

**Minutes of Special and Regular Meeting of October 9, 2018
One Twin Pines Lane, Belmont, California**

SPECIAL MEETING 6:30 P.M.

CLOSED SESSION

Conference With Legal Counsel (Govt Code Section 54956.9(d)(1))

Existing Litigation Baka v. City of Belmont, San Mateo Superior Court No. CIV 523248

STUDY SESSION [Emergency Operations Center, Second Floor]

Belmont Government 101 (continued to end of meeting)

Participate in a presentation and discussion of Belmont city government legal structure and operational rules, including the roles of elected and appointed officials, statutory city officers, open government laws, and other general laws affecting city operation

RECESS 6:55 P.M.

Terri Cook
City Clerk

REGULAR MEETING

CALL TO ORDER 7:05 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT: Hurt, Lieberman, Stone, Mates, Kim

COUNCILMEMBERS ABSENT: None

PLEDGE OF ALLEGIANCE

Led by Mayor Kim

REPORT FROM CLOSED SESSION

City Attorney Rennie noted there were no reportable actions from the Closed Session held earlier.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Martin Fox, Belmont resident, encouraged people to vote no on Propositions 1 and 2.

Kathleen Beasley, Belmont Library Manager, outlined civic programming taking place in October and November related to elections, as well as other activities.

Perry Kennan, Belmont resident, spoke regarding grand jury report on pension costs.

COUNCILMEMBER ANNOUNCEMENTS

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Councilmember Hurt noted that October is Domestic Violence Awareness Month. She announced an upcoming County Leadership Day.

Councilmember Stone noted the upcoming Save the Music Festival. He thanked the Public Works Department for activating the signal at South Road.

Councilmember Mates encouraged residents to read the City Manager's weekly update. She noted the ongoing efforts on input for the Twin Pines Master Plan. She announced an upcoming outreach meeting on the Ralston Corridor Plan.

Mayor Kim noted the various ballot drop off box locations. He spoke regarding the recent Nesbit second grade visit. He stated he attended the 50th anniversary of Charles Armstrong School. He also commented regarding the new signal at South Road. He announced an upcoming NDNU (Notre Dame de Namur) time capsule installation and history panel discussion. He announced the upcoming Waterdog Run, Save the Music Festival, and Veterans Day event.

COMMENTS ON CONSENT CALENDAR

Perry Kennan, Belmont resident, commented regarding the agenda title for the service agreement with Economic and Planning Systems, Inc., and questioned the cost for each of the phases of the proposal.

Mayor Kim clarified the scope of services for this item.

ITEMS APPROVED ON CONSENT CALENDAR

Introduce an ordinance amending the criteria for issuance of a massage business registration certificate

Motion to Receive Monthly Financial Reports

Resolution 2018-081 authorizing the City Manager to execute a Service Agreement with Economic and Planning Systems, Inc. to provide public financing advisory and implementation services, and authorize the City Manager to issue a Task Order for Phase I services in an amount not to exceed \$119,970 as shown on the attached work program

ACTION: On a motion by Councilmember Stone, seconded by Councilmember Hurt, the Consent Agenda was unanimously approved.

OTHER BUSINESS

Establishing an Eric Reed Memorial Grove in Twin Pines Park

City Clerk Cook noted that at its last meeting, the City Council agreed to name the grove adjacent to the Veterans Memorial in Twin Pines Park in honor of former Councilmember and Mayor Eric Reed. She noted that approval of this item would allocate funds for a plaque and other costs associated with the establishment of the grove, and that a ceremony could be scheduled in coordination with Councilmember Reed's family.

Councilmember Stone expressed support for doing something to honor former Councilmember Reed.

Councilmembers commented regarding Councilmember Reed's contributions to the community, including the Veterans Memorial.

ACTION: On a motion by Councilmember Hurt, seconded by Councilmember Mates, Resolution 2018-082 naming the grove surrounding the Veterans Memorial in Twin Pines Park the Eric Reed Memorial Grove was unanimously approved.

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

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

Councilmember Stone reported on recent Sam Trans and Caltrain meetings.

Councilmember Hurt reported on a Zero Waste/Rethink Waste meeting she attended.

Councilmember Lieberman noted upcoming meetings of the fire board and Silicon Valley Clean Water.

Mayor Kim reported on recent HEART (Housing Endowment and Regional Trust), Placemaking and SFO Roundtable meetings.

Verbal report from City Manager

City Manager Scoles noted the upcoming outreach meeting for the Ralston Avenue Corridor Plan. He pointed out that a new engine has been acquired for Fire Station 15. He advised that the City's website contains information regarding infrastructure projects. He spoke regarding NDNU's (Notre Dame de Namur University) Call to Action Day, with cleanup being done at Twin Pines Park and Barrett Community Center.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Request to have Council Consider Supporting Dockless Bikeshare Services in Belmont (Doug Kim)

Mayor Kim requested consideration of exploring dockless bikesharing services for Belmont. He pointed out that docking stations are expensive. He noted that neighboring cities have agreements for such services. He clarified that a pilot project can be relatively inexpensive and can be modeled on other cities' models.

Council concurred to place this on the City Council's 2019 priority session.

ADJOURNMENT at this time, being 7:50 P.M.

Terri Cook
City Clerk

RECONVENE SPECIAL MEETING 7:55 P.M.

Belmont Government 101

City Attorney Rennie clarified that his intent is to discuss items not covered under AB 1234 ethics training. He noted that this presentation is a work in progress that is initially geared for commissions and committees but is applicable to the City Council.

He provided a legal definition of a city and what gives it its authority. He discussed the difference between general law and charter cities, and described the structure of the council-manager form of government. He outlined statutory offices within the City and noted the City Council's responsibilities, and described the limits on local legislative authority. He described the role of citizen advisory bodies including Planning and Parks and Recreation Commissions, and the Measure I Committee. He outlined the Brown Act, Political Reform Act, due process, CEQA (California Environmental Quality Act), and local laws including ordinances and the General Plan. He pointed out that State and federal statutes provide key operational rules. He outlined reasonable conditions to avoid regulatory takings.

City Attorney Rennie outlined core areas of Brown Act and its applicability. He provided examples in which the Brown Act could be violated or has been violated in other cities.

Discussion ensued regarding the Brown Act and serial meetings.

City Attorney Rennie outlined issues related to email communications, provided noticing and agenda language requirements, and described the public's right to attend and participate in meetings. He provided information regarding discussions that are allowed by a majority of the body, including at conferences and candidate forums.

City Attorney Rennie also provided the definition of a public record insofar as the Public Records Act is applicable. He reviewed the City of Belmont's new Technology Policy.

ADJOURNMENT at this time, being 9:15 P.M.

Terri Cook
City Clerk