

The seal of the City of Half Moon Bay is circular. It features a central illustration of a landscape with a sun, a tree, and a path leading to a bay. The text "VIVIR • TRABAJAR • JUGAR" is written along the top inner edge, and "HALF MOON BAY" is written along the bottom inner edge.

# CITY OF HALF MOON BAY

City Hall, 501 Main Street  
Half Moon Bay, CA 94019

Dennis Coleman  
Mayor  
July 10, 2000

Midcoast Community Council  
Post Office Box 64  
Moss Beach, CA 94038

Greetings to all. I'm sorry for waiting more than a month to respond to your letter of June 1 on the prospects for changing the Midcoast government. I was in a summer course early in the month, and later Eva decided to do part 2 of the back surgery she started a couple years ago. Even though Eva's the one who is now bionic, her recuperation has required lots of my assistance.

## INTRODUCTION

Judging from the relative lack of Council response when you delivered your letter, I bet that this letter is your only written response so far. Nor have I exactly noticed any stampede of volunteers to write a staff report and agendize this item. Thus, though some may regard a single Council person's letter as not official enough of a response, I submit that at least it is one. Even if no one seems to want to carry this item at the moment or ask staff to put aside whatever else they're doing in order to work on the Midcoast form of government, your letter deserves an answer.

First, I think that a majority of Midcoast residents want more local land use control. I've stood in front of Safeway too many times and attended too many MCC and County land use meetings to think otherwise.

Second, I think the Midcoast and City share similar conditions in terms of population, geography, demographics, economics, property values, infrastructure (except for Montara and Moss Beach water), environment, LCP regulations, etc. That's why your situation affects ours and vice versa. Heck, we even understand something about the Coastal Act and can legally implement it.

For example, if the City and County LCPs are out of phase, you could end up sending us way too many commuter cars, and we could end up sending you way too few. What kind of sustainable and responsible buildout vision does that further? Also, LAFCO's determination that the urban Midcoast is HMB's sphere of influence gives the City a legal interest in that area, which is independent of the County land use authority. That's why our Planning Commission has relevant standing to recommend LCP improvements to the County Planning Commission. Finally, even though our local governments are different, we are neighbors. There's nothing else to call it since we can see your hill and you can see our pumpkins. Besides, we have both been ignored by many of the same important people at county, state and national levels of government. In theory then, there is no reason for the City to pretend to be somewhere else when you want our help on an issue whose resolution affects us too.

Third, theory only works under theoretical conditions. For example, if a lot of information and expertise is required to give you more local control, someone has to pay for it. This could present some fiscal obstacles that are manageable but politically not worth it, as well as some political obstacles yearning to masquerade as fiscal obstacles. On the other hand, maybe what the Midcoast really needs doesn't cost anything. Either way, the projected fiscal impact of land use control

which, if all uncertainties were propagated, could pay off over decades between zero and billions of dollars, has little reason to be either a showstopping or justifying factor at this point

The issue is what to do to improve your situation and how to do it with the resources you can influence. There are short and long term options. It should be possible to align these so that they reinforce each other and take you where you want to go. Resource wise, it is a real problem that the County provides you with no dedicated land use staff or legal assistance. That makes you dependent on the whims of others when professional expertise is needed. Since your constituents together pay the County about \$10M per year in property tax, there must be a way to fix that.

## **WHAT**

Your letter indicates a progression from (1) identifying what information is needed to understand, communicate and effectively pursue various options, to (2) getting the information and polling voters on whether there's interest in any option, to (3) implementing the preferred option, if any.

That all makes sense, but I offer this flow of consciousness as to how broad the options could be.

(1) Don't change a thing. You are already increasing local control by increasing your influence on the County Planning Commission, Supervisors and Task Forces. If there are clear indications of an increase in significant influence or other success stories which physically make a difference on the ground, maybe all that's needed is patience or cranking up the political outreach a notch or two.

Problem: Depending on whether 125 or 200 residential "permits" per year are allowed, the Midcoast annual growth rate can be at least 3 to 5%, the highest urban area growth rate of any city in the County. So there's not that much time (13 to 24 years) to get what you want before it won't matter.

(2) Educate County Planning Commission and BoS to improve compliance with local recommendations, including applying and improving the LCP to better meet community needs.

Problem: It's been done repeatedly, but the information doesn't seem to stick to the wall, so citizens have started going above the County's head to the Coastal Commission. New Supervisor Mark Church could help, but those making money from land use are likely to already be attempting to educate him, so a full court reeducation press may be called for.

(3) Change the LCP by a ballot initiative to better reflect Midcoast conditions and political will.

Problem: this costs either several dozens of K or several manyears of volunteer effort, and the LCP implementation still ends up being remotely as opposed to locally decided. A better LCP does give you a fighting chance to get bad land use decisions vetoed by the Coastal Commission.

(4) Cooperation. No matter what the City may have done to the Midcoast in the past, do nice things for us now, put us on a guilt trip, and then leverage our local presence, authority, resources and visibility to help influence the County on your behalf. A perfect opportunity was last year when Blair asked for MCC's endorsement of the City getting some County amenities money for undergrounding, flower pots, trails, etc beside SR92 (which most Midcoast commuters use). Whether SR92 is 1 lane or 10 lanes makes no difference for the amenities money. The MCC was not applying to use this money on the Midcoast, thus letting it go uncontested to cities over the hill. The MCC said no and still hasn't tried to get any of the money for the Midcoast. The alternative amenities money we had to get has more strings attached, and we still don't understand the local benefit of MCC's position on this issue. Another example is getting in the County's face

about imposing park fees on development and sharing those fees with the communities affected by that development. You could have then more easily convinced us to be more aggressive with the County relative to LCP compliance for Moss Beach, Harbor Village, airport safety, or whatever else you wanted to convince them of. Notwithstanding all that, our Planning Commission has recently undertaken increased personal sacrifice and started to make LCP improvement suggestions directly to the County Planning Commission. This helps focus the County on the idea that the whole Coastside is watching and they better take their LCP seriously, or else our feelings will be hurt. Another example of the City selflessly helping the Midcoast is Mayor Coleman's in-depth research and reporting of the relevance of safety criteria applied to Midcoast projects near HMB Airport, the buildout level of highway service on SRs 1 and 92, the relative infiltration and inflow of HMB, GSD and MSD sewer systems, the Coastside Capacity Report, the County LCP Checklist, and an outline of key court cases and concepts of land use law.

Problem: With the exception of the City not being on a guilt trip, this option seems to be on track. However, the scope is limited by a relative lack of current opportunities for MCC to do something for the City. You cannot imagine the target an MCC scholarship program would become in a City with a barely balanced budget because of our new \$250K LCP legal defense fund. When an opportunity comes up for MCC to do something for the City, it would help in the execution of option 4 if MCC took advantage of it.

(5) Convince the County to form an Area Planning Commission of Midcoast people. This is a real planning commission with authority to apply an LCP (aka awarding or denying CDPs) and to analyze and recommend improvements or adjustments to it. All you need is a special area (not a problem for the Coastal Zone) and 3 BoS members who gain something from supporting it (eg. less controversy, appeals & task forces). There is no showstopping budget or staffing issue here.

Problem: The Area Planning Commission would be appointed by the BoS and might not reflect the political sentiment of the Midcoast. The MCC being able to provide or approve BoS nominations to the Area Planning Commission could help in this regard.

(6) Convince LAFCO to approve an application that someone (?) has prepared to reorganize part or all of Midcoast land into a new city. The applicant needs some kind of legal standing in terms of representing that area. I'm not sure if the County has granted or would grant such standing to the MCC. Maybe the County would do it for you if they could set up the Local Control Improvement Task Force. It may not matter if the proponents can be a Political Action Committee, which in CA has lots of freedom to do political things because the Election Code is so "liberally construed". Your current jurisdiction has special standing to support or oppose the application. I provided Ric with a 10 page excerpt from the CA Government Code. It shows that an application must be accompanied by several elements describing current and projected capability to provide and maintain public safety services, roads, waste treatment, administration and management.

Problem: Even assuming that there was political interest in this option, not only on the Midcoast but at LAFCO, it sounds like this type of thing would need an experienced staff person, or something like \$100K to hire one, or an experienced person willing to work at least 1000 hours for free. The County spent \$50K showing that a new city is financially stillborn, but that was not related to the current County balance sheet for the Midcoast, nor was any credit taken for existing fund balances or actions by the new city to improve its situation by exercising the local control it sought. Correcting that could cost another \$50K. With a budget less than \$5K per year, the MCC could either seek a large increase or County assistance in the form of a grant application writer to identify and apply to funding sources which may exist to facilitate new cities.

(7) Convince HMB or Pacifica to convince LAFCO to approve an application to reorganize part or all of the Midcoast land into an existing city. Cities have standing to do this but must foot the bill.

Again, the County has special standing to support or oppose the application. Such application must also be accompanied by several elements describing current and projected capability to provide and maintain things like public safety services, roads, waste treatment, administration and management.

Problem: In addition to requiring up to a man year of experienced staff time (\$150K), this option would need aggressive majority support at least from the HMB Council and MCC, if not the BoS (which has 2 LAFCO votes and could also oppose annexation from the BoS rebuttal position). This option is also fraught with incredible suspicion and sour grape possibilities from vocal factions in both annexing and annexed areas. I can see it now. "Why should HMB take on responsibility for all that substandard County infrastructure"? "Why should the Midcoast allow itself to be annexed by a bunch of developer types wearing plaid golf pants"? "Why should HMB risk a situation that would allow Midcoast neophytes and space cadets to be elected to a real City Council"? "Why would the Midcoast want to be in the same city as the Beach House"? Accomplishing anything against the backdrop of such titanic issues requires clear leadership, burning desire and heroic effort at levels that I don't see on the current CC, MCC, BoS or LAFCO Boards. I'd say that one needs super majorities on CC and MCC and simple majorities on BoS and LAFCO to fund, launch and sustain option 7. History indicates that simple BoS and LAFCO support would be harder to establish than super CC or MCC support. An informed public consistently speaking through several election cycles is the only way to create the climate where option 7 could take root and be sustained long enough to weather the foo-foo and succeed.

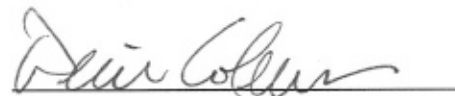
## HOW

With regard to increased local land use control for the Midcoast, the process for getting there and being there should itself be under the control of generally accepted standards of public behavior such as the Brown Act (no secret meetings) and the Political Reform Act (no conflicts of interest). I have found that the potential for land use profiteering and influence peddling in the Coastal Zone is so awesome, that anything else is asking for trouble. That's why I think that when the time is right, there should be a steering committee whose players could be people like elected officials or planning commissioners. They may do uninformed things, but at least they would be more accountable to the public than the various make believe governments, committees and special interest groups that tend to spring up around here whenever land use is involved.

The intensity of what comes next depends on what options are politically and financially feasible.

## CONCLUSION

Please advise if you think I'm wrong about the currently low political and financial commitment level of the CC, BoS, and LAFCO boards to expend time and resources supporting local land use control for the Midcoast. Also please advise if one or more of the less expensive (less staff and expertise dependent) options listed above (1, 2, 4, 5) seem at least incrementally useful to improve your position. I myself am willing to provide more information and advice on these and other issues of interest to you, but right now, I'm not seeing enough interest from other CC members to escalate to the more expensive and politically challenging options of incorporation or annexation. That level of response needs a high level of CC interest and commitment, the real prospect of ROI or other benefit to the City, and a super majority to weather more than the usual amount of misinformation, criticism and conspiracy theories, which would likely surface around this issue.



cc: City Council