

Minutes of the Planning Commission and Parks and Recreation Commission **Special Meeting of Tuesday, March 19, 2019.**

Emergency Operations Center (EOC), Second Floor, One Twin Pines Lane, Belmont, CA

ROLL CALL 6:00 P.M.

Planning Commission members present: Majeski, McCune, Meier, Finley, Goldfarb, Pyrz, Kramer
Planning Commission members absent: None

Parks and Recreation Commission members present: Mittelstadt, Cotten, Foehr, Fox, Michaels, Lyford, Dai, Sanders
Parks and Recreation Commission members absent: Block

Staff Present: City Attorney Rennie, Community Development Director de Melo, Park and Recreation Director Shearer, Administrative Assistant Lynn, Acting Administrative Assistant Gonzalez

STUDY SESSION

Belmont Government 101

City Attorney Rennie provided a detailed presentation to the commissions entitled Belmont Government 101. The presentation entailed an overview of items not covered under the AB1234 ethics training.

City Attorney Rennie provided a legal definition of a city, legal structure and rules, the nature of cities and the difference between general law and charter cities. He described roles and duties of appointed officials and officers, government laws, the Brown Act and penalties. A summary of City Attorney Rennie’s presentation is provided below:

- Council responsibilities
Exercising power of legislation, adjudication (finder of facts).
- Council legislation power
Scope of authority, creates laws by adoption of ordinances, resolutions are not law (expressions of opinion), vote by majority body, and they may not be delegated.
- Limits on local legislative authority
Consistent with General Plan and not within conflict with General Plan.
- Role of Citizen Advisory bodies and their primary function and responsibilities.
- Overview of Planning Commission, Park and Recreation Commission, and Measure I Committee, key operational rules, and outline of reasonable conditions to avoid regulatory takings.

STATE	LOCAL	FEDERAL
Brown Act	Ordinances	1 st Amendment
Political Reform Act	General Plan	14 th Amendment
Due Process	Policies	Federal Statutes
California Environmental Quality Act		
Planning and Zoning Law		

- Brown Act (AKA-California Open Meeting Law)
 - Outline of core topics
 - Applies to all legislative bodies
 - **Cardinal Rule:** Majority of members may not meet outside of authorized meeting to discuss business.
 - **Serial Meeting:** Series of communication occurring at different times or locations other than the authorized meeting.
 - Penalties of Brown Act

Examples of violations in other government agencies were provided during the presentation.

Discussion ensued regarding the Brown Act and serial meetings.

City Attorney Rennie provided information on noticing and agenda requirements, described the public's right to attend and participate in meetings, and summarized the City of Belmont Technology Policy and Procedures, including email communications.

City Attorney Rennie concluded the presentation noting that Commissioners may come to him for guidance and questions, however, City Attorney Rennie does not represent Commissions, Council or Committees and is only the legal representative for the City.

ADJOURNMENT at this time being 7:57 PM.

Diane Lynn, Administrative Assistant
Valery Gonzales, Acting Administrative Assistant

Meeting audiotaped