

Special and Regular Meeting of Tuesday, September 23, 2008

City Council Chambers, One Twin Pines Lane

SPECIAL MEETINGS

CLOSED SESSION - 6:15 P.M.

- A. Conference with Real Property Negotiator Crist pursuant to Government Code Section 54956.8: Four Parcels, APN 045-182-250 045-182-260, 106-200-120 and 106-250-100, concerning price and terms of payment
- B. Conference with Legal Counsel pursuant to Government Code Section 54956.9, Anticipated Litigation, Significant Exposure to Litigation: One case - Claim of Schoening et al.: Marburger Road

Attended by Councilmembers Feierbach, Wozniak, Braunstein, Dickenson, Lieberman, City Manager Crist, Community Development Director de Melo. City Attorney Zafferano was absent, and City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 7:30 P.M.

**Terri Cook
City Clerk**

This meeting was not tape recorded or videotaped.

REGULAR MEETING

CALL TO ORDER 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Wozniak, Braunstein, Dickenson, Lieberman

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Crist, Community Development Director de Melo, Public Works Director Davis, Police Chief Mattei, Finance Director Fil, Human Resources Director Dino, Fire Chief Fry, Fire Captain Fauth, City Treasurer Violet, City Clerk Cook.

PLEDGE OF ALLEGIANCE

Led by City Clerk Cook.

REPORT FROM CLOSED SESSION (from earlier and from September 9, 2008)

Mayor Lieberman stated that there was direction given but no action taken on the Closed Session held following adjournment of the regular meeting of September 9, 2008, and from Item A (Property Negotiations) held earlier this evening. He noted that Closed Session Item B (Marburger) would be continued to a later meeting. He also stated that the action item on this evening's special Redevelopment Agency agenda (to be held immediately following adjournment of the City Council

agenda) is a result of previous direction.

SPECIAL PRESENTATIONS

Oath of Office of Police Officer Michael Cecchi

Police Chief Mattei provided background on the department's newest police officer, Michael Cecchi. City Clerk Cook administered the Oath of Office, and Officer Cecchi's mother pinned his badge.

Police Department Employee Awards

Police Chief Mattei and Captain DeSmidt presented the department's annual awards, as follows:

Officer of the Year – Roy Digneo
Dispatcher of the Year – Mary Drake
Community Service Officer – Brian Weddell
Volunteer – Brandon Vaccarro

PUBLIC COMMENTS AND ANNOUNCEMENTS

Darren Stewart, on behalf of AYSO Soccer, stated that AYSO has teamed with Notre Dame de Namur University for the past two years to offer soccer clinics on Koret Field. He cited the recent complaint that had been reported regarding the use of the field after permitted hours, and he commented that children are not criminals. The field is a valuable asset for the community, and using it allows other fields to rest. He suggested amending the Conditional Use Permit.

Judith Greig, Acting President, Notre Dame de Namur University, thanked City officials for their attendance at the new student dinner. She acknowledged the violation of the Conditional Use Permit (CUP) for Koret Field, and stated that the soccer event would not be held again unless the CUP was amended. She noted that mitigations have been made at Koret field, including redirecting the speakers and the installation of a permanent fence around the berm to keep spectators off.

Jeff Haber, Belmont resident, expressed his support for a skate park in Belmont. He noted that this is a very popular sport for people of many ages.

Alan Sarver, School Force, invited the community to attend the upcoming Save the Music Festival on October 5. He outlined the activities that would be taking place at that event.

Jim Scheinman, on behalf of 45 soccer families, stated that kids need healthy fields for playing soccer. Koret Field is often unused, and he noted that the University is willing to allow groups to use it.

Jacob Scheinman, soccer player, stated that the City needs better fields. He would like to be able to continue using Koret Field.

Max Lieberman, soccer player, stated that grass fields cannot be used in the rain because they get

too muddy.

Ray Moreno, Belmont resident, questioned the calculations used to compute the sewer rates. He noted he was overcharged by \$10.

City Manager Crist clarified that the initial sewer hearing notice provided estimates, not final rates. Finance Director Fil stated that Mr. Moreno was not overcharged, since the early information provided was an estimate only. He noted the sewer rate is a complex calculation.

Steve Welter, Belmont resident, stated that an amendment to Notre Dame de Namur University's CUP should be made using common sense. The field is often unused.

Community Development Director de Melo reviewed the CUP process, and described the efforts of the task force regarding Koret Field issues.

Saverio Ferme, Belmont United Soccer Club, requested that the City amend the University's CUP to allow more use of Koret Field.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Wozniak invited the community to attend the Manor House Centennial celebration on October 18.

Councilmember Braunstein stated that approximately 50 people attended a recent site meeting for the proposed Semeria Park. He noted that the Parks and Recreation Commission would next discuss this at its meeting of October 1.

Mayor Lieberman stated that the City would hold a smoking ordinance seminar on October 2nd, and this meeting would be televised. There will be a compost giveaway on October 11th at City Hall. He noted that there are no meetings scheduled for this month's fifth Tuesday.

AGENDA AMENDMENTS

Mayor Lieberman noted that Item 6-A (Discussion and Direction Regarding an Ordinance Adding Chapter 18, Article VIII, Extraordinary Police Services, to the Belmont Municipal Code) would not be heard this evening, due to the unexpected absence of City Attorney Zafferano.

CONSENT CALENDAR

Approval of Minutes of Special and Regular Meeting of August 12, 2008.

ACTION: On a motion by Councilmember Dickenson, seconded by Councilmember Braunstein, the Consent Agenda was unanimously approved by a show of hands.

OLD BUSINESS

Resolution Directing City Debt Issuance and Approving Action Plan for South Bayside System Authority Capital Improvement Program

Finance Director Fil stated that this resolution would authorize Belmont to issue its own debt in order to fund its share of the capital improvement plan for the sewer treatment plant operated by the South Bayside System Authority (SBSA). The Finance Commission reviewed this matter and has recommended that it is in the City's best interest to move forward with a stand-alone issuance as opposed to joining in the bond with other agencies. Grants could also be pursued to assist with the funding. He also noted that the Infrastructure Committee has reviewed this matter and concurs with this course of action. He clarified this process will require a Proposition 218 hearing.

City Treasurer Violet expressed his strong support for Belmont seeking financing separate from the other agencies.

In response to Council questions, Finance Director Fil stated that this process would protect the City's best interests. Current bond holders need to be repaid, and it is best not to comingle bonds. He also clarified that staff is still calculating the new sewer fee rates. Belmont continues to be eligible for low-interest rates through the State revolving fund, but there are restrictions on those funds, and Belmont may not be able to use them for this purpose.

Ray Moreno, Belmont resident, stated that a new plant was built 20 years ago. No other city's plants are being upgraded. He noted that sewer rates could double.

Mayor Lieberman provided the details of the capital improvement plan for the plant, and noted that no monies have been collected for the past 25 years for rehabilitation of the facility. There is a potential for sewer rates to double in order to finance the project, but grants would be sought to offset that increase. He clarified that the City has been replacing sewer pipes throughout Belmont.

Councilmember Wozniak noted that the City is still looking into the hardship issue for sewer rates.

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Braunstein, Resolution 10061 Directing City Debt Issuance and Approving Action Plan for South Bayside System Authority Capital Improvement Program was unanimously approved by a show of hands.

NEW BUSINESS

Discussion and Direction Regarding an Ordinance Adding Chapter 18, Article VIII, Extraordinary Police Services, to the Belmont Municipal Code

Mayor Lieberman noted that as previously announced, this item would be continued. Councilmember Dickenson expressed an interest in scheduling this matter as soon as possible, as it has been on the priority list for many years. Councilmember Wozniak expressed an interest in obtaining clarification regarding the log of calls included with the staff report, to which Councilmember Braunstein concurred.

Mayor Lieberman stated that finding an appropriate date for rescheduling this matter would be discussed at the next agenda setting.

Resolution Authorizing the City Manager to Execute a Memorandum of Understanding to Acknowledge the Smart Corridors Project and to Agree to Work Cooperatively to Assist in Development of the Smart Corridors Project

Public Works Director Davis noted that the Smart Corridors Project is a cooperative, regional effort to assist with directing traffic around freeway incidents more effectively and efficiently. This will minimize the traffic flowing through residential neighborhoods and direct it back onto the freeway as appropriate. He clarified that the project does not intend to direct traffic off the freeway other than for extraordinary conditions.

Councilmember Feierbach expressed concerns regarding the traffic that will be generated with future development on El Camino Real. She noted that C/CAG may push to divert freeway traffic onto city streets.

Public Works Director Davis clarified that this project is not intended to facilitate moving traffic off the freeway, but is a way to manage traffic during freeway incidents.

Councilmember Dickenson stated that disaster communication is included in the project, which has value.

Police Chief Mattei stated that accident investigations take time. He supports the Smart Corridors Project, and noted that freeway incidents affect City staff.

Mayor Lieberman noted that the proposed resolution authorizes Belmont's participation in the project but does not allow other agencies to make decisions for Belmont.

Councilmember Wozniak requested clarification of what constitutes an incident. She noted it is a good program in theory. Sometimes traffic lights are waiting for no traffic, which can be frustrating. In response to her questions, Public Works Director Davis clarified that there is no cost to the City for upgrading the signals, since Cal Trans is responsible for El Camino Real. He further clarified that the program is intended to prevent traffic from spilling into residential neighborhoods. Signage can be installed.

In response to Councilmember Braunstein, Public Works Director Davis stated that this is a regional program that will address other freeways besides Highway 101. He also noted that it could be used to address special events at facilities such as the Expo Center and the Cow Palace.

Gladwyn D'Souza, Belmont resident, stated he does not support this program. He does not want to make it easier for cars to get off the freeway. There is an impact on local infrastructure, and a need to resolve existing local programs. He stated that El Camino Real has a high accident rate.

Councilmember Wozniak expressed support for this program for emergencies, but requested a more clear definition of incident. She expressed concern regarding the use of this program for special events, and suggested that fewer special events be scheduled. She does not support its use for reducing commute time. She supports the signal upgrade. She noted that Ralston Avenue could be reconfigured in the future.

Public Works Director Davis stated that this program will manage traffic that will naturally divert off the freeway during extreme conditions. He clarified that a major incident is one that forces the closure of one or more lanes of traffic on the freeway. He also clarified that existing signs would be used, as they already are, to alert drivers of traffic issues.

Councilmember Feierbach expressed support for blocking of local streets during incidents, if possible.

ACTION: On a motion by Councilmember Braunstein, seconded by Councilmember Dickenson, Resolution 10062 Authorizing the City Manager to Execute a Memorandum of Understanding to Acknowledge the Smart Corridors Project and to Agree to Work Cooperatively to Assist in Development of the Smart Corridors Project

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Councilmember Dickenson reported that at the last Office of Emergency Services meeting, it was noted that cities may be asked during the next budget cycle to contribute matching funds for new radio equipment.

Councilmember Feierbach reported on a recent Senior Advisory Committee meeting she attended. A defibrillator was purchased for the Senior Center, and volunteers have been trained in its use. She stated that a number of new classes are being offered, and that flu shots would be available on October 30th. She also stated she attended a meeting at Notre Dame de Namur University where the concept of a community garden on campus was discussed.

Mayor Lieberman reported that at the last Belmont-San Carlos Fire Commission meeting, approval was made for a financial agreement for new fire trucks. He also outlined the topics covered during September's Lunch with the Mayor, and noted that newspaper columnist Bil Paul wrote about his experience at the lunch.

Verbal Report from City Manager

City Manager Crist stated that the City received two proposals for solid waste services under a new franchise agreement, and those proposals were currently being evaluated. A recommendation would be forthcoming at an upcoming meeting. He stated that Council and staff have received correspondence regarding the Davey Glen Park site, and he clarified that no decision has been

reached regarding that project. He noted this project would be discussed at the joint meeting with the Parks and Recreation Commission on November 5th. He also commented that he advised the City Manager of Redwood City that the landscape project at Ralston Avenue and Highway 101 was a priority for Belmont.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Ray Moreno, Belmont resident, expressed concerns regarding the burglar alarm permit fee. He noted that he installed an alarm following a burglary two years prior. He was unaware of the permit requirement. Taxes should be used to pay for protection, not for false alarm fees.

Councilmember Feierbach stated that some people do not care how many false alarms they cause, and the police have to respond to each one, which has an impact.

Mayor Lieberman noted that policy decisions, including fees, can always be changed. He noted this is an opportunity to get involved in local issues.

ADJOURNMENT at this time, being 9:55 P.M.

**Terri Cook
City Clerk**

Council Meeting Tape Recorded and Videotaped
Audio Recording 707