

**Minutes of Special and Regular Meeting of June 11, 2019  
One Twin Pines Lane, Belmont CA**

**SPECIAL MEETING 6:30 P.M.**

**CLOSED SESSION**

**Conference With Real Property Negotiators (Govt Code Section 54956.8) Property:1300 El Camino Real, 1365 Fifth Avenue, and 875 O'Neill Avenue in the City of Belmont, APN 045-244-010, 045-244-150, and 045-244-160**

Agency negotiators: Afshin Oskoui and Scott Rennie

Negotiating parties: City of Belmont, Belmont Firehouse Square, LLC, and MidPen Housing Corporation

Under negotiation: Price and terms for sale of City property

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

**ADJOURNMENT** at this time, being 7:00 P.M.

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 there were no reportable actions from the closed session held earlier.

**SPECIAL PRESENTATIONS**

**Presentation of Police Department Medal of Valor**

Police Chief Desmidt described the incident that led to the award of Medals of Valor to Corporal McGriff and Officers Baggetta and Palafax.

**COUNCILMEMBER ANNOUNCEMENTS**

Councilmember Mates announced that June 7<sup>th</sup> is National Gun Violence Awareness Day and commented that safe storage of guns is important. She also announced the opening of the San Mateo County Fair.

Councilmember Lieberman reminded everyone to stay hydrated in the hot weather.

Councilmember Stone outlined the live music that was being featured at the County Fair. He commented regarding the final School Force meeting of the year.

Mayor Hurt announced the opening of the upcoming Concerts in the Park. She described a Household Hazardous Waste dropoff program. She explained that she and Councilmember Mates were wearing white for women's issues.

### **ITEMS APPROVED ON CONSENT CALENDAR**

**Minutes** of Special and Regular Meeting of May 14, 2019

**Motion** to Receive Monthly Financial Reports

**Resolution 2019-058** 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 \$727,170 and a ten percent construction contingency, and (2) authorizing the City Manager to execute a Task Order for Construction Management Services with Tanner Pacific, Inc. for an amount not to exceed \$121,580 and a ten percent contingency for the 2019 Storm and Sewer Repair Project, City Contract Number 2019-581

**Resolution 2019-059** authorizing the City Manager to execute a Service Agreement for an amount not to exceed \$282,048 with Bamacor, Inc. for custodial services for City facilities

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

### **PUBLIC HEARINGS**

#### **Firehouse Square Entitlements**

Mayor Hurt announced that this matter would be continued to June 25, 2019.

#### **Adopt Budget and Related Items for Fiscal Year 2020**

Finance Director Fil noted that the fiscal year 2020 budget was introduced in May. He stated that the Planning Commission took action to find the budget to be in conformity with the General Plan. He explained that the budget is balanced, and that a potential recession is on the horizon. The focus of the budget is on infrastructure. He reviewed the proposed capital projects and projected seven-year fund balances for the City of Belmont and the Belmont Fire Protection District. He described the need to address the existing Gann Limit in the near future.

Finance Director Fil described the master revenue schedule and policies relative to setting fees. He explained that the revenue schedule provides for cost recovery except for certain levels of recreation programs including youth and seniors, as well as some development services fees. He noted that the Audit Committee recommended adoption of the fee schedule as proposed.

**Greta Davis**, NBS Consultant, described the regulatory fees which must be in conformance with Proposition 26, as well as user fees such as planned design fees. She also described the approach to setting fees and provided comparisons to other cities. She also provided an eight-year history of fees,

including at the implementation of the tiered system in 2018.

Councilmember Kim stated that the fully loaded fees demonstrate staff efficiencies. In response to his inquiry, Community Development Director de Melo stated that almost all the 78 Tier 2 projects would have otherwise required Planning Commission review, which would have increased costs.

In response to Councilmember Stone's inquiry, Ms. Davis explained the difficulty to perform an apples-to-apples comparison with other cities' fees, since the Cities of Burlingame and San Mateo require deposits. Finance Director Fil explained that the City of Belmont's base business license fee is higher than other cities, and that other fees are less.

City Attorney Rennie clarified that the business license is a tax, and that the master revenue schedule does not address taxes. He explained that an escalator is applied to the tax which was approved through another process. Finance Director Fil clarified that the business license tax rate is on the schedule for future discussion and is currently being studied. He explained that the master revenue schedule captures all revenues for efficiency, but certain fees and fines are approved and modified through a different process.

In response to Councilmember Lieberman, Parks and Recreation Director Shearer stated that minor adjustments were made to some rental fees, but most are proposed to stay the same. She explained the need to stay competitive with other cities. Councilmember Lieberman noted that fees are not differentiated by day of week and demand. City Attorney Rennie stated that staff would need to investigate whether there could be a differential.

(At this time, being 8:05 p.m., Councilmember Stone stepped off the dais.)

Discussion ensued regarding potential rental fee differential.

City Controller Chu outlined hourly rental fees that were increased.

(At this time, being 8:10 p.m., Councilmember Stone returned to the dais.)

Discussion ensued regarding Tier 2 and Tier 3 fees, as well as a comparison of development fees with other cities.

Community Development Director de Melo outlined the number of ADU (accessory dwelling unit) applications have been processed recently.

Discussion regarding the impact if no action is taken to adjust any fees.

Council concurred regarding the desire to have a future discussion regarding the business tax.

Mayor Hurt opened the Public Hearing. No one came forward to speak.

Councilmember Stone commented regarding the amount being spent on infrastructure, especially from Measure I funds.

Councilmember Kim noted that the City is maintaining its reserves while anticipating a future recession, and he pointed out that the City is controlling its operating costs and is tackling unfunded pension issues.

Councilmember Lieberman commented regarding the Audit Committee review. He commended staff for its efforts.

Councilmember Mates expressed concern regarding the lack of a dedicated source of revenue to address storm water issues.

Mayor Hurt pointed out that the General Fund is growing and has reserves. She supports the level of effort regarding infrastructure.

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

**Resolution 2019-060**, Adopting FY 2019-2020 Revenue, Appropriations, and Capital Improvement Program Budgets and Permanent Staffing Plan for the City of Belmont

**Resolution 2019-061**, Establishing the city of Belmont's appropriation limit for FY 2019-2020

**Resolution 2019-062**, Establishing the Annual Special Tax for Community Facilities District No. 2000-1 (Library Project) For FY 2019-2020 and Requesting the County of San Mateo Collect the Special Tax on the Property Tax Rolls

Councilmember Kim expressed a desire to address the business license tax. He expressed support for not increasing by CPI (Consumer Price Index) and supports reducing the tax. He commented regarding a reduction in fees associated with the zone text amendments, since the amount of time for permit review has been reduced. He noted that homeowners should bear more entitlement costs, and the City should move to a more sustainable cost recovery system.

Councilmember Lieberman expressed support for full cost recovery for Tier 2 projects, for both engineering and planning. He also expressed support for some continued subsidy of Tier 3 projects, but less than the existing subsidy.

Councilmember Mates noted the need for better comparisons to other cities' fees. She could support a cap on the increase and could support something less than full cost recovery for Tier 3. She expressed support for full cost recovery for Tier 2 projects.

Councilmember Stone expressed support for a subsidy for planning review fees. He pointed out that when homeowners improve their homes, everyone benefits. He also expressed support for looking at the business license taxes and suggested eliminating the fee for solar photovoltaic. He suggested

setting a cap for those fees up to a 9 percent increase, and to cap at 9 percent for other fees that are being proposed to be raised higher than 9 percent.

Mayor Hurt stated she cannot support moving to full recovery all at once. She expressed support for the 9 percent cap.

**ACTION:** Councilmember Lieberman made a motion to increase fees per the recommendation but to cap any increase at 9 percent; for Tier 2 design review to move to full cost recovery from \$829 to \$1,072, planning fees from \$1,925 to \$2,400; for Tier 3 full cost recovery on engineering from \$1,791 to \$2,144, planning review from \$4,220 to \$4,800.

**ACTION:** Councilmember Lieberman revised his motion to approve a 20 percent increase on planning review fees for Tier 2, 15 percent for Tier 3, and full cost recovery on engineering fees. This motion was seconded by Councilmember Kim.

**ACTION:** Councilmember Stone made a substitute motion, seconded by Councilmember Mates, to adopt the fees as proposed with cap of 9 percent, and to eliminate the fee for solar photovoltaic (PV) permits.

Councilmember Lieberman stated he could support eliminating the PV fee.

Discussion ensued.

**RECESS: 9:25 P.M.**

**RECONVENE: 9:35 P.M.**

**ACTION:** Councilmember Stone amended his substitute motion, also seconded by Councilmember Mates, to increase fees by 9 percent, and to increase design review fees for Tier 2 and Tier 3 up to 9 percent.

Finance Director Fil explained that the City is processing 100 solar permit fees per year.

**ACTION:** Councilmember Stone further amended his motion, seconded by Councilmember Mates, to cut the PV (photovoltaic) fee in half. Motion passed on a roll call vote of 3-2 (Kim and Lieberman no).

**Resolution 2019-063 Making Fiscal Year 2019-2020 Amendments to the Master Revenue Schedule**

**Annual Report for Collection of Sewer Service Fees, Annual Report for Collection of Sewer Treatment Facility Charges, and Annual Report for Collection of Storm Drainage Fees**

Mayor Hurt opened the Public Hearings. No one came forward to speak. City Clerk Cook noted that no protests were received on these matters. The Public Hearing was closed.

**ACTION:** On a motion by Councilmember Stone, seconded by Councilmember Lieberman, and unanimously approved:

**Resolution 2019-064** approving the annual report for collection on the tax roll of sewer services fees charged to parcels to fund the operation and maintenance of the City's sewer collection system

**Resolution 2019-065** approving the annual report for collection on the tax roll of the sewer treatment facility fees charged to parcels to fund the City of Belmont's share of the Silicon Valley Clean Water (SVCW) sewer treatment plant and conveyance system upgrades for FY 2019/2020

**Resolution 2019-066** approving the annual report for collection on the tax roll of storm drainage fees charged to parcels to fund the City of Belmont's National Pollutant Discharge Elimination System (NPDES) Storm Water Compliance Program for FY 2019-2020

## **MATTERS OF COUNCIL INTEREST/CLARIFICATION**

### **Approval of Raising Rainbow Flag Over City Hall the Month of June (Mayor Hurt) (Item taken out of order)**

**Reverend Michael Arase-Barham**, Belmont resident, expressed support for the proposal to fly the rainbow flag at City Hall. He noted that the Good Shepherd Church will be flying a rainbow flag for the remainder of the month.

Mayor Hurt stated that many communities recognize civil rights in many ways, and the raising of the flag shows solidarity and inclusivity. She suggested flying the flag for the month of June on an annual basis.

Councilmembers expressed their support.

**ACTION:** On a motion by Councilmember Stone, seconded by Councilmember Mates, and unanimously approved to fly the rainbow flag at City Hall for the month of June on an annual basis.

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

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

Councilmember Mates stated she attended a recent Community Center Advisory Committee meeting.

Councilmember Lieberman reported on a recent Audit Committee meeting.

Councilmember Stone reported on recent San Mateo County Library, Sam Trans, and Caltrain meetings.

Councilmember Kim reported on a recent Bay Area Air Quality Management District and Express Lane Joint Powers Authority meetings.

**Verbal report from City Manager**

Acting City Manager Oskoui stated that a recent mailing was made to the City of Belmont's Adopt-A-Unit troop. He pointed out that there are a large number of capital projects going on throughout the City during the summer.

**ADJOURNMENT at this time, being 10:00 P.M.**

Terri Cook  
City Clerk

Meeting televised and video recorded