

Special and Regular Meeting of Tuesday, November 25, 2008

City Council Chambers, One Twin Pines Lane

SPECIAL MEETINGS

CLOSED SESSION – 6:00 P.M.

- A. Conference with Real Property Negotiator Crist pursuant to Government Code Section 54956.8: Two Parcels, APN 106-200-120 and APN 106-270-060, concerning price and terms of payment
- B. Conference with labor Negotiator, Jack Crist, pursuant to Government Code Section 54957.6: MMCEA and AFSCME

Attended by Councilmembers Feierbach, Wozniak, Braunstein, Dickenson, Lieberman, City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Finance Director Fil, Public Works Director Davis, Police Chief Mattei, Human Resources Director Dino, and Labor Negotiator Tuffo. City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 7:15 P.M.

**Terri Cook
City Clerk**

This meeting was not tape recorded or videotaped.

**REGULAR MEETING
CALL TO ORDER 7:35 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, Finance Director Fil, Human Resources Director Dino, Police Chief Mattei, Parks and Recreation Director Gervais, Fire Chief Fry, City Treasurer Violet, City Clerk Cook.

PLEDGE OF ALLEGIANCE

Led by the Belmont Police Honor Guard.

REPORT FROM CLOSED SESSION (including from special Closed Session of 11/18/08)

City Attorney Zafferano stated that direction was given but no action taken during the Closed Sessions held earlier in the evening, and the Closed Session held on November 18, 2008.

SPECIAL PRESENTATIONS

Presentation Recognizing Retiring Assembly Member Gene Mullin

Mayor Lieberman noted that Assembly Member Mullin was unable to attend this evening's meeting due to the special session of the Assembly held earlier in the day. He stated that Mr. Mullin's daughter and grandchildren live in Belmont, and on his behalf they accepted a Key to the City, and a Belmont street sign bearing his name.

Councilmembers expressed their best wishes to Retiring Assembly Member Mullin.

Presentation Thanking Outgoing Board of Supervisor Jerry Hill and Welcoming him as incoming Assembly Member

Mayor Lieberman expressed his appreciation that Supervisor Hill called him shortly after his election to the City Council. He presented Outgoing Supervisor Hill with a Belmont street sign and a Belmont logo shirt. He noted that he walked precincts for Supervisor Hill's campaign, which is a challenge in Belmont.

Councilmember Feierbach expressed her wish that all members of the Board of Supervisors were of Mr. Hill's caliber. She thanked him for his service.

Councilmember Dickenson stated that Supervisor Hill reached out to him as a Council member early on. He noted that the good things he has done for Belmont he tributes to Supervisor Hill.

Councilmember Wozniak noted that Supervisor Hill is always present in the community.

Councilmember Braunstein thanked Supervisor Hill for his many years of service. He noted that several years ago, former Assembly Member Vasconcellas had a program called "Assembly Member for a Day". He recommended that Supervisor Hill consider a similar program.

Jerry Hill, Retiring Supervisor/Incoming Assembly Member, noted that outgoing Assembly Member Mullin was still at work regarding the budget situation. He will have big shoes to fill. He commented that Belmont has committed leaders. He thanked the Council for their comments and their gifts.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Mark Nolfi, MMCEA (Mid-Management Confidential Employees Association) Representative, stated that he is president of the MMCEA bargaining group, and was negotiation team leader. He and the rest of the negotiating team recently resigned. Previous concessions made by the bargaining unit have not been returned and staffing is at its lowest. Salaries are not comparable with other jurisdictions. Proposals that would have saved the City money and would attract and retain good employees have been rejected. He noted he was born and raised in Belmont and attended schools in Belmont. Employees are stewards of the City. It is up to the City Council to make decisions for the City.

Kevin Sullivan, Belmont resident, thanked the City for installing trees along Ralston Avenue. He noted that he likes the street sign design as presented earlier.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Mayor Lieberman announced the City Hall tree lighting ceremony on December 3. He also announced the Breakfast with Santa event to be held on December 6. He outlined the closure of City Hall administrative offices during the upcoming holiday period, and that the second Council meeting in December is cancelled.

CONSENT CALENDAR

Approval of Minutes of Special and Regular Meeting of October 28, 2008; Special and Joint Meeting with the Belmont Parks and Recreation Commission of November 5, 2008; and Special Meeting of November 7, 2008 (Closed Session)

Approval of Resolution 10074 Accepting Work, Approving As-Built Plans, and Authorization to Issue a Notice of Substantial Completion for the Sanitary Sewer Rehabilitation Haskins Drive Pump Station Project, City Contract Number 467

Approval of Resolution 10075 Approving Establishment of a 4-Way Stop at the City Hall Parking lot at Twin Pines Lane

Approval of Resolution 10076 Accepting Work and Authorization to Issue a Notice of Substantial Completion to RMT Landscape Contractors, Inc. for the Ralston Avenue Median Improvement Project, City Contract Number 489

Councilmember Feierbach commented regarding Item C (Resolution Approving Establishment of a 4-Way Stop at the City Hall Parking lot at Twin Pines Lane). She stated that the recent Parking Traffic Safety Committee minutes made note of the fact that other traffic calming ideas were discussed for this area, and she may be placing a future Item 9 on the agenda to discuss this further.

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

NEW BUSINESS

Recognition of Outgoing Mayor Lieberman

Mayor Lieberman introduced the dignitaries present in the audience.

Councilmember Dickenson acknowledged Mayor Lieberman's year of service as Mayor, and commented regarding his State of the City address. He presented Mayor Lieberman with a plaque.

Mayor Lieberman stated that this is a hard-working City Council and a hard-working Vice-Mayor.

City Manager Crist stated that the Mayor has done an outstanding job. He presented the Mayor's wife with a plant, and noted that being the Mayor is a sacrifice for his or her family. He also presented the Mayor with a Book of Mayors.

Bob Ledoux, Belmont resident, congratulated Mayor Lieberman on his leadership, his Year of the Community, the formation of the Green Advisory committee, and the monthly lunches. He noted that the Mayor formed a closer relationship with sports groups, and initiated the user fee for field improvements. He commented regarding the progress on the economic development sites.

Dianne Keogh, Belmont resident, noted that Mayor Lieberman owns every Belmont shirt in every color and style they make. She thanked him for being so proud of Belmont.

Max Lieberman, Belmont resident/Mayor's son, commented regarding the condition of the fields in Belmont, which can lead to injuries. He noted that fields in other cities are in better condition.

Remarks by Outgoing Mayor Lieberman

Mayor Lieberman expressed his hope that his Year of the Community theme will be continued into the next mayor's term. He stated that the City is well served by the City Council, the City Manager, the department heads and staff, public safety personnel, the City Clerk and City Treasurer, and the City Attorney.

Mayor Lieberman outlined the accomplishments of the past year. He noted the 100th Anniversary of the Manor Building, and the historic photo display at City Hall. He described the progress made on the economic development target sites. He commented regarding Fire Chief Fry's efforts which have improved the fire department. He noted the establishment of the Green Advisory Committee. He discussed the monthly community lunches, the enactment of the construction time limit ordinance, and the stronger relationship the City has with Notre Dame de Namur University. He congratulated the Belmont-Redwood Shores School District for its passage of Measure U.

Mayor Lieberman commented on the successful move of the Emmett House to its new location, and said that progress is being made on its rehabilitation. He is disappointed in the progress on labor relations, and commented that he values staff. He noted that plans are in place for the new South Bayside Systems Authority (SBSA) facility, and that progress is being made on the decision for a new solid waste collection franchise. The City issued its first Beautify Belmont Awards this year, and will soon issue the next set. Sports fields user fees were imposed to improve the condition of the playing fields. Two new parks are being planned.

Mayor Lieberman thanked his family for their support. He said it was an honor and privilege to have served as Mayor. It was rewarding and fun.

Councilmember Feierbach thanked Mayor Lieberman for his patience. She also thanked him for his efforts with the South Bayside System Authority in his endeavor to save the City money. She acknowledged his Infrastructure Committee and Fire Commission assignments.

Councilmember Braunstein thanked Mayor Lieberman for partnering with him on the Infrastructure Committee and for working together in the community. He noted that Mayor Lieberman ran the meetings well.

Councilmember Wozniak thanked Mayor Lieberman for his efforts on the 2+2 committee. She expressed appreciation for his keen financial eye, and noted that he brings an important dimension on many issues.

Councilmember Dickenson thanked Mayor Lieberman for his year as Mayor.

Mayor Lieberman noted that this is a productive City Council.

Diane Van Zant, City Employee, thanked Mayor Lieberman for recognizing the employees, and for his monthly lunches. She hoped the lunches continue with the new Mayor. She believes Mayor Lieberman cares about employees, and stated she is angry regarding the lack of progress with regard to labor negotiations. Employees do not feel appreciated because of this.

Sam Horowitz, Belmont resident, noted that the transfer of power to a new Mayor is mostly ceremonial. The Mayor and Vice Mayor have a unique opportunity to set the tone for the coming year. He noted this transfer used to be predetermined by Protocol. He recommended not selecting Mayor Lieberman for a second term, and not electing the Vice Mayor as Mayor. He noted the Vice Mayor has one conviction and a case pending in San Francisco. He should resign from the Council. He recommended that Councilmember Feierbach be selected as Mayor, and stripping Vice Mayor Dickenson of his subcommittee assignments.

Tim O'Brien, Belmont resident, stated that the Vice Mayor should not become Mayor until the cloud of negativity is gone.

Selection of Mayor for 2009

Mayor Lieberman outlined a recommended process for nominations. He suggested that Councilmembers indicate if they have a nomination, and those would be considered in order of seniority of the nominator. Council concurred to follow this process.

Councilmember Wozniak and Mayor Lieberman each stated they wished to nominate a candidate.

Mayor Lieberman nominated Councilmember Braunstein due to the fact that he received the most votes in the recent election.

Councilmember Wozniak also nominated Councilmember Braunstein.

ACTION: On a motion by Councilmember Dickenson, seconded by Councilmember Wozniak, Resolution 10077 Appointing David Braunstein as Mayor for 2009 was unanimously approved by a show of hands.

Mayor Braunstein's wife, Patricia, administered the oath of office.

Selection of Vice Mayor for 2009

Councilmember Feierbach nominated Councilmember Wozniak as Vice-Mayor.

ACTION: On a motion by Councilmember Dickenson, seconded by Councilmember Lieberman, Resolution 10078 Appointing Christine Wozniak as Vice-Mayor for 2009 was unanimously approved by a show of hands.

Remarks by Incoming Mayor

Mayor Braunstein stated that he did not seek the nomination for Mayor, but prepared comments knowing that the incoming Mayor was unknown. He expressed regrets regarding the events that prevented Councilmember Dickenson from becoming Mayor. He noted that Councilmember Dickenson has always supported him. He will do his best as Mayor, and he thanked the Council for their trust. The transition will be easy with Former Mayor Lieberman's help. He acknowledged Former Mayor Lieberman's Year of the Community, and that he ran meetings well. He appreciates his efforts to make meetings accessible by the public.

Mayor Braunstein will continue to seek ways to provide improvements for citizens. He wants to build community, and commented that this will happen through collaboration. There are infrastructure issues to address, and there is a need to improve the public's assets. He spoke regarding the progress on economic development. He would like to ensure Belmont has a successful business climate. He wants to address how the City Council works together. He would like to work with the neighborhoods, and to meet with small groups in the community. He would like to explore expanding the use of television and the website for better communication. He looks forward to working with staff and the rest of the City Council.

Mayor Braunstein thanked his family for their support. He noted it is important to give back to the community. Small businesses are important. He is dedicated to being committed, sincere and inclusive.

Mayor Braunstein concluded by thanking those who assisted with the upcoming reception, and he invited everyone to attend upon adjournment.

ADJOURNMENT at this time, being 9:07 P.M.

**Terri Cook
City Clerk**

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