

**Minutes of Special and Regular Meeting of May 14, 2019
One Twin Pines Lane, Belmont, CA
Hartford Marriott Downtown, 200 Columbus Blvd Hartford CT 06103-2807 (Mates)**

SPECIAL MEETING (3rd Floor Conference Room) 6:30 P.M.

A. CLOSED SESSION

- (1) **Public Employee Employment Pursuant to Govt Code Section 54957**
City Manager - Interim Appointment

Attended by: Councilmembers Mates (via telephone), Lieberman, Stone, Kim, Hurt

ADJOURNMENT at this time, being 6:55 P.M.

Terri Cook
City Clerk

Meeting not televised or webstreamed.

**REGULAR MEETING (Council Chambers)
CALL TO ORDER 7:05 P.M.**

ROLL CALL

Councilmembers Present: Mates (via Skype), Lieberman, Stone, Kim, Hurt
Councilmembers Absent: None

PLEDGE OF ALLEGIANCE

Led by Mayor Hurt

REPORT FROM CLOSED SESSION

Mayor Hurt announced that the City Council took action during closed session to appoint Public Works Director Afshin Oskoui as Acting City Manager effective June 8, 2019.

SPECIAL PRESENTATIONS

Certificate of Recognition - Utility Box Artists

Parks and Recreation Director Shearer described the project wherein artists were selected to paint some of the utility boxes throughout the City of Belmont as a beautification project. Mayor Hurt presented certificates of recognition to the artists.

National Public Works Week Proclamation

Mayor Hurt presented the National Public Works Week proclamation to Public Works Director Oskoui who outlined the events that would take place at an upcoming Public Works Open House.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Mary Ridge, Belmont resident, described ongoing issues regarding her yard and cleanup needs.

David Pollock, San Carlos resident, provided an update on Safe Storage program for guns, and pointed out that some cities have enacted ordinances adopting this program.

ITEMS APPROVED ON CONSENT CALENDAR

Minutes of Special and Regular Meeting of April 23, 2019

Monthly Financial Reports - March

Resolution 2019-041 approving a Permanent Encroachment Agreement to allow privately maintained retaining walls within the public right-of-way at 2617 Prindle Road (APN 044-260-040)

Resolution 2019-042 increasing the project budget, authorizing a supplemental appropriation of \$199,000 for the 2019 Pavement Maintenance Project – Phase I, City Contract Number 2019-577, and authorizing the City Manager to award a construction contract to O’Grady Paving, Inc. for an amount not to exceed \$854,679 with 10% contingency

Resolution 2019-043 accepting work and authorizing the issuance of a Notice of Completion to Cratus, Inc. for the Shoreway Sewer Replacement Project, City Contract Number 2018-565, for a final construction cost of \$1,985,606

Resolution 2019-044 approving (1) a supplemental appropriation of \$200,000 by authorizing an amendment to the FY 18/19 budget (2) authorizing the City Manager to execute a contract with RK Engineering, Inc. for \$2,818,288 and a 10% contingency for the Ralston Avenue Corridor Project – Segments 1 and 2, City Contract Number 2019-578

Resolution 2019-045 authorizing an amendment to the Employment Agreement with City Attorney Scott M. Rennie by modifying certain benefits

Resolution 2019-046 updating the proposed projects to receive funding from the Road Maintenance and Rehabilitation Account (RMRA) in Fiscal Year 19/20 to include additional information

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

PUBLIC HEARINGS

Windy Hill Residential Project- 1325 Old County Road, 1301 Old County Road, Vacant Lot (City of Belmont), 1304 Elmer Street and 633 O’Neill Avenue (San Mateo County)

Senior Planner DiDonato provided a background of the General Plan (GP) update and the creation of the Belmont Village Specific Plan (BVSP). He pointed out that this is the first project under review using the revised development standards set forth in those documents.

Senior Planner DiDonato explained that the project will provide 250 units of apartments, 38 of which will be affordable. He also described grading, tree removal and tree planting. He pointed out that two lots would be annexed from the County of San Mateo into the City of Belmont as part of the process, and he outlined the annexation process.

Senior Planner DiDonato provided an overview of streetscape and described the environmental

review. He pointed out that there are no conditions present which require the preparation of a subsequent EIR (Environmental Impact Review), and that only an addendum would be produced. He stated that the applicant is requesting a noise exception, and all mitigations have otherwise been applied. He also stated that the applicant is requesting an increase in floor area in exchange for public benefits. He pointed out that the public plaza is in excess of the minimum required, the project would include public art, and the applicant will contribute towards a future O'Neill undercrossing of the train tracks. The applicant is also providing transit management agency seed monies and wayfinding monies, and the project will include space for use by an arts nonprofit organization, a bike kitchen usable by the public, and the transportation impact fee being paid is greater than is required. He noted that the Planning Commission recommended approval of the project.

Senior Planner DiDonato outlined additional requests by the applicant subsequent to the Planning Commission meeting, and that most of those items are being recommended for approval. He explained that these requests are not material in nature, and no further Planning Commission review is necessary.

Jamie D'Alessandro, Windy Hill, provided some background of Windy Hill Property Ventures and described their current projects under way in the region. He noted that the proposed project is consistent with the Belmont Village Specific Plan (BVSP). He described outreach efforts and community benefits being provided. He outlined project endorsements, and noted that the project addresses housing needs, including affordability, and is pedestrian oriented.

In response to Council comments and questions, Senior Planner DiDonato explained that the size of the units is consistent with attracting work force housing. Mr. D'Alessandro pointed out that this project is rental, whereas other new projects in Belmont are for purchase. He noted that improvements to Caltrain are likely to attract renters. He explained that these are not micro-units, and the floor plans give the units a larger feel. He noted that the trend is towards smaller units. He clarified that feedback from neighbors and housing advocates has been positive.

Mr. D'Alessandro explained the use of the public space and the bike shop. Senior Planner DiDonato stated that the applicant is providing funds for a future signal at Elmer Street, if warranted. He noted that there will be noise impacts due to the proximity of the project to Caltrain.

Councilmember Kim stated that the burden should not be on the applicant to mitigate train noise.

Mr. D'Alessandro stated that it is not financially feasible to pay prevailing wage given the community benefits provided, including below-market-rate units. He noted that the job will be competitively bid. He also stated that if the proposed pet spa does not work out, the space would be used to provide another amenity to the tenants.

Senior Planner DiDonato outlined the project timeline, and explained the annexation process, which would take several months. He clarified that the final map cannot be certified until annexation is complete, and that demolition of existing buildings could take place at any time.

RECESS: 8:20 P.M.
RECONVENE: 8:30 P.M.

The following people spoke in favor of the project:

Nina Rizzo, Transform organization
Adele della Santina, Belmont resident
Karen Camacho, Housing Leadership County of San Mateo County
Paul Krupka, Housing Leadership of San Mateo County
Michele Beasly, Belmont resident
Nicholas Nagle, Bay Area Housing Advocacy Coalition
Warren Gibson, Belmont resident
Janis Zimm, Community School of Music and Arts (CSMA)
Carolyn Stuart, Community School of Music and Arts
Vickie Grove, Community School of Music and Arts
Matthew Clarke, San Francisco resident
Kathleen Wortham, Silicon Valley Leadership Group
Tim Hoffman, Belmont resident
Mary Morrissey Parden, Belmont Chamber of Commerce
Ryan Young, Redwood City resident
Laura Peterhans, Faith in Action organization

The following people also commented:

Debbie Schwab, adjacent neighbor, expressed concerns regarding parking and traffic. She stated that neighbors were not contacted during outreach. She expressed support in concept for the project.

Paul Jordan, adjacent neighbor, expressed concerns regarding parking. He does not support the project due to lack of parking.

Marty Phelps, adjacent neighbor, expressed support in concept for the project and is concerned regarding parking. He suggested that not many people use public transportation.

Mr. D'Alessandro explained that notices were sent to a 300' radius prior to the Planning Commission hearing, and Windy Hill held one-on-one meetings with property owners at an HIA (Harbor Industrial Area) meeting as well as the Homeview and Sterling Downs homeowners associations.

Senior Planner DiDonato confirmed that notices were sent both for the Planning Commission and City Council hearings.

In response to Councilmember Kim, representatives from CSMA explained that the school charges tuition for classes and has a robust financial aid program.

Senior Planner DiDonato outlined the provisions in the Development Agreement for space being provided for a local nonprofit. He explained that while it does not specify free classes, this program represents a public benefit. He explained the model is similar to Parks and Recreation classes, which are substantially less than private classes.

Senior Planner DiDonato outlined the parking requirements provided in the Belmont Village Specific Plan, and that the goal is to disincentivize the use of single-occupancy vehicles. He pointed out that the project exceeds the minimum parking requirement. Mr. D'Alessandro described the traffic study associated with project analysis. He stated that while Windy Hill could support a residential parking permit program, it cannot mandate it.

Discussion ensued regarding parking concerns.

Senior Planner stated that the City is likely to establish an agency to monitor traffic demand to find locations for central parking lots.

Council concurred with staff recommendation regarding the additional request by the applicant for modification of conditions.

Councilmember Stone expressed support for the level of outreach performed by Windy Hill and noted that this is the type of project envisioned by the BVSP. He pointed out that it addresses housing, especially affordable housing. He expressed support for the proposed community benefits but is concerned that the project is not using prevailing wage. He pointed out that union-made projects are generally higher quality. He appreciates the applicant's willingness to be involved in community. He supports the project.

Councilmember Lieberman stated that the project fits the goals of the BVSP. He is concerned regarding parking and pointed out that the applicant is willing to work with community. He suggested continuing to work to address parking, but he is otherwise supportive of the project.

Councilmember Kim noted that Windy Hill is a thoughtful developer. He stated that his concept of community benefit is something that would benefit the immediate neighborhood. He shares the concerns regarding parking and pointed out that it is not the burden of the applicant to address existing parking issues. He pointed out that the proposed parking exceeds minimum required under the BVSP, and there are tools to address parking overflow if it becomes an issue. He suggested that the same provisions for the art space should be given to bike space. He pointed out this is a benefit to a nonprofit and is not necessarily a true benefit to public, if people are paying market rate for classes. He suggested that staff work with developer to provide a discount to those taking art classes.

Councilmember Mates expressed support for the emphasis on art and public art. She noted that the project meets the vision of the BVSP to transition the area to residential. She could support the changes proposed by Councilmember Kim regarding the bike space and could support solutions for a reduction in fees for art classes.

Mayor Hurt concurred that the goals and policies of the GP (General Plan) and BVSP are being advanced with this project. She supports the community benefits and shares the parking concerns. There is a need to learn how to share public parking, and a parking program may be appropriate. She pointed out the high number of studio and one-bedroom units being proposed, which are not likely to serve families, and added that other upcoming projects can address this concern. She supports the art public benefits and noted that gathering spaces being created. She appreciates the outreach performed by applicant and encouraged ongoing conversations with neighbors. She stated that city councils need to be bold and take risks in providing housing for diverse populations. She pointed out that this project can help alleviate traffic congestion.

Discussion ensued regarding offering the bike space to a nonprofit in a similar way as the flex space.

Mr. D'Alessandro stated that Windy Hill could agree to not lease the space out if the bike space does not work.

Council concurred to add language to provide that the bike space could be converted to other public benefit use.

Discussion ensued regarding provision for CSMA's use of space.

Representatives from CSMA stated that their programs are accessible and affordable. They outlined subsidies provided.

RECESS: 10:10 P.M.
RECONVENE: 10:20 P.M.

City Attorney Rennie proposed language to the development agreement and conditions of approval to address concerns regarding the maintenance of community benefits. He explained that a Memorandum of Understanding can be brought back to the City Council to further address this situation, or Council could delegate that authority to staff.

MEETING EXTENSION: At this time, being 10:30 P.M., on a motion by Councilmember Stone, seconded by Councilmember Lieberman, the meeting was unanimously extended.

ACTION: On a motion by Councilmember Stone, seconded by Councilmember Kim, the following actions were unanimously approved:

Resolution 2019-047 adopting an Addendum to the General Plan 2035 Final Environmental Impact Report (FEIR);

Resolution 2019-048 approving a Vesting Tentative Map;

Resolution 2019-049 approving Design Review, Conditional Use Permit, Grading Plan, Tree Permit, Outdoor Noise Exception, additional floor area allowance in exchange for specified

public benefits under Belmont Zoning Ordinance (BZO) Section 31.4.1(f), an Exemption to Maximum Floor Plate as a Percent of First Floorplate standards under BZO Section 31.4.1(h)(1), and an Alternative to Window Transparency requirements under BZO Section 31.4.1(k).

Introduction of an Ordinance approving a Development Agreement between the City of Belmont and Windy Hill PV Fourteen MF LLC, said Development Agreement to include language to address the maintenance of the public benefits

City Attorney Rennie read the title of the ordinance.

Belmont Zoning Ordinance Amendments (Introduction of Ordinance)

Community Development Director de Melo noted that minor modifications were being recommended to the Belmont Zoning Ordinance for Corridor Mixed and Regional Commercial. He noted that the Planning Commission recommended approval.

Ray Deveaux, Belmont resident, expressed concerns regarding exclusion of parking requirement for certain commercial uses.

Mark Lockmeyer, President of HIA (Harbor Industrial Area), stated that existing buildings do not conform to current zoning. He is in favor of the 2,500 square foot credit for parking as proposed.

Community Development Director de Melo pointed out that the exclusion of the parking requirement exists in the village core and the proposal is to extend to entire transit corridor, for consistency.

Councilmember Kim stated that he does not support the exclusion for office space.

Councilmember Lieberman suggested the removal commercial office from the proposal.

ACTION: On a motion by Councilmember Lieberman, seconded by Councilmember Stone, and unanimously approved to introduce an ordinance Amending the Belmont Zoning Ordinance (Ordinance NO. 360) by modifying “Personal Services Use” Definitions, Amending Hotel Parking Standards In The Corridor Mixed Use (CMU) And Regional Commercial (RC) Zoning Districts, Clarifying text, and correcting drafting errors

OTHER BUSINESS

Approval of Joint Use Agreement with Belmont Redwood Shores School District

Parks and Recreation Director Shearer stated that a new ten-year agreement has been reached with the Belmont-Redwood Shores School District regarding joint use of the school fields.

Councilmember Stone suggested that the City pay a higher percentage of the field water bill.

Councilmember Lieberman pointed out that an earlier agreement had the City paying nothing, and that 50 percent is big concession.

ACTION: On a motion by Councilmember Lieberman, seconded by Mayor Hurt, Resolution 2019-050 authorizing the City Manager to execute a Joint Use Agreement with the Belmont Redwood Shores School District to define the City's use and maintenance of District athletic fields and indoor facilities was approved (4-1, Stone no).

Councilmember Stone noted that he supports the provisions of the agreement with the exception of the allocation of water fees.

Refinance of Solid Waste Enterprise Bonds

Public Works Director Oskoui explained the savings realized with the refinancing of existing bonds. He noted that each member agency needs to approve the financing, and Belmont is the last.

MEETING EXTENSION: at this time, being 11:00 P.M., on a motion by Councilmember Stone, seconded by Councilmember Kim, the meeting was unanimously extended.

ACTION: On a motion by Councilmember Stone, seconded by Councilmember Kim, Resolution 2019-051 approving the issuance of up to \$64 Million of Solid Waste Enterprise Bonds to refinance outstanding Series 2009A bonds of the South Bayside Waste Management Authority and to finance certain improvements to the Authority-owned Solid Waste Facilities of the South Bayside Waste Management Authority (SBWMA)

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

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

Councilmember Lieberman provided an update on a recent Silicon Valley Clean Water agency meeting.

Verbal report from City Manager

City Manager Scoles stated that Public Works will hold its Open House on May 22. He announced that wildland fire and training under way, as is brush clearing in the Waterdog Lake area.

Mayor/Vice Mayor Selection Process Modification

ACTION: On a motion by Councilmember Kim, seconded by Councilmember Stone, Resolution 2019-052 amending the Council Protocols related to the process to be used for the annual selection of the Mayor and Vice Mayor was unanimously approved

ADJOURNMENT at this time, being 11:08 P.M.

Terri Cook
City Clerk

Meeting televised and webstreamed.