of the mitigation measures. The environmental document was circulated to the State Clearinghouse and available for review at City Hall for the required 30 days. It is included as Attachment 4. Comments received are addressed in an errata and response to comments document in Attachment 5. Because of specific conditions related to individual sites, implementation of the Bicycle and Pedestrian Master Plan will require Coastal Development Permits and further environmental review as needed for a number of the recommended projects; however, projects that are fully contained within existing rights-of-way may be exempt from such review. Staff will evaluate the requirements for environmental review for each project as the plan is implemented going forward.

CONCLUSION:

The Bicycle and Pedestrian Master Plan will be a strategic planning tool for the City. It facilitates coastal access consistent with the LCP and non-motorized transportation policy of the General Plan Circulation Element of the General Plan. Based on the above analysis, staff concludes that the draft Bicycle Pedestrian Master Plan is complete and that the draft Mitigated Negative Declaration conforms to the requirements of CEQA. Staff recommends that City Council adopt the final draft Bicycle and Pedestrian Master Plan with the modifications made by the Planning Commission presented in Attachment 7, and other modifications as outlined in Attachment 8 should Council determine they are appropriate. In adopting the plan, Council will also adopt the Mitigated Negative Declaration and its associated Mitigation Monitoring and Reporting Program.

ATTACHMENTS:

1. Draft Resolution with Findings and Evidence
2. Final Draft Bicycle and Pedestrian Master Plan (available at <https://www.half-moon-bay.ca.us/DocumentCenter/View/2243/Bicycle-and-Pedestrian-Master-Plan-Final-Draft?bidId=>)
3. Final Bicycle and Pedestrian Master Plan Guidelines (available at <https://www.half-moon-bay.ca.us/DocumentCenter/View/2297/1122018-HMB-Design-Guidelines?bidId=>)
4. Environmental Review Documents: Initial Study/Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program (available at https://www.half-moon-bay.ca.us/DocumentCenter/View/1942/Public-Draft-ISMND_final_combined-reduced_20181030?bidId=)
5. Environmental Review Documents: Response to Comments and Errata (available <https://www.half-moon-bay.ca.us/DocumentCenter/View/2300/Response-to-Comments-Errata-BPMP?bidId=>)
6. Excerpt of Planning Commission Minutes, August 27, 2019
7. Planning Commission Recommended Plan Revisions
8. Optional Plan Amendments to Pedestrian Only Studies

CITY COUNCIL RESOLUTION C-2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY FOR THE ADOPTION OF THE BICYCLE AND PEDESTRIAN MASTER PLAN AND ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION, MONITORING AND REPORTING PROGRAM

WHEREAS, pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code Section 21000 *et seq.*) ("CEQA") together with the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 *et seq.* hereinafter, "CEQA Guidelines"), the City prepared an Initial Study and proposed Mitigated Negative Declaration for the Bicycle and Pedestrian Master Plan; and

WHEREAS, the comprehensive Bicycle and Pedestrian Master Plan was prepared and reviewed by the Bicycle and Pedestrian Advisory Committee, Planning Commission and City Council; and

WHEREAS, on July 23, 2019 the City issued a Notice of Intent to Adopt a Mitigated Negative Declaration; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was circulated for review and comment by responsible and trustee agencies and the public for 30 days from July 24 to August 22, 2019; and

WHEREAS, comments received were addressed in errata and no comments were received on the adequacy of the Initial Study/Mitigated Negative Declaration; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that significant environmental effects on air quality, biological resources and cultural resources would be avoided or reduced to less-than-significant levels by mitigation measures identified in the Initial Study/Mitigated Negative Declaration; and the Initial Study/Mitigated Negative Declaration including errata were presented to the Planning Commission; and

WHEREAS, the Planning Commission has independently reviewed and considered the Initial Study/Mitigated Negative Declaration and errata prior to recommending approval of the Bicycle and Pedestrian Master Plan; and

WHEREAS, numerous public meetings took place during the public outreach process, including a Joint Study Sessions of the Bicycle and Pedestrian Advisory Committee and Planning Commission on July 27, 2017; and

WHEREAS, the Bicycle and Pedestrian Advisory Committee recommended approval of the Bicycle and Pedestrian Master Plan to the City Council on February 8, 2018; and

WHEREAS, the Planning Commission recommended approval of the Bicycle and Pedestrian Master Plan with modifications to the City Council on August 27, 2019; and

WHEREAS, the Planning Commission recommended that City Council further consider incorporating study of bicycle use for up to three pedestrian-only study areas at their hearing on August 27, 2019; and

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

WHEREAS, the City Council has made the required findings set forth in Exhibit A to this resolution; and

NOW, THEREFORE, BE IT RESOLVED that, based upon the Findings in Exhibit A, the City Council takes the following actions:

1. Finds that the Initial Study/Mitigated Negative Declaration, including the errata, for the Project satisfies the requirements of CEQA and reflects the independent judgment and analysis of the City.
2. Finds that, on the basis of the whole record before it, there is no substantial evidence that the Project as proposed will have a significant effect on the environment.
3. The City Council adopts the Initial Study/Mitigated Negative Declaration, including the errata, for the Bicycle and Pedestrian Master Plan.
4. The City Council adopts and incorporates into the Bicycle and Pedestrian Master Plan all of the mitigation measures for the Project identified in the Initial Study/Mitigated Negative Declaration.
5. The City Council adopts the Mitigation Monitoring and Reporting Program for the Project, included in the Initial Study/Mitigated Negative Declaration and incorporated herein by reference.
6. The City Council adopts the Bicycle and Pedestrian Master Plan and its associated Guidelines.

PASSED AND ADOPTED by the Half Moon Bay City Council at a duly noticed public hearing held September 17, 2019.

.....
I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 17th day of September 2019 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

Harvey Rarback, Mayor

**EXHIBIT A
FINDINGS AND EVIDENCE
CITY COUNCIL RESOLUTION C-2019-XX**

Environmental Review – Finding

CEQA: The project will not have a significant effect on the environment.

Evidence: An Initial Study and Draft Mitigated Negative Declaration were prepared for the project in conformance with the requirements of CEQA, and the Draft Initial Study / Mitigated Negative Declaration was circulated for a 30-day public review. No comments were received related to the adequacy of the Draft Initial Study /Mitigated Negative Declaration. A Mitigation, Monitoring and Reporting Program was also prepared that includes the mitigation measures included in the Mitigated Negative Declaration. The Mitigation, Monitoring and Reporting Program includes mitigation measures to reduce light and glare impacts, impacts to sensitive habitat and protected species., including errata as recommended by the Planning Commission, were provided to the City Council.

Local Coastal Land Use Plan – Applicable Findings of Consistency

Policy 2-8: Recreational uses on ocean front lands that do not require extensive alteration of natural environment shall have priority over recreational uses requiring substantial alterations. This shall apply to both public and private development.

Evidence: The Bicycle and Pedestrian Master Plan aims to improve coastal access and implement bluff top restoration to reduce off-trail erosion and impacts by reducing the number of social trails through implementation of new trail projects. The Bicycle and Pedestrian Master Plan serves to improve coastal access by formalizing many existing bikeways and implementing additional bicycle and pedestrian paths to provide access to coastal areas of the City.

Policy 2-9: Development unrelated to on-site recreational activities shall not be permitted in publicly owned recreational areas, with the exception of the State Park administrative and maintenance operations located at Half Moon Bay State Beach.

Evidence: All improvements recommended in the Bicycle and Pedestrian Master Plan located in coastal recreation areas provide for recreational use. Therefore, the Bicycle and Pedestrian Master Plan is in conformance with this policy.

Policy 2-34: Designate land to be reserved for future satisfaction of residents’ needs for additional passive and active recreational facilities as indicated on the Half Moon Bay Land Use Plan and Map and begin implementation of the program playfield/community center

concept to meet existing needs. Develop the proposed recreational center in phases, with at least 15 acres needed for Phase 1 and a balance for Phase 2.

Evidence: The Bicycle and Pedestrian Master Plan would serve the needs of the current and future population for both active and passive recreational use.

Coastal Act Policy 30251: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas, such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government, shall be subordinate to the character of its setting.

Evidence: The projects in the Bicycle and Pedestrian Master Plan will not impact views along the ocean and scenic coastal areas, do not include alteration of natural land forms, and are compatible with the character of the surrounding areas. The projects in most sensitive coastal areas include improvements and retreat of the California Coastal Trail and potential new boardwalk and other improvements that will protect areas with social trails from erosion.

Coastal Act Policy 30231: The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Evidence: Consistent with Policy 30231, the improvements included in the Bicycle and Pedestrian Master Plan are designed so as to ensure that impacts to natural resources and environmentally sensitive habitat would be avoided. To further verify that impacts to sensitive habitat would be avoided, a qualified biologist evaluated the scope of the Bicycle and Pedestrian Master Plan and the individual sites for bicycle and pedestrian improvements. Mitigation measures recommended by the biologist were integrated into the Draft Initial Study / Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program. The mitigation measures include biological surveys, monitoring and wildlife exclusionary fencing. Further environmental review will be required for some projects Bicycle and Pedestrian Master Plan and will be prepared when these are implemented in compliance with policies in Chapter 3 of the Land Use Plan (Environmentally Sensitive Habitat Areas: Marine and Water Resources).

General Plan Circulation Element – Applicable Findings of Consistency

Policy 4-1: Maximize pedestrian and bicycle safety, accessibility, connectivity, and education throughout Half Moon Bay to create neighborhoods where people choose to work or ride between nearby destinations.

Evidence: The Bicycle and Pedestrian Master Plan is an implementation tool for this bicycle and pedestrian policy of the Circulation Element by facilitating non-motorized connectivity throughout Half Moon Bay.

Policy 4-3: Provide bicycle connections to key activity centers within the city such as major employers, downtown, residential neighborhoods, schools, the beach, and transit connections.

Evidence: The Bicycle and Pedestrian Master Plan identifies improvements that would increase the bicycle and pedestrian connection between key locations throughout the City, thus increasing the bicycle and pedestrian circulation throughout. For example, the Eastside Parallel Trail recommended in the Bicycle and Pedestrian Master Plan would provide a safer bicycle and pedestrian connection between three neighborhoods along the east side of Highway 1.



EXCERPT OF MINUTES
CITY OF HALF MOON BAY PLANNING COMMISSION
TUESDAY, AUGUST 27, 2019
EMERGENCY OPERATIONS CENTER (EOC) / 537 KELLY AVENUE

Chair Holt called the meeting to order at 7:04 PM

PRESENT: Chair Holt, Commissioners Benjamin and Ruddock

TELECONFERENCE: Vice Chair Hernandez

ABSENT: Commission Polgar

PUBLIC HEARING ITEM

1A PROJECT DESCRIPTION: Adopt a resolution recommending adoption of the Draft Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program and adoption of the Draft Bicycle and Pedestrian Master Plan to the City Council.

APPLICANT: City of Half Moon Bay

Scott Phillips, Associate Planner gave a brief presentation to the Planning Commission.

PUBLIC COMMENT

- 1) Mike Ferreira, Sierra Club** – Noted that City Council had stated that for the Pilarcitos Creek Trail there are not willing sellers. Expressed concern about Wavecrest and intent to preserve wildlife, but with the proposed trails that may be very hard to do. The plan needs to include coastal access points at the Wavecrest Arroyo. With respect to the bike lane east of town on Highway 92, where does that fit?

Responses and Clarifications from staff regarding public comment:

- Coastal access at the Wavecrest Arroyo is indicated in the plan – refer to Figure 3-2, Page 3-4 marked with yellow dots are identifiers.
- Highway 92 Bike Lane east of city limits – this is not part of the Half Moon Bay Bicycle and Pedestrian Master Plan, it is from San Mateo County's plan.

Planning Commission Discussion:

General Comments:

- The plan includes a very long list of possible projects and appreciates that it compares benefits and cost.
- Strikes the right balance between projects and future studies.
- Trails are special to every community and especially so in Half Moon Bay.
- Incorporate the projects in future development proposals.
- Maintenance costs need to be considered because incrementally, the items add up.
- Mitigation measures provide a belt and suspenders approach.
- Make sure Planning Commission will have another review of individual projects, including environmental studies, that are on the table.
- Does Bike/Ped Master Plan provide coverage for addressing cumulative impacts.

Habitat protection:

- Protecting wildlife – studies need to be robust, thoughtful, and backed by science.
- Need to consider the impacts of bike and pedestrian use on wildlife. Lingering nature of pedestrian use may be worse.
- Dog access needs to be studied.
- Multiyear habitat studies should be conducted to see if there is impact from increased trail use over time
- Need a sustainable and protective network
- Sensitive to trails in Wavecrest – when does Wavecrest stop being open space if too many trails there. Alternately, a broader network of planned trails in Wavecrest instead of social trails could reduce impacts to wildlife.

Studies:

- Don't limit options for the studies (Beachwood Path, Vista Trail, and Frenchmans Creek Trail). Refer the matter to City Council, specifically to consider bicycle use as well as pedestrian use when these study areas are evaluated as a future time.
 - Would like Beachwood Path to be studied for bikes and pedestrians.
 - Beachwood is a historical trail and should be reconsidered for bikes.
- In favor of Vista Trail and Pilarcitos Creek Trail on the list to be studied.

Motion made as written in the staff report incorporating the revisions presented in the memo from City staff to the Planning Commission Memo dated August 27, 2019; and further acknowledging the Planning Commission's interest in including potential use by bikes in addition to pedestrians for certain study areas (Beachwood, Vista Trail, and Frenchmans Creek Trail) as a matter for City Council consideration, and with further acknowledging the need for a robust scientific understanding of the hazards and potential environmental impacts that would be associated with trails in any of these or other potentially sensitive areas where improvements or studies are identified in the Bicycle and Pedestrian Master Plan.

M/S: Benjamin/Hernandez

VOTE: 4-0

Planning Commission Recommended Plan Revisions:

The Planning Commission's motion recommending that City Council adopt the Bicycle and Pedestrian Master Plan includes the following revisions to the final draft plan:

Page 1-3: The caption for Figure 1-2 on page 1-3 will be revised to read, "Land Use Map in effect at time of Plan adoption."

Pages 2-9 and 2-10: The accident and fatality numbers shown on Figure 2-6 on page 2-7 are consistent with the numbers that are shown in Table 2-1 page 2-8, Figure 2-7 page 2-9, Figure 208 page 2-10. A note will be added to Figures 2-7 and 2-8 to indicate that "This figure includes accidents outside the City limits."

Page 3-8: A sentence will be added to the paragraph about the Beachwood Path on page 3-8 as follows, "The pathway materials and construction methods will be selected to address habitat, erosion, drainage, and other environmental conditions."

Page 3-29: Table 3-10, row 10, first column, on page 3-29 will be revised as follows, "Wave Ave and Other Coastal Trail Boardwalks."

Page 3-32: The paragraph regarding Coastal Access Boardwalks on page 3-32 will be revised to include the following sentence: "The pathway materials and construction methods will be selected in each case to address habitat, erosion, drainage, and use patterns."

Page 3-22: The heading will be revised to more clearly indicate the location of the "Bridge Connection" to be studied, "Pilarcitos Creek Bridge at Purissima Street." Consistently with this change, in Appendix D. Project Recommendations, page D-9, Table D-13 Recommended Studies, the reference to this study will also be revised.

Page 4-2: The note on page 4-2 before Table 4-2 Top Priority Projects at the end of the paragraph will be revised as follows, "If a need is indicated through on-going maintenance and monitoring, the City may determine that some non-priority projects must be funded and implemented in advance of priority projects, especially in cases where habitat, erosion, drainage, and use patterns require near term intervention."

Appendix D, page D-9: Table D-13: Recommended Studies will be revised to refer to the "Pacific Ridge Neighborhood."

Optional Plan Amendments to Pedestrian Only Studies:

The Planning Commission's motion recommended that City Council consider revising the scope of up to three of the pedestrian-only study areas to also include study of bicycle use. The areas include the Beachwood Path, Frenchmans Creek Trail, and the Vista Walking Trail. Any of these studies could also be expanded to consider equestrian use. It is also of note that depending on alignment, the Vista Walking Trail could link to or utilize the Beachwood Path or Frenchmans Creek Trail.

In considering changes to these studies, City Council can designate any or none of these areas to be adjusted. To revise the plan to include study of bicycles for these three studies, the following revisions would be made:

Page 3-4: Figure 3-2: Pedestrian Recommendations would be revised to indicate "Study (Ped/Bike)" as applicable on the figure.

Page 3-8: Table 3-1 (Pedestrian-Only Study Recommendations) and the narrative below, the Beachwood Path, Frenchmans Creek Trail and/or Vista Walking Trail would be omitted from this section, as directed by City Council.

Page 3-10: Figure 3-8: Recommended Bicycle Network would be revised to indicate "Study (Ped/Bike)" as applicable on the figure.

Page 3-18: The narrative in the last paragraph will be revised to reflect updates to mileage so as to reduce the mileage in Pedestrian-only Studies and increase it in Bicycle and Pedestrian Studies as applicable:

"The BP Master Plan recommends several studies for corridor and spot improvements. The study recommendations are split into Bicycle and Pedestrian Studies and Pedestrian-only Studies. The 2.8 miles of Pedestrian-Only study corridors are listed above in Table 3-1. There are an additional 7.6 miles of study corridors for bicycles and pedestrians, as listed in Table 3-8. Figure 3-22 shows these locations."

Page 3-19: Figure 3-22: Recommended Studies would be revised to indicate “Study (Ped/Bike)” as applicable on the figure.

Page 3-20: Table 3-8: Bicycle and Pedestrian Study Recommendations would be updated to include those studies omitted from Table 3-1 on page 3-8.

Page 3-22: Add the Beachwood Path, Frenchmans Creek Trail and/or Vista Walking Trail to the list of bicycle and pedestrian studies, as directed by City Council.

Appendix D, page 9: Table D-13: Recommended Studies, revise Notes for any pedestrian-only studies being reconsidered for bicycles and pedestrians.

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 17, 2019**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: Jill Ekas, Community Development Director

TITLE: **APPOINTMENTS TO THE ARCHITECTURAL ADVISORY COMMITTEE AND AMENDMENT TO BYLAWS**

RECOMMENDATION:

Appoint three individuals from those submitting “Willing to Serve” forms as Architectural Advisory Committee regular members and up to two alternate members, and adopt a resolution amending the Architectural Advisory Committee Bylaws to allow for up to two alternate members.

FISCAL IMPACT:

There is no fiscal impact associated with appointment of members to the Architectural Advisory Committee.

STRATEGIC ELEMENT:

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

BACKGROUND:

On June 4, 2019, the City Council affirmed the formation of an Architectural Advisory Committee and approved bylaws establishing that the Committee consist of three members, including the following:

- one architect
- one landscape architect
- one at-large member with relevant experience in a design or construction related field

The bylaws specify that it is strongly preferred that the architect and landscape architect committee members live within the city limits of Half Moon Bay. In cases where qualified residents are not available to serve, the architect and/or landscape architect member shall either live within the San Mateo County coastside; or shall demonstrate that their practice includes substantial experience with coastal development in the City of Half Moon Bay and/or

along the San Mateo County coastside. The at-large committee member must live within the city limits of Half Moon Bay.

In June, the City Council directed the City Clerk to publish a *Notice of Vacancy* and solicit *Willing to Serve Forms* for committee membership. After the first publication, the notice was republished to ensure there were candidates qualified for each of the specific roles. The recruitment ended on September 6, 2019, and the City Clerk received a total of six applications.

DISCUSSION:

Staff notes that design review boards can be difficult to fill, and that the applicant pool for this committee is relatively small. The primary challenge is that local architects and landscape architects understand that they may have conflicts of interest. Several local design professionals informed staff that they were interested but declined to apply for that reason.

Despite this, the pool covers the required range of membership and staff is confident that Council can establish a well-rounded and experienced committee from those who applied, and we are eager to begin working with this group. Staff is also proposing an amendment to the bylaws to establish optional alternate membership positions (Exhibit A). This is especially helpful for the architect and landscape architect members who may need to recuse themselves from some items due to professional conflicts of interest.

The following individuals applied to serve on the new Architectural Advisory Committee:

1. Lesley Duckworth (Half Moon Bay resident, education and professional experience in a design field)
2. Allison Dykens (Half Moon Bay resident)
3. Chad Hooker (Half Moon Bay resident, professional experience in a design related field)
4. Robert Kevin Koski (Half Moon Bay resident)
5. Steven Kikuchi (Landscape Architect, Half Moon Bay practice, coastside resident)
6. Linda Poncini (Architect, coastside professional experience, Half Moon Bay resident)

Applications are provided in Attachment 2.

Once City Council appoints members to the new Architectural Advisory Committee, staff will set their first meeting which will consist of an orientation, review of bylaws and approval of a schedule.

ATTACHMENTS:

1. Resolution
Exhibit A. Amended Bylaws
2. Willing to Serve Applications

Resolution No. C-2019-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
AMENDING THE BYLAWS OF THE ARCHITECTURAL ADVISORY COMMITTEE**

WHEREAS, on June 4, 2019, the City Council introduced an ordinance and approved bylaws for the formation of a three-member Architectural Advisory Committee and held a second reading of the ordinance on June 18, 2019; and

WHEREAS, the California Coastal Commission certified those portions of the ordinance in Title 17 Subdivisions and Title 18 Zoning of the Municipal Code pertaining to the Local Coastal Program on August 9, 2019; and

WHEREAS, the City Clerk published a *Notice of Vacancy*, received six *Willing to Serve Forms* from design professionals and residents interested in participating as members of the Architectural Advisory Committee, and the City Council has reviewed those forms; and

WHEREAS, the City Council has further considered the bylaws and hereby approves an amendment that provides for up to two additional alternate members to the Architectural Advisory Committee who can serve in place of regular members on an as-needed basis.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby amends the Bylaws, as contained in Exhibit A, of the Architectural Advisory Committee to allow for up to two alternate Architectural Advisory Committee members.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 17th day of September, 2019 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

Harvey Rarback, Mayor

City of Half Moon Bay
Architectural Advisory Committee Bylaws

Article I: Name and Authorization

- A. Name
 - 1. The name of the Committee shall be known as the City of Half Moon Bay Architectural Advisory Committee, herein after referred to as the “Architectural Advisory Committee.”
- B. Authorization
 - 1. The Architectural Advisory Committee was created by the authority of the Half Moon Bay City Council pursuant to the City of Half Moon Bay Municipal Code (Chapter 2.23).
 - 2. The Architectural Advisory Committee is advisory to the City Council, Planning Commission, Community Development Director, and City staff.
 - 3. The Architectural Advisory Committee shall continue for as long as the City Council deems necessary or desirable.

Article II: Purpose and Function

- A. Purpose
 - 1. The Architectural Advisory Committee shall serve as the City of Half Moon Bay’s design review advisory board to perform those functions set forth in the City of Half Moon Bay Municipal Code.
 - 2. The Architectural Advisory Committee shall engage in collaborative design review sessions with applicants and staff and encourage public input.
- B. Function
 - 1. The Architectural Advisory Committee shall make recommendations to support the design review process as part of overall project review.
 - 2. The Architectural Advisory Committee is not authorized to grant any land use entitlements.
 - 3. The Architectural Advisory Committee’s recommendations shall be provided to the applicable land use entitlement body, including the City Council, Planning Commission, or Community Development Director.
 - 4. The Architectural Advisory Committee’s recommendations are only advisory and as such are not appealable.
 - 5. The Architectural Advisory Committee shall provide design recommendations pertaining to architectural, landscape and site plans, as well as signage for the following;
 - a. Development proposals including non-residential, mixed-use, and multi-

- family projects with four or more units.
- b. At the discretion of the Community Development Director, provide design recommendations for single-family residential development proposals, sign permits, and sign programs.
 - c. At the discretion of City Council, the City Manager, Planning Commission, Public Works Director or Community Development Director, provide design recommendations for public projects such as streetscapes, parks, and other new or remodeled facilities.
 - d. Design guidelines, design relevant components of the zoning ordinance, and design implications of various types of plans such as Specific Plans.
6. Perform other functions as directed by the City Council and consistent with the Municipal Code Titles 1, 2, 4, 14, 15, 17, and 18, including recommendations pertaining to historic preservation; architectural, landscape and site plans, as well as signage.

Article III: Architectural Advisory Committee Membership

A. Members

1. The Architectural Advisory Committee members shall be appointed by the City Council.
2. The committee shall be comprised of three (3) members as follows: one (1) architect, one (1) landscape architect, and one (1) at-large member with relevant experience in a design or construction related field.
3. Selected Committee members shall be well qualified to ably discharge the duties of the Architectural Advisory Committee and willing to serve for the duration of the term of appointment.
4. Committee members will be selected without regard to race, creed, national origin, religion, age, gender, marital status, sexual orientation, gender identity, veteran status, or disability.
5. As much as possible, the Committee will be appointed with the intention of providing broad community representation.
6. Up to two alternate members may be appointed by the City Council. These members must have professional design education and experience.

B. Eligibility

1. It is strongly preferred that the architect and landscape architect committee members live within the city limits of Half Moon Bay. In cases where qualified residents are not available to serve, the architect and/or landscape architect member shall either live within the San Mateo County coastside; or shall demonstrate that their practice includes substantial experience with coastal development in the City of Half Moon Bay and/or along the San Mateo County coastside.
2. The at-large committee member must live within the city limits of Half Moon Bay.
3. Any alternate members must demonstrate that their professional design-related

practice includes substantial experience with coastal development in the City of Half Moon Bay and/or along the San Mateo County coastside.

C. Appointments

1. For initial the appointments, the architect and at-large committee members shall be selected to four-year terms and the landscape architect shall be selected to a two-year term. Following the initial appointment, every two years either one or two members shall be appointed or re-appointed for four-year terms.
2. Committee candidates shall be appointed by the City Council. Candidates shall be nominated from those submitting a “Willing to Serve” application.
3. Alternate members, to serve in lieu of another member due to a conflict of interest or approved extended absence, may be appointed as deemed needed by City Council at any time for two-year terms.

D. Absences

1. The Community Development Director may recommend removal of a Committee member when a member is absent from 33 percent or more of the regularly scheduled meetings in a given calendar year, if such absences are unexcused.
2. An absence is excused if it is (1) due to illness of the Committee member or a family member, or (2) is unavoidable and the member provides notice to the Community Development Director at least seven days before the day of the meeting.
3. All absences will be duly recorded in the meeting minutes.
4. Absences from meetings called for a special purpose will not be recorded against a Committee member in calculating their percentage of absences.
5. Special exceptions for absences may be recommended to the City Council by the Community Development Director when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the Committee to maintain a quorum.

E. Vacancies

1. A Committee member’s position will become vacant when any or all of the following occur:
 - a. When a member no longer meets the membership requirements.
 - b. When a member’s term expires.
 - c. When a member resigns, and the effective date of the resignation has passed.
 - d. When a member is removed by a majority vote of all City Council members, with or without cause.
2. The Chair shall immediately, upon receipt of a resignation or when advised of a vacancy notify the City Clerk in writing, who will notify the City Council.
3. If a resignation is submitted to the Community Development Director, the Director will immediately inform the Chair and the City Clerk.

Article IV: Organization

A. Officers

1. The Architectural Advisory Committee shall elect from its members a Chair.
2. The Chair shall be elected for a term of one (1) year at the first meeting of the calendar year and shall assume office immediately following completion of the election. The Chair may serve more than one term.
3. The Chair shall perform the duties as prescribed by these bylaws.

B. Quorum

1. A majority of the Advisory Committee's currently appointed members shall constitute a quorum for purposes of holding a meeting or making any recommendations.
2. Alternate members shall count towards a quorum.

C. Recommendations and Voting

1. The Committee is expected to bring forth a range of opinions and perspectives; the substance and purpose of which will be conveyed to the decision-making authority for the associated discretionary permit.
2. Reflective of the intention for a collaborative approach to the design review process, the Committee shall strive to reach consensus on their design review recommendations and/or contribute to the overall understanding of project design components and options without making motions or voting.
3. If consensus cannot be reached, each Committee member shall be entitled to one (1) vote and shall cast that vote on each item submitted. Proxy votes and absentee ballots shall not be permitted.

Article V: Duties of Officers and Committee Members

A. Duties of the Chair

1. To conduct meetings of the Architectural Advisory Committee as its chair:
 - a. Ensure that consideration of items on the agenda move along without delay.
 - b. Ensure that the applicant and members of the public are heard but not allowed to disrupt the meeting.
 - c. Ensure that decorum is maintained at the meeting.
 - d. In presiding over matters where the public has provided comments and / or raised questions, the Chair should:
 - (i) Direct questions or comments requiring a response to staff for a response.
 - (ii) Ensure that staff and members of the public direct their comments to the Chair.
 - (iii) If necessary, help keep Committee's questions relevant to the matter

being considered by the Architectural Advisory Committee.

- (iv) If necessary, consider calling for a brief recess if orderly conduct of the meeting is being disrupted.
- (v) Announce the recommendations of the Architectural Advisory Committee on all subjects.

- 2. To ensure that each Committee member is provided an opportunity to completely participate in the design review process, the Chair should:
 - a. See that members are providing design input for each item.
 - b. Ensure that each Committee member is given the opportunity to fully express his / her views.
- 3. It is the Chair's responsibility to ensure compliance with the Bylaws.
- 4. If the Chair is absent, the two committee members present shall agree upon which member shall act as Chair for that particular session.

C. Duties of Architectural Advisory Committee members

- 1. Arrive on time for all Architectural Advisory Committee meetings.
- 2. Review all meeting materials in preparation for the meetings.
- 3. Visit the location of each item proposed for development.
- 4. Notify the Chair and the Community Development Director when they will be unable to attend a Committee meeting.

Article VI: Architectural Advisory Committee Operations

- A. The Architectural Advisory Committee is advisory to the City Council, Planning Commission, City Manager, Community Development Director, and other staff members as applicable, and shall have no authority other than as set forth in the Municipal Code and Bylaws.
- B. All meetings and Committee members will adhere to the requirements of the Ralph M. Brown Act.
- C. The design review process is collaborative, and discussions are expected. In the event that meetings such a format cannot be maintained in a manner that allows for appropriate participation, the meeting shall be conducted in accordance with Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century, revised 2011 or subsequently amended.
- D. All Advisory Committee recommendations must be made at a properly noticed meeting.
- E. No business may be transacted by the Advisory Committee at a regular or special meeting unless a quorum of the membership is present (majority of those currently appointed).
- F. The Committee members shall be notified by email and/or by public posting 72 hours in

advance of a meeting. All meetings are open to the public.

G. Meetings

1. The Architectural Advisory Committee shall meet as needed and based on Committee Member schedules. Meetings will be held at the Emergency Operations Center, or any other place designated by the Department Director as the meeting place.
2. All Advisory Committee meeting notices and agendas are to be provided to the City Clerk.

H. In person participation is required (no teleconferencing).

- I. Copies of meeting summary notes will be distributed to the City Clerk by the Community Development Director.

J. Voting

1. Voting is discouraged in lieu of a collaborative design review process through which recommendation(s) come forth. If voting is necessary, the following apply:
 - i. A motion, second, and a majority vote of the Committee members constituting a quorum in attendance and voting shall be required for any formal action of the Architectural Advisory Committee.
 - ii. Any vote of abstention must clearly indicate for the record the basis for the abstention. In counting votes, the votes of the Members present, and voting shall be counted for purposes of determining whether a majority voted in favor. A vote of abstention is not counted as a vote.

K. Public Participation

1. Members of the public are encouraged and invited to participate in the meeting process by submitting written comments before the meeting or speaking in person at a meeting.
2. Individuals who wish to speak need not submit a speaker card nor identify themselves. Individuals who wish to speak shall be offered the opportunity to submit a speaker card to the recording secretary and/or otherwise identify themselves at the appropriate time if they so choose to do so.
3. Time Limits for public comment:
 - a. Individual Speakers - three minutes is customary; the Chair may waive the limit providing it is for all speakers on an agenda item.
 - b. The Chair may, at his / her discretion, limit the amount of time allotted to the speaker(s) when needed.
4. Members of the public are expected to respect other members of the public as well as the Architectural Advisory Committee and staff during public meetings by acknowledging and adhering to the rules for public comments and participation.
5. Disruptive or unruly behavior that impedes the meeting may result in removal from

the Advisory Committee meeting.

L. Summary Notes

1. The Architectural Advisory Committee proceedings shall be documented with summary notes prepared by the Community Development Director.
2. A summary of recommendations shall be included in the record; and if taken, Motions and votes are shown in the record.
3. Media recordings may be used in order to provide a verbatim record of meetings.

M. Conflict of Interest

1. The Political Reform Act, implemented, regulated, and enforced by the Fair Political Practices Commission (FPPC), controls financial conflicts of interest.
2. Government Code §1090 applies to prohibit the recommendation of City contracts in which a public official has a financial interest.
3. As soon as it appears to an AAC member that they may have a potential conflict of interest in any agenda item, the Committee Member should immediately consult with the FPPC and/or the City Attorney, at the earliest opportunity for advice on whether a disqualifying conflict of interest exists.
4. Recognizing that not all conflicts of interest are financial, and that non-financial interests can also create a disqualifying conflict of interest under the common law, Committee members should immediately consult with the City Attorney at the earliest opportunity for advice on whether a non-financial interest may constitute a disqualifying conflict of interest.
5. With full consideration of the FPPC and/or City Attorney's advice, it is up to each individual member to decide for him/herself whether there is a conflict of interest. Members shall keep the City Attorney generally informed on these issues.
6. A member shall not sit for any matter on which he/she has a conflict of interest or if the member cannot serve as a fair and unbiased member.
7. A member shall openly state the reason for his/her conflict of interest.
8. A member who is disqualified by a conflict of interest shall recuse him/herself, explain the basis for the recusal as required by law, step away from the dais, and leave the room during the discussion and deliberation of the item.

N. Architectural Advisory Committee Conduct

1. Committee members shall:
 - a. Put constituents foremost at all times.
 - b. Treat each other, staff, and members of the public with dignity, courtesy, and respect.
 - c. Encourage the public to treat the Architectural Advisory Committee, Staff, and members of the public with dignity, courtesy, and respect.
 - d. Be attentive to others, limiting interruptions and distractions.
 - d. Encourage diverse viewpoints in deliberations while being mindful not to prolong

- discourse or block consensus.
 - e. Agree to respectfully disagree.
 - f. Keep comments clear, concise, and on topic.
 - g. Start and end meetings on time, and work from the agenda.
 - h. Present problems in a way that promotes discussion and resolution.
2. Reimbursements
 - a. Members shall not receive reimbursements for any expenses incurred unless such expenses were incurred with the prior written approval of the City Manager or Community Development Director.
 - b. Generally, reimbursements shall be limited to training opportunities, pre-approved by the City Manager or Community Development Director, that may include limited travel, lodging, per diem, and registration expenses.
 3. Committee members are subject to all provisions of City Policies and may seek specific information about policies from City staff, including the City Clerk.
- O. Advisory Committee - City Relations
1. Individual Committee members may make requests of City staff through the City Manager or Community Development Director for limited research and information without the formal concurrence of a majority of the Committee. Requests that will require significant staff time may be conducted only with approval from the City Manager.
 2. Committee members should direct any questions on staff reports to the City Manager or Community Development Director.
 3. Clarifications or technical questions will be answered before the meeting whenever possible.
 4. Staff will inform the Committee about especially relevant and/or significant changes in City Policies that may pertain to the Committee's function and discharge of duties.
- P. Ex Parte Communications and Fair Proceedings
1. Committee members shall disclose on the record all communications (e.g. e-mails, conversations, and site visits) occurring outside of the hearing that relate to the matter being heard and that are not otherwise included in the written or oral staff report. Committee members shall identify with whom they communicated, what was communicated, and for site visits, where they went and what was observed.
- Q. Representing the Architectural Advisory Committee
1. Speaking for "the Committee"
 - a. When Committee members are appointed to advisory groups, are requested to speak to groups, or are asked the about the Committee's recommendation on a design proposal, the response should reflect the collaborative recommendation of the Committee as a whole.

2. Speaking as an Individual
 - a. On occasion, Committee members may wish to transmit correspondence the City Council, Planning Commission or other board or commission on items not related to the Architectural Advisory Committee's role. In these circumstances, Committee members should clearly indicate in their communications that they are not speaking for the Committee as a whole, but for themselves as a private citizen.

Article VII: General Order and Conduct of Business

- A. Order of Business
 1. Roll Call
 2. Acknowledgement of Summary Notes
 3. Announcements and Correspondence
 4. Public Comments – Non-Agenda Items
 5. Regular Agenda
 6. Staff Informational Reports
 7. Adjournment
- B. Conduct of Business
 1. Change in the Order of Business
 - a. The Chair, with the consent of the Committee may change the Order of Business at a meeting.
 2. Comments from the Public
 - a. Public comments for non-agendized items are limited to "Public Comments - Non-Agendized Items."
 - b. Public comments on regular agenda items are heard during the hearing of that agenda item at a time determined by the Chair.
- C. Agenda Item Submission
 1. The Community Development Director establishes the Architectural Advisory Committee agenda for regular and special meetings and may consult with the Chair in doing so.
 2. The City Council or City Manager may place matters on the Architectural Advisory Committee agenda based on the direction and priorities of the City Council.
- D. Meeting Venue and Format
 1. Meeting venues shall generally be within conference rooms in City facilities.
 2. Meeting format will allow for Committee members, the applicant and staff to be seated around a conference table with scaled plans; options media including

display boards and slides may also be presented by the applicant; however, the scaled plans are the focus for the design review.

Article VIII: Staff Services

- A. City of Half Moon Bay Community Development Director and designated staff shall act as a liaison between the Committee and City Council and the Committee and the Planning Commission. The City shall provide staff services to the Committee which will include:
1. Providing a schedule of meetings to the City Clerk's Office and Committee members, arranging meeting locations, maintaining the Meeting Summary Notes and other public records of the meetings, and preparing and distributing appropriate information related to the meeting agenda.
 2. Advising the Committee on directions and priorities of the City Council and Planning Commission.
 3. Informing the Committee of events, activities, policies, programs, etc. occurring within the scope of the Committee's function.
 4. Ensuring the City Clerk is informed of all vacancies, expired terms, changes in officers, or any other changes to the Committee.
 5. Providing a continuous flow of information to the appropriate appointed official including reports, actions, and recommendations of the Committee and notifying them of noncompliance by the Committee or Chair with the Bylaws, City policies, or statutes.
 6. Ensuring information and recommendations provided by the Committee for Planning Commission consideration are appropriately included in the staff reports provided for Planning Commission meetings.

Article IX: City Council Review of Architectural Advisory Committee

The City Council may review the activities of the Architectural Advisory Committee, based on a formal review by the City Manager, to determine if the Architectural Advisory Committee should continue its activities or otherwise amend the Architectural Advisory Committee's roles and responsibilities.

Article X: Bylaws and Effective Date

- A. Any recommended changes to the Bylaws by the Architectural Advisory Committee will be reviewed by the City Council and, if approved by the City Council, will be filed with the City Clerk's office.
- B. These Bylaws, and any amendments hereto, shall become effective immediately upon adoption by the City Council.

C. These Bylaws have been approved by City Council dated this 4th day of June, 2019.

DRAFT



WILLING TO SERVE FORM CITY OF HALF MOON BAY

501 Main Street * Half Moon Bay * California 94019

CITY OF HALF MOON BAY

AUG 13 2019

RECEIVED

COMMISSION / COMMITTEE APPLYING FOR:
PLANNING COMMISSION

PARKS & RECREATION COMMISSION

MAIN STREET BRIDGE ADVISORY COMMITTEE

GENERAL PLAN ADVISORY COMMITTEE

~~BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE~~

ARC

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

INFORMATION PROVIDED ON THIS APPLICATION IS PUBLIC INFORMATION AND MAY BE MADE AVAILABLE TO OTHER APPLICANTS, MEMBERS OF THE PRESS, OR THE GENERAL PUBLIC.

NAME Chad Hooker

(please print)

ADDRESS ⁴

CITY HMB

ZIP CODE _____

EMAIL ADDRESS _____

PRESENT EMPLOYER retired contractor

POSITION _____

EMPLOYER

ADDRESS same

CITY _____

ZIP CODE _____

HOW LONG HAVE YOU RESIDED IN HALF MOON BAY? since 1978

EDUCATIONAL BACKGROUND BA in Economics from Case Western Reserve University

PROFESSIONAL EXPERIENCE 42 years as licensed general contractor building mostly on the coast including

Pasta Moon, Cetrella, Sam's Chowder House, Lutheran Church, Old Fire Station, Cunha Event Center, La Piazza,

HMB Veterinarian, Pillar Point Inn, Shore Bird Restaurant, Miramar Beach Inn remodel, and many houses.

From: noreply@civicplus.com
Sent: Thursday, July 25, 2019 9:53 AM
To: Jessica Blair
Subject: Online Form Submittal: Willing to Serve

Willing to Serve

Thank you for your willingness to participate in making Half Moon Bay a better place! This "Willing to Serve" form can be used to apply to serve on one of the City's Commissions or Committees. Please note that information provided on this form is considered public information and may be made available to other applicants, members of the media, or the general public.

Commission or Committee for which you are applying:	Architectural Advisory Committee
Name	Robert Kevin Koski
Address	
City	Half Moon Bay
Zip code	94019
Phone 1	
Phone 2	<i>Field not completed.</i>
Email	
Occupation	Principal Product Line Manager
Current employer	Finisar Corporation
Employer address	1389 Moffett Park Drive
City	Sunnyvale
Zip code	94089
How long have you lived in Half Moon Bay?	8-years
Educational background	MS-Technology Management, BS-Electrical Engineering, BA-Economics

Professional experience	I have grown up remodeling houses within my family & have truly enjoyed my active engagement with the building department working on my own home renovations.
Civic activities and community involvement	None
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	Architecture is key to defining the personality of towns and neighborhoods & I want to positively contribute to assuring the beauty of the Half Moon Bay community.
Have you attended any meetings of the City Council or other Half Moon Bay commissions or committees?	No
How did you become aware of this opportunity to serve?	HMB newsletter
Today's date	7/25/2019
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
Sent: Sunday, July 14, 2019 10:45 AM
To: Jessica Blair
Subject: Online Form Submittal: Willing to Serve

Willing to Serve

Thank you for your willingness to participate in making Half Moon Bay a better place! This "Willing to Serve" form can be used to apply to serve on one of the City's Commissions or Committees. Please note that information provided on this form is considered public information and may be made available to other applicants, members of the media, or the general public.

Commission or Committee for which you are applying:	Architectural Advisory Committee
Name	Steven Kikuchi
Address	
City	Half Moon Bay
Zip code	94019
Phone 1	
Phone 2	
Email	
Occupation	Landscape Architect
Current employer	Kikuchi + Kankel Design Group
Employer address	730 Mill St.
City	Half Moon Bay
Zip code	94019
How long have you lived in Half Moon Bay?	0 years as resident, but have had my business in HMB for 29 years
Educational background	Bachelor of Science Degree, Landscape Architecture - Calif Polytechnic University, Pomona, 1977

Professional experience	34 years Owner, President of Kikuchi + Kankel Design Group
Civic activities and community involvement	Past Half Moon Bay Architectural Review Committee member (1990-2000) and chair 2005-2011); Senior Coastsiders Home Rehab Day Project Manager/Captain 28 years; Misc. Pro Bono design services for local non profits including the Senior Center design, Wildlife Associates Sanctuary (now Wildmind Learning), The HMB Beautification Committee (MacDutra Plaza), Pescadero Playground, Smith Field Irrigation system, Half Moon Bay Dog Park,.
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	I have always and still do have a deep concern for the esthetic and environmental health and quality of the City of Half Moon Bay. I feel that a better built environment will positively impact the emotional, mental and economic health of a community and its residents. I feel that my greatest contributions to the community can be in a field in which I have spent over 40 years practicing.
Have you attended any meetings of the City Council or other Half Moon Bay commissions or committees?	Yes
How did you become aware of this opportunity to serve?	City Staff and a Planning Commissioner
Today's date	July 14, 2019
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
Sent: Wednesday, July 10, 2019 3:56 PM
To: Jessica Blair
Subject: Online Form Submittal: Willing to Serve

Willing to Serve

Thank you for your willingness to participate in making Half Moon Bay a better place! This "Willing to Serve" form can be used to apply to serve on one of the City's Commissions or Committees. Please note that information provided on this form is considered public information and may be made available to other applicants, members of the media, or the general public.

Commission or Committee for which you are applying:	Architectural Advisory Committee
Name	Lesley Duckworth
Address	
City	Half Moon Bay
Zip code	94019
Phone 1	
Phone 2	<i>Field not completed.</i>
Email	
Occupation	Office Furniture Sales and Project Management
Current employer	Insidesource
Employer address	985 Industrial Road
City	San Carlos
Zip code	CA 94070
How long have you lived in Half Moon Bay?	7 years
Educational background	BA Hons Interior Design, LEED Accredited Professional
Professional experience	Please see accompanying resume

Civic activities and community involvement	Board Member HMB Merchants Assoc; Treasurer IIDA, Chamber Ambassador; Chamber Events Committee; Chamber Government Affairs Committee; NET Program HMB
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	I would like to contribute to the community and feel that in this instance I can bring a certain level of expertise to the table
Have you attended any meetings of the City Council or other Half Moon Bay commissions or committees?	Yes
How did you become aware of this opportunity to serve?	Initially through minutes from city planning meetings, most recently on the email blast from the City
Today's date	7.10.19
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

Email not displaying correctly? [View it in your browser.](#)

Lesley J. Duckworth

VP & Team Lead

Contact	Objective Extensive experience in leading teams to successful outcomes. Clear communicator and thoughtful coach aiding the growth of younger professionals. Self-motivated senior staff member with excellent presentation and relationship building skills. Pursuing a new challenge that engages a sense of community with my strong skillset.
Education University Institute, Wales, UK BA Honors Interior Design Distinction in Thesis LEED Accredited Professional	Experience <i>January 2013 - Current</i> VP & Team Lead • Senior Sales Executive • Inside Source <i>June 2008 – December 2012</i> VP Account Management • Account Manager • Inside Source <i>April 2006 – May 2008</i> Director Marketing & Biz Dev • Biz Dev & Showroom Design • Inside Source 32 Years of experience in the Office Furniture industry: 11 years in design; 21 years in sales and account management. Additional experience detail available upon request.
Key Skills Sales Design Project Mgmt Marketing Networking Leadership Communication	Key Achievements Responsible for leading a team to the most successful project to date at Insidesource. Managed a \$17 mil FF&E budget for a 600,000 square foot new build. Partnered with GC and various trades to deliver the project on time and under budget. Excellent team lead, collaborator and problem solver managing multiple teams with an annual turnover of over \$20M. Brought awareness of LEED to the Architectural and Interior Design Communities of the Bay Area in 2002 and 2003.
	Leadership Current: Half Moon Bay Downtown Association Board of Directors Ambassador for HMB Chamber of Commerce Past: Treasurer for IIDA Northern CA Chapter, 2004-2011
	References Available upon request

From: noreply@civicplus.com
Sent: Monday, July 8, 2019 2:49 PM
To: Jessica Blair
Subject: Online Form Submittal: Willing to Serve

Willing to Serve

Thank you for your willingness to participate in making Half Moon Bay a better place! This "Willing to Serve" form can be used to apply to serve on one of the City's Commissions or Committees. Please note that information provided on this form is considered public information and may be made available to other applicants, members of the media, or the general public.

Commission or Committee for which you are applying: Architectural Advisory Committee

Name Allison E. Dykens

Address

City Half Moon Bay

Zip code 94019

Phone 1

Phone 2 *Field not completed.*

Email

Occupation Volunteer Docent

Current employer Pigeon Point Lighthouse

Employer address *Field not completed.*

City *Field not completed.*

Zip code *Field not completed.*

How long have you lived in Half Moon Bay? 3.5 years

Educational background B.S. in Business Management, and Graduate Certificate in Enterprise Management from Rensselaer Polytechnic Institute (focus on Sustainable Development Technologies)

Professional experience	Sony Playstation, The Dr Phil Show, The Des Moines Register, Clear Channel Radio and CBS Radio.
Civic activities and community involvement	Intern to Assistant Communications Officer for the City of Des Moines- ran video cameras for all city council meetings, planning meetings, etc. Currently volunteer with POST, in addition to the California State Parks.
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	I'm passionate about rural economic development, as well as our beaches and abundant open spaces. I'd love to be part of the Architectural Advisory Committee (if qualified enough for the position), or any other committee related to parks and open spaces that might have a need. Thanks!
Have you attended any meetings of the City Council or other Half Moon Bay commissions or committees?	Yes
How did you become aware of this opportunity to serve?	HMB Radio
Today's date	7/8/2019
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
Sent: Sunday, July 7, 2019 3:12 PM
To: Jessica Blair
Subject: Online Form Submittal: Willing to Serve

Willing to Serve

Thank you for your willingness to participate in making Half Moon Bay a better place! This "Willing to Serve" form can be used to apply to serve on one of the City's Commissions or Committees. Please note that information provided on this form is considered public information and may be made available to other applicants, members of the media, or the general public.

Commission or Committee for which you are applying: Architectural Advisory Committee

Name: Linda Poncini

Address: _____

City: Half Moon Bay

Zip code: 94019

Phone 1:

Phone 2:

Email:

Occupation: Architect

Current employer: Kenneth Rodrigues & Partners, Inc.

Employer address: 445 N. Whisman Road, Suite 200

City: Mountain View

Zip code: 94043

How long have you lived in Half Moon Bay?: 26 years

Educational background: Bachelor of Architecture degree from Kansas State University

Professional experience	Present position: Senior Architectural Manager. Positions with previous firms: Senior Associate at Spencer Associates; Principal at Carrasco & Associates.
Civic activities and community involvement	Current: Development Review Committee for City of Mountain View. Previous: HMB Architectural Review Committee, HMB Planning Commission, City of Palo Alto Architectural Review Board. Volunteer for Coastside Hope Adopt-A-Family. Previous volunteer work for Boys and Girls Club of the Coastside, and for Coastal Repertory Theatre.
Are you able to attend:	Either night or daytime meetings
Why are you seeking to be appointed to a City commission or committee?	I feel that Architectural Review is an important part of planning the future of Half Moon Bay, and that it is important that those doing Architectural Review have design and planning background, particularly in Architecture, Landscape Architecture or Urban Planning. It is important that Architectural reviewers can read plans, and understand land use plans, zoning ordinances, design styles/concepts and the Coastal Act as it affects HMB.
Have you attended any meetings of the City Council or other Half Moon Bay commissions or committees?	Yes
How did you become aware of this opportunity to serve?	City Council agendas and articles in Half Moon Bay Review.
Today's date	July 7, 2019
Signature	Checking this box constitutes your signature and confirms that the information provided is accurate

Email not displaying correctly? [View it in your browser.](#)

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **September 17, 2019**

TO: Honorable Mayor and City Council
VIA: Bob Nisbet, City Manager
FROM: Jill Ekas, Community Development Director
TITLE: **2019 MEASURE D ALLOCATIONS TRANSFER**

RECOMMENDATION:

1) Adopt a resolution establishing a procedure for reviewing and approving transfers of Measure D certificates from within Downtown to outside Downtown (Attachment 1); and 2) adopt a resolution approving a transfer for 2019 of up to twelve Measure D allocations from the 23 Downtown base allocations to be used for project proposals that include accessory dwelling units (Attachment 2).

FISCAL IMPACT:

There is no fiscal impact associated with this update.

STRATEGIC ELEMENT:

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

BACKGROUND:

Half Moon Bay's residential growth management system is referred to as "Measure D." Measure D caps the maximum annual percentage increase in residential population at 1 percent, with an additional 0.5 percent allowed on development sites located within a defined "Downtown Area." Measure D is administered through an allocation system whereby "Measure D Certificates" are issued to eligible applicants. One certificate represents one allocation, which is required for each new residential unit. The total number of certificates made available each year is determined according to Chapter 17.06 of the Municipal Code (Residential Dwelling Unit Allocation System). The calculations are reviewed and authorized annually by City Council every December for the next calendar year.

At its meeting on December 4, 2018, the City Council authorized a total of 71 allocations for 2019. This includes 47 allocations inside Downtown (23 base allocations, and 24 additional allocations for the 0.5 percent increase allowed in this area) and 24 allocations outside Downtown. As of June 12, 2019, all 24 certificates for outside

Downtown had been issued, while all of the Downtown area certificates remained available. As of the drafting of this report, four additional applications for Measure D certificates for sites outside the Downtown area have been submitted. They include two applications for accessory dwelling units, and one application for a new home with an accessory dwelling unit. In addition to these applications, staff has been working with several homeowners who are preparing applications for accessory dwelling units and an applicant who will soon be submitting for a new home and accessory dwelling unit with plans ready for review.

Municipal Code section 17.06.120.F (Distribution of residential dwelling unit allocations) provides for reallocation of Downtown allocations in September as follows:

*If the maximum number of residential dwelling unit allocations has not been applied for by September 1st, any unused **base allocations** granted for the downtown area as provided in Section 17.06.020 may be transferred to projects located outside of the downtown area. Additional allocations granted for the downtown area as provided in Section 17.06.020 shall not be transferred to projects located outside the boundaries of the downtown area. (Emphasis added.)*

Thus, as of September 1, 2019, the 23 Downtown base allocations could be made available for sites outside Downtown.

The Municipal Code does not provide guidance for how to administer such a transfer. Staff reviewed all years for which Measure D was in effect and found that this particular condition has not ever occurred. Thus, it is appropriate for City Council to establish a method for implementing section 17.06.120.F.

DISCUSSION:

This matter before City Council addresses two components related to transferring Measure D certificates from within Downtown to outside Downtown.

Procedure for Approving Measure D Transfers: At its meeting on September 3, 2019, the City Council considered this matter and determined that transfers should be approved by a resolution of the City Council. Attachment 1 includes a resolution outlining an approach for City Council to follow for in making a determination regarding Measure D transfers from Downtown base allocations to sites outside Downtown. It addresses the following steps and criteria:

- Method: City Council may approve transfers by resolution based on findings.
- Timing: Transfers shall be considered by City Council during the months of September or October for cases in which all Measure D allocations outside

Downtown have been issued and at least 50 percent of the base allocations for inside Downtown remain.

- Findings: Staff recommends that findings emphasize housing affordability and proposes the following considerations:
 - That there are no known pending applications for a project(s) within Downtown needing Measure D Downtown base allocations.
 - That the transfers are prioritized for projects outside Downtown that include some form of more affordable housing, including but not limited to accessory dwelling units, duplexes, triplexes, or other multi-family units.
 - That the applicant applying for a Measure D allocation for outside Downtown demonstrates that the application(s) for the associated permit(s) have been prepared, including but not limited to a Coastal Development Permit or a Building Permit.
 - That transfers may be allocated to single-family homes that include a component of affordability including an accessory dwelling unit or a City approved deed restriction.
 - That City Council consider any other criteria they deem to be applicable for allowing transfers for projects outside Downtown that meet stated City objectives.

2019 Measure D Transfer Proposal: In addition to establishing a procedure for considering Measure D allocation transfers, Council is also being asked to make such a transfer for 2019. At this time, all 24 certificates for outside Downtown have been issued, including ten for single-family homes, and 18 for accessory dwelling units. As stated above, there are now four applications for Measure D certificates for sites outside Downtown that cannot be issued. None of the 2019 Downtown allocations (total of 47, including 23 base allocations) have been issued and no significant pending projects within Downtown are anticipated before the end of the year. Of the four applications, two are for accessory dwelling units and two are needed for one project comprised of a single-family home with an accessory dwelling unit. Permit applications are submitted or near ready for all.

Staff recommends that City Council approve a transfer for up to twelve allocations from the base Downtown allocations to outside Downtown. This would cover the four applications that cannot be processed at this time. It would also leave a bank of eight allocations that could be used for additional applications for accessory dwelling units, small multi-family projects (e.g. duplexes or triplexes), and single-family homes provided that an accessory dwelling unit or other significant affordability measure is included

with the project. Staff estimates that of these eight extra allocations, at least four will be sought before the end of the year.

Staff is not proposing to bank allocations for any additional single-family homes that do not include an affordability component at this time. This is because it typically takes several months to ready those applications for public hearing and new allocations for 2020 will be available in January 2020 to cover them.

Staff is committed to maintaining streamlined processing of applications for accessory dwelling units. We have achieved a turn-around time of under 45-days, and have a target of 30-days. The resolution in Attachment 2 would approve the recommended transfer and allow for continued efficient implementation of the accessory dwelling unit ordinance.

ATTACHMENTS:

1. Resolution for Procedure to Transfer Measure D Allocations
2. Resolution for 2019 Measure D Transfer of Twelve Allocations

Resolution No. C-2019-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
TO ESTABLISH A PROCEDURE FOR TRANSFERRING MEASURE D ALLOCATIONS FROM
DOWNTOWN BASE ALLOCATIONS TO OUTSIDE DOWNTOWN**

WHEREAS, Chapter 17.06 of the Half Moon Bay Municipal Code establishes a residential dwelling unit allocation system; and

WHEREAS, Section 17.06.120. establishes the distribution of residential dwelling unit allocations; and

WHEREAS, Section 17.06.120. further establishes that unused Downtown base allocations may be transferred to projects located outside the Downtown area after September 1st; and

WHEREAS, Section 17.06.120 does not specify a procedure for approving such a transfer, nor has one every been administered; and

WHEREAS, on September 3, 2019 City Council determined that such a transfer should be approved through a resolution of the City Council based on findings; and

WHEREAS, City Council and Chapter 17.06 of the Municipal Code prioritize affordable housing;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby establishes a procedure for transferring a portion or all of the Measure D Downtown base allocations to projects located outside Downtown; that transfers be approved by a resolution of the City Council in September or October, and that transfers be approved subject to the following findings:

- a. That it is established that there are no known pending applications for a project(s) within Downtown needing Measure D Downtown base allocations; and
- b. That allocation transfers are prioritized for projects outside Downtown that include some form of more affordable housing, including but not limited to accessory dwelling units, duplexes, triplexes, or other multi-family units; and
- c. That the applicant applying for a transferred Measure D allocation for a project site outside Downtown demonstrates that the application(s) for the associated permit(s) have been prepared, including but not limited to a Coastal Development Permit or a Building Permit; and

- d. That transferred allocations may be allocated to single-family homes that include a component of affordability including an accessory dwelling unit or a City approved deed restriction; and
- e. That City Council consider any other criteria they deem to be applicable for allowing allocation transfers for projects outside Downtown that meet stated City objectives.

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 17th day of September, 2019 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

Harvey Rarback, Mayor

Resolution No. C-2019-____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
TO TRANSFER TWELVE MEASURE D ALLOCATIONS FROM THE 2019 DOWNTOWN BASE
ALLOCATIONS TO OUTSIDE DOWNTOWN FOR SPECIFIED PROJECTS**

WHEREAS, Chapter 17.06 of the Half Moon Bay Municipal Code establishes a residential dwelling unit allocation system; and

WHEREAS, Section 17.06.120. establishes the distribution of residential dwelling unit allocations; and

WHEREAS, Section 17.06.120. further establishes that unused Downtown base allocations may be transferred to projects located outside the Downtown area after September 1st; and

WHEREAS, City Council has an adopted procedure for approving such transfers by resolution based on findings; and

WHEREAS, City Council has followed the adopted procedure and made all of the required considerations; and

WHEREAS, for 2019 all 24 Measure D allocations for outside Downtown were issued on or before July 1, 2019; and

WHEREAS, for 2019 none of the 23 Measure D Downtown allocations have been issued; and

WHEREAS, the City is in receipt of four additional applications for Measure D allocations for sites outside Downtown including for two accessory dwelling units and one single-family home with an accessory dwelling units; and

WHEREAS, it is established that there are no known pending applications for a project(s) within Downtown needing Measure D Downtown base allocations for the remainder of 2019; and

WHEREAS, the projects outside the Downtown area all include some form of more affordable housing in that each of the projects includes an accessory dwelling unit; and

WHEREAS, the permit applications are prepared for all of these projects located outside the Downtown area; and

WHEREAS, the City supports the development of accessory dwelling units as evidenced through the adoption of a new Accessory Dwelling Unit ordinance in 2018 and through City staff commitment to process applications for such units efficiently; and

WHEREAS, City Community Development Department staff anticipate applications for at least four more projects with accessory dwelling units outside the Downtown area before the end of the calendar year, all of which require a Measure D allocation to proceed;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby transfers a total of twelve Measure D Downtown base allocations to projects located outside Downtown including four for the applications currently in hand; and eight to be used for additional applications for allocations for accessory dwelling units, duplexes, triplexes, or single-family homes with accessory dwelling units made before the end of the year if permit applications are submitted concurrently:

I, the undersigned, hereby certify that the foregoing Resolution was duly passed and adopted on the 17th day of September, 2019 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

Harvey Rarback, Mayor