

## Answers to Council Questions – January 12, 2021

### Item 2

- Please clarify if this work has already been done. Part of the staff report implies the work is to be done in the future. But elsewhere the report implies the work has already been done, “the Rotary Club had to utilize a private contractor to complete the work at the cost of \$22,309.” Questions: Is it done or not? Whether done or not, has/will maintenance department be involved so that whatever is built is not vulnerable or interferes with mowing, watering, etc. ?

*The work has been completed per City standards, Building Codes and coordinated with City maintenance crews.*

- Please clarify in-kind. Is the Rotary providing the money to the city or are they hiring outside contractors?

*Rotary hired the electrical contractor directly to complete the project.*

- The rotary in-kind gift that is being given, does the city allow work done by contractors not hired by the city and would the city be liable?

*Yes, in this instance, the City is accepting the work done by a contractor not hired by the City. All work performed was completed per City standards and Building Codes.*

- Is this a work around the prevailing wage?

*No, all requirements and Building permits were met.*

- Will this improvement be accessible to anyone and not just the Rotary?

*Yes, the improvements will be accessible for both city crews and for private parties who rent out the venue. Receptacles will be locked when not in use.*

- Is there any expectation in return for this donation?

*No expectation other than the ability to use the power for their annual heritage event. The current power supply option was eliminated due to the removal of the overhead electrical lines as part of the Lincoln Park Rule 20A project. Venue users will be responsible for charges incurred.*

### Item 3

- Other than the termination date and the agreement to resume negotiations no later than March 15, 2021, are there any different terms in this side letter agreement from the prior agreement that expired on Dec. 31, 2020?

*There are no other terms in this side letter agreement other than the termination date and agreement to resume negotiations by March 15, 2021. All other terms of the LAMEA MOU remain status quo until a new agreement is reached.*

#### **Item 4**

- The staff report says, “The Bay Area Air Quality Management District has asked employers to pledge to allow employees to telecommute one or two days per week following the easing of restrictions stemming from COVID-19 stay-at-home orders.” The actual pledge says “By signing this pledge, your company or organization commits to extending remote work options by at least 25% (or 1-2 days a week) for employees whose work requirements allow for that flexibility, though you can pledge more!” The resolution doesn’t specify any particular goals. What, if any, constraints would this resolution place on managers in the City determining who or when telecommuting is appropriate for a particular position? What constraints or limits would this resolution (by virtue of BAAQCD action past or future) place on the city?

*The Resolution only commits the City to determine whether or not policies are in place which will encourage more employees to work remotely. It does not place any constraints on managers or the City to determine which positions can telework and to what extent.*

- How did this item get on the agenda without 2 or more council member support?

*As indicated in the staff report, this item was discussed by the Mayor and the Acting City Manager who determined that it should be added to the Council’s agenda.*

- Should this item be part of our employee negotiations?

*As indicated in the staff report, the City already has a telework policy which allows employees to discuss with the supervisor and/or director whether teleworking is an option. Adopting the Resolution does not change the fact that the City has a telework policy and is not subject to negotiations.*

#### **Item 6**

- In the staff report summary, the second bullet point says that “[s]tate officials notified the City of a Certified Local Government grant award in the amount of \$34,100 for the Halsey House Historic Resource Study.” How did the state know to contact the City?

*At the January 23, 2018 meeting, City Council directed staff and the Historical Commission to pursue grant opportunities relating to the Halsey House. Staff applied for and received a State Local Government grant for a Historic Structure Report (HSR) for the Halsey House in 2018 and received approval in 2019.*

- If the City decides not to renovate HH, do we have to return the grant? Are there any circumstances under which the grant would have to be returned?

*No, the State grant was specifically for an HSR for the Halsey House and is a reimbursable type of grant. The City completed the HSR, submitted claim information and has received reimbursement from the State. The only*

*circumstance for its return would be if Council rejects the grant and desires to pay for the entire HSR utilizing solely City funds.*

- How long is the grant available? Could it be accepted at a later date?

*The 2018 State Local Certified grant is no longer available for applications. This type of grant is offered on an annual basis but subject to the availability of State funds. The City must accept the grant or be subject to returning the funds to the State.*

- Is an HRS needed if the City decides to delist HH as an historic site and demolish the building?

*The HSR has been completed and would be used by a historian to complete the required Secretary of the Interior's Standards Report should the City select an option for the full or partial demolition of the Halsey House.*

- If the council decided to demolish HH, what would be the procedure? What studies (if any) would be needed?

*Since the structure is a locally listed historic resource, we would need to conduct a CEQA review and most likely additional historic resource reports would be needed to fill in any gaps in the historic record. There may also be a need to do some more in-depth structural analysis that will help determine whether efforts to rehabilitate the structure may result in the loss of the historic structure or its replacement with a replica. This information would be used in the preparation of an initial study and/or an environmental impact report (most likely both) that would do a detailed analysis of the demolition of the historic structure and develop any appropriate mitigation measures if they are possible. If in the study the demolition is determined to be a significant impact for which there are no mitigation measures, the City Council could consider a statement of overriding consideration and allow demolition even though it results in the loss of a historic resource.*

- Is the HRS needed if the City pursues any of the four options in the Sandoval report?

*Yes, as indicated above, the HSR would be used by a historian to complete the required report should the City select an option for the full or partial demolition of the Halsey House.*

- Is the \$25,000 amendment only to update the projected costs of the four options? If so, why does it cost so much just to update cost projections? Since the Sandoval report gives detailed cost breakdowns, is an update something staff could accomplish?

*The requested \$25,000 is to provide current cost estimates for the four options identified in the Sandoval Report and expanded upon in the HSR as well as the administrative process the City would have to go through with each option. Additionally, ARG consultants will attend each of the Commission meetings and the City Council meeting to provide source material expertise on the handling of historic structures.*

- What needs to happen for HH to qualify for a Santa Clara County Historical Heritage Grant? What can those grant proceeds be used for?

*This really depends on the type of grant that is offered by the County and the types of projects they will determine appropriate. In most instances there are monies available for studies and restoration projects.*

- Please clarify the timing and actions needed. It seems the amount equivalent to the grant (\$34,100) and \$16,353 in park in-lieu matching funds have already been expended for the ARG-performed study. What action is being requested at this time? Do we need to do something to obtain reimbursement for the grant or ??? Can you please clarify?

*Per Council direction at the January 28, 2018 meeting, staff pursued a State grant for a Historic Structure Report (HSR) for the Halsey House. The City received approval of its grant application and secured the services of the Architectural Resources Group (ARG) to complete the HSR. Staff has submitted the reimbursement claim forms and has received payment from the State. The action requested of Council is to accept the \$34,100 State grant funds and apply them to the Halsey House CIP project and appropriate the local matching grant amount of \$16,353 to the project.*

*In addition to the grant action, Council directed staff to have the Historical, Parks and recreation, and the Financial Commissions review the HSR and return to Council with Commission recommendations. The \$25,000 request is for ARG to provide the additional information and present the HSR to the commissions.*

- The 2015 (Sandoval) study provided 4 options, and the staff report says, “secure funding for the commission reviews of four alternatives for the future of the Halsey House structure.” Yet the 2018-19 ARG-performed HRS appears to have focused on guidance from the city that rehabilitation is planned (which was one of the four Sandoval report options), with specific uses. Page 42 of the ARG HRS study says, “**The proposed reuse** [emphasis mine] of the Halsey House has multiple functional uses: assembly spaces including the community, family, meeting, and kitchen/break rooms, business spaces which includes the offices, and smaller accessory storage and mechanical spaces.” It seems the Parks and Recreation and Historical Commissions have met and have additional work planned. How does this requested appropriation mesh with their work, have they asked for this amount and, if so, for what specific actions? Are we really back to looking at the four options from the Sandoval report, or have we moved forward from that and are pursuing rehabilitation?

*The “proposed reuse” language is ARG’s and not that of staff or the commissions and reflects only one of the four options under consideration. Council directed input from the three commissions noted above at its December 15, 2020 meeting on next steps for the Halsey House. The services of ARG are being requested as while the HSR does call out specific recommendations and building deficiencies in the report no dollar amounts are called out. Additionally, ARG will provide current cost estimates on each of the options and the process steps each option will have to go through for Commission/ Council consideration. ARG has the experience and expertise to assist staff with the complex process of modification/ removal of historic structures.*

- Where is the report, evaluation, and recommendations from the Parks, Finance, and Historical Commission?

*The HSR has not yet been presented to the Commissions. As directed by Council at the December 15, 2020 meeting, the \$25,000 appropriation request is for the HSR consultant to prepare additional information and the report to the Commissions before returning to City Council for consideration.*

- In 2018 we directed staff to seek a feasibility study. Have the funds allocated been properly utilized?

*City Council did not approve the recommendation to proceed with an Initial Study at its January 28, 2018 (Meeting Minutes attached to the report), rather Council directed the \$25,000 Initial Study fund request to be used for the maintenance of the Halsey House. Those funds have been expended following the maintenance recommendations in the Sandoval report.*

- Could we receive information regarding the Grant we are asked to receive and what is expected if we accept that grant.

*General information on the State Certified Local Grant program may be found on its website at: [http://ohp.parks.ca.gov/?page\\_id=21239](http://ohp.parks.ca.gov/?page_id=21239). The 2018 grant program is closed to new applications, the City followed Council's January 23, 2018 direction and pursued a grant opportunity specifically for the creation of a HSR for the Halsey House. The City would have to return the \$34,100 State grant and pay for the entire HSR should Council not approve the acceptance of the grant funds.*

- In the staff report Summary on page 2, it would be helpful for clarity if the dates when each item in the list occurred were included (e.g. in 20??, Council directed staff and commissions to seek outside funding sources ..., in 20?? State officials notified the City of ...).

*Comment noted, detail of the CC direction may be found in the Background section of the report. Council provided the direction to seek grant opportunities at its January 28, 2018 meeting. Minutes of the January 28, 2018 meeting are included as Attachment 2 to the report.*

- In the Summary it says that “Additional appropriations of \$75,453 ... will be required to complete the recommended actions”, but the appropriations only add up to \$75,453 if we include the amount of the grant. Wouldn't it be more accurate to say that the additional appropriations total is \$41,353, or at least that's the net amount?

*The administrative action Council is requested to take is for the total amount of the State grant, the local match amount, and the cost of the historical architecture firm to assist in providing the information needed to follow up on Council's December 15, 2020 direction to have the Historical, Park and Recreation, and Financial Commissions review and recommendations. Council must appropriate the grant funds to the project to allow for it to be expended or the funds will have to be returned to the state and the City pay for the entire cost of the HSR.*

## **Tentative Council Calendar**

- Why is 461 Orange Ave, Foothill Congregational Church, Conditional Use Permit for the school, no longer on the agenda for January 26? Has it been postponed?

*The item has been postponed as the applicants are having another circulation study done and staff is awaiting the results of that study. Traffic and parking had been a concern of neighbors and staff believes the applicants are evaluating whether other measures can be incorporated into the proposal to address the concerns.*