

**CITY OF BELMONT
CITY COUNCIL AND BELMONT FIRE
PROTECTION DISTRICT BOARD OF
DIRECTORS**



www.belmont.gov

CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, July 9, 2024

7:00 PM

City Council Chambers

City Hall, One Twin Pines Lane, Belmont, California

TELECONFERENCE PARTICIPATION

Councilmember Hurt

Everline Hotel

400 Resort Road

Olympic Valley CA 96146

The meeting will be broadcast live to Belmont residents on Comcast Cable Channel 27, streamed live via the City's website at www.Belmont.gov. The public may also attend the meeting in the Chambers and address the Council from the Chambers.

PUBLIC COMMENT:

To maximize time for live public comment, we encourage members of the public to provide comments by joining the Committee meeting via Zoom : For web, visit <https://belmont-gov.zoom.us/> select "Join" and enter **Meeting ID: 95745673035**. Use the Raise Hand feature to request to speak. You may rename your profile if you wish to remain anonymous.

For dial- in comments, call *67 1-(669) 900-6833 (your phone number will appear on the live broadcast if *67 is not dialed prior to the phone number), enter **Meeting ID: 95745673035**, and press *9 to request to speak. All public comments are subject to a 3-minute time limit unless otherwise determined by the Committee Chair.

If you wish to submit written public comment, you may send an email to cclerk@belmont.gov before the council considers the item. Please indicate the agenda item topic or agenda item number you wish to comment on in your email's subject line. Any public comment regarding agenda items that are received from the publication of the agenda through the meeting date will be made part of the meeting record but will not be read during the Council meeting.

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. REPORT FROM CLOSED SESSION**

4. SPECIAL PRESENTATIONS

A. Public Works APWA Accreditation Presentation

B. National Night Out Announcement of Locations

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

This portion of the meeting is reserved for persons wishing to address the Body on any City matter not on the agenda. The period for public comment at this point in the agenda is limited to 15 minutes, with a maximum of 3 minutes per speaker. Speakers who requested but did not receive an opportunity to speak during this comment period will be given an opportunity to address the Body later in the meeting. State law prohibits the Body from acting on non-agenda items.

6. COUNCILMEMBER ANNOUNCEMENTS

7. CONSENT BUSINESS

Consent business items are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion on these items unless a member or staff request specific items to be removed for separate action. The City Attorney will read the title of ordinances to be adopted.

A. Approval of Minutes

Recommendation: Consider Modifications and approve minutes

Attachment(s):

[City Council June 11, 2024](#)

[City Council June 25, 2024](#)

[BFPD June 11, 2024](#)

[BFPD June 25, 2024](#)

B. Monthly Financial Reports - May

Recommendation: Motion to approve May 2024 Monthly Financial Reports

Attachment(s):

[Monthly Financial Reports - May 2024](#)

8. PUBLIC HEARINGS (none)

9. GENERAL BUSINESS

General Business items are considered separately, typically in the order listed. The chair will call for public comment on each item when the body considers the item.

A. Traffic Calming Program

Recommendation: Adopt a resolution approving the Traffic Calming Program (TCP) and delegating authority to the City Engineer to make minor amendments

Attachment(s):

[Staff Report](#)

[Resolution](#)

[Attachment B - Traffic Calming Program \(2024\)](#)

[TrafficCalmProgram_24_0723 CC](#)

B. Business License Tax Update Ballot Measure Placement

Recommendation: (1) Adopt a resolution calling a municipal election on a measure to update and simplify the City's business license tax program; and (2) designate by motion a

subcommittee of two Councilmembers to develop the written argument in favor and rebuttal

Attachment(s):

[Staff Report](#)

[Resolution Calling For Election on BLT Measure 2024](#)

[Business License Tax Measure 2024](#)

10. BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

- A. Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments**
- B. Verbal report from City Manager**

11. MATTERS OF INTEREST/CLARIFICATION

Items in this category are for discussion and direction to staff only. However, Council/Board may take final action on an item if there is no need for additional staff analysis.

12. ADJOURNMENT

If you need assistance to participate in this meeting, please contact the City Clerk at (650) 595-7413. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Meeting information can also be accessed via the internet at: www.belmont.gov. All staff reports will be posted to the web in advance of the meeting, and any writings or documents provided to a majority of the City Council/District Board or Commission regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, One Twin Pines Lane, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting.

AGENDA POSTING: I declare a copy of this agenda was posted at City Hall, One Twin Pines Lane, and the City's website www.belmont.gov on _____, by _____, /s/ _____

**MINUTES OF THE CITY OF BELMONT CITY COUNCIL AND BELMONT FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS CITY COUNCIL REGULAR MEETING**

City Council Chambers, City Hall, One Twin Pines Lane, Belmont, California

TUESDAY, JUNE 11, 2024

CALL TO ORDER 7:00 PM

ROLL CALL

COUNCILMEMBER PRESENT: Hurt, McCune, Latimerlo, Mates

COUNCILMEMBER ABSENT: Pang-Maganaris

PLEDGE OF ALLEGIANCE

Led by

REPORT FROM CLOSED SESSION

No closed session on this agenda.

SPECIAL PRESENTATIONS

Proclamation Recognizing Pride Month

Mayor Mates read the proclamation.

Proclamation Recognizing Juneteenth

Mayor Mates read the proclamation. Dr. Bobby Vaughn, Notre Dame University Director of Institutional Diversity and Inclusion provided comments on NDNU's commitment to social justice and equality.

Belmont Strategic Communications and Community Engagement Update

Community Engagement an Affairs Officer provided an update the City's communication and engagement efforts.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Terri Cook, representing the Belmont Park Boosters commented on the upcoming concerts in the park series.

Giuliano Carlini, commented on need for bicycle infrastructure.

COUNCILMEMBER ANNOUNCEMENTS

Mayor Mates provided updates on City and local events.

CONSENT BUSINESS

Minutes May 28, 2024, City Council Regular Meeting May 28, 2024 BFPD Minutes

April Monthly Financial Reports

Resolution 2024- 38 approving a three-year service agreement between the City of Belmont and Industrial Employers and Distributors Association, Inc. (IEDA) for labor negotiation services.

Resolution 2024-39 Accepting The Work And Authorizing the Issuance of a Notice of Completion, and Release of Retention 35 Days After Recording Notice of Completion for the 2023 Sanitary Sewer Rehabilitation Project, City Contract Number 2023-620

BFPD Resolution 2024- 02 ratifying the proposed budgets for the Belmont-San Carlos Fire Department for Fiscal Year (FY) 2024-25 and FY 2025-26, which cover the period July 1, 2024 through June 30, 2026

No public comment received.

ACTION: on a motion made by Councilmember Latimerlo and seconded by Councilmember McCune the consent business was approved by a roll call vote (4-0 Pang-Maganaris absent).

PUBLIC HEARINGS

Proposed Increases to Sewer Service Charges Effective Fiscal Years 2024-25 and 2025-26

Interim Public Works Director Towne introduced the item noting that the item is required to meet the Proposition 218 compliance for this rate increase, which mandates that written notice of proposed service rate increases be mailed to all affected property owners. He further explained that a total of 8,970 notices were mailed and the language in Proposition 218 specified that the Council may not take action on the proposed rates if a majority of property owners (50% +1), or about 4,486, submit written protests.

He introduced City Consultant Josiah Closes, HDR. Mr. Closes provided an overview and methodology of the proposed increases to the sewer service charges. He noted that the proposed rates are cost based proportional and based on cost-of-service principles. He recommended Council approval of 4.0% on July 1 of FY 2024-2025 and FY 2025-2026 and winter flow adjustment to be maintained at 10%.

Brief Council discussion ensued.

Mayor Mates opened the public hearing.

A speaker did not provided name and commented on the proposed increase.

Mayor Mates closed the public hearing.

ACTION: on a motion made by Councilmember McCune and seconded by Councilmember Hurt

Resolution 2024-40 increasing certain city sewer service charges effective July 1, 2024, and July 1, 2025 was approved by a roll call vote (4-0 Pan-Maganaris absent).

Annual Report for Collection of Sewer Service Fees

Interim Public Works Director Towne noted that the following three public hearings are to authorize by resolution the approval of the annual report for the collection of the sewer service fees previously adopted allowing for the continued operation and maintenance of the sewer and conveyance system keeping the city in compliance with the regulatory agencies and authorizing the City Clerk to forward the report to the County Elections office for placement on the tax rolls.

Mayor Mates opened the public hearing.
No members of the public came forward.
Eight written rate increase protest letters were received.
Mayor Mates closed the public hearing.

No Council discussion on this item.

ACTION: on a motion made by Councilmember McCune and seconded by Councilmember Hurt **Resolution 2024-41** Approving the annual report for collection on the tax roll of the sewer service fees charged to parcel owners to fund the operation and maintenance of the city's sewer collection system for fiscal year 2024-25 was approved by a roll call vote. (4-1, Pang-Maganaris absent)

Annual Report for Collection of Sewer Treatment Facility Charges

Interim Public Works Director Towne introduced the item for Council to conduct a public hearing to consider protests to collecting the fees on the tax roll; and noted that unless there is a majority protest, overrule objections and adopt a resolution approving the annual report for collection on the tax roll of the sewer treatment facility fees charged to parcel owners to fund the City of Belmont's share of the Silicon Valley Clean Water (SVCW) sewer treatment plant and conveyance system

Mayor Mates opened the public hearing.
No members of the public came forward.
Eight written rate increase protest letters were received.
Mayor Mates closed the public hearing.

No Council discussion on this item.

ACTION: on a motion made by Councilmember Hurt and seconded by Councilmember McCune **Resolution 2024-42** approving the annual report for collection on the tax roll of the sewer treatment facility fees charged to parcel owners to fund the city of Belmont's share of the Silicon Valley Clean Water (SVCW) sewer treatment plant and conveyance system upgrades for fiscal year 2024-25 was approved by a roll call vote. (4-1, Pang-Maganaris absent)

Annual Report for Collection of Storm Drainage Fees

Interim Public Works Director Towne introduced the item for Council to conduct a public hearing and consider protests to collecting the fees on the tax roll and noted that unless there is a majority protest, overrule objections and adopt a resolution approving the annual report for collection on the tax roll of storm drainage fees charged to parcel owners to fund the City of Belmont's National Pollutant Discharge Elimination System (NPDES) Storm.

Mayor Mates opened the public hearing.
No members of the public came forward.
Eight written rate increase protest letters were received.
Mayor Mates closed the public hearing.

No Council discussion on this item.

ACTION: on a motion made by Councilmember McCune and seconded by Councilmember Latimerlo **Resolution 2024-43** adopting the annual report for collection on the tax roll of storm Drainage fees charged to parcel owners to fund the city of Belmont's national pollutant discharge elimination system (NPDES) storm water compliance program for fiscal year 2024-25

Recess: 8:15 p.m.
Reconvene: 8:25 p.m.

Adopt Budget and Related Items for Fiscal Year 2024-25

Finance Director Castaneda provided a budget process recap. She provided Council a budget overview stating that the total operating budget is \$77.1 million dollars which includes the fire department. She noted that the total City budget including capital improvements for City and Fire is \$102.5 million dollars. She gave a general fund summary and explained the property tax dollars and noted that 7% funds the general fund. She explained the continued threat from the State to underfund the property tax in lieu of vehicle license fee and threaten takeaway of the VLF shortfall payment in which Belmont stands to lose \$1.1 million dollars. She noted that the impact to the City's General Fund would be a loss of \$30 Million dollars. She concluded her presentation and recommended Council approval of the corresponding budget resolutions.

Mayor Mates opened the public hearing.
No members of the public came forward.
Mayor Mates closed the public hearing.

No Council discussion on this item.

ACTION: On a motion made by Councilmember Latimerlo and seconded by Councilmember Hurt the following resolutions were adopted by roll call vote (4-0 Pang-Maganaris absent).

Resolution 2024-44 adopting Fiscal Year 2024-25 Revenue, Appropriations, And Capital Improvement Program Budgets And Permanent Staffing Plan For The City Of Belmont

BFPD Resolution 2024-03 Belmont Fire Protection District Adopting Fiscal Year 2024-25 Revenue And Appropriations Budgets, And Permanent Staffing Plan For The District

BFPD Resolution 2024- 04 Fire Protection District Establishing The District's Appropriation Limit For FY 2024-25

Resolution 2024-45 Establishing The City Of Belmont's Appropriation Limit For Fiscal Year 2024-25

Resolution 2024-46 Establishing The Annual Special Tax For Community Facilities District No. 2000-1 (Library Project) For Fiscal Year 2024-25 And Requesting The County Of San Mateo Collect The Special Tax On The Property Tax Rolls

Resolution 2024-47 making Fiscal Year 2024-25 Amendments To The Master Revenue Schedule

GENERAL BUSINESS (None)

BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

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

Councilmember reported on their assignments.

Verbal report from City Manager

City Manager reminded the community about events around the City and reminded drivers to be ware of construction on City streets.

He noted that the Public Works Department achieve the American Public Works Association Accreditation.

MATTERS OF INTEREST/CLARIFICATION

None

ADJOURNMENT at this time being 8:50 pm in Memory of Jeffery Jackson owner of ECR Pub.

**Submitted by,
Jozi Plut, City Clerk**

MINUTES OF CITY OF BELMONT CITY COUNCIL AND BELMONT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS CITY COUNCIL SPECIAL AND REGULAR MEETING

City Council Chambers, City Hall, One Twin Pines Lane, Belmont, California

TUESDAY, JUNE 25, 2024

CALL TO ORDER 6:35 P.M.

COUNCILMEMBERS PRESENT: McCune, Latimerlo, Mates

COUNCILMEMBERS ABSENT: Pang-Maganaris, Hurt

ITEMS OF BUSINESS

SPECIAL PRESENTATIONS

Update on the City's Diversity Equity and Inclusion Initiative in FY 2024

Belmont DEI Officer Shearer provided a update on the DEI initiatives implantation to date and goals and outcomes and a brief forecast of new initiatives including planning the for Belmont's centennial celebration. She noted that the City plans to engage the community, businesses and sponsors, develop events and activities and a plan for honoring the land in which we will celebrate.

Brief Council discussion ensued. No action was taken.

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

**Submitted by,
Jozi Plut, City Clerk**

CALL TO ORDER: 7:00 P.M.

ROLL CALL

COUNCILMEMBERS PRESENTS: McCune, Latimerlo, Mates

COUNCILMEMBERS ABSENT: Pang-Maganaris, Hurt

PLEDGE OF ALLEGIANCE

Led by Mayor Mates.

REPORT FROM CLOSED SESSION

No closed session agenized.

SPECIAL PRESENTATIONS

Parks Make Life Better Proclamation

Mayor Mates read the proclamation.

Parks and Recreation Director Shearer thanks Council for recognizing the Parks Department. Parks and Recreation Administrative Assistant Garcia provided a preview of upcoming parks events and programs offered to the Community.

San Mateo Consolidated Fire Department Wildland and Fire Update

San Mateo Consolidated Fire Marshall Workman provided a brief update on fire risk reduction and mitigation.

Deputy Fire Chief Turturici provided a fire operations update.

Community Center Conversation Update

Parks and Recreation Director Shearer stated that outreach goals include providing a firsthand look at the state of the center, listen to the community's feedback and priorities for the site, and engage the community to assist in the envisioning process.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Newly appointed Belmont Library Manager Chris Lu commented on upcoming summer programs at the library.

COUNCILMEMBER ANNOUNCEMENTS

Councilmembers provided information on upcoming events.

CONSENT BUSINESS

Resolution 2024-48 Accepting the development street improvements as completed and complying with city approved plans, authorize the release of subdivision improvement bond, and accept a maintenance and warranty bond for the artisan crossing 250 residential apartments and 3,000 square foot of commercial and community use at 1325 old county road

Resolution 2024-49 Calling and giving notice of the holding of a general municipal election to be held on Tuesday, November 5, 2024, to elect two members of the city council, one from district 2 and one from district 4, a mayor at-large and any ballot measures approved for placement

Resolution 2024-50 requesting the board of supervisors of the county of San Mateo to render specified services to the city relating to the conduct of a regular municipal election to be held on Tuesday, November 5, 2024

Resolution 2024-51 modifying City Council Protocols regarding the starting time of City Council regular meetings

Endorse changing the method of recording routine actions from both minutes and resolutions to minute orders without resolutions.

Endorse separating the agendas for the City of Belmont City Council and Belmont Fire Protection District Board of Directors

BFPD Resolution 2024-05 of the Belmont Fire Protection District Board of Directors allows for the cancellation of regular board meetings when no business is scheduled

Resolution 2024-52 authorizing the city manager to negotiate and execute a fourth amendment to the contract with Craftwater Engineering, Inc., for additional services, including the restoration of the meadow in Twin Pines Park per the Twin Pines Park master plan and additional electrical design for the meadow, weirs for the basin's diversion structure, and an improved motorized gate for Belmont Police

Department for an additional amount of \$142,065, for a total contract cost to a not-to-exceed amount of \$1,441,503

Resolution 2024-53 adopting the city's revised master employee pay schedule in accordance with California public employees retirement system regulations

Resolution 2024-54 authorizing for the fiscal year 2024-25 grant funding allocation request to the metropolitan transportation commission transportation development act article 3 pedestrian/bicycle project funding totaling \$330,000, and authorizing a budget appropriation to the Belmont Village bicycle improvement project #7098 in the amount of \$530,000, to be funded by \$330,000 in TDA grant funding and \$200,000 from the street improvement fund

Introduced an ordinance amending Belmont City Code regulations related to purchasing and city manager and city attorney contract authority

Resolution 204-55 revising purchasing procedures and contract approval

City Attorney Rennie noted an inadvertent omission of a section in the ordinance amending the purchasing and contract authority and stated that a correction will be made.

No public comment received.

ACTION: On a motion made by Councilmember McCune and seconded by Councilmember Latimerlo the Consent Business was approved by a roll call (3-2, Pang Maganaris, Hurt absent).

PUBLIC HEARINGS (none)

GENERAL BUSINESS

Business License Tax Update

Management Analyst Clark provided a review of the proposed alternative business license tax model. City Consultant GodBe provided an update on the survey results that evaluated support for City services and priorities. He noted that 65% of respondents indicated support for a potential ballot measure revising the City's BLT program. He noted that a simple majority would pass the measure.

Ms. Clark explained that the model Council concurred with ties business license fees to business revenues, applying rates by business category to adjust for those with narrower margins, like restaurants and retail establishments, thus addressing a primary concern about business receipts models. Though some businesses, especially those with higher revenues that would see an increase from present rates under this model, an estimated 63% of Belmont-based businesses would see decreases, largely due to the elimination of the current \$341 flat tax, which the majority of Belmont businesses pay.

She noted that the proposed BLT model also includes a potential category for cannabis businesses, with a rate not to exceed 10% of business receipts. She explained that this is the most common rate adopted by other jurisdictions, and the rates applied to cannabis businesses are typically between 4% and 6%. Ms. Clark concluded her presentation.

Public Comment received from Mary Morrissey Parden, Allan Parker, Robert Yapp, Leslie, and emailed comment.

Council concurred to with direction to staff to proceed with providing language for a ballot measure updating the Belmont business license tax.

BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

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

Councilmembers reported on their assignments.

Verbal report from City Manager

City Manager noted upcoming summer projects and possible traffic impacts.

MATTERS OF INTEREST/CLARIFICATION (none)

ADJOURNMENT at this time being 9:10 P.M.

**Submitted by,
Jozi Plut, City Clerk**

MEETING MINUTES OF THE FIRE PROTECTION DISTRICT BOARD OF DIRECTORS REGULAR MEETING

City Council Chambers, City Hall, One Twin Pines Lane, Belmont, California

This meeting is concurrent with the City Council Meeting

TUESDAY, JUNE 11, 2024

CALL TO ORDER: 7:00 PM

ROLL CALL

DIRECTORS PRESENT : Mates, Latimerlo, Hurt, McCune

DIRECTORS ABSENT: Pang-Maganaris

CONSENT BUSINESS

May 28, 2024, BFPD Minutes

Resolution 2024-02 ratifying the proposed budgets for the Belmont-San Carlos Fire Department for Fiscal Year (FY) 2024-25 and FY 2025-26, which cover the period July 1, 2024, through June 30, 2026

ACTION: On a motion made by Director Latimerlo and seconded by Director McCune the Consent Business items were unanimously approved by a roll call vote (5-0).

PUBLIC HEARING

Adopt Budget and Related Items for Fiscal Year 2024-25

ACTION: On a motion made by Director Latimerlo and seconded by Director McCune the Consent Business items were unanimously approved by a roll call vote (5-0).

Resolution 2024-03 Belmont Fire Protection District Adopting Fiscal Year 2024-25 Revenue And Appropriations Budgets, And Permanent Staffing Plan For The District

Resolution 2024-04 Fire Protection District Establishing The District's Appropriation Limit For FY 2024-25

ADJOURNMENT at this time being 5:50 p.m. in memory of Jeffery owner of ECR Pub.

**Submitted by,
Jozi Plut, District Secretary**

**MEETING MINUTES BELMONT OF THE FIRE PROTECTION DISTRICT BOARD OF DIRECTORS
REGULAR MEETING**

City Council Chambers, City Hall, One Twin Pines Lane, Belmont, California

This meeting is concurrent with the City Council Meeting

TUESDAY, JUNE 25, 2024

CALL TO ORDER: 7:00 PM

ROLL CALL

DIRECTORS PRESENT: Mates, Latimerlo, McCune

DIRECTORS ABSENT: Pang-Maganaris, Hurt

CONSENT BUSINESS

BFPD Resolution 2024-05 of the Belmont Fire Protection District Board of Directors allows for the cancellation of regular board meetings when no business is scheduled

ACTION: On a motion made by Director McCune and seconded by Director Latimerlo the Consent Business items were unanimously approved by a roll call vote (3-2, Pang-Maganaris and Hurt absent).

PUBLIC HEARING (none)

ADJOURNMENT at this time being 9:10 P.M.

**Submitted by,
Jozi Plut, District Secretary**



HIGHLIGHTS

PERFORMANCE AT A GLANCE REPORT

- General Fund balance decreased compared to prior YTD

BUDGET VARIANCE REPORT

- Management Discussion & Analysis
- Tax Trends

FUND RECAP AT A GLANCE REPORT

Notable Fund Balance Increase compared to prior YTD:

- General Fund
- Development Services
- Belmont Fire Protection District
- Street Improvement
- Fleet & Equipment Management
- Sewer Collection System
- Sewer Treatment

Notable Fund Balance Decrease compared to prior YTD:

- Planned Park
- Storm Drainage Enterprise

CASH DISBURSEMENTS & PURCHASE ORDER ACTIVITY REPORT

- Amounts equal to and above \$50,000

This report contains financial information which has not been reviewed or audited by an independent auditor, does not reflect the application of generally accepted accounting principles in all instances and is subject to future revision. This report has not been prepared with a view to informing an investment decision in any of the City's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in this report are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the City's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the City on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and website, maintained on the World Wide Web at <https://emma.msrb.org/>

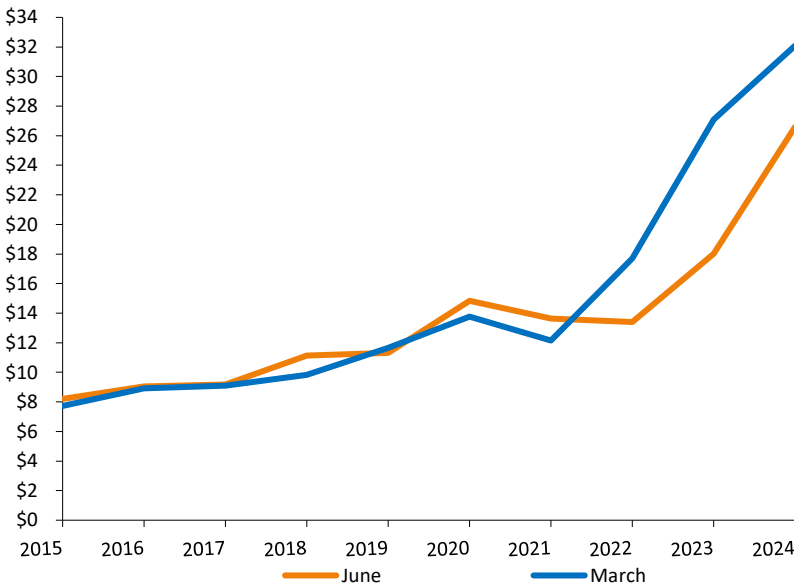
These financial reports are designed to provide a general overview of the City of Belmont's interim finances. Questions concerning any information provided in these reports should be addressed to financedept@belmont.gov or for additional information regarding the City's financial activities, including past award winning audited financial statements, transparency efforts and best practices please visit the City at www.belmont.gov.



City of Belmont
Performance at a Glance
Results for the Period Ended May 31, 2024
 (000's)



General Fund Balance Trend
 (in millions)

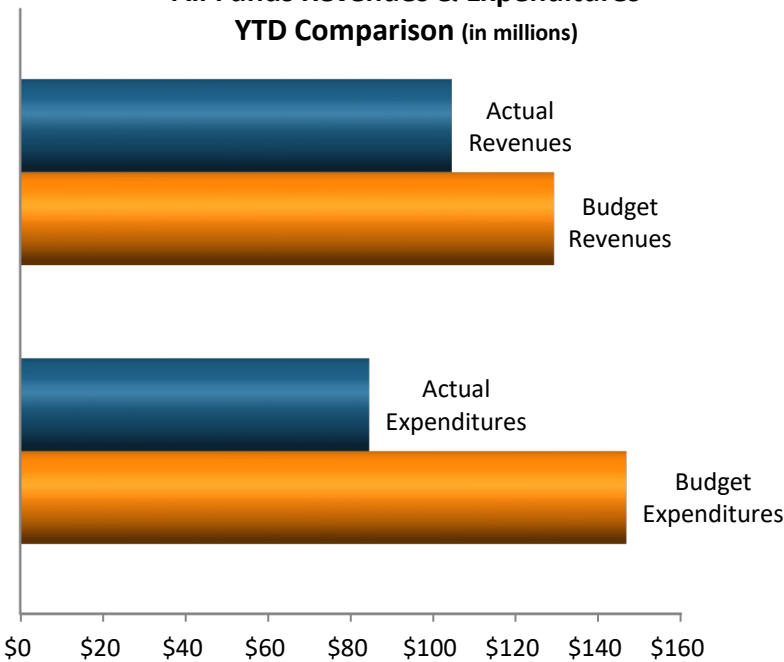


General Fund Balance Trends*

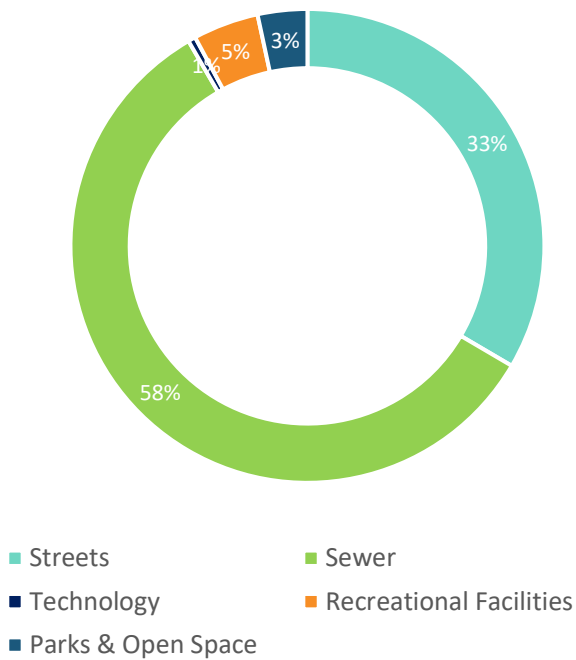
6/30/2014	\$8,204	Audited
6/30/2015	\$9,049	Audited
6/30/2016	\$9,177	Audited
6/30/2017	\$11,128	Audited
6/30/2018	\$11,325	Audited
6/30/2019	\$14,846	Audited
6/30/2020	\$13,637	Audited
6/30/2021	\$13,398	Audited
6/30/2022	\$18,013	Audited
6/30/2023	\$26,586	Audited
5/31/2024	\$32,081	Unaudited

* excludes Measure I

All Funds Revenues & Expenditures
YTD Comparison (in millions)



Capital Improvement Plan



General Fund

The General Fund balance is \$32.1 million, an increase of \$5.5 million compared to the amount at the prior fiscal year end. The increase compared to the 6/30/23 balance was primarily due to the receipt of \$1.8 million in property tax collections that were received in April. Year-to-date budgeted operating transfers \$3.5 million from the General Fund to various funds will not be recorded until at the end of the fiscal year based on actual results.

Fund Balance - YTD Fund Deficits

As shown on the Fund Recap at a Glance (page 3) Recreation, Street Maintenance and Facilities Management Fund have deficits and are expected to be eliminated in a future period.

City of Belmont
Fund Recap at a Glance
Results for the Period Ended May 31, 2024
(000's)



Fund	Fund Name	Audited Fund Balance 06/30/23 (1)	Revenues					Expenditures					Unaudited Fund Balance 05/31/24 (1)+(2)-(3)	PY YTD Fund Balance 05/31/23	
			YTD Budget	YTD Actual (2)	Variance (Under) Over	%	PY YTD Actual	YTD Budget	YTD Actual (3)	Under (Over)	Variance %	PY YTD Actual			
GENERAL FUND															
101	General	\$26,586	\$27,465	\$28,169	\$705	103%	\$30,980	\$28,234	\$22,674	\$5,560	80%	\$19,922	\$ 32,081	29,063	
102	Measure I	3,937	2,202	1,898	(303)	86%	1,869	6,210	1,959	4,251	32%	839	3,876	3,968	
SPECIAL REVENUE FUNDS															
205	Recreation	583	3,089	2,279	(809)	74%	2,185	3,384	3,081	303	91%	2,737	(219)	(552)	
206	Library Maintenance & Operation	815	291	335	44	115%	292	870	353	516	41%	318	796	810	
207	Athletic Field Maintenance	366	112	155	43	138%	114	322	105	217	33%	144	416	346	
208	City Tree	284	14	41	27	292%	13	78	72	6	92%	34	254	276	
209	Senior Services Donation	92	5	3	(2)	53%	2	5	0	4	6%	0	95	92	
210	Development Services	1,538	6,245	6,189	(56)	99%	4,018	5,989	5,508	481	92%	4,735	2,218	367	
212	General Plan Maintenance	1,592	549	836	286	152%	545	1,031	781	250	76%	116	1,646	1,734	
223	Belmont Fire Protection District	20,198	15,871	18,197	2,326	115%	15,161	11,765	12,236	(471)	104%	11,899	26,159	19,479	
225	Police Grants and Donations	30	5	5	1	115%	0	5	1	4	13%	3	35	30	
227	Supplemental Law Enforcement	7	161	188	28	117%	166	116	117	(0)	100%	161	78	5	
231	Street Maintenance	0	3,539	1,131	(2,408)	32%	1,067	2,388	2,261	127	95%	1,962	(1,130)	(895)	
232	RMRA Street Project	606	622	610	(12)	98%	511	1,209	229	980	19%	11	988	500	
233	Measure W	1,809	401	360	(41)	90%	505	871	0	871	0%	0	2,169	1,962	
234	Street Improvements	1,903	992	1,107	115	112%	1,456	2,899	236	2,663	8%	925	2,775	1,434	
237	Traffic Impact	97	11	3	(8)	25%	10	0	0	0	N/A	0	99	210	
239	Public Art	404	7	11	4	163%	6	0	0	0	N/A	0	416	402	
275	Affordable Housing Successor	9,448	377	296	(81)	79%	3,059	3,609	3,758	(149)	104%	379	5,986	9,148	
277	Inclusionary Housing	2,572	553	609	56	110%	56	0	0	0	N/A	0	3,181	2,508	
Total Special Revenue		42,343	32,843	32,355	(488)	99%	29,165	34,541	28,737	5,804	83%	23,424	45,961	37,857	
CAPITAL PROJECT FUNDS															
308	General Facilities	734	13	21	8	161%	10	643	139	504	22%	7	615	728	
310	Infrastructure	2,395	41	67	27	166%	725	1,295	191	1,104	15%	1,081	2,272	2,454	
312	Comcast PEG Program	405	7	11	4	163%	6	110	0	110	0%	0	416	402	
341	Planned Park	1,701	37	47	9	125%	437	654	675	(21)	103%	735	1,073	1,691	
342	Park Impact	641	151	31	(120)	21%	287	600	0	600	0%	171	673	443	
343	Open Space	97	0	6	6	N/A	5	65	0	65	0%	75	102	94	
399	Capital Improvement Projects	-	34,619	8,500	(26,120)	25%	0	34,755	5,379	29,377	15%	0	3,121	0	
704	Special Assessment Districts	315	5	9	3	163%	4	0	0	0	N/A	0	324	312	
Total Capital Projects		6,288	34,874	8,692	(26,182)	25%	1,474	38,122	6,383	31,739	17%	2,069	8,597	6,125	
DEBT SERVICE & OTHER FUNDS															
406	Library Bond Debt Service	286	619	687	68	111%	625	624	666	(42)	107%	674	307	221	
501-505	Sewer Collection System	31,482	15,014	17,934	2,920	119%	14,544	21,187	9,943	11,244	47%	9,631	39,473	30,529	
507	Sewer Treatment	27,391	2,964	3,223	260	109%	2,896	4,006	2,724	1,283	68%	3,065	27,890	25,823	
525	Storm Drainage Enterprise	2,173	2,172	1,223	(949)	56%	1,120	2,957	1,828	1,129	62%	1,631	1,568	2,077	
530	Solid Waste Management	1,868	650	639	(10)	98%	505	588	511	77	87%	462	1,997	1,809	
570	Worker's Compensation	1,761	901	932	31	103%	728	670	722	(52)	108%	684	1,971	1,581	
571	Liability Insurance	3,686	778	317	(460)	41%	201	1,030	690	341	67%	762	3,314	2,825	
572	Self Funded Vision	0	0	0	0	N/A	2	4	0	4	0%	(5)	0	7	
573	Fleet & Equipment Management	8,394	4,276	4,387	111	103%	4,169	5,009	4,094	915	82%	3,306	8,686	8,301	
574	Facilities Management	(603)	3,174	2,676	(498)	84%	1,629	2,389	2,203	187	92%	2,236	(129)	(607)	
575	Benefit Prefunding	1,234	1,360	1,351	(8)	99%	1,239	1,244	1,356	(111)	109%	1,200	1,230	1,121	
Total Debt & Other		77,673	31,906	33,371	1,464	105%	27,656	39,710	24,736	14,974	62%	23,647	86,307	73,688	
Total All Funds		\$156,826	\$129,290	\$104,485	(\$24,805)	81%	\$91,146	\$146,816	\$84,489	\$62,327	58%	\$69,900	\$176,822	\$150,701	

Fund Types:

General Fund - Used to account for and report all financial resources not accounted for and reported in another fund.

Special Revenue Funds - Used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects.

Capital Projects Funds - Used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets.

Debt Service & Other Funds - Includes funds used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest; funds used to finance and account for special activities and services performed by a designated department for other departments in the City on a cost reimbursement basis; and funds to account for operations financed and operated in a manner similar to a private business enterprise with the intent that the cost of providing goods and services is primarily financed through user charges; and funds used to account for assets held by the City as an agent.

City of Belmont
Budget Variance Report
General Fund / All Other Funds
Results for the Period Ended May 31, 2024
(000's)

	General Fund						All Other Funds					
	Year to Date (YTD)				Annual	PY YTD	Year to Date (YTD)				Annual	PY YTD
	Budget	Actual	Variance	%	Budget	Actual	Budget	Actual	Variance	%	Budget	Actual
REVENUES												
Taxes	\$20,174	\$20,316	\$142	101%	\$22,007	\$20,400	\$19,723	\$20,559	\$837	104%	\$21,516	\$18,298
Licenses and permits	1,089	1,007	(82)	92%	1,188	922	2,351	2,957	606	126%	2,565	2,068
Intergovernmental	353	466	113	132%	385	3,659	9,305	6,073	(3,232)	65% a	10,151	2,832
Charge for services	3,985	3,738	(247)	94% b	4,347	3,920	34,693	37,214	2,521	107%	37,847	31,686
Fines and forfeits	147	128	(18)	87%	160	105	-	-	-	N/A	-	-
Use of money and property	1,386	2,449	1,063	177%	1,512	1,946	2,310	4,550	2,240	197%	2,520	2,277
Miscellaneous	327	61	(266)	19% c	357	28	216	402	186	186%	235	53
Other financing sources	-	-	-	N/A	-	-	-	14	14	N/A	-	2,951
Operating transfers in	4	4	0	109%	4	-	33,227	4,546	(28,682)	14% d	36,248	-
Total Revenues	27,465	28,169	705	103%	29,961	30,980	101,825	76,316	(25,510)	75%	111,082	60,165
EXPENDITURES												
General government	7,106	6,049	(1,058)	85%	7,752	5,026	7,560	6,893	(667)	91%	8,248	5,989
Public safety	14,427	14,385	(42)	100%	15,738	13,108	11,840	12,250	409	103% e	12,917	12,063
Streets and utilities	-	-	-	N/A	-	-	46,515	17,860	(28,655)	38%	50,744	16,720
Culture and recreation	2,361	2,118	(242)	90%	2,575	1,788	8,921	6,401	(2,520)	72%	9,732	5,971
Urban redevelopment	-	-	-	N/A	-	0	8,791	8,487	(304)	97%	9,591	3,767
Debt service	-	-	-	N/A	-	-	6,063	5,497	(567)	91%	6,614	5,469
Operating transfer out	4,340	122	(4,218)	3%	4,735	0	28,891	4,428	(24,463)	15%	31,517	0
Total Expenditures	28,234	22,674	(5,560)	80%	30,800	19,922	118,583	61,815	(56,767)	52%	129,363	49,978
EXCESS OF REVENUES OVER/ (UNDER) EXPENDITURES												
	(\$769)	\$5,495			(\$839)	\$11,059	(\$16,757)	\$14,501			(\$18,281)	\$10,187

Management Discussion and Analysis
(Items with unfavorable budget variance more than \$0.1 million)

General Fund

Revenues

- b) **Charge for Services** - The budget variance is primarily due to the quarterly fire prevention and protection fee, which will be received in a future reporting period.
- c) **Miscellaneous** - The budget variance is primarily due to the timing of the annual Crystal Springs Uplands School (CSUS) Public Service Fee, which will be received in a future reporting period.

Other Funds

Revenues

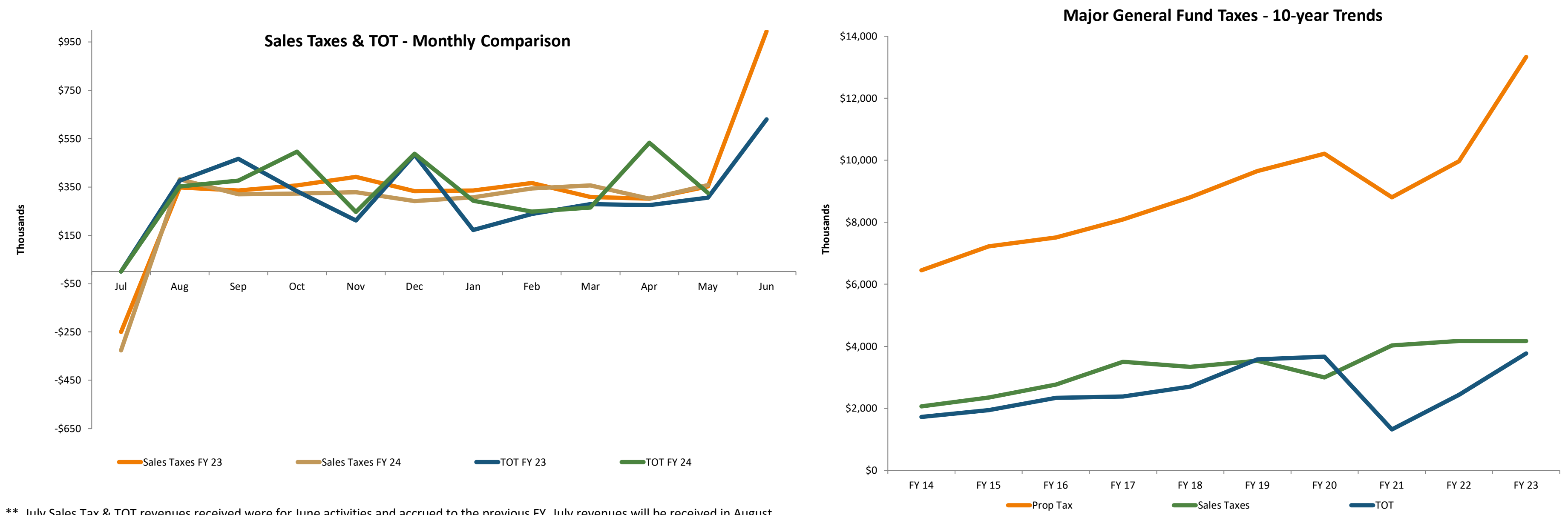
- a) **Intergovernmental** - The revenue will be received in a future reporting period.
- d) **Operating Transfers In** – Budgeted operating transfers are recorded at the end of the fiscal year based on actual results.

Other Funds

Expenditures

- e) **Public Safety** - Fourth quarter payment of \$2.2M to San Mateo Consolidated Fire Department was made in May

Trends



City of Belmont
Disbursements & Purchase Order Activity Report
Results for the Period Ended May 31, 2024



Disbursements Amounts Equal to \$50,000 and Above

Vendor	Description	Date	No.	Amount
BARTH ROOFING COMPANY INC	MANOR ROOFING	5/3/24	1204651	130,496.85
CALPERS	COB CONTRIBUTIONS PPE05/03/24	5/7/24	DAJ000008989	136,047.94
CALPERS	COB HEALTH PREMIUM-MAY	5/15/24	DAJ000008990	219,262.55
CALPERS	COB CONTRIBUTION PPE05/17/24	5/20/24	DAJ000008992	136,208.42
CITY OF BELMONT EMPLOYEES	PAYROLL 05/03/24	5/2/24	DAJ000009003	618,172.28
CITY OF BELMONT EMPLOYEES	PAYROLL 05/17/24	5/3/24	DAJ000009005	585,016.12
CITY OF BELMONT EMPLOYEES	PAYROLL 05/31/24	5/30/24	DAJ000009007	587,540.57
CRAFTWATER ENGINEERING INC	TWIN PINES DETENTION THRU 4/30	5/31/24	EFT00035488	98,455.03
GHILOTTI BROS INC	PROGRESS PAY 1 THRU 3/31	5/3/24	EFT00035216	121,248.31
GHILOTTI BROS INC	PROGRESS PAY 2 THRU 4/30	5/31/24	EFT00035491	240,833.55
MISSIONSQUARE	DEF COMP ACCT#302442	5/6/24	DAJ000008984	52,133.14
MISSIONSQUARE	DEF COMP ACCT#302442	5/20/24	DAJ000008988	53,134.88
PAVEMENT ENGINEERING INC	CM 2023 PAVEMENT THRU 1/24	5/10/24	EFT00035237	76,956.25
PAVEMENT ENGINEERING INC	PAVEMENT EXP PLAN THRU 3/31	5/24/24	EFT00035327	70,958.75
SILICON VALLEY CLEAN WATER	JUNE CONTRIBUTION	5/10/24	EFT00035235	303,637.00
Total Disbursements in Excess of \$50,000				\$ 3,430,101.64
Total Count				15

Purchase Order Amounts Equal to \$50,000 and Above

Vendor	Description	Date	No.	Amount
MOTT MACDONALD GROUP	SALSON TRAIL STORM REPAIR	5/8/24	24 00096	167,945.00
SCHAAF & WHEELER CONSULTING	2025 SANITARY SEWER REHAB	5/9/24	24 00098	164,715.00
DUKE'S ROOT CONTROL, INC.	2024 ROOT FOAMING OF SEWERS	5/28/24	24 00100	59,998.27
Total Purchase Orders Issued in Excess of \$50,000				\$ 392,658.27
Total Count				3

CITY OF BELMONT TREASURER'S REPORT May-24



Agency Receipts and Disbursements Summary

	Beginning Balance				Ending Balance			
	April 30, 2024		Receipts	Disbursements	May 31, 2024			
City of Belmont	\$	130,938,059.22	\$	5,778,911.79	\$	(4,767,772.55) \$	131,949,198.46	
Belmont Fire Protection District		24,680,204.40		1,521,048.32		(42,044.87)	26,159,207.85	
Successor Agency of the RDA		-		-		-	-	
Total	\$	155,618,263.62	\$	7,299,960.11	\$	(4,809,817.42)	\$	158,108,406.31

Balance Summary

	Deposit	Investments	Pool Total
City of Belmont & Belmont Fire Protection District	\$ 4,637,607.73	\$ 153,470,798.58	\$ 158,108,406.31

I certify that this report accurately reflects all investments of City of Belmont and Belmont Fire Protection District, and is in conformance with the adopted Investment Policy mandated by Government Code 53646. Furthermore, I certify to the best of my knowledge, sufficient investment liquidity and anticipated revenues are available to meet the Agency's budgeted expenditure requirement for the next six months.

Respectfully Submitted,

s/b Grace Castaneda
Grace Castaneda
City Treasurer

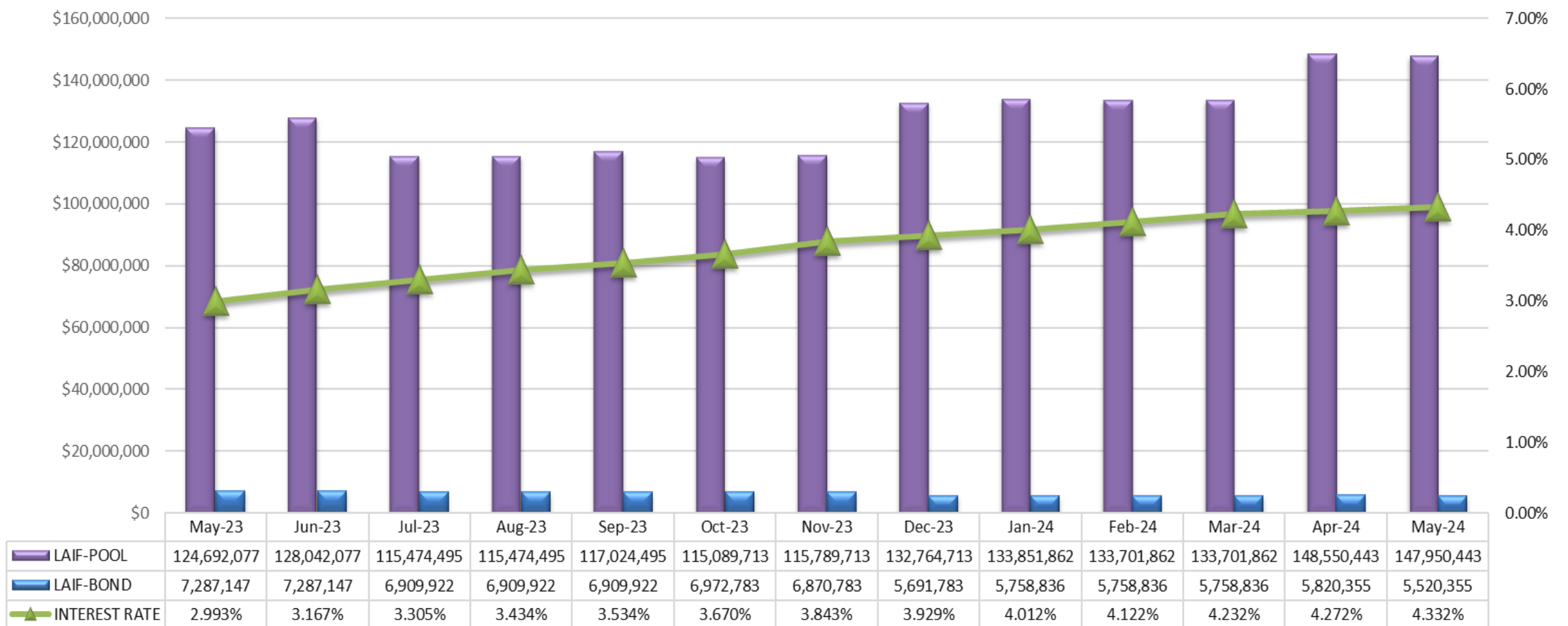
CITY OF BELMONT TREASURER'S REPORT May-24



Investment Detail

Investment Type	Issuer	Maturity Date	Par Amount	Current Market Value	Interest	Total	Investment Period	Rate	Pricing Source	Manager
Deposit										
General Account	Wells Fargo		\$ 4,637,607.73	\$ 4,637,607.73					Bank	Bank
Investments:										
L.A.I.F.-POOL	State of California	Daily	147,950,443.35	147,091,038.73	534,101.10		90 days	4.332%	LAIF	LAIF
L.A.I.F.-BONDS	State of California	Daily	5,520,355.23	5,488,288.96	19,928.48		90 days	4.332%	LAIF	LAIF
Total			\$ 158,108,406.31	\$ 157,216,935.42	\$ 554,029.58					

City of Belmont Investment Portfolio Trends





STAFF REPORT

Meeting Date: July 9, 2024
Agency: City of Belmont
Staff Contact: Tracy Scramaglia, Assistant Public Works Director/City Engineer, (650) 595-7469
Agenda Title: Traffic Calming Program
Agenda Action: Resolution

Recommendation

Adopt a resolution approving the Traffic Calming Program (TCP) and delegating authority to the City Engineer to make minor amendments.

Strategic Focus Area

Infrastructure and Mobility

Background

The City of Belmont receives requests every month from residents to determine solutions addressing real or perceived traffic issues. These requests are processed through the City's Parking and Traffic Safety Committee (PTSC), which is comprised of staff from the Belmont Police Department (BPD), San Mateo Consolidated Fire Department (SMCFD), and the Belmont Public Works Department. The PTSC is responsible for reviewing traffic safety issues and making recommendations for appropriate traffic control measures based on standard traffic control rules, traffic engineering principals, and local/state regulations.

To address traffic speeding issues, the City of Belmont formed a Traffic Calming Task Force that developed the Neighborhood Traffic Calming Program which was adopted by City Council on July 25, 2000. The Task Force was comprised of City staff, School District Staff, and citizen members. The PTSC updated and created a new Traffic Calming Program to replace the Neighborhood Traffic Calming Program document dated July 25, 2000.

The Traffic Calming Program's primary objective is to enhance the safety and livability of Belmont's neighborhood streets by calming traffic, as opposed to controlling traffic. The traffic calming methodologies for implementation follow five key components that are more commonly referred to as the "Five E's:"

- **Education** – Communicating information to the public is necessary to create a safer environment. Provide education through multiple outreach methods will help encourage better driving behavior.
- **Enforcement** – The Belmont Police Department will enforce laws with targeted events and through public outreach to further help provide education to the public.



- **Engineering** – Physical features are designed and implemented to force drivers to slow or use alternative routes to travel.
- **Emergency Response** – Emergency response must be considered in any level of traffic calming. Concerns from emergency responders must be considered, and where specified, their approvals obtained, before proceeding with any projects.
- **Emerging Technologies** – Technology can enhance the effectiveness of traditional methods of traffic calming, as well as help to manage and improve road safety.

Lastly, the Belmont City Council identified an updated traffic calming program as one of its Council priorities for the community in the coming year.

Analysis

The primary objective of a Traffic Calming Program is to calm traffic and use various tools to do so. The Traffic Calming Program does not replace traffic control devices but when implemented, traffic calming tools can influence driver behavior and route choice, reduce speeding, and improve multimodal safety. Devices such as signs, striping, pavement messages, traffic signals, and police enforcement control traffic, according to laws, rules, and regulations passed to legally control the conduct of drivers. Conversely, tools such as chicanes, speed humps, bulb outs, roundabouts, neighborhood traffic circles, and narrowing of lanes are examples of traffic calming engineering measures.

With current standards and design considerations, the 2024 Traffic Calming Program updates includes revisions to the following Sections:

1. **Criteria** – Updated the minimum local and collector roadway vehicle traffic count thresholds for consideration of traffic calming measurement implementation.
2. **Funding** – Revised project implementation into Capital Improvements Program for funding following approval by City Council.
3. **Education and Enforcement Alternatives** – Additional alternative solutions to address traffic issues that do not meet the criteria thresholds for engineering solutions.
4. **Toolbox of Traffic Calming Measures** – Updates to traffic calming measures in compliance with current standards and regulations.

Responses to concerns regarding traffic congestion, pedestrian and bicycle safety, speeds and cut-through traffic volumes can be addressed by using Five E's important tools: Education, Enforcement, Engineering, Emergency Response, and Emerging Technologies. Many problems can be solved through relatively low-cost educational and enforcement activities. However, some problems do require more expensive engineering or design solutions.

The final solution will also take some time to implement as different measures are proposed and refined through a trial-and-error methodology. The most successful solution will not focus on just one type of



solution, but will involve the implementation of a combination of measures from the toolbox.

With the revision and updates to the original program, the Traffic Calming Program (2024) will be the key tool for evaluating traffic calming requests from the public through the PTSC. It is envisioned that the program will be a living document that will be updated and maintained by the Belmont Public Works Department. Minor updates or technical revisions requested by the SMCFD, BPD or Public Works will be incorporated and implemented by the City Engineer. Significant changes to the program will be brought back to City Council for consideration.

Alternatives

1. Take no action.
2. Refer back to staff for additional information.

Attachments

- A. Resolution
- B. Traffic Calming Program (2024)

Fiscal Impact

- ☒ No Fiscal Impact
☐ Funding Source Confirmed:

Source:

Staff

Purpose:

Council Vision/Priority

Public Outreach:

Other*

*Posting agenda and sending email notifications to interested parties list.

RESOLUTION NO. 2024 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT TO APPROVE THE TRAFFIC CALMING PROGRAM (2024).

WHEREAS, the City of Belmont receives requests every month from residents to determine solutions addressing real or perceived traffic issues. These requests are processed through the City’s Parking and Traffic Safety Committee (PTSC), which is comprised of staff from the Belmont Police Department (BPD), San Mateo Consolidated Fire Department (SMCFD), and the Belmont Public Works Department; and,

WHEREAS, the PTSC is responsible for reviewing traffic safety issues and making recommendations for appropriate traffic control measures based on standard traffic control rules, traffic engineering principals, and local/state regulations; and,

WHEREAS, to address traffic speeding issues, the City of Belmont formed a Traffic Calming Task Force that developed the Neighborhood Traffic Calming Program which was adopted by City Council on July 25, 2000. The Task Force was comprised of City staff, School District Staff, and citizen members; and,

WHEREAS, the PTSC updated the Traffic Calming Program to replace the Neighborhood Traffic Calming Program document dated July 25, 2000; and,

WHEREAS, the Belmont City Council identified an updated traffic calming program as one of its Council priorities for the community; and,

WHEREAS, the primary objective of a Traffic Calming Program is to calm traffic and use engineering tools to do so. The Traffic Calming Program does not replace traffic control devices but when implemented, traffic calming tools can influence driver behavior and route choice, reduce speeding, and improve multimodal safety; and,

WHEREAS, the Traffic Calming Program (2024) will be the key tool for evaluating traffic calming requests from the public through the PTSC; and,

WHEREAS, the program will be a living document that will be updated and maintained by the Belmont Public Works Department. Minor updates or technical revisions requested by the San Mateo Consolidated Fire Department, Police Department or Public Works will be incorporated and implemented. Significant changes to the program will be brought back to City Council for consideration.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

SECTION 1. The Traffic Calming Program (2024) attached as Attachments B to the Staff Report, is adopted.

SECTION 2. The City Engineer is hereby authorized to make minor changes, amendments, or technical adjustments to the Traffic Calming Program (2024), provided that such modifications do not alter the fundamental principles or objectives of the policy.

* * *

ADOPTED [Click to enter a date.] by the City of Belmont City Council by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

2024

Traffic Calming Program



City of Belmont

One Twin Pines Lane, Belmont, CA

94002

7/23/2024

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Traffic Calming Program Document

1.0 Introduction

The City of Belmont receives regular requests from residents to implement solutions to both real and perceived traffic issues. These often consist of requests to install speed humps or stop signs at uncontrolled intersections to reduce the speed of traffic. Most of these requests are processed through the City's Parking and Traffic Safety Committee (PTSC), which is comprised of staff from the Belmont Police Department (BPD), San Mateo Consolidated Fire Department (SMCFD), and the Belmont Public Works Department. The Parking and Traffic Safety Committee is responsible for evaluating and implementing traffic safety improvements, and primarily uses standard traffic control rules, traffic engineering principles, and local/state regulations to determine what traffic controls can be implemented. Among these regulations are the requirements that standard warrants be met for installation of stop signs and other traffic control measures. In Belmont, where they don't currently exist, the requirements for vehicular volume or collision rate warrants cannot usually be met to place new stop signs at uncontrolled intersections. It is a common misconception that stop signs are speed control devices, rather than a tool to determine which entry leg has the right of way to proceed first. This has led to some concern among Belmont residents, and a call for other solutions to traffic speeding issues.

To address speeding and other driver behavior issues, the City of Belmont formed a Traffic Calming Task Force in 2000 and adopted the Neighborhood Traffic Calming Program. The Task Force was comprised of a mix of City staff, School District staff and citizen members. The Parking and Traffic Safety Committee (PTSC) created this new program document to replace the Neighborhood Traffic Calming Program document dated July 25, 2000. This will be a living document that will be maintained by the Belmont Public Works Department.

Responses to concerns regarding traffic congestion, pedestrian and bicycle safety, speeds and cut-through traffic volumes can be addressed by using the "5 E's" important tools: Education, Enforcement, Engineering, Emergency Response, and Emerging Technologies. Many problems can be solved through relatively low-cost educational and enforcement activities. However, some problems do require more expensive engineering or design solutions.

The final solution will also take some time to implement as different measures are proposed and refined through a trial-and-error methodology. The most successful solution will not focus on just one type of solution but will involve the implementation of a combination of measures from all the 5 E's.

1.1 What is Traffic Calming?

"Traffic Calming is the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users." – Institute of Transportation Engineers (ITE)

1.2 The 5 "E's"

Educating the public, regular and visible enforcement of the vehicle code, context sensitive traffic engineering, emergency response consideration, and emerging technology concepts comprise

the “5 E’s.” The “5 E’s” are widely accepted as the key components to implementation of a successful traffic calming program. All five E’s are necessary to create safety in public travel ways.

- **Education** – Communicating information to the public is necessary to create a safer environment. Education through multiple outreach methods will help encourage better driving behavior.
- **Enforcement** – The Belmont Police Department will enforce laws with targeted events and through public outreach and education.
- **Engineering** – Physical features are designed to force drivers to slow or use alternative routes to travel. These features can be seen in Appendix B.
- **Emergency Response** – Emergency response must be considered in any level of traffic calming. Concerns from emergency responders must be considered, and where specified, their approvals obtained, before proceeding with any projects.
- **Emerging Technologies** – Technology can enhance the effectiveness of traditional methods of traffic calming, as well as help to manage and improve road safety.

If a request from the public to the PTSC does not meet the requirements for an engineered traffic calming measure, then the PTSC may review the request for the applicability of education and/or enforcement alternatives.

2.0 Program Objectives

The Neighborhood Traffic Calming Program addresses residential and collector streets only. Residential (local) streets typically connect or feed into collector streets and collectors typically connect or feed into arterial streets. Traffic on the arterial roadways is currently monitored and regulated by sophisticated traffic control systems. Arterial roadways carry high volumes of vehicular and multimodal traffic, are primary emergency response and evacuation routes, and are not appropriate roadways for implementing traffic calming measures. The primary objective of this program is to enhance the safety and livability of Belmont’s neighborhood streets. The program enables the City of Belmont to respond to neighborhood traffic issues using a defined formal process.

The primary objective of a Traffic Calming Program is to calm traffic, as opposed to control traffic. Devices such as signs, striping, pavement messages, traffic signals, and police enforcement control traffic, according to laws, rules, and regulations passed to legally control the conduct of drivers. Chicanes, bulb outs, roundabouts, neighborhood traffic circles, speed humps and lane narrowing on the other hand, are examples of measures used to calm traffic.

2.1. Travel Speed

Traffic calming can alter the physical shape of the roadway to reduce vehicular travel speed. This is accomplished by vertical measures (such as speed humps) and horizontal measures (such as narrowing the street) that make the roadway more difficult or uncomfortable to travel at high speed, either because of friction of objects adjacent to the roadway or the need to maneuver the vehicle more to negotiate roadway features.

There are several methods to measure speed trends for neighborhood streets. The most used method is the “85th percentile” or “critical speed,” which is the speed that 15% of drivers exceed per Section 2B.13 (12) of the Manual on Uniform Traffic Control Devices (MUTCD). Speed studies routinely use this method to determine the speed limit; therefore, often “Critical” speeds do not exceed the speed limit by more than 7 mph. Traffic calming programs often use this measurement method as criteria for determining whether to implement traffic calming. If the 85th Percentile speed exceeds the speed limit, usually 25 mph on residential streets, by a set amount, traffic calming measures may be appropriate.

2.2. Traffic Volume

Another objective of traffic calming installations is to reduce traffic volumes by making a route less attractive as a higher volume street. By redesigning a street to have more neighborhood or pedestrian friendly attributes and increasing vehicular travel times (reducing speeds) along a corridor, motorists will be less inclined to use the street as a through roadway. This can be accomplished by measures which add pedestrian linkages and landscaping along the roadway, among other tools.

Residential streets are designed to accommodate peak hourly volumes of approximately 1,000 vehicles per day (vpd). Volumes in excess of this amount tend to cause aggressive behavior in drivers and congestion at local intersections. They also tend to create difficulty in safe pedestrian crossings of the street. Collector roads are designed to handle 3,000 vpd. This program seeks to reduce street volumes.

2.3. Cut-Through Traffic

Both speed and volume reduction measures apply to streets with significant “cut-through” volumes. By making the residential street vehicular speeds lower, travel times increase, and “cut-through” traffic will return to the collector or arterial which was designed to accommodate higher traffic volumes.

It is harder to measure “cut-through” volumes because each vehicle’s origin and destination (O/D) must be determined. This is measured by several types of O/D studies, such as license plate surveys (compare plates at each end of the street), manual surveys (stop each car and ask), and post-card surveys (mail-in of post-cards handed out at checkpoints along the route), although new technologies like “Streetlight Data” and “Inrix” real-time traffic services are able to use GPS and cell-phone data to determine O/D more accurately than surveys.

When evaluating “cut-through” volumes, the percentage of traffic originating outside the neighborhood going to a destination outside the neighborhood is measured. The evaluation must also include whether there is an alternative route using arterial roadways which should be used. Traffic calming can then be considered as a tool to encourage use of the appropriate route.

2.4. Emergency Response Routes

In Belmont, accommodation of emergency response routes has a significant effect on the ability to install traffic calming measures. Many of Belmont’s neighborhood streets can serve as collectors and are also emergency response routes. Many neighborhood streets connect directly to the arterial roadways, Ralston Avenue, Alameda de las Pulgas, El Camino Real and Old County Road. Therefore, many residential streets are designated primary emergency response routes.

Emergency vehicles are affected most by vertical measures, those which cause a vehicle to experience an uncomfortable vertical movement. Measures sufficient to cause discomfort to automobiles delay emergency response times and cause a serious effect on much larger vehicles, such as fire engines. These measures can also negatively affect medical emergency vehicles carrying patients.

The result of these increased effects on emergency vehicles is that the vehicles must slow down to negotiate the vertical measures. This in turn will increase the emergency response time. In urban portions of San Mateo County, the maximum, mandatory (i.e., contractual obligation) response time for the first-responding Paramedic-staffed fire company is 6 minutes, 59 seconds to 90% of all medical emergencies. In Belmont, San Carlos, and the Harbor Industrial Area, the governance-adopted performance standard for emergency response is a maximum travel time for the first-arriving fire company of 5 minutes to 80% of all emergency incidents. Failure to meet these response/travel times may require the creation of an additional staffed fire company, the construction of an additional staffed fire station, or similarly costly remedies.

2.5. Impacted Areas

Another factor in determining where to apply traffic calming is to determine the area which has a traffic problem. Sometimes it is a single “spot” location, such as an intersection; sometimes an entire street; but it may also be a network of parallel or interconnected streets (a street system). Normally the application will determine the extent of the area impacted. Staff will review the application to determine if a smaller or larger impacted area is appropriate. A traffic calming measure installed to solve a problem in one location may move the problem to another location. This is not a desirable or acceptable result, except when traffic is moved from residential streets to arterials, which are designed to carry higher volumes of traffic.

An application to the PTSC to implement a traffic calming measure will usually specify a particular area be considered. City staff will evaluate the impact of implementing traffic calming at the requested location or area on adjacent intersections, street sections or street systems. If installation of the measure will merely move the problem, either a more comprehensive traffic calming system will be considered, or no traffic calming will be allowed. If a more comprehensive system is required to solve the problem, the larger system must meet all the requirements of this program and must be fundable.

In some cases, the impacted area may include another jurisdiction, such as San Carlos, San Mateo, Redwood City, San Mateo County, or the State of California. In those cases, every effort will be made to involve the other jurisdiction, both staff and residents, to evaluate impacts.

3.0 Program Guidelines

3.1. Eligibility

When an application for traffic calming is received by the PTSC, it will be evaluated to determine if the impacted area is eligible for traffic calming. Eligibility for a traffic calming program includes meeting threshold criteria that determine whether traffic calming is likely to be the solution. It will also evaluate the engineering aspects to determine if there is a practical, safe solution at a reasonable cost which solves the problem without creating more problems. The solution may also be modified by special considerations, especially emergency response needs and Safe Routes to School (SRTS).

3.1.1. Criteria

As discussed in the Objectives section above, the minimum base criteria for installation of traffic calming measures are:

- “Critical” speed in excess of posted speed by 7 mph
- Average Daily Traffic (ADT) over 1,000 vehicles per day for Local roadways
- Average Daily Traffic (ADT) over 3,000 vehicles per day for Collector roadways

Either of these base criteria can be adjusted by each of the following:

- Every 1 mph of “Critical” speed in excess of 5 mph over posted can equal 200 vpd
- Every 200 vpd over 1,000 for local or 3,000 for collectors can equal 1 mph of “Critical” speed
- Every 5 mph of peak speed over the posted speed can equal 2 mph or 400 vpd.
- Every 5% of cut-through volume over 20% can equal 1 mph or 200 vpd

If a street were not over the speed criteria, but well over the volume criteria, the additional volume would compensate for the lack of a speeding problem. Likewise, if the volume criteria is not met, but the critical or peak speeds are well in excess of the posted speed, the traffic calming criteria may be met by using the excess speed to equate to volume. City staff will calculate the eligibility criteria in the most favorable manner to promote eligibility for applications.

3.1.2. Engineering

A focused speed and volume survey may be conducted when an application is received at the location of the requested traffic calming installation.

City engineers, or consultants hired by the City, may prepare a traffic engineering study, evaluating the impacts and effectiveness the desired traffic calming measure, and combinations of measures, towards solution of the problem. The study will evaluate the geometry of the intersections and street sections to determine where and how measures can practically be installed. The study will include a cost estimate.

The study will evaluate the ability of vehicles, including large trucks, emergency vehicles, motorcycles, and bicycles to negotiate the traffic calming system. Specialized computer programs, such as AutoTurn may be used for this evaluation. The study will also evaluate travel paths for bicycles and pedestrians. The engineering study will also evaluate the potential for impacts at locations other than the location being considered. If traffic calming measures are determined to be warranted and are fundable, further engineering will be done to produce final plans and specifications for permanent construction.

3.1.3. Safety

The eligibility criteria will also study the safety of the installation. The safety study will examine all aspects of improving safety and assuring that other safety aspects are not diminished. At a minimum, the safety study will examine:

- Traffic safety, such as visibility of obstructions.
- Sight distance, such as the ability to see objects in the road ahead of a vehicle and traffic at corners.
- Pedestrian safety; and
- Bicycle safety

3.1.4. Other Considerations

American with Disabilities Act (ADA)

A situation could arise in which a person with a disability protected by the ADA would be denied ingress or egress to the person's place of residence because of the impact of a traffic calming measure. That person should be able to reasonably demonstrate that the measure would aggravate the protected disability. In that situation, any traffic calming plan under consideration would need to be modified to provide an unobstructed route of ingress and egress to the person's residence.

Safe Routes to School (SRS)

Roadways that are designated as Safe Routes to School will have special consideration due to the high pedestrian traffic.

Speed Cushion Policy

The City of Belmont passed a Speed Hump Policy on April 9, 1996, which sets specific criteria for speed humps eligibility based on street section and grade. The policy prohibits speed humps on designated local emergency vehicle routes and streets designated as collector or arterial roads. This policy has been interpreted to apply to all vertical traffic calming measures and is maintained in this program.

The policy was updated and revised to the Speed Cushion Policy (formerly Speed Hump Policy) in consideration of newer standards and regulations. The updates to the standalone policy were incorporated and reviewed by PTSC on October 4, 2023, for implementation and installation of speed cushions.

The Speed Cushion Policy may be revisited in the future based on new technologies for vertical measures, such as split speed humps, speed tables, and raised intersections. As an existing traffic calming tool, implementation of speed cushions may be considered for local streets and the procedures to request, apply, fund, and install speed cushions will comply with the separate Speed Cushion Policy.

SamTrans

There are several bus routes through the City of Belmont on residential streets. Impacts to SamTrans equipment fleet will also be considered. Traffic calming measures are typically not appropriate for bus routes.

Visual Concerns

The traffic calming measures resulting from high aesthetic designs can be visually pleasing by introducing landscaping into formerly paved areas. However, since these measures are intended to pose obstacles to drivers, they must be well signed, striped, and reflectorized to avoid safety problems and limit potential liability exposure for the City. Some measures integrate visibility with aesthetics better than others. Traffic circles offset the reflectorized delineator poles and signs with landscaped features. Speed humps only increase visual clutter, with highly visible striping on the hump and warning signs. Long term future maintenance costs will also be considered in determining the most appropriate measure.

Negative visual concerns should be considered in the development of a traffic calming plan, especially considering the multiplication of the effect from a series of measures when viewed from the end of the street. Likewise, a positive aesthetic will multiply into an overall neighborhood enhancement. These visual considerations should be a part of residents' decision-making process in requesting traffic calming measures.

4. Implementation Process

When a request for traffic calming is received through the PTSC, staff first considers the validity of the request and perceived traffic problem, as well as whether the traffic problem is a traffic control issue. The Parking and Traffic Safety Committee will seek to resolve an identified traffic issue in the most cost-effective, timely manner, prior to embarking on the traffic calming evaluation process.

Multiple requests for locations on a street may be combined by staff into a single request for a street project. All requests will follow the implementation process chart as shown on Figure 1.

4.1 Application

A Parking and Traffic Safety Committee request form should be submitted to the Public Works Department for an eligibility determination. A traffic calming request may pertain to real or perceived problems of speeding, volume, or accidents on residential or collector streets. The PTSC will review existing pertinent collision, speed, and volume data, and may conduct a basic speed and volume survey to understand each specific issue. Accident history will also be reviewed for the area of concern. If the PTSC deems the request warranted for the Traffic Calming Program, a petition will be needed from the applicant.

4.2 Petition

A petition must be signed by 66 percent of the households in the area where action is requested showing support for the program. A household is defined as any owned or rented living unit with its own street address, regardless of how many people live in the unit.

4.2. Study Phase

Impact Area

Staff first determines the location or street segment(s) where traffic calming measures might be placed. Staff also determines whether any cross streets or adjacent parallel streets might be affected by any traffic calming actions implemented in the area. This larger area, consisting of the traffic calmed street, cross streets and/or adjacent parallel streets, is termed the “impacted area”.

Collect Data

Traffic data, including speeds, volumes, and accident history will be collected as necessary for the request.

4.3. Survey Phase

Depending on the traffic calming method selected, a consultant or the City may prepare designs for a possible improvement. The preferred plan and in some cases alternative(s), are mailed to impacted area residents along with announcement of a meeting. Residents are asked to email comments back to the City and/or attend the meeting. The plans are presented to residents at the meeting. It is desirable for impacted area residents to reach consensus on accepting traffic calming measures in their neighborhood by this point in the process.

Staff prepares a survey for residents that describes the traffic calming measures proposed to be placed and asks if they would support either implementation or in some cases, undertaking a pilot evaluation phase. The survey is conducted based on the type of traffic calming project.

One response is allowed per household, regardless of the number of people in the household. Non-resident property owners and households on other project area streets will not participate in

the survey at this time. For a pilot project to be considered for approval, a simple majority (50+ percent) of survey responses must indicate support for the trial.

If alternative plans are included in the survey, the total support for all plans must be a simple majority, and the alternative with the most support will be considered for a trial. Based on the survey results, staff will decide if a trial can proceed.

If the required resident support described above is not obtained, the process ends at this point.

4.4. Trial Phase

Staff prepares a recommendation report for City Council to request approval to conduct a trial traffic calming program. If the Council does not approve the trial, the process will end at this point unless other direction is given. Council will also need to provide approval of funding for larger scale projects. Funding is further described in Section 5. For smaller projects, City staff can design and construct the trial improvement. Larger scale projects will need to be solicited for bids for design and then construction.

4.5. Permanent Installation

Evaluate trial results

After a pilot evaluation period is completed, staff evaluates the results of the trial program. Residents of the impacted area may be solicited for input and will be notified of the trial results. An optional meeting may be held at which the results of the trial are discussed. The trial installation will remain until the permanent measures are installed or the decision is made to remove the measures.

If staff determines that the trial was clearly not successful (e.g., traffic diversion is excessive, substantial resident complaints, concerns around safety, substantial delays to emergency services, etc.), and it appeared that modifications could not be developed that would resolve the problem(s), staff would recommend to the City Council that the trial be abandoned. Further information about removing traffic calming measures is included below.

Conduct survey of residents regarding results of trial.

Staff distributes a survey to determine if residents believe that the trial was successful and if the project should be considered for permanent installation. The survey area includes residents and property owners in the entire impacted area. For staff to consider recommending to the City Council that the project be approved for permanent installation, support must be indicated by a super majority (66.6+ percent) of survey responses from the same households as surveyed for the trial installation.

Review results of trial plan and decide on permanent installation.

Staff prepares a report to the City Council on the outcome of the pilot program. If the trial was successful, staff will recommend permanent installation to City Council. If the minimum project area support is not obtained, or if the plan was clearly not successful, staff will recommend removal of the trial traffic calming measures.

If the Council does not approve proceeding with permanent installation of the traffic calming plan, the project ends at this point and the trial installation is removed, unless Council directs that the process returns to select another alternative. If City Council approves of the permanent installation, they will also need to approve the budget for design and construction.

Design and implement permanent plan and conduct follow-up evaluation.

Following the approval for design and construction, the permanent installation is constructed. A follow-up evaluation of the effectiveness of the plan may be conducted up to three years after permanent installation.

4.6. Removal

Removal of a previously approved traffic calming plan, either of a trial before the trial period expires, or of a permanent installation after it is constructed, will require the same process be followed that was used to install the plan initially. This means that a constructed improvement will require 66.6+ percent of impacted area household to approve the removal.

Traffic calming measures may also be subject to removal at either the trial or permanent stages for various reasons, including conformity with the Americans with Disabilities Act (ADA), impacts on emergency services, collision problems, or safety problems determined by the Parking and Traffic Safety Committee. Depending on severity, all or a part of a traffic calming plan may be removed for these reasons.

5.0 Funding

Depending on the type of traffic calming method used, engineering traffic calming measures is generally expensive and does not have a dedicated funding source. Smaller projects may be able to be done by the City without seeking outside funding, design, or construction. Larger and more complex projects (\$50,000 and over for construction) will require approval from City Council for funding and be included in the annual Capital Improvement Program. There will also be cases where the City staff can install the temporary trial program, but not the permanent improvements. The types of traffic calming improvements can be seen in Appendix B along with descriptions on which work the City may be able to perform in-house. Along with the cost to construct the improvement, there are recurring costs to the City for maintenance.

Participation in funding by grant programs or by others will be considered in expediting permanent construction of a project.

If residents desire to expedite the final construction process, the City will consider full (not partial) resident or property owner funding of a traffic calming project. Project area or primary street residents and property owners would determine how to collect the funds. Any number of residents or property owners may contribute, and residents are solely responsible for collecting the entire amount before requesting the City begin construction. Resident funding will be received only for approved traffic calming projects, with the purpose being to speed up permanent construction. Resident funding will not be used to speed up the qualification and study process or to qualify otherwise unqualified projects.

5.1 Maintenance

There are several different levels of design of traffic calming measures which can affect long-term maintenance requirements. The City has determined that high aesthetic/low maintenance designs are preferred to reduce the future burden on City resources to maintain traffic calming measures. These types of measures will include landscaping and irrigation systems, both of which require continuous maintenance.

These added costs or added staffing requirements if performed with City resources need to be estimated at the time the fiscal impact of constructing a traffic calming measure is determined and approved by City Council. The ability of existing staff to perform the work needs to be evaluated. If staffing is not sufficient, alternative annual costs of outside maintenance services should also be evaluated.

If residents desire to reduce the long-term fiscal impact of the project, individual property owners, groups of property owners, or a homeowners' association may "adopt" the traffic calming landscaping and irrigation. This will be accomplished by a written agreement between the property owners or homeowners' association and the City. A part of the agreement will be that the responsibility under the agreement passes to subsequent property owners.

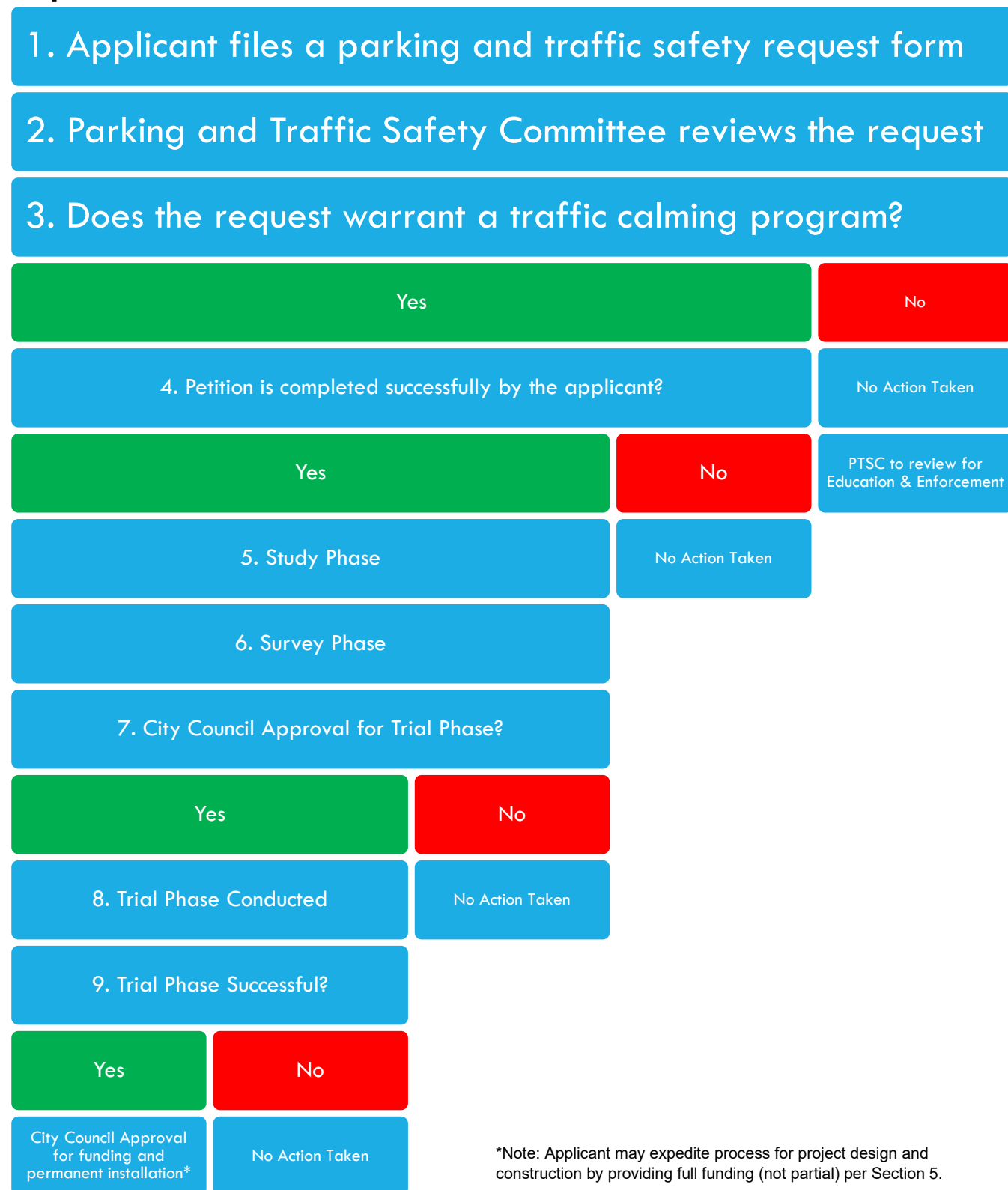
This can be a benefit as well as a burden. By "adopting" the traffic calming measures, the neighborhood takes control of the aesthetics of their street. With extra care, such as planting annual flowers, seasonal signing, or a community bulletin board, the traffic calming measures can become focal points of the community. As with landscaping and other improvements on private property, all "adopted" measures will be subject to traffic safety review by the Parking and Traffic Safety Committee.



5.4. Cost Estimates

For each project, the initial costs will be determined based on quantity calculations and staffing time. The final cost estimate will be based on detailed quantities for all constructed items based on a final set of construction plans and specifications along with accounting for any necessary construction management/inspection time, as well as on on-going annual maintenance estimates. When the final costs of a project are being determined, an estimate of the long-term maintenance burden on the City Public Works Department and Parks and Recreation Department shall be estimated by consultation with both departments. By approving funding, the City is also undertaking this additional maintenance burden unless otherwise stated.

Implementation Process Chart

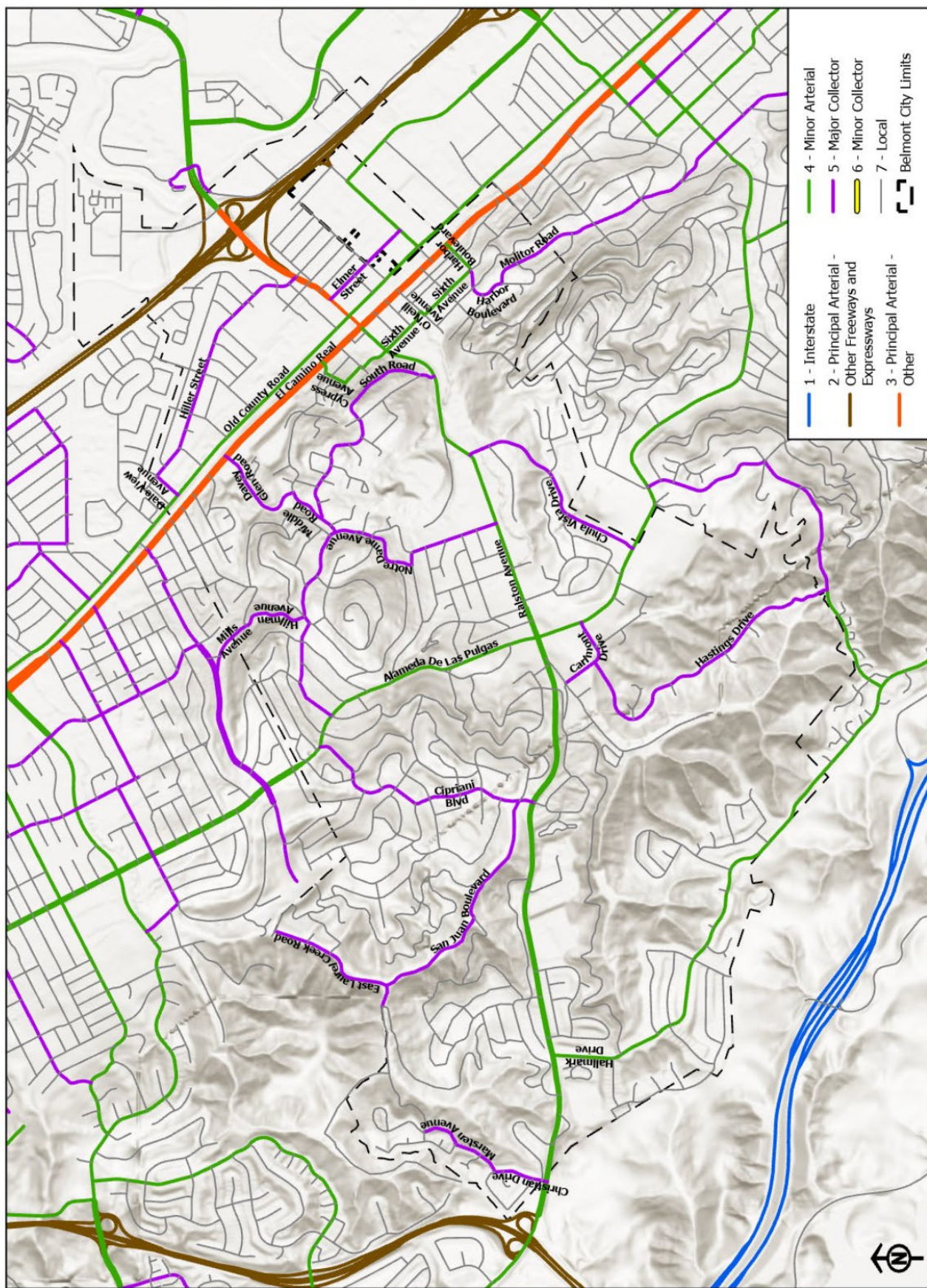


*Note: Applicant may expedite process for project design and construction by providing full funding (not partial) per Section 5.

Figure 1 - Implementation Process Chart

APPENDIX A — Roadway Classification Map

Belmont Streets - Functional Classification





APPENDIX B — Education and Enforcement Alternatives

EDUCATION

Description

The city's Public Works and Police Departments provide education with the purpose of bringing public awareness to areas of traffic safety and roadway engineering. Education occurs through community outreach with programs emphasizing traffic and safety issues, along with review of requests made through the Parking and Traffic Safety Committee. Community outreach may be in the form of neighborhood meetings, correspondence, workshops, social media messages, website postings, weekly newsletters etc. to help better inform and educate the communities and public.

Advantages

- Helps provide a means of communication between neighborhood representatives and City Staff to identify locations of traffic issues.
- Allows for discussion regarding traffic and safety concerns
- Cost-effective

Disadvantages

- Limited effectiveness, can't reach everyone
- Uncertain attendance for public meetings
- It takes significant time for City Staff and residents



DIRECTED TRAFFIC ENFORCEMENT (DTE)

Description

Police enforcement of traffic laws citywide and with targeted enforcement of certain laws in certain parts of the city helps to bring awareness to areas of traffic and safety concerns. Enforcement of speed limits, stop sign compliance, yielding to people biking and walking, and application of all traffic laws is provided by the Police Department. Areas with recurring traffic concerns may have officers deployed for targeted enforcement and citations. Increased police presence increases drivers' awareness and compliance with traffic laws.



Advantages

- Effective temporary solution to traffic concerns
- Quick to implement
- Cost-effective

Disadvantages

- Needs to be repeated consistently and frequently
- Subject to availability
- Behavior may return to prior patterns in absence of PD presence

SPEED DISPLAY UNIT

Description

Portable radar unit that measures and displays oncoming vehicle speeds. Portable unit displays vehicle speed in real-time, adjacent to posted speed limit. The unit may be located on street for limited or extended amount of time in focused areas.

Advantages

- Quick to implement
- Displays actual speeds immediately for increased driver awareness

Disadvantages

- Does not provide enforcement without an officer present
- Limited effectiveness once removed from area



SPEED LIMIT SIGN

Description

Install new regulatory sign for posted vehicular speed limit. Traffic analysis must be provided to justify posted speed limit.



Advantages

- Defines posted speed limit and provides transparency for motorists
- May reduce speeding with enforcement

Disadvantages

- Requires supplemental enforcement to be effective
- Motorists can ignore posted speed limit



APPENDIX C — Toolbox of Traffic Calming Measures

*Note:

Cost Ranges:

\$:	\$0 - \$1,000
\$\$:	\$1,001 - \$10,000
\$\$\$:	\$10,001 - \$100,000
\$\$\$\$:	\$100,000 and above

SPEED CUSHIONS

Description

A variation of a speed hump, speed cushions are shorter in height and placed across the width of the travel lane. Speed cushions have tapered edges and are wide enough to force cars to pass over at least part of the hump, while allowing access for vehicles with larger axle widths such as buses, firefighting apparatus, and other emergency vehicles.



Advantages

- Slows vehicles
- Emergency vehicles may drive over speed cushions without issue

Disadvantages

- Aesthetically displeasing
- Easily damaged over time
- Frequent maintenance issues
- Can be noisy for nearby residents

Trial and Permanent installation can be performed by City staff.

Estimated Cost: \$

STRIPING [Centerline, Narrow Lane, Etc.]

Description

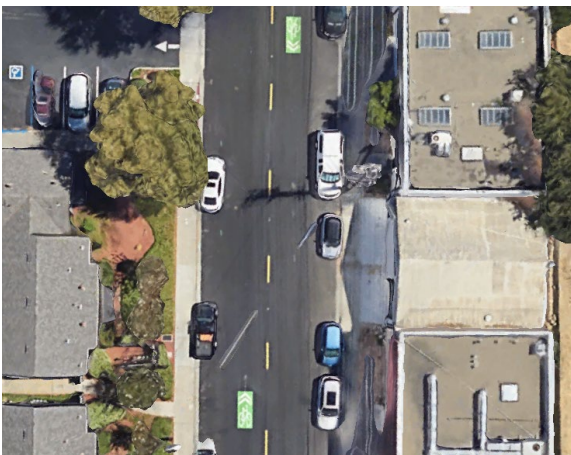
On wider right-of-way areas, striping for centerline and travel lane edges may be provided along the roadway. Striping may help to delineate and designate travel lanes with narrow lanes more conducive for slower vehicle speeds. Narrow lane striping is to provide 10-foot minimum travel lanes each way. Pavement areas outside of the lane striping may be used for parking or Class II bike lanes if widths and sufficient ROW exist.

Advantages

- Easy to install and implement
- Helps to slow traffic speeds
- Improves safety with designated travel lanes for vehicles

Disadvantages

- Striping is a guideline for motorists but does not prevent vehicles from potentially crossing the designated striping
- Requires regular maintenance



Trial and Permanent installation can be performed by City staff.

Estimated Cost: \$-\$\$

SUPPLEMENTAL SIGNS / PAVEMENT MARKINGS

Description

Where appropriate, additional signage and/or pavement markings may be utilized to bring attention to potential safety concerns. Signage for upcoming pedestrian crossings, share the roads with bicyclists, or schools may be effective to slow vehicles and improve safety when implemented correctly.

Advantages

- Relatively inexpensive
- Helps to increase awareness to improve safety
- Easy to install and implement

Disadvantages

- May cause confusion if too many signs or incorrectly installed
- Requires engineering study/plans to justify location of sign or pavement markings
- Requires frequent maintenance once installed



Trial and Permanent installation can be performed by City staff.

Estimated Cost: \$

HIGH VISIBILITY CROSSWALK

Description

Standard pedestrian crosswalks provided at roadway intersections to provide safe travel for pedestrians and/or bicyclists. Improvements for a High-Visibility Crosswalk include high contrast signage, wide striping (e.g., Shark Teeth, Ladder-striping or similar, etc.), and additional pavement markings. Proposed crosswalks will require engineered plans to be submitted prior to implementation.



Advantages

- Brings awareness for potential pedestrian crossing
- Designates location for preferred pedestrian crossing
- May slow travel speeds

Disadvantages

- Pedestrians may not notice or see incoming traffic before crossing
- May require proper lighting for after hours

Trial program can be performed by City staff. Permanent design/construction may require City Council Approval.

Estimated Cost: \$\$\$

FIXED SPEED DISPLAY FEEDBACK SIGN

Description

A speed display sign measures actual speed of incoming vehicles and displays the speed in real time. The actual speed is displayed adjacent to the posted speed limit and sometimes includes a flashing light to help remind motorists to slow down if exceeding the speed limit. The sign is a permanent installation and cannot be relocated compared to the Tier 1 – Speed Display Unit.

Advantages

- Helps bring awareness to motorists of the posted speed limit
- Helps slow vehicle speeds
- Provides real-time feedback to motorists

Disadvantages

- Does not enforce speed limit
- Requires regular maintenance



Trial program can be performed by City staff. Permanent design/construction may require City Council Approval.

Estimated Cost: \$\$

CURB EXTENSIONS / BULBOUTS

Description

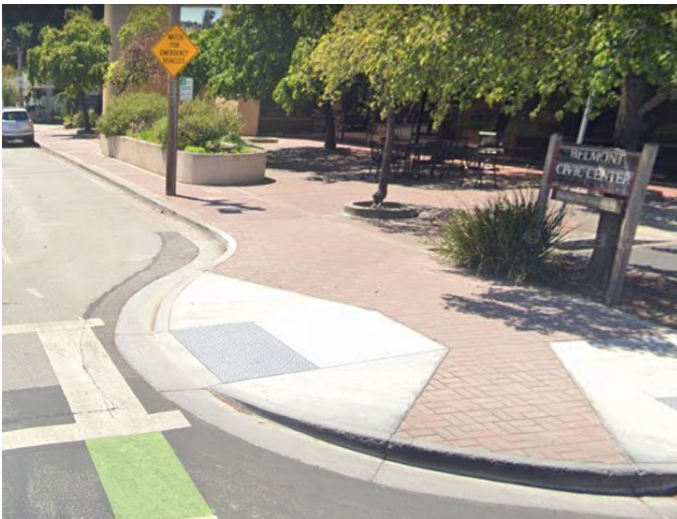
Curb extensions or bulbouts are installed at corners of intersections and extended further into the intersection to reduce roadway width. Extension of the curb to reduce roadway width at intersections help slow vehicle speeds and improve safety for pedestrian crossing.

Advantages

- Helps slow vehicle speeds via engineering improvements
- Reduce crossing distance for pedestrians
- Improve safety and circulation for pedestrians
- Provides opportunities for landscape or green infrastructure

Disadvantages

- May require removal of on-street parking
- Increased maintenance
- Difficult for larger vehicles to maneuver corner turns
- Bicyclists may need to merge into travel lane
- Drainage must be analyzed and addressed



Trial program can be performed by City staff. Permanent design/construction require City Council approval.

Estimated Cost: \$\$\$

CHOKERS

Description

Chokers are curb extensions on one or both sides of the roadway and are typically installed along the mid-block instead of intersections. Chokers create pinch points that provide a physical barrier for vehicles to maintain within travel lanes.



Advantages

- Helps slow vehicle speeds via engineering
- Provides opportunities for landscape or green infrastructure

Disadvantages

- May require removal of on-street parking
- Increased maintenance
- Bicyclists may need to merge into travel lane
- Drainage must be analyzed and addressed

Trial program can be performed by City staff. Permanent design/construction may require City Council Approval.

Estimated Cost: \$\$\$

GATEWAYS

Description

Gateways, similar to curb extensions / bulbouts, are treatments to streets to bring dramatic features to entrances to local neighborhood area. Gateways implement curb extensions / bulbouts to reduce width of travel lanes but bring character and additional aesthetic value to the residential area.

Advantages

- May help slow vehicle speeds
- Brings awareness to motorists with change in street appearance
- Improves aesthetic value
- Provides opportunities for landscape or green infrastructure

Disadvantages

- May require removal of on-street parking
- Requires regular maintenance
- Expensive to implement
- Not all residents/neighbors may like the proposed look of gateway treatment



Trial program can be performed by City staff. Permanent design/construction may require City Council Approval.

Estimated Cost: \$\$\$

MEDIAN ISLANDS

Description

Median islands are raised barriers located along the centerline of roadway with varying widths to prevent certain vehicle movements. Median islands are most used along roadways with higher speeds and traffic volumes to prevent fatal collisions. When used with crosswalks, the median may act as a barrier for pedestrian refuge in the mid-crosswalk locations.



Trial program can be performed by City staff. Permanent design/construction may require City Council Approval.

Estimated Cost: \$\$\$

Advantages

- May reduce potential collisions
- Provides pedestrian refuge at crosswalks
- Provides opportunity for landscape and green infrastructure
- Provides aesthetic value
- Restricts turning movements and prevents left-turn collisions

Disadvantages

- May impede emergency vehicles
- Increased maintenance
- May limit certain vehicular turns

RAISED CROSSWALK

Description

Raised crosswalks are speed tables that provide an elevated street crossing. Raised crosswalks help to reduce vehicle speeds and make pedestrians more visible to motorists when crossing the roadway. Additional signage, striping, and pavement marking are required as supplemental to the raised crosswalk.

Advantages

- Helps slow vehicle speeds
- Improves safety for pedestrian crossing
- Raises pedestrian visibility to motorists
- Designates location for safe pedestrian crossing

Disadvantages

- Can not be used along an emergency route
- Drainage must be analyzed and addressed



Trial program and permanent installation require City Council approval for the project/construction.

Estimated Cost: \$\$\$

RAISED INTERSECTION

Description

Raised intersections are similar in concept with raised crosswalks. Intersections are raised to match the grade elevation of adjacent ramps. The intersection should use a visually different material than the street pavement to encourage motorists to yield to crossing pedestrians.

Advantages

- Helps slow vehicle speeds
- Improves safety for pedestrian crossing
- Raises pedestrian visibility to motorists
- Designates location for safe pedestrian crossing

Disadvantages

- Can not be used along an emergency route
- Drainage must be analyzed



Trial program and permanent installation require City Council approval for the project/construction.

Estimated Cost: \$\$\$

RECTANGULAR RAPID FLASHING BEACON (RRFB)

Description

Rectangular Rapid Flashing Beacons (RRFB) are a treatment option for pedestrian crossing signage. RRFBs are pedestrian actuated where the light beacons flash to alert approaching vehicles along both vehicular travel directions of pedestrian crossing when activated. RRFBs help to improve safety at uncontrolled marked crosswalks and are typically used along high-volume traffic roadways.



Advantages

- Alerts approaching motorists of pedestrian
- Helps improve safety for pedestrian crossing
- Encourages motorists to yield to pedestrians

Disadvantages

- Requires electrical installation and connection
- Expensive to install
- Requires regular maintenance
- Requires additional striping, signage, and pavement markings to be effective

Trial program can be performed by City staff. Permanent design/construction may require City Council Approval.

Estimated Cost: \$\$\$

HIGH-INTENSITY ACTIVATED CROSSWALK (HAWK)

Description

High-Intensity Activated Crosswalk (HAWK) are traffic signals for pedestrian and bicyclist use only that improves safety and accessibility. When the signal is activated, it directs approaching traffic to safely come to a complete stop through its multi-phases and allow for safe crossing. HAWK crossings are most appropriate in high-volume traffic roads and located

Advantages

- High visibility
- Improved safety
- Promotes multi-modal travel
- Signal controlled and reduces delays for improved circulation

Disadvantages

- Expensive
- Requires regular maintenance
- Requires education if motorists are unfamiliar with the signal



Trial program and permanent installation require City Council approval for the project/construction.

Estimated Cost: \$\$\$\$

NEIGHBORHOOD TRAFFIC CIRCLES

Description

Traffic circles are raised islands placed at the center of intersections for traffic to circulate around. The circle island is large enough to prevent vehicles to speed through the intersection but allows minimum widths for vehicles to circulate around. Traffic circles can be controlled with yield signs and are most appropriate when used in local streets with wider right-of-way widths, and low volumes/speeds.

Advantages

- May reduce collision conflict points
- Can add aesthetic value
- Effective to reduce vehicle speeds
- Improves safety

Disadvantages

- Requires adequate space to install
- May require removal of parking
- May be difficult for emergency vehicles to navigate around
- Requires regular maintenance
-



Trial program and permanent installation require City Council approval for the project/construction.

Estimated Cost: \$\$\$\$

MODERN ROUNDABOUTS

Description

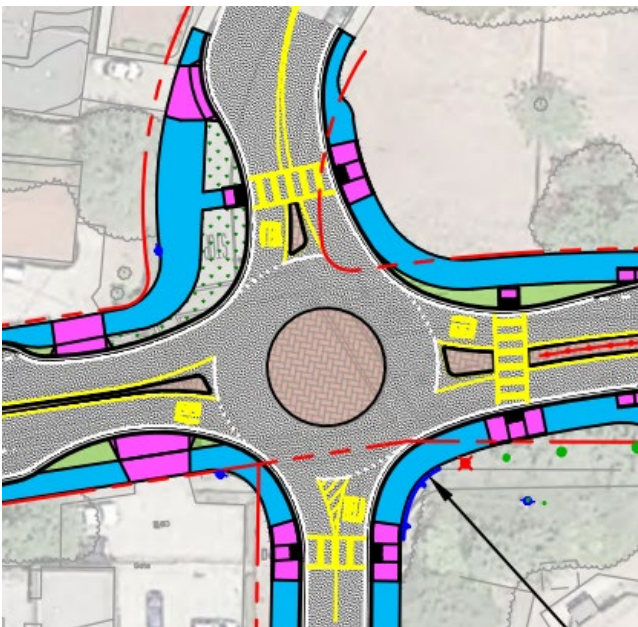
Roundabouts are most appropriate for streets with higher volumes of traffic. Circular raised islands are located at the center of the roundabout that may be mountable by emergency vehicles only. The roundabouts improve efficiency and safety by utilizing deflection angles to reduce speeds upon approach, yield signs to encourage motorists to yield for crossing pedestrians and bicyclists. The yield signs also allow vehicles opportunities to safely merge without impeding the traffic circulation.

Advantages

- Improved circulation
- Improved safety for all users (less collisions and less severity)
- Reduces conflict points for potential collisions
- Encourages multi-modal transportation

Disadvantages

- May require removal of parking
- Requires large space and right-of-way to construct
- Expensive since ROW is required and capital costs are higher than traffic signals (maintenance costs are lower)



Trial program and permanent installation require City Council approval for the project/construction.

Estimated Cost: \$\$\$\$

APPENDIX D — Petition for Traffic Calming



**CITY OF BELMONT
PETITION FOR TRAFFIC CALMING**

To: PARKING AND TRAFFIC SAFETY COMMITTEE Date: _____
One Twin Pines Lane, Suite 385
Belmont, CA 94002
(650) 595-7425

The undersigned residents of properties bordering on: _____
(Name of Street)

between the intersection of _____ and _____
hereby request assistance with traffic related problems (e.g., speeding, shortcutting, high
volumes, etc.)

Petition submitted by:

NAME _____ ADDRESS _____
PHONE _____

NAME (Signature)	ADDRESS (include Apt. #)	Comments
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____

(attach sheets if necessary)



Traffic Calming Program

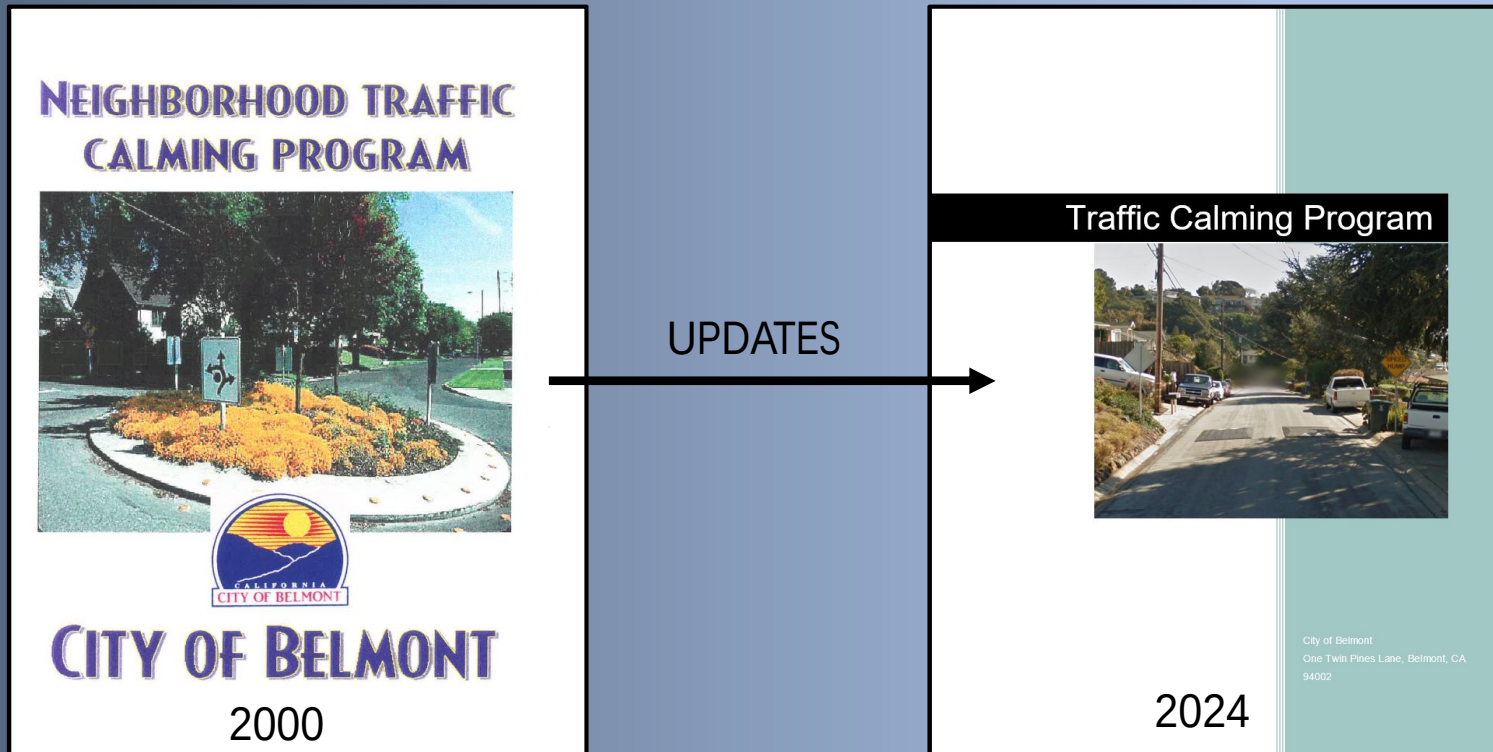
City Council Meeting

July 9, 2024



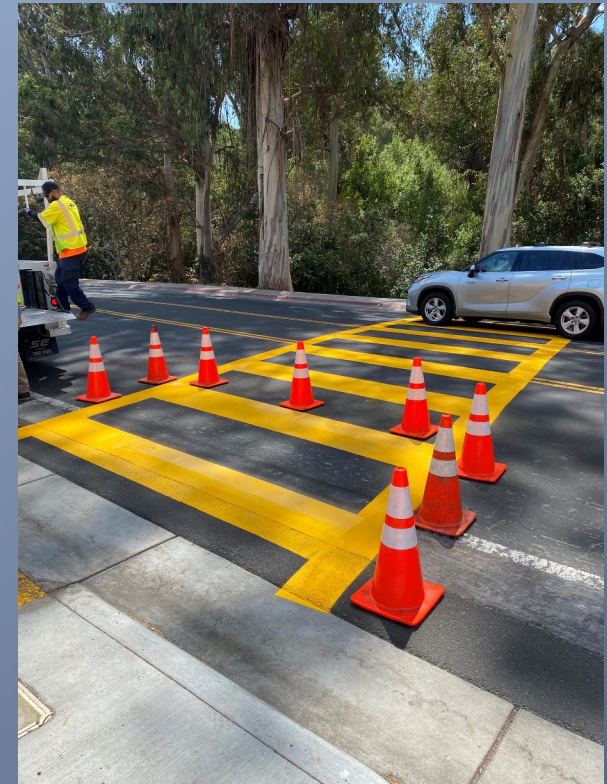
AGENDA

- Updates to the Traffic Calming Program
 1. Review the background of the program development
 2. Define Traffic Calming and review program objectives
 3. Review application, implementation, and funding process
 4. Review changes to the program



BACKGROUND

- December 1999 – Traffic Calming Task Force formed to develop a traffic calming program.
- July 2000 – City Council adopts the Neighborhood Traffic Calming Program (NTCP)
- August 2000 – Parking and Traffic Safety Committee (PTSC) utilizes NTCP for requests to address traffic concerns
- 2023 - Updates to NTCP identified as a City Council Priority



TRAFFIC CALMING – WHAT IS IT?

➤ Key Concepts: The 5 “E’s”

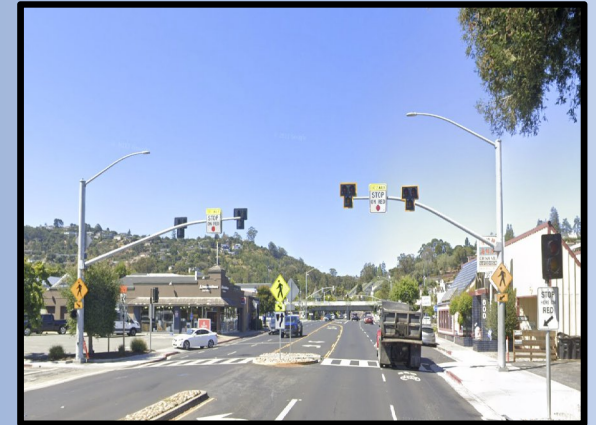
Education



Enforcement



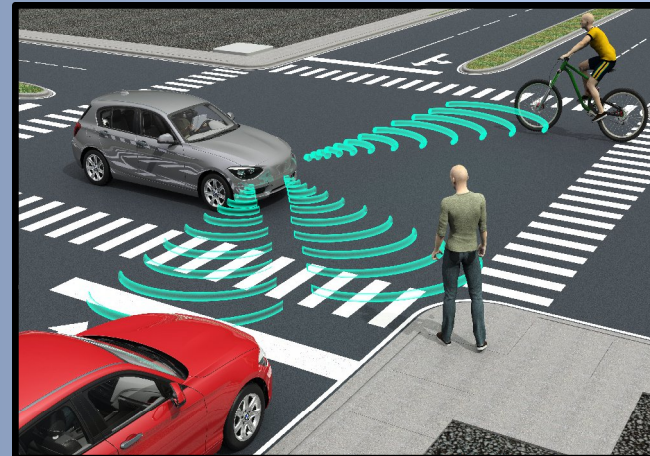
Engineering



Emergency Response



Emerging Technologies



OBJECTIVES

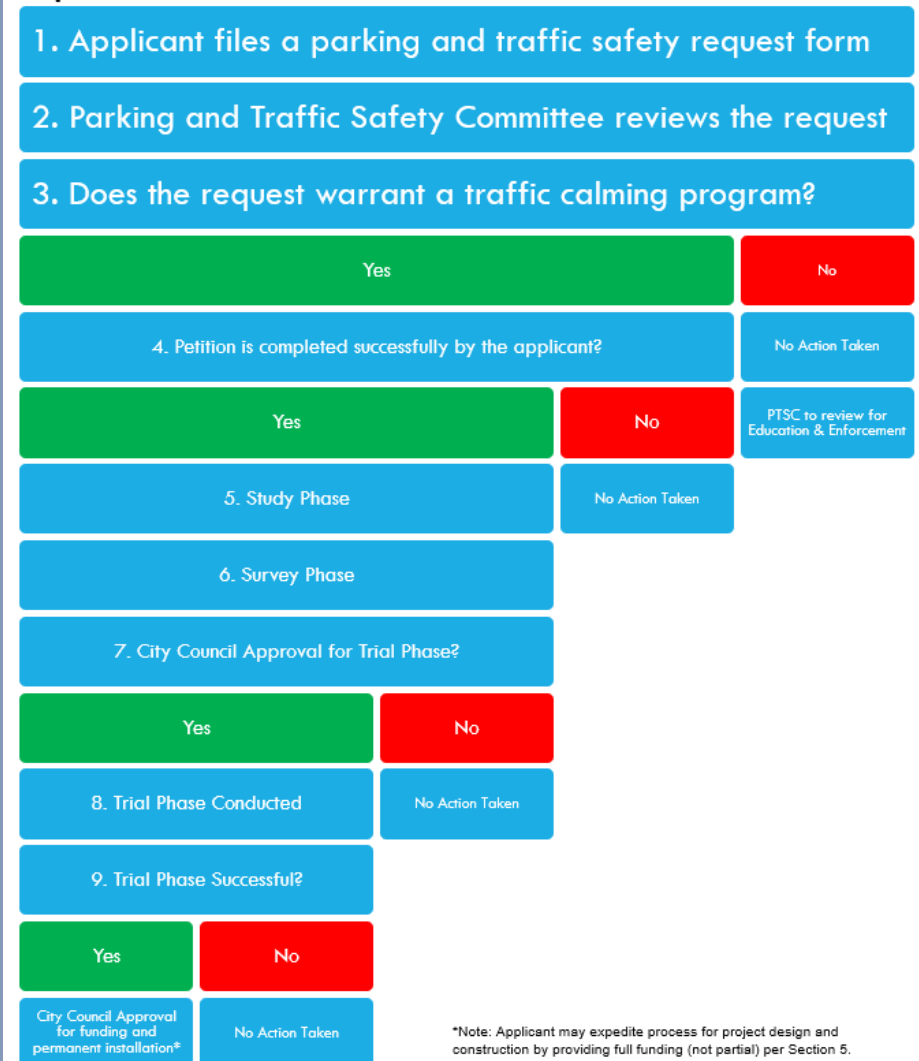
- Objectives – Improve Safety by Calming (not controlling) Traffic
 - o Reduce Travel Speed
 - o Reduce Traffic Volumes
 - o Consider Emergency Routes
 - o Evaluate for Impacted Areas (e.g., Cut-Through Traffic)



REQUESTS AND IMPLEMENTATION

- Eligibility
 - o Evaluation per Criteria
- Application
 - o Apply (PTSC) and Petition
 - o Study Phase
- Implementation
 - o Pilot Program
 - o Funding
 - o City Council Approval
 - o Permanent Installation

Implementation Process Chart



PROGRAM UPDATES

- Parking and Traffic Safety Committee (PTSC) development and incorporated into procedures
- Updates to request process through PTSC
- Criteria
 - o “Critical” Speed exceeds posted speed limit by 7 miles per hour
 - o Local Streets - Average Daily Traffic (ADT) over 1,000 vehicles per day
 - o Collector Streets – Average Daily Traffic (ADT) over 3,000 vehicles per day

Parking/Traffic Safety Committee
One Twin Pines Lane, Ste. 385
Belmont, CA 94002
(650) 595-7425

PARKING AND TRAFFIC SAFETY COMMITTEE
Thank you for your recent inquiry about a traffic or parking problem in Belmont. The Committee will review your request and recommend corrective measures which are consistent with the State and Highways Code, City Municipal Code, and the needs of the community. Committee members include staff from Police, Fire and Public Works Department.

Please complete this form and return to us at the address above or email it to ptsc@belmontca.gov for review and evaluation after the next scheduled meeting. If you have any questions, please contact the Committee at (650) 595-7425.

PERSON REQUESTING

Name _____
Address _____
Email _____
Phone _____

SKETCH

**CITY OF BELMONT
PETITION FOR TRAFFIC CALMING**

To: **PARKING AND TRAFFIC SAFETY COMMITTEE**
One Twin Pines Lane, Suite 385
Belmont, CA 94002
(650) 595-7425

The undersigned residents of properties bordering on _____ (Name of Street) _____
between the intersection of _____ and _____
hereby request assistance with traffic related problems (e.g. speeding, shortcutting, high
volumes, etc.)

Petition submitted by:
NAME _____
PHONE _____
NAME (Signature) _____
ADDRESS _____
ADDRESS (include Apt. #) _____

Comments _____

(attach sheets if necessary)

PROGRAM UPDATES

- Funding
 - o Incorporation into annual Capital Improvement Program
 - o Expedite – Full funding by residents
- Added Education and Enforcement Alternatives
 - o Public Outreach, Community Meetings, Workshops
 - o Directed Traffic Enforcement (DTE)
- Updated Toolbox of Traffic Calming Measures
 - o Speed Humps – not allowed (*Speed Cushion Policy 2023*)
 - o Speed Cushions
 - o High-visibility Crosswalks
 - o Etc.



SUMMARY

➤ Implementation Process and Timing

- o Application/Criteria Review and Petition
- o Study Phase/Survey Phase – 3 to 6 months
- o Trial Phase – 3 to 6 months
- o Permanent Installation – 1 year or more
- o Follow-Up Evaluations – Up to 3 years after permanent installation

➤ Funding and Budget

- o Small Projects (<\$50k) – In house design and construction
- o Complex Projects (>\$50k) – Include in CIP and approved by Council
- o Seek Grant Funding
- o Expedited Construction – Fully funded by residents



Thank you
www.Belmont.gov





STAFF REPORT

Meeting Date: July 9, 2024
Agency: City of Belmont
Staff Contact: Karen Clark, Management Analyst, kclark@belmont.gov; Kathy Kleinbaum, Assistant City Manager, kkleinbaum@belmont.gov
Agenda Title: Business License Tax Update Ballot Measure Placement
Agenda Action: Resolution

Recommendation

1. Adopt a resolution calling a municipal election on a measure to update and simplify the City's business license tax program; and
2. Designate by motion a subcommittee of two Councilmembers to develop the written argument in favor and rebuttal.

Strategic Focus Area

Fiscal and Organizational Sustainability

Background

Belmont's current business license tax (BLT) program was established in 1976 and last updated in 1990. It is calculated by a base tax plus a per employee or real estate unit fee, with over 20 business categories. Under the current program, most businesses are subject to the base tax of \$341 regardless of business size or revenue, resulting in businesses with lower revenues paying significantly higher effective tax rates. For example, a part-time, home-based business owner generating annual revenues of \$10,000 pays the same amount as a sole proprietor generating annual revenues of \$500,000.

A Belmont business license is required annually for anyone conducting business within the city, including home-based and brick-and-mortar businesses of all trades, professions, and occupations. Exempted businesses include charitable and non-profit organizations and certain businesses generating revenue under \$1,500 annually. A full list of exemptions may be found in Belmont City Code Section 12-4.

The BLT program generates approximately \$1.2 million for the City annually, constituting 4% of its General Fund revenue. These funds support essential city services such as fixing potholes and repairing streets and sidewalks, 911 response times, keeping public areas safe and clean, maintaining the public works staff necessary to keep street projects like Ralston Avenue improvements and sewer projects on-time and on-budget, and the continued delivery of quality of life services including high-quality recreation programs, parks, open spaces, and sports fields. These services are utilized by businesses, their employees, and customers, and contribute to making Belmont a great place to live, visit, shop, and conduct business. Furthermore, updating the business license program as proposed would continue to maintain Belmont's local control over local funds for local needs – allowing Belmont to be self-reliant and requiring that local tax dollars are spent for Belmont residents. No funds can be taken by Sacramento.



Business License Program Update Effort

The Belmont City Council first raised the issue of modernizing the City’s BLT program in 2015, with an initial update effort from 2020 to 2022. Due to last-minute revisions and the timeline for the November 2022 ballot, the Council ultimately directed staff to revisit the update for possible November 2024 ballot placement. In the meantime, they reaffirmed the update as a priority during the City’s annual strategic planning process.

In November 2023, the Council appointed Councilmembers Hurt and Pang-Maganaris to a subcommittee to work with staff and business stakeholders on a revived update effort. At that time, the Council also reaffirmed the “guiding principles” from the initial update effort, which were:

- Fairness: Address imbalances and inequities in the current model
- Adaptability: Reflect current and future business trends
- Comparability: Comparable structure used in surrounding peer agencies
- Simplicity: Simple for businesses to understand
- Streamlined: Reduce stumbling blocks to administer and provide quick processing times
- Revenue Neutral: Address existing imbalances with no overall gain or loss to the City

Input from business stakeholders, Chamber San Mateo County, and the Council subcommittee was critical throughout all subsequent outreach and model development. From February to May 2024, staff hosted five business forums, three business focus groups, and a business survey. The focus groups and survey in particular solicited specific feedback on three alternative models, providing a “BLT calculator” so businesses could confidentially determine their rates under each model.

Through this outreach, the business community identified the “business (gross) receipts by category” model as their top preference, which the Council supported at their April 23, 2024 meeting. The business receipts by category model ties business license fees to business revenues, applying rates by business category to adjust for those with narrower margins, like restaurants and retail establishments. Though some businesses—especially those with higher revenues—would see an increase from present rates under this model, an estimated 63% of Belmont-based businesses would see decreases, largely due to the elimination of the current \$341 base tax, which most Belmont businesses pay. Updating and simplifying the existing model would help ensure large, new businesses coming to Belmont contribute to the cost of providing the City services they use and large employers already in the City contribute to funding critical City services including police, emergency medical response, and the maintenance of local streets and roads

Analysis

On June 25, 2024, the Council reviewed findings from a public opinion survey conducted by Godbe Research on behalf of the City. Survey findings indicated 65% support for a potential ballot measure, which would require a simple majority (50+1%) to pass. At the meeting, the Council directed staff to bring forward a draft ordinance and resolution placing a measure on the November 5, 2024 ballot to allow voters to decide whether to update and simplify the City’s business license tax program based on the business



receipts by category model. This is the model the business community identified as their top preference during outreach and the Council supported proceeding with at the April 23, 2024 and June 25, 2024 meetings.

The proposed ballot measure accomplishes the following:

- Revises the business license tax to a business receipts by category model with rates set as follows based on the prior year tax return of receipts for business activity within the City of Belmont:

Category 1 (e.g., restaurants, retail establishments)	Up to \$0.40 per \$1,000
Category 2 (e.g., tutoring, training, hairstylist, gardener)	Up to \$0.75 per \$1,000
Category 3 (e.g., professional services, contractors, rentals)	Up to \$1.00 per \$1,000
Category 4 (i.e., cannabis activities)	Up to \$100.00 per \$1,000

- Establishes a base amount of \$25
- Exempts businesses from the tax if their business receipts within the City are less than \$10,000
- Only applies to business activities within the City of Belmont and will not be otherwise levied to Belmont residents

Next Steps

To proceed with ballot placement, the Council must adopt the attached resolution calling for a municipal election on the measure and approving the submission of the proposed ordinance. The resolution's adoption would also direct the City Attorney to prepare an impartial analysis and call upon the Council to designate a subcommittee of two Councilmembers to oversee the development of an argument in favor of the measure and a rebuttal, if necessary. The membership of this subcommittee does not need to be the same as the subcommittee that assisted with the business license tax update. Neither the impartial analysis nor the arguments (for/against) require further Council action.

The following is a timeline of next steps:

DATE	ACTION
July 9, 2024	Adopt a resolution approving the ordinance for placement on the ballot and calling a municipal election on the measure
<i>NO MUNICIPAL ADVOCACY AFTER CALLING ELECTION</i>	
August 13, 2024	Ballot measure arguments (for and against) due to County
August 30, 2024	Rebuttal arguments due to County
November 5, 2024	Election
December 5, 2024	Certification of election results within 30 days
January 1, 2025	Effective date of business license tax update (if passed)

Election Costs



The City is already required to hold a municipal election on November 5, 2024, that will include a mayoral race and two council seats. The San Mateo County Elections Office provided a quote for the municipal election cost, which will include a mayoral race, two council seats, and a ballot measure. The anticipated cost is between \$87,000 and \$104,000 and is already included in the Fiscal Year 2024-25 Adopted Budget.

Environmental Determination

In accordance with CEQA Guidelines Section 15378(b)(4), the submission of the measure to the voters is not a “project” within the meaning of CEQA as it is a general tax which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Alternatives

1. Take no action: Leave the business license tax as a base plus employee or real estate unit, which is outdated
2. Return to staff for additional information

Attachments

- A. Resolution
- B. Draft Ordinance

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed:

Funding for the November 5, 2024 municipal election, which includes the mayoral race, two council seats, and a ballot measure, is included in the City Clerk’s election budget for Fiscal Year 2024-25.

Source:

Staff

Purpose:

Council Vision/Priority

Public Outreach:

Posting of Agenda

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT CALLING A MUNICIPAL ELECTION ON A MEASURE TO MODERNIZE AND SIMPLIFY THE CITY'S BUSINESS LICENSE TAX PROVISIONS AND MAKE THEM FAIRER TO SMALL BUSINESS

WHEREAS, the City's business license tax has not been comprehensively updated since 1976; and,

WHEREAS, the current business license tax is overly complicated and sorts business into 16 categories and 25 subcategories and uses multiple methodologies to fix the rate of levy; and,

WHEREAS, numerous categories and subcategories no longer reflect the types of enterprises doing business in Belmont; and,

WHEREAS, after several months of community discussion including business forums, business focus groups, business surveys, and community presentations, over a hundred Belmont businesses agreed that Belmont's business license tax needs to be updated; and,

WHEREAS, the City Council has determined to submit to the citizens of Belmont for their approval a ballot measure modernizing and simplifying the outdated business license tax, making the tax fairer for small businesses and ensuring that large business pay their fair share; and,

WHEREAS, this measure will continue to provide funding for City services such as fixing potholes and repairing streets and sidewalks, keeping public areas healthy, safe and clean, maintaining public works staff necessary to keep street projects like Ralston Avenue improvements and sewer projects on-time and on-budget, and maintaining parks, open spaces, and sports fields; and,

WHEREAS, under the measure large new businesses coming to Belmont will contribute to the cost of providing City services they use and large employers already in the City will contribute to funding critical City services including police, emergency medical response, and the maintenance of local streets and roads; and,

WHEREAS, the measure will maintain Belmont's local control over local funds for local needs, allowing Belmont to be self-reliant and requiring that our tax dollars are spent for Belmont and not taken by Sacramento; and,

WHEREAS, the measure will support Belmont's local small businesses by updating the City's 48-year-old business license tax which is outdated, cumbersome, and inequitable; and,

WHEREAS, updating our local business license ordinance will make it more transparent, easy to understand, equitable and fair for businesses of all sizes, especially small businesses; and,

WHEREAS, the measure is projected to reduce the rate for approximately 63 percent of businesses in Belmont, benefitting small businesses; and,

WHEREAS, the measure will help ensure that residents and local homeowners do not shoulder all of the costs of city services that also benefit businesses; and,

WHEREAS, the measure includes yearly independent financial audits to verify that the taxes levied have been properly applied, exempted, collected, and remitted in accordance with the law; and,

WHEREAS, the State budget deficit puts the City of Belmont under increasing threat to lose over \$1 million dollars per year and the measure will help maintain essential services such as public safety, fixing pothole and repairing streets and sidewalks; and,

WHEREAS, the modifications to the business license tax include a business category for commercial cannabis should the City Council determine to allow cannabis businesses to operate in the City; and,

WHEREAS, Government Code Section 53724, Business and Professions Code Section 16000, and California Constitution Article XIIC authorize the City to levy a business license tax for unrestricted general revenue purposes if the Council approves the resolution proposing the measure by two-thirds vote of the total membership and the ordinance proposing the tax is approved by a majority vote of City voters in an election on the issue.

NOW, THEREFORE, the City Council of the City of Belmont resolves as follows:

SECTION 1. Call for Municipal Election.

(a) A municipal election in the City of Belmont is called for November 5, 2024 for the purpose of submitting to the electorate a ballot measure approving an ordinance modernizing and simplifying the City's business license tax by reducing and reorganizing businesses into three principle categories plus cannabis businesses and calculating the tax rate for all businesses based on gross receipts, with most businesses paying less and larger businesses paying their fair share, to continue from the effective date until changed, and to be used for unrestricted general revenue purposes of the City.

(b) Notice of the time and place of holding the election is to be given and the City Clerk is authorized to give further notice of the election as required by law.

SECTION 2. Consolidation with Statewide General Election

(a) The City Council orders the municipal election consolidated with the statewide general election on Tuesday, November 5, 2024.

(b) In accordance with Elections Code Sections 10002 and 10403, the City Council requests the County of San Mateo Board of Supervisors consolidate the municipal election with the statewide election.

(c) The question to be presented to the voters is as follows:

City of Belmont Business License Tax Measure	
Shall the ordinance simplifying the existing City of Belmont business license structure, funding general city services, such as: fixing potholes, streets and sidewalks maintaining 9-1-1 emergency response, maintaining parks, open space, and sports fields, maintaining neighborhood police patrols, crime prevention, keeping public areas healthy, safe, clean; lowering most businesses' rates with typical rates between 0.04% and 0.1% of gross receipts, described in the ordinance, until ended by voters, maintaining \$1,300,000 annually, requiring independent audits, be adopted?	YES
	NO

This question requires the approval of the majority of qualified electors casting votes.

(d) The City Council acknowledges that the consolidated election will be held and conducted in the manner prescribed in Election Code Section 10418.

SECTION 3. Conduct of Election

In accordance with Elections Code Section 10002, the City Council requests the County of San Mateo Board of Supervisors authorize the County Clerk to render all services necessary for the conduct of the election regarding the general tax measure and agrees to reimburse the County of San Mateo for the costs of conducting this election.

SECTION 4. Proposed Ordinance

(a) The ordinance authorizing the business license tax to be approved by the voters is as set forth in Attachment 1 hereto.

(b) The City Council hereby approves the ordinance, the form thereof, and its submission to the voters of the City at the November 5, 2024 election.

(c) The ordinance simplifies and modernizes the current business license tax ordinance, reducing the business categories from 16 to 4. The ordinance classifies all business activities except cannabis into one of three categories with a tax rate of 0.4%, 0.75% and 1.0% per thousand dollars of gross receipts, respectively. The rate tax on cannabis businesses is 10% of gross receipts which may be set at a lower rate by the City Council. The City of Belmont will collect the tax from businesses. The proposed tax is for general city purposes and will be deposited in the city's general fund.

(d) The City Council requests the County of San Mateo Board of Supervisors to order the County Clerk to set forth in the voter information portion of all sample ballots to be mailed to the qualified electors of the City the full text of the Ordinance and to mail with the sample ballots to the electors printed copies of the full text of the Ordinance, together with the

primary arguments and supporters for and against the measure, and to provide absent voter ballots for the election for use by qualified electors of the City who are entitled thereto in the manner provided by law.

SECTION 5. Publication of Synopsis

The City Clerk is directed to publish a synopsis of the measure in the manner required by Elections Code Section 12111 at least one week before the election.

SECTION 6. Submission to County Officials

The City Clerk is directed to file a certified copy of this Resolution, with Attachments, with the County of San Mateo Board of Supervisors and the County Elections Official no later than close of business on Friday, August 9, 2024.

SECTION 7. Impartial Analysis

The City Clerk is directed to transmit a copy of the measure to the City Attorney who is directed to prepare an impartial analysis of the measure in accordance with Elections Code Section 9280.

SECTION 8. Ballot Arguments

(a) Ballot arguments for or against the measure may be submitted in accordance with this resolution and applicable provisions of the law.

(b) The City Council will designate by motion a subcommittee of two councilmembers to develop a written argument not exceeding 300 words in favor of the measure. If a qualified argument against measure is submitted, the subcommittee may develop a rebuttal argument not exceeding 250 words. At the discretion of the subcommittee, the argument in favor and rebuttal, if any, may also be signed by other members of the City Council, bona fide associations of citizens, or by individual voters who are eligible to vote. Arguments and rebuttals shall otherwise conform to and comply with all applicable provisions of the Elections Code and be submitted by the deadline required by the County of San Mateo Elections Official.

* * *

ADOPTED July 9, 2024, by the City of Belmont City Council by the following vote

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

Attachment 1
To Resolution 2024-

An Ordinance of the City Of Belmont Making Comprehensive Amendments to Modernize and Simplify the City's Business License Tax Provisions and Make them Fairer to Small Business, Codifying New Provisions in Belmont City Code Chapter 23, Article VI

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BELMONT MAKING COMPREHENSIVE AMENDMENTS TO MODERNIZE AND SIMPLIFY THE CITY'S BUSINESS LICENSE TAX PROVISIONS AND MAKE THEM FAIRER TO SMALL BUSINESS, CODIFYING THE NEW PROVISIONS IN BELMONT CITY CODE CHAPTER 23, ARTICLE VI

WHEREAS, the City's business license tax has not been comprehensively updated since 1976; and,

WHEREAS, the current business license tax is overly complicated and sorts business into 16 categories and 25 subcategories and uses multiple methodologies to fix the rate of levy; and,

WHEREAS, numerous categories and subcategories no longer reflect the types of enterprises doing business in Belmont; and,

WHEREAS, after several months of community discussion including business forums, business focus groups, business surveys, and community presentations, over a hundred Belmont businesses agreed that Belmont's business license tax needs to be updated; and,

WHEREAS, the City Council has determined to submit to the citizens of Belmont for their approval a ballot measure modernizing and simplifying the outdated business license tax, making the tax fairer for small businesses and ensuring that large business pay their fair share; and,

WHEREAS, this measure will continue to provide funding for City services such as fixing potholes and repairing streets and sidewalks, keeping public areas healthy, safe and clean, maintaining public works staff necessary to keep street projects like Ralston Avenue improvements and sewer projects on-time and on-budget, and maintaining parks, open spaces, and sports fields; and,

WHEREAS, under the measure large new businesses coming to Belmont will contribute to the cost of providing City services they use and large employers already in the City will contribute to funding critical City services including police, emergency medical response, and the maintenance of local streets and roads; and,

WHEREAS, the measure will maintain Belmont's local control over local funds for local needs, allowing Belmont to be self-reliant and requiring that our tax dollars are spent for Belmont and not taken by Sacramento; and,

WHEREAS, the measure will support Belmont's local small businesses by updating the City's 48-year-old business license tax which is outdated, cumbersome, and inequitable; and,

WHEREAS, updating our local business license ordinance will make it more transparent, easy to understand, equitable and fair for businesses of all sizes, especially small businesses; and,

WHEREAS, the measure is projected to reduce the rate for approximately 63 percent of businesses in Belmont, benefitting small businesses; and,

WHEREAS, the measure will help ensure that residents and local homeowners do not shoulder

all of the costs of city services that also benefit businesses; and,

WHEREAS, the measure includes yearly independent financial audits to verify that the taxes levied have been properly applied, exempted, collected, and remitted in accordance with the law; and,

WHEREAS, the State budget deficit puts the City of Belmont under increasing threat to lose over \$1 million dollars per year and the measure will help maintain essential services such as public safety, fixing pothole and repairing streets and sidewalks; and,

WHEREAS, the modifications to the business license tax include a business category for commercial cannabis should the City Council determine to allow cannabis businesses to operate in the City; and,

WHEREAS, Government Code Section 53724, Business and Professions Code Section 16000, and California Constitution Article XIIC authorize the City to levy a business license tax for unrestricted general revenue purposes if the Council approves the resolution proposing the measure by two-thirds vote of the total membership and the ordinance proposing the tax is approved by a majority vote of City voters in an election on the issue.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF BELMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. RECITALS

The People of the City of Belmont find that all Recitals contained in this ordinance are true and correct.

SECTION 2. MEASURE TITLE

This ordinance may be referred to as the “City of Belmont Business License Modernization and Simplification Measure.”

SECTION 3. BCC CHP 23, ART 6 ADDED

Belmont City Code Chapter 23 is amended by adding an Article 6 to read:

ARTICLE VI BUSINESS LICENSE TAX

Sec. 23-200 Title

This article may be referred to as the “City of Belmont Business License Tax Ordinance.”

Sec. 23-201 Definitions

The definitions in this section apply to the words and phrases used in this article unless the context clearly indicates otherwise.

(a) “*Business*” means a profession, art, trade, vocation, rental, lease, enterprise, establishment, occupation, or calling, which is conducted for the purpose of earning in

whole, or in part, a profit or livelihood, whether or not a profit or livelihood is actually earned, whether paid in money, goods, labor, or otherwise, and whether or not the business has a fixed place of business in the city.

(b) “*Business classification*” means the category of business subject to tax under this article. The business classifications are as follows.

(1) “*Category 1*,” which consists of the following business types:

Operating an establishment where meals, prepared food, or beverages are served to customers (restaurants). An establishment includes mobile and transient businesses that operate from a temporary location.

Selling goods, including pre-packaged food, to ultimate consumers, usually in small quantities (retail sales).

Any similar business.

(2) “*Category 2*,” which consists of the following business types:

Arborists, lawn services, gardening and landscaping services but not including landscape architects.

Arts, music, and dance instructors.

Automotive repair, car washing and detailing.

Child care and educational services.

Drycleaners.

Hairstylists, beauticians, cosmetologists, and aestheticians.

Home health providers.

Janitorial services.

Massage therapists.

Photographic, videographer, and printing services.

Gym, physical fitness, and sports trainers services.

Translation and interpretation services.

Any similar business.

(3) “*Category 3*,” which consists of the following business types:

Conducting, managing, or carrying on the business of contractor, subcontractor, or builder; or engaging in the construction or repair of any buildings; or regularly employing

help for building construction, sewer construction, plumbing construction, or general construction; but not including architects or engineers.

Manufacturing, packing, or processing of any goods, wares, merchandise, or commodities at a fixed place of business within the city.

Selling goods in quantity, such as to retailers for resale (wholesales).

Scientific and technical services.

Legal advice and representation.

Medical, skilled nursing, and dental services.

Chiropractors and physical therapists.

Psychiatrists, psychologists, therapists, and marriage counselors.

Licensed financial planners and licensed investment counselors.

Accounting, bookkeeping, and payroll services.

Architects and landscape architects.

Engineers and land surveyors.

Specialized design services.

Computer services.

Consulting services.

Research and development services.

Advertising services.

Real estate agents and real estate brokers.

Mortgage and insurance brokers.

Veterinary services.

Administrative offices and business headquarters.

Property management.

Property rental.

Any similar business and any business that does not fit into another category.

(4) “*Category 4*,” which consists of cannabis businesses and includes all cannabis business

activities regardless of whether a different category describes all or part of a cannabis business' activity.

(c)“*Business license*” means the document issued by the city acknowledging that a person has declared their business activity in the city and has paid the business license tax required by this article for the declared business activity.

(d) Cannabis related definitions.

(1) “*Cannabis*” or “*marijuana*” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds of such plants. “*Cannabis*” also means cannabis as defined by Business and Professions Code section 26001, subdivision (f), Health and Safety Code section 11018, and by other state law.

(2) “*Cannabis accessory*” is any device intended to aid in the use of cannabis or cannabis products which does not itself consist in all or part of cannabis or cannabis products as defined in Health and Safety Code section 11018.2 and by other state law.

(3) “*Cannabis business*” means the activity of any person or collective in the City relating to cannabis, including but not limited to cultivation (including nurseries), transportation, distribution, manufacture, compounding, conversion, processing, preparation, testing, storage, packaging, delivery, and sales (including both wholesale and retail sales) of cannabis, cannabis products, or any accessories for the use of cannabis or cannabis products, whether or not carried on for gain or profit, whether for medical or recreational use, and whether or not such business is licensed by the State. A cannabis business does not include any business the only relationship of which to cannabis or cannabis products is the production or sale of cannabis accessories.

(4) “*Cannabis product*” means any product containing cannabis or its derivatives, including, but not limited to, flowers, buds, oils, tinctures, concentrates, extractions, edibles, and products described in Health and Safety Code Section 11018.1.

(5) “*Delivery*” means the transfer for any form of compensation of cannabis or cannabis products to a customer or caregiver at a location that is not a dispensary.

(6) “*Dispensary*” means a place at which cannabis, cannabis products, or accessories for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that engages in delivery.

(7) “*Distributor*” means a person engaged in procuring cannabis or cannabis products for sale to a dispensary or other point of retail sale. “*Distribution*” means engaging in that conduct and a “*distribution facility*” is any real estate, whether or not improved, used in such conduct.

(e)“*Fixed place of business*” means the premises occupied in the city for the purpose of conducting a business and regularly kept open for that purpose with a person in attendance for the purpose of attending to the business.

(f)(1) “*Gross receipts*” means the total amount of compensation actually received or receivable from all sales and the total amount of compensation actually received or receivable for the performance of any act or service, of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act or service is done as part of or in connection with the sale of materials, goods, wares, or merchandise. Included in “gross receipts” are all receipts, cash, credits, and property of any kind or nature, without any deduction for the cost of property sold, materials, labor, service, interest, losses, or other expenses whatsoever.

(2) If the gross receipts are less than the cost of maintaining the operations of the licensee, the licensee shall be deemed to produce gross receipts in an amount at least equal to the cost of maintaining such operations if the difference between the gross receipts and the cost of maintaining the operations of the licensee is the greater of either \$300,000 or 20 percent of the gross receipts. Such cost of operations includes, but is not limited to, rent, depreciation, salaries, wages, fixed charges, loan payments, utilities, insurance premiums, and other expenses.

(A) Paragraph (f)(2) does not apply to a business that solely operates as a Category 1 or 2 business type.

(B) Paragraph (f)(2) does not apply to that portion of an integrated business that includes Category 1 or 2 types of business that the Tax Collector has determined under Section 23-203(c) can be reasonably allocated to Category 1 or 2.

(3) The following are excluded from “gross receipts”:

(A) Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser.

(B) Receipts of refundable deposits, except that such deposits when forfeited and taken as income of the licensee are not excluded.

(C) Amounts collected for others where the licensee is acting as an agent or trustee to the extent that such amounts are paid to those for whom they are collected, provided the agent or trustee has furnished the Tax Collector with the names and addresses of the others and the amounts paid to them. The exclusion does not apply to any fees, percentages, or other payments retained by the agent or trustee.

(D) Transactions between a partnership and its partners when the partnership itself has obtained a business license and paid business license tax under this Article.

(g) “*Licensee*” means a person required to obtain a business license under this article.

(h) “*Person*” has the same meaning provided in section 1-2 of this code.

(i) “*Previous tax year*” means the tax year for a licensee that immediately precedes the tax year for which a business license is being obtained. Upon request by a licensee, the Tax Collector may approve the use of a different “previous tax year” for a licensee in order to conform to a licensee’s fiscal year or to otherwise simplify the calculation of the amount of business license tax owed by the licensee.

(j) “*Property rental*” means the business of leasing or renting residential or commercial property for short or long terms, including the business of operating a hotel, short term vacation rental, or apartment house; or the leasing or renting of any residential property, dwelling unit, or room for dwelling, sleeping, or lodging, including short term rentals; and a person engaged in the business of leasing or renting any commercial property.

(k) “*Tax Collector*” means the person designated by the City Manager to implement this article.

(l) “*Tax year*” means the year that begins each calendar year on January 1 and ends on December 31.

Sec. 23-202 Obligation to Obtain a Business License and to Pay Business License Tax

(a) It is unlawful for any person, either for themselves or for any other person, to conduct in the city of Belmont any business taxed under this article without a current and valid business license from the city and without paying the business license tax, if any, required by this article. Even if a business does not owe business license tax, it must obtain a valid business license.

(b) The requirement to obtain a business license is in addition to any other requirement to register a business under this code.

(c) A business license is evidence only of the fact that the business license tax was paid based on the business activity as reported to the city.

(d) Neither the payment of business license tax nor the possession of a business license authorizes the doing of any act which the person paying the business license tax or holding a business license would not otherwise be entitled to do.

(e) A business license is not permission to carry on a business at any place within the city where conducting such business is prohibited or fails to comply with the city’s zoning, planning, building, and business regulations.

(f) A business license is not permission to conduct a business in such a manner as to create or maintain a nuisance.

(g) A business license is only valid for the person to whom it is issued and is not transferable.

Sec. 23-203 Tax Amount

(a) A licensee must pay a license tax for each tax year based on gross receipts derived from business activity in the city if those gross receipts are greater than \$10,000. If those gross receipts are \$10,000 or less, no tax is owed.

(b) When a license tax is owed under subsection (a), the amount is equal to the greater of the base amount as provided in subsection (c) or the amount calculated by applying the rates in the Rate Table (below) to the licensee’s business category or categories. The rates in the

Rate Table are expressed in dollars per thousand dollars of the licensee's total gross receipts derived from business conducted in the city for the previous tax year, except when a licensee did not operate in the city for the entirety of the previous tax year in which case the tax is measured by the licensee's gross receipts derived from business conducted in the city for the current tax year. The rate applied is the maximum rate unless lowered by appropriate Council action.

Sec. 23-203 Rate Table

<i>Category 1</i>	Up to \$0.40 per \$1,000
<i>Category 2</i>	Up to \$0.75 per \$1,000
<i>Category 3</i>	Up to \$1.00 per \$1,000
<i>Category 4</i>	Up to \$100.00 per \$1,000

(c) The base amount of license tax on gross receipts derived from business activity in the city is \$25. Beginning in calendar year 2030 or any time thereafter the City Council may by ordinance or resolution increase the base amount of the license tax by a percentage equal to up to three percent per calendar year after calendar year 2025. After an initial adjustment, the City Council may by ordinance or resolution increase the base amount of the license tax by a percentage equal to up to three percent per calendar year since the last adjustment.

(d) Neither the establishment of a tax on cannabis nor the payment of a tax imposed under this article authorizes cannabis business activity that is in whole or in part prohibited by any provision of this code, the zoning regulations of the city, or any other city ordinance. Nothing in this article authorizes or implies the lawfulness of any activity connected with the distribution or possession of cannabis unless otherwise authorized and allowed in strict and full conformance with this code. Nothing in this article may be applied or construed as authorizing commercial cannabis activity.

(e) If a licensee conducts a single integrated business with two or more parts, each of which could each fall within different business categories, the city may, at its discretion, tax each part under the applicable category, provided the business's gross receipts can be reasonably allocated between the parts. If the Tax Collector determines that the gross receipts cannot be reasonably allocated between the different parts of the business, then the entire business shall be taxed at the highest rate applicable to any of the business's parts.

Sec. 23-204 Exemptions from Tax

Any business exempt by the laws of the United States or the laws of the State of California from the tax imposed by this article are not required to pay the tax imposed by Section 23-203 but is required to demonstrate the business is exempt and obtain a license.

Sec. 23-205 When Tax Is Due

(a) When a licensee first begins operating a business in the city, the tax imposed by this article is due 30 days after the first day of business operation in the city and is delinquent 60

days after the first day of business operation if not paid.

(b) After the first tax year of operation and for all subsequent tax years, the tax is due February 1 of the tax year and is delinquent if not paid by March 1 of the tax year.

Sec. 23-206 Issuance of Business License

(a) Except as provided in subsection (c), upon full payment of the tax imposed by this article, a business license will be issued for the tax year for which the tax has been paid.

(b) A business license is valid for one tax year and only for the tax year for which the business license tax has been paid.

(c) A business license may not be issued to conduct business from a fixed place of business within the city unless:

(1) The Zoning Administrator or other city official designated by the City Manager certifies that the business to be conducted at the premises is permitted by the City's zoning regulations; and,

(2) The local fire marshal or other official designated by the City Manager certifies that the premises where the business is to be conducted complies with state and local life safety standards.

(d) Issuance of the certifications in subsection (c) does not exempt the licensee or the premises from actual compliance with any law or regulation.

Sec. 23-207 Business License Application for a New Business

(a) When a licensee begins operating a business in the city, the licensee must provide the Tax Collector with the following information and any other information required by the Tax Collector:

(1) The name of the business and the address at which it will be operating.

(2) The date on which the business will begin operating.

(3) The nature of the business's activities sufficient for the Tax Collector to determine the business classification and category of the business.

(4) An estimate of the business's gross receipts for the first tax year.

(b) For the first tax year that a business operates in the city, it must initially pay tax measured by an estimate of the business's gross receipts for the first tax year.

(c) By February 1 of a business's second tax year operating in the city, the business must provide the Tax Collector with a statement of the business's actual gross receipts for the first tax year with supporting records.

(1) If the actual gross receipts for the first tax year are more than the estimated gross

receipts on which the tax for the first tax year was calculated and paid, then an additional amount of tax based on the additional gross receipts will be assessed and due by March 1 of the second tax year.

(2) If the actual gross receipts for the first tax year are less than the estimated gross receipts on which the tax for the first tax year was calculated and paid, then the excess amount of tax will be refunded to the business or applied to the business's tax for the second tax year.

Sec. 23-208 Business License Renewal

(a) After the first tax year of operating in the city and for all subsequent tax years, a business's business license renewal application is due February 1 of each tax year.

(b) The business license renewal application must provide the following information and any other information required by the Tax Collector:

(1) The name of the business and the address at which it will be operating.

(2) The nature of the business's activities sufficient for the Tax Collector to determine the business classification and category of the business.

(3) The business's gross receipts for the previous tax year unless a renewing business did not operate for the entirety of the previous tax year, in which case it must provide an estimate of the business's gross receipts for the current tax year, pay tax based on that estimate, and comply with subdivision (c) below.

(c) If a business pays tax based on an estimate of gross receipts for the tax year, by February 1 of the following tax year the business must provide the Tax Collector with a statement of the business's actual gross receipts with supporting records for the tax year for which an estimate was used to calculate tax.

(1) If the actual gross receipts for the tax year are more than the estimated gross receipts on which the tax was calculated and paid, then an additional amount of tax based on the additional gross receipts must be paid by March 1.

(2) If the actual gross receipts for the tax year are less than the estimated gross receipts on which the tax was calculated and paid, then the excess amount of tax will be refunded to the business or applied to the business's tax for the current tax year.

Sec. 23-209 Delinquent Taxes (penalties and interest)

(a) When a tax becomes delinquent, a penalty of 25% of the amount of the delinquent tax will be added to the amount of tax due. If the tax remains unpaid 60 days after becoming delinquent, an additional penalty of 25% of the amount of the delinquent tax (excluding the initial penalty) will be added to the amount of tax due.

(b) On the first of each month that a tax is delinquent, interest in the amount of 1.5% of the delinquent amount, excluding penalties and interest, will be added to the amount of tax due.

(c) A licensee may apply to the Tax Collector for a reduction or waiver of any accrued penalties or interest, and the Tax Collector may reduce or waive any accrued penalties or interest upon a finding of good cause.

Sec. 23-210

Administrative Procedure to Assess or Correct Tax

(a) If the Tax Collector determines that a licensee has incorrectly reported any information to the city or has not paid all or any of the tax, penalties, or interest that are due, the Tax Collector may, using any information available to the Tax Collector, issue an Initial Determination stating what the Tax Collector believes to be the correct information and, if new or additional tax, penalties, or interest are due, how much tax, penalties, or interest are due. The Initial Determination must be served on the licensee either personally or by U.S. mail to the most recent address for the licensee in the Tax Collector's records. Service is effective as provided in Section 1-12.

(b) A licensee affected by an Initial Determination may within 15 days of service of an Initial Determination contest the Initial Determination and request a hearing before the Tax Collector by filing with the Tax Collector a written request for a hearing. The further accrual of penalties and interest shall be tolled upon the filing of a request for a hearing. If a licensee does not contest an Initial Determination and request a hearing with the Tax Collector within 15 days of service of the Initial Determination, the Initial Determination is final and cannot be appealed.

(c) If a licensee timely contests an Initial Determination and requests a hearing, the Tax Collector must set a hearing within 30 days of the filing of the request for a hearing or as soon thereafter as reasonably practical. Notice of the hearing must be served on the licensee either personally or by U.S. mail to the most recent address for the licensee in the Tax Collector's records.

(d) At the hearing the licensee may present evidence and argument regarding the Initial Determination to show why the Initial Determination is incorrect and to show what the determination of the Tax Collector should be. Within 60 days after the close of the hearing or as soon thereafter as reasonably practical, the Tax Collector must serve a Final Determination, setting forth the Tax Collector's determination of the facts and issues that were the subject of the Initial Determination. The Final Determination must be served on the licensee either personally or by U.S. mail to the most recent address for the licensee in the Tax Collector's records. Unless an appeal of a Final Determination is filed under section 23-212, any penalties or interest tolled under subdivision (b) of this section will resume accruing 10 days after the service of the Final Determination.

Sec. 23-211

General Administrative Remedy

(a) Any person affected by a decision of the Tax Collector ("the challenger"), except for a decision under section 23-210, may challenge that decision by filing a written objection to the decision with the Tax Collector. The objection must be filed within 15 days of the issuance of the decision being challenged. If the Tax Collector was required to provide notice of the decision, then the time to file an objection to the decision begins to run from the date of service of the notice of the decision. The Tax Collector must serve a written response to the objection within 30 days of the filing of the objection, which period can be extended by

the Tax Collector for an additional 30 days. The Tax Collector's response to the objection must be served on the challenger either personally or by U.S. mail to the most recent address for the challenger in the Tax Collector's records.

(b) The challenger may request a hearing before the Tax Collector on the Tax Collector's response to the objection by filing a request for a hearing with the Tax Collector within 15 days of service of the response to the objection. If a timely request for a hearing on a response to the objection is filed with the Tax Collector, the Tax Collector must set a hearing within 30 days of the filing of the request for a hearing or as soon as reasonably practical thereafter. Notice of the hearing must be served on the challenger either personally or by U.S. mail to the most recent address for the challenger in the Tax Collector's records.

(c) At the hearing the challenger may present evidence and argument regarding the decision being challenged to show why the decision is incorrect and to show what it should be. Within 60 days after the close of the hearing, which the Tax Collector may extend for an additional 60 days, the Tax Collector must serve a Final Determination on the decision, setting forth the Tax Collector's determination of the decision that was challenged. The Final Determination must be served on the challenger either personally or by U.S. mail to the most recent address for the challenger in the Tax Collector's records. Service is effective upon deposit of the Final Determination in the U.S. mail.

Sec. 23-212

Appeals

(a) A Final Determination of the Tax Collector under section 23-210, subdivision (d), or section 23-210, subdivision (c), can be appealed to the City Manager by filing a written notice of appeal with the City Manager within 15 days of service of the notice of the Final Determination being appealed.

(b) Only a licensee who files a timely request for a hearing on an Initial Determination under section 23-211 and participates in the hearing or a challenger who files an objection to a decision and files a request for a hearing on the response to the objection under section 23-211 and participates in the hearing can file an appeal under this section.

(c) If a timely appeal is filed, the City Manager or the City Manager's designee, must set a hearing within 60 days of the filing of the appeal, which may be extended by the City Manager for an additional 60 days. Notice of the hearing must be served on the appellant either personally or by U.S. mail to the most recent address for the challenger in the Tax Collector's records. The tolling of the accrual of penalties or interest under section 23-210, subdivision (b), shall continue upon the timely filing of an appeal under this section.

(d) At the hearing the appellant and the Tax Collector may present evidence and argument regarding the decision being appealed to show why the decision is correct or incorrect and to show what it should be. Within 60 days after the close of the hearing, which the City Manager may extend for an additional 60 days, the City Manager must serve a written decision, setting forth the resolution of the appeal. The decision must be served on the appellant either personally or by U.S. mail to the most recent address for the appellant in the Tax Collector's records. Service is effective upon deposit of the decision in the U.S. Mail. Any penalties and interest that were tolled under section 23-210, subdivision (b), shall resume accruing 10 days after the service of the decision.

(e) A decision of the City Manager, or the City Manager's designee, served under subdivision (d) of this section is subject to judicial review under sections 1094.5 and 1094.6 of the Code of Civil Procedure with a writ petition filed in the appropriate court within 90 days of the service of the written decision. Any tax, penalties, or interest determined by the decision to be owed to the city by the appellant must be paid to the city as a precondition to filing a writ petition challenging the decision, but a claim for a refund under section 23-214 does not have to be filed before filing a writ petition.

Sec. 23-213 Constitutional Apportionment

(a) No tax imposed by this article may be applied to a licensee so as to constitute an undue burden on interstate commerce or intercity commerce or be violative of the equal protection or due process clauses of the United States or California constitutions.

(b) A licensee who contends that the application of a tax imposed by this article on the licensee constitutes an undue burden on interstate commerce or intercity commerce or violates the equal protection or due process clauses of the United States or California constitutions may apply to the Tax Collector for an apportionment of the tax imposed on the licensee that would remove the constitutional violation. The licensee must file a written request with the Tax Collector that explains the factual and legal basis for the claimed constitutional violation and proposes a method of apportionment that would resolve the alleged constitutional violations. The request may be filed before the tax is due and must be filed no longer than 90 days after the tax is due.

(c) The Tax Collector, in consultation with City Attorney, must review the application and within 60 days of the filing of the application issue a decision on the application. The decision on the application must be served on the licensee either personally or by U.S. mail to the most recent address for the challenger in the Tax Collector's records. The decision can be challenged under section 23-211.

Sec. 23-214 Refunds

(a) A licensee who believes that any tax, penalty, or interest has been illegally, erroneously, or mistakenly paid to, collected by, or otherwise received by the city may file a claim for a refund of the amount of tax, penalty, or interest claimed to have been improperly received by the city.

(b) The claim must be filed with the Tax Collector and signed under penalty of perjury by the licensee. The claim must state:

- (1) The legal and factual basis for the refund claim;
- (2) The amount of tax, penalty, or interest allegedly improperly received by the city,
- (3) The date or dates that the improper payments were made to the city, and
- (4) The address of the claimant.

(c) The claim must be filed with the Tax Collector within one year of the date of the allegedly improper payment to the city.

(d) The Tax Collector must provide a written decision on the claim within 30 days of the filing of the claim by serving the decision on the claimant either personally or by U.S. mail to the address provided in the claim. Service is effective upon deposit of the response in the U.S. Mail.

(e) A claimant may challenge the Tax Collector's decision on a refund claim under section 23-211.

(f) This section does not apply to:

(1) A claim for a refund arising out of a decision of the Tax Collector or City Manager under sections 23-210, 23-211, 23-212, or 23-213; or

(2) A claim that could have been asserted by the claimant, but was not, under sections 23-210, 23-211, 23-212, or 23-213.

Sec. 23-215 Business Audits

(a) The Tax Collector may conduct an audit of any licensee to ensure proper compliance with the requirements of this article.

(b) To initiate an audit the Tax Collector must provide written notice to the licensee that is the subject of the audit of the initiation of the audit by serving the notice personally or by U.S. mail to the most recent address for the licensee in the Tax Collector's records. The notice must state the period of time subject to the audit.

(c) Notice of the initiation of an audit for a tax year for which an application for a business license under section 23-207 or section 23-208 was filed by the licensee must be served within three years of the last day of the tax year to which the application applied.

(d) Notice of the initiation of an audit for a tax year for which an application for a business license was not filed by the licensee under section 23-207 or section 23-208, but for which the licensee did otherwise register as a business under another Chapter of this code, must be served within five years of the last day of the tax year for which the application should have been filed.

(e) Notice of the initiation of an audit for a tax year for which an application for a business license was not filed by the licensee under section 23-207 or section 23-208, and for which the licensee did not register as a business under another Chapter of this code, must be served within 10 years of the last day of the tax year for which the application should have been filed.

(f) Upon completion of an audit, the Tax Collector may make an Initial Determination under subdivision (a) of section 23-210 of any taxes, penalties, and interest determined to be owed and not paid for the audit period. If a licensee subject to audit is unable or unwilling to provide sufficient records to enable the Tax Collector to verify compliance with this article, the Tax Collector is authorized to make a reasonable estimate of the amount of tax due and the reasonable estimate shall be entitled to a rebuttable presumption of correctness.

Sec. 23-216**Maintenance and Review of Records**

(a) Licensees must maintain for six years records of gross receipts and other information necessary to calculate the tax. If the Tax Collector serves notice of the initiation of an audit, the information pertinent for the years subject to the audit must be maintained until the conclusion of the audit.

(b) The Tax Collector may with reasonable notice inspect the records of the licensee.

(c) The Tax Collector may request the City Council to issue an administrative subpoena for records of a licensee or other persons with relevant information.

Sec. 23-217**Confidentiality of Records**

(a) Personal information collected for purposes of issuing a business license by a city, as provided in Business and Professions Code Section 16000.1, is confidential and not available to the public for inspection and may not be disclosed except as required to administer the city's business license program or comply with a judicial warrant, subpoena, or court order.

(b) All documents submitted to the city by a licensee under this article and all documents of a licensee inspected by the Tax Collector in the conduct of an audit are presumed received in confidence and to include personal information as defined in Business and Professions Code Section 16000.1 and will not be subject to public inspection to the fullest extent allowed by law and must be maintained so that the contents of the documents will not become known except to persons charged with the administration of this article. Confidential documents may be shared with consultants retained by the city to aid in the administration of this article, provided the consultants agree to maintain the confidentiality of the documents.

Sec. 23-218**Action to Collect Delinquent Taxes**

(a) Any tax, penalty, and interest imposed on a licensee under this article is a debt owed by the licensee to the city, which may be recovered in an action filed by the city in a court of competent jurisdiction.

(b) An action under this section must be filed within three years of an Initial Determination becoming final under section 23-210(b), the issuance of a Final Determination under section 23-210(d) that is not timely appealed, the issuance of a Final Determination under section 23-211(c) that is not timely appealed, or the issuance of a decision under section 23-212(d) for which an action for judicial review is not timely filed.

(c) During the pendency of an action filed under this section, interest will continue to accrue under section 23-209(b) until the entry of judgment.

(d) The City Council may by resolution establish a collection fee to be imposed on any licensee against whom an action is filed under this section, which fee may be recovered in the action.

Sec. 23-219**Rules and Regulations**

The Tax Collector, in consultation with the City Attorney, may adopt rules and regulations

that are not inconsistent with the provisions of this article as may be necessary to aid in the application and enforcement of this article.

Sec. 23-220 Errors not binding on the city

No error by the Tax Collector or any other officer, employee, or agent of the city in the application of this article shall prevent, prejudice, or estop the collection by or for the city of the full amount of tax owed by any person under this article.

Sec. 23-221 Amendments

(a) The tax adopted herein may be increased only by a vote of the people of the City of Belmont in accordance with California Constitution Article XIIC, Section 2(b).

(b) Except as provided in subsection (a), the provisions in this article may amended by ordinance adopted by the city council.

Sec. 23-222 Annual Audit.

By no later than April 1 of each year or such date as coincides with the completion of other reoccurring city audits, the City's independent auditors are to complete a report to verify that the taxes levied under this article in the preceding year have been properly applied, exempted, collected, and remitted in accordance with the law.

SECTION 4. APPLICATION OF TAX

(a) This ordinance supersedes the business license tax imposed by the Belmont City Code Chapter 12.

(b) Notwithstanding sections 23-203, 23-205, 23-208, and any other conflicting provisions of this ordinance, the following provisions apply for the 2025 tax year:

(1) All licensees operating in the city holding a valid business license that will expire in 2025 must submit an application for a business license renewal by March 1, 2025.

(2) The renewal application must include the information required by section 23-208 of this ordinance.

(3) Tax for the 2025 tax year is due March 1, 2025 and is delinquent April 1, 2025 if not paid.

(4) A licensee holding a business license that would expire in 2025 will receive a proportionate credit, as determined by the Tax Collector to correct for overlapping license periods.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The People of the City of Belmont hereby declare that they would have passed this Ordinance and each section or subsection, sentence, clause and phrase

thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 6. EFFECTIVE DATE

This ordinance relates to the levying and collecting of the City business license tax and will be in full force and effect 10 days after the certification by the City Council of the election returns indicating passage of the ordinance in the election of November 5, 2024, by the margin of votes required by California Constitution Article XIIC, Section 2(b) for general tax measures.

SECTION 7. OPERATIVE DATE

The taxes imposed by this ordinance will begin being imposed on January 1, 2025.

SECTION 8. CITY COUNCIL APPROVAL.

The City Council of the City of Belmont approved this ordinance for placement on the November 5, 2024 ballot by Resolution 2024-____ adopted by a two-thirds vote of all members.

* * *

This ordinance was submitted to the People of the City of Belmont at the November 5, 2024 election and was adopted by the following vote of the People:

YES:

NO:

ATTEST:

City Clerk

Mayor