

**Minutes of Special and Regular Meeting of March 26, 2019
One Twin Pines Lane, Belmont, CA**

**SPECIAL MEETING
CLOSED SESSION**

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

Existing Litigation: Jacobs v. Belmont Fire Protection District, N.D. Cal. 3:18-cv-05823-JSC

Public Employee Employment Pursuant to Govt Code Section 54957

City Manager Recruitment

Attended by Councilmembers Mates, Lieberman, Stone, Kim, Hurt

RECESS at this time, being 7:00 P.M. (litigation matter continued to end of meeting)

Terri Cook
City Clerk

**REGULAR MEETING
CALL TO ORDER 7:05 P.M.**

ROLL CALL

Councilmembers Present: Mates, Lieberman, Stone, Kim, Hurt

Councilmembers Absent: None

PLEDGE OF ALLEGIANCE

Led by Mayor Hurt

REPORT FROM CLOSED SESSION

City Attorney Rennie stated that the second closed session matter (City Manager Recruitment) will not be heard tonight and that the City Council will continue the litigation matter after the regular meeting.

SPECIAL PRESENTATIONS

Public Safety Annual Awards and Retirement Recognition (Item taken out of order)

Police Chief DeSmidt presented the following public safety awards:

Retiring K9 Unit, Kilo
Volunteer of the Year, Viktoria Plut
Employee of the Year, Alyssa Diaz
Dispatcher of the Year, Jennifer Fredstrom
Officer of the Year, Tony Mariucci

Oath of Office - New Police Officers and Promotions

Police Chief DeSmidt introduced new police officers and announced promotions. City Clerk Cook administered the Oath of Office, and members of the officers' families pinned their badges.

RECESS: 7:30 P.M.

RECONVENE: 7:40 P.M.

COUNCILMEMBER ANNOUNCEMENTS

Councilmember Mates outlined activities that would be taking place at the City of Belmont's upcoming Earth Day activities. She also noted that the City was undertaking a survey for a new community center.

Councilmember Kim commented regarding the recent Belmont Idol talent show.

Councilmember Stone stated that SamTrans is seeking volunteers for its citizens advisory committee.

Councilmember Lieberman noted that the Chamber of Commerce will be hosting a ribbon cutting for the reopening of the UPS Store in Carlmont Shopping Center.

Mayor Hurt announced the upcoming workshop for the new community center. She announced an upcoming event at the Belmont Library in celebration of Women's History Month. She noted that document shredding and e-waste disposal are being offered as part of the Earth Day activities.

ITEMS APPROVED ON CONSENT CALENDAR

Resolution 2019-028 approving a three (3) year Memorandum of Understanding between the City of Belmont and the Mid-Management Confidential Employees Association (MMCEA)

Resolution 2019-029 accepting work and authorizing the issuance of a Notice of Completion to Express Plumbing, Inc. for the Ralston Avenue Sewer Rehabilitation Project Phase II, City Contract Number 2016-551, for a final contract cost of \$2,717,621

Resolution 2019-030 approving (1) plans and specifications, authorizing advertisement for sealed bids, authorizing the City Manager to execute a contract with the lowest responsible bidder for an amount not to exceed \$674,117 and a ten percent construction contingency, and (2) authorizing the City Manager to execute a Task Order for Construction Management Services with Coastland Civil Engineering Inc. for an amount not to exceed \$90,140 and a ten percent contingency for the 2019 Pavement Maintenance Project – Phase I, City Contract Number 2019-577

Resolution 2019-031 approving the installation of additional red curb, white curb, and angled parking in the downtown area associated with the Ralston Corridor Improvement Project Segments 1 and 2

Resolution 2019-032 approving (1) plans and specifications, authorizing advertisement for sealed bids, authorizing the City Manager to execute a contract with the lowest responsible bidder for an amount not to exceed \$2,465,529 and a ten percent construction contingency, (2) amend agreement with TJKM for additional work to complete the design not to exceed, \$31,275, and (3) authorizing the City Manager to execute a Task Order for Construction Management Services with Coastland

for an amount not to exceed \$239,715 and a ten percent contingency for the Ralston Ave Corridor Project Segments 1 and 2, City Contract Number 2019-578

Introduction of an ordinance amending Belmont Ordinance (Ordinance 975) Section 7-201 through Section 7-222 regarding floodplain management regulations

Ordinance 2019-1139 changing the scope of work of the Measure I Advisory Committee
Motion to Receive Monthly Financial Reports

Resolution 2019-033 authorizing the City Manager to execute Amendment No. 2 to the Service Agreement with Solver, Inc. for payment of maintenance and training of the City's budget software

City Attorney Rennie read the title of the ordinances to be introduced and adopted.

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

PUBLIC HEARINGS

Extension of Conditional Use Permit-Serendipity School

Councilmember Stone noted that his children previously attended Serendipity School. He explained that although there is no legal requirement for him to recuse himself, he would do so for this matter. He stepped off the dais and out of the room.

Community Development Director de Melo explained that the applicant is requesting to extend a previously-approved CUP (Conditional Use Permit). He clarified that the City Council is not approving the project at this time. He described the proposed project and outlined the findings that need to be made for the extension of the CUP. He noted that the applicant is proposing to phase site improvements over two summers.

Mayor Hurt opened the Public Hearing.

Jian Payundeh, Belmont resident, expressed concerns that existing school operations representing safety issues for neighborhood.

Ed Gutierrez, Belmont resident, spoke regarding issue with trees on school property.

In response to Mayor Hurt, Community Development Director de Melo explained that Serendipity School has been in operation since the late 1990's. He also explained the tree removal and replanting plan.

In response to Councilmember Kim, Community Development Director de Melo stated that the proposed project was reviewed by the Planning Commission and City Council in 2017, and he outlined the entitlements that were granted. He stated that the City Council approved the CUP, which provided for a one-year time period to complete the project. He pointed out that enrollment will not be increasing and that the school is modernizing the facility and making site improvements. He noted that staff can work with the school on neighbor issues.

Councilmember Kim commented that all schools experience traffic issues, and he noted that it is difficult to police traffic and parking issues.

Councilmember Mates suggested the use of the Parking Traffic Safety Committee (PTSC) to help address traffic issues.

Councilmember Lieberman expressed the need to find ways to mitigate traffic and tree issues addressed by speakers. He suggested that staff work with Serendipity School to address the situation.

Mayor Hurt concurred that traffic and tree issues can be addressed by staff and through the PTSC.

ACTION: On a motion by Councilmember Lieberman, seconded by Councilmember Kim, **Resolution 2019-034** approving the extension of the previously-approved Conditional Use Permit to amend the existing site utilization plan, allowing construction of a new building, an addition to the existing structure, and various site improvements at Serendipity School was unanimously approved (4-0, Stone recused).

Councilmember Stone returned to the dais.

OTHER BUSINESS

2018 Annual Housing Reports

Management Analyst Rose provided an overview of the annual housing report. She noted that of the 15 new housing permits issued, nine were ADU's (accessory dwelling units). She noted that several additional projects have been submitted for approval. She summarized the program implementation for the Firehouse Square and Hill Street projects. She also outlined the Successor Agency housing report and noted that all reports are in compliance with State requirements.

Discussion ensued regarding ADU's and the production of low- and very low-income housing.

In response to Councilmember Lieberman's inquiry regarding legal consequences for not meeting RHNA (Regional Housing Needs Assessment) target, Management Analyst Rose explained that the State imposes penalties for not meeting annual requirements over an eight-year time span.

City Attorney Rennie described issues that could result if density is limited.

In response to Mayor Hurt, Management Analyst Rose stated that the City is actively working on getting appraisals for specific City-owned properties. She also stated that staff will be bringing forward a proposal to dispose of three city-owned housing units. City Attorney Rennie explained that funds from those sales can only be used for production of low- and very low income housing.

Councilmember Mates expressed support for people interested in producing ADU's.

Councilmember Stone noted that many cities are struggling to produce low- and very low-income

housing.

City Attorney Rennie noted that the City of Belmont is on track to produce all lower income level housing. He pointed out that housing production is market driven.

Discussion ensued regarding low-income housing needs.

Councilmember Lieberman stated that the quality of the new construction is high. He expressed his appreciation that production numbers have increased.

Mayor Hurt noted that Belmont is on track to exceed RHNA numbers, and that policies and goals have been changed to meet needs and requirements. She pointed out that affordable housing is still a crisis, and there is a need to diversify housing options.

ACTION: On a motion by Councilmember Stone, seconded by Councilmember Mates, and unanimously approved to accept the housing reports and direct staff to transmit them to the State.

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

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

Councilmember Lieberman reported on a recent Silicon Valley Clean Water agency meeting.

Councilmember Kim reported on recent HEART (Housing Endowment and Regional Trust), C/CAG and YAC (Youth Advisory Committee) meetings.

Councilmember Stone reported on a recent Sam Trans annual retreat and announced Supervisor Carole Groom's annual event at library, Migrating through Change. He also reported on a recent 2+2+2 meeting.

Councilmember Mates also described the recent 2+2+2 (City of Belmont, Belmont-Redwood Shores School District, City of Redwood City) meeting.

Verbal report from City Manager

City Manager Scoles commented regarding the public safety awards held earlier. He announced an upcoming workshop for first time homebuyers and noted that the new proposed Belmont community center information and survey is available on the City's website.

Mayor and Vice Mayor Selection Process

Mayor Hurt pointed out that other cities have various selection processes and that Belmont has had various iterations over the years. She noted that the current system is working well.

Councilmember Stone suggested appointing a subcommittee to look at options.

Councilmember Mates stated that the current system works well and that she could support a requirement for tenure before becoming mayor.

Councilmember Lieberman pointed out that a dysfunctional council will change procedure to suit its needs and that the order of rotation is usually clear with a well-functioning council. There may be times when rotation may not be obvious, and that having a guideline might be useful in those cases. He noted that the process can be awkward.

Councilmember Kim stated that this is not a problem that needs to be solved. He pointed out that there are too many variables in any election cycles. He noted that the selection of mayor and vice mayor is a political process, and guidelines are easy to ignore. He stated that it is best if objective criteria are in place. He does not support the formation of a subcommittee as other priorities are more important.

Mayor Hurt stated that she could support the guidelines used from 1990-2002.

Councilmember Stone suggested a guideline to address certain circumstances and to ensure everyone has an opportunity to be mayor. He noted that the decision should not be political.

ACTION: On a motion by Councilmember Stone, seconded by Councilmember Lieberman, the formation of a subcommittee made up of Councilmembers Stone and Lieberman to look at options regarding the mayor and vice mayor selection process was approved (4-0, Kim abstain).

ADJOURNMENT 9:00 P.M. to Continued Closed Session to consider:

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

Existing Litigation: Jacobs v. Belmont Fire Protection District, N.D. Cal. 3:18-cv-05823-JSC

Attended by Councilmembers Mates, Lieberman, Stone, Kim, Hurt

ADJOURNMENT at this time, being 10:15 P.M.

Terri Cook
City Clerk