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

www.belmont.gov

CITY COUNCIL REGULAR MEETING AGENDA
Tuesday, October 25, 2022
7:00 PM
City Council Chambers
City Hall, One Twin Pines Lane, Belmont, California

TELECONFERENCE PARTICIPANTS
Some Members may Participate Virtually
Being held under Gov. Code 54953(e)

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. Social distancing must be practiced, and seating will be limited.

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. Stanford University Community Update on NDNU Campus

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. Monthly Financials

Recommendation: Approve August 2022 Monthly Financials

Attachment(s):

Monthly Financial Reports - August

B. San Mateo County Transportation Authority (SMCTA) 2022 Cycle 6 Pedestrian and Bicycle Grant Funding

Recommendation: Adopt a resolution supporting the Belmont Village Pedestrian/Bike Improvement Project and the application submittal to San Mateo County Transportation Authority (SMCTA) for Cycle 6 Pedestrian and Bicycle Program grant funding

Attachment(s):

Staff Report
Resolution

C. 1301 6th Avenue Permanent Encroachment Agreement

Recommendation: Adopt a resolution approving a Permanent Encroachment Agreement to allow construction of a covered pergola for outdoor seating within the public right of way at 1301 6th Avenue (Farm House Restaurant) and additional sound attenuation along the southern property line fence

Attachment(s):

Staff Report
Resolution
Exhibit A - Vicinity Map
Exhibit B - Site Plan
Exhibit C - Sound Attenuation Plan
Exhibit D - Project Update PPT

D. Response Letter to Grand Jury Report – "A Delicate Balance Between Knowledge and Power: Government Transparency and the Public Right to Know"

Recommendation: Approve the City of Belmont's response to the San Mateo County Civil Grand Jury entitled, "A Delicate Balance between Knowledge and Power: Government Transparency and the Public's Right to Know" dated August 9, 2022 and authorize the City Clerk to send the response letter on behalf of the City

Attachment(s):

Staff Report
Response Letter

San Mateo Grand Jury Report

E. Resolution Finding the Real Property Located at 876, 884, 898, and 900 El Camino Real to be Exempt Surplus Lands to be Disposed of Pursuant to Government Code Section 37364

Recommendation: Adopt Resolution Finding the Real Property Located at 876, 884, 898, and 900 El Camino Real to be Exempt Surplus Lands to be Disposed of Pursuant to Government Code Section 37364

Attachment(s):
Staff Report
Resolution

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. Belmont Village Specific Plan (BVSP) Streetscape Design Guidelines

Recommendation: Receive a presentation and update of the Belmont Village Specific Plan (BVSP) Streetscape Design Guidelines project. While this item is informational, staff requests City Council feedback to inform the final guidelines document slated for Council review/adoption at the November 9th Council meeting.

Attachment(s):
Staff Report - BVSP Streetscape Design Guidelines
BVSP Streetscape Design Guidelines Booklet

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.

A. Discussion of School Crossing Guard Pilot Program at Carlmont High School (Councilmembers Mates and Stone)

Recommendation: We are requesting the Council to consider creating a Council Subcommittee to work with the Sequoia Union High School District (SUHSD) and City of San Carlos regarding the development of a School Crossing Guard Pilot Program at Carlmont High School

Attachment(s):
Council Memo

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.

CITY OF BELMONT

FISCAL YEAR 2023

MONTHLY FINANCIAL REPORT - AUGUST 31, 2022



HIGHLIGHTS

PERFORMANCE AT A GLANCE REPORT

• General Fund balance increased compared to prior YTD

BUDGET VARIANCE REPORT

• Management Discussion & Analysis

CASH DISBURSEMENTS & PURCHASE ORDER ACTIVITY REPORT

•Amounts equal to and above $50,000

FUND RECAP AT A GLANCE REPORT

Increasing Fund Balance to PY:

•General Fund
•Development Services
•General Plan Maintenance
•Public Art
•Afforable Housing Successor
•Measure W
•RMRA Street Projects
•Traffic Impact
•Infrastructure
•Planned Park
• Sewer Treatment
• Fleet and Equipment Management

Decreasing Fund Balance to PY:

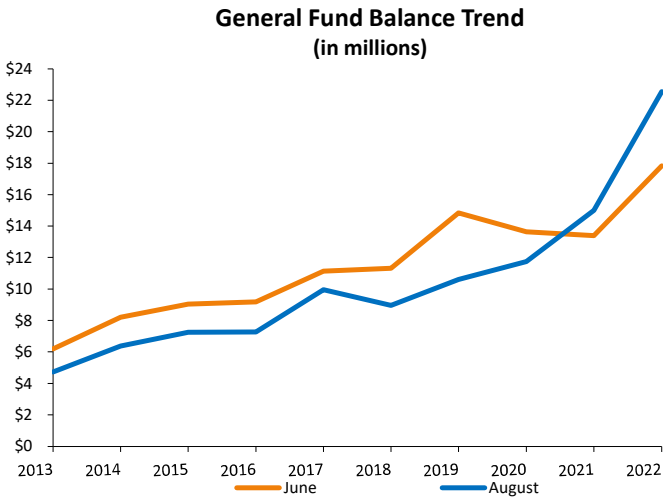
• Street Maintenance
• Street Improvements
• Recreation
• Library Maintenance & Operations
• General Facilities
• Park Impact
• Storm Drainage
• Benefit Prefunding

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.

CALIFORNIA BELMONT

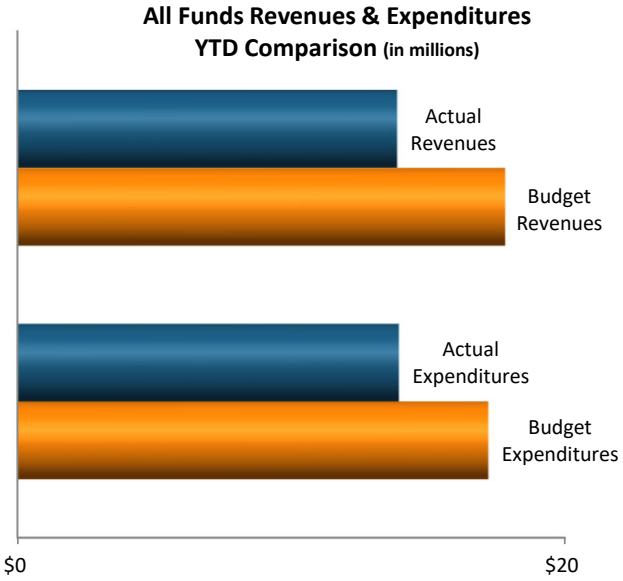
City of Belmont
Performance at a Glance
Results for the Period Ended August 31, 2022
(000's)

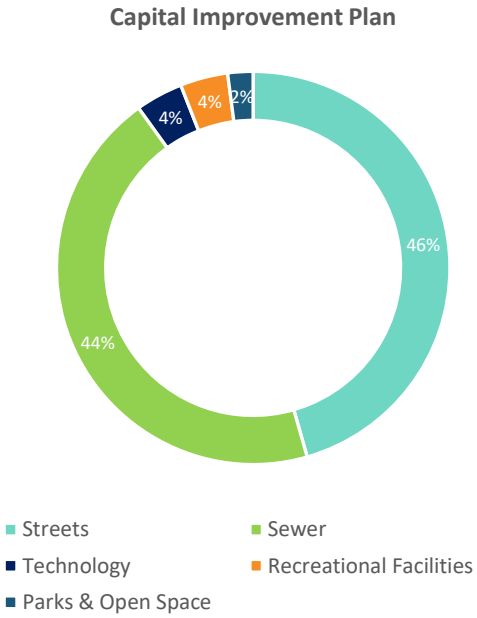


General Fund Balance Trends*

6/30/2013	$6,200	Audited
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	$17,839	Unaudited
8/31/2022	$22,557	Unaudited

* excludes Measure I





General Fund

The General Fund balance is $22.6 million, a $4.7 million increase compared to amount at the prior fiscal year end. The increase compared to the 6/30/22 balance was primarily due to the receipt of the second and last tranche of one-time $3.2 million in ARPA Federal Coronavirus State and Local Fiscal Recovery Funds.

Fund Balance - YTD Fund Deficits

As shown on the Fund Recap at a Glance (page 3), the Recreation Fund, Supplemental Law Enforcement, Street Maintenance, Library Bond Debt Service 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 August 31, 2022
(000's)

Fund	Fund Name	Unaudited Fund Bal. 06/30/22 (1)	Revenues YTD Budget	YTD Actual (2)	Variance (Under) Over	%	PY YTD Actual	Expenditures YTD Budget	YTD Actual (3)	Variance Under (Over)	%	PY YTD Actual	Unaudited Fund Bal. 08/31/22 (1)+(2)-(3)	PY YTD Fund Bal. 08/31/21
GENERAL FUND														
101	General	*$17,839*	$5,160	$8,200	$3,040	159%	$5,205	$4,718	$3,482	$1,236	74%	$3,236	*$ 22,557*	*15,000*
102	Measure I	*2,939*	362	25	(337)	7%	(4)	842	101	741	12%	558	*2,863*	*3,238*
SPECIAL REVENUE FUNDS														
205	Recreation	*(0)*	650	195	(455)	30%	171	641	689	(48)	107%	514	*(494)*	*(343)*
206	Library Maintenance & Operation	*835*	51	0	(51)	0%	0	120	48	72	40%	58	*787*	*904*
207	Athletic Field Maintenance	*375*	15	38	23	253%	16	45	12	33	27%	9	*401*	*384*
208	City Tree	*297*	2	1	(1)	50%	1	12	6	6	50%	5	*292*	*323*
209	Senior Services Donation	*90*	1	0	(1)	0%	0	0	0	0	N/A	0	*90*	*86*
210	Development Services	*1,085*	921	853	(68)	93%	718	946	764	182	81%	674	*1,174*	*461*
212	General Plan Maintenance	*1,305*	84	305	221	363%	23	172	16	156	9%	0	*1,594*	*761*
223	Belmont Fire Protection District	*16,217*	2,434	388	(2,046)	16%	4	2,053	175	1,878	9%	3,835	*16,430*	*11,576*
225	Police Grants and Donations	*33*	0	0	0	N/A	0	1	1	0	100%	0	*32*	*35*
227	Supplemental Law Enforcement	*0*	30	0	(30)	0%	0	27	26	1	96%	36	*(26)*	*(36)*
231	Street Maintenance	*(1)*	393	155	(238)	39%	197	406	428	(22)	105%	381	*(274)*	*413*
232	RMRA Street Project	*(1)*	101	47	(54)	47%	42	128	2	126	2%	571	*44*	*(148)*
233	Measure W	*1,107*	92	8	(84)	9%	0	53	0	53	0%	0	*1,115*	*250*
234	Street Improvements	*1,255*	265	309	44	117%	106	395	245	150	62%	443	*1,319*	*1,832*
237	Traffic Impact	*200*	136	0	(136)	0%	0	0	0	0	N/A	0	*200*	*0*
239	Public Art	*396*	53	0	(53)	0%	0	0	0	0	N/A	0	*396*	*0*
275	Affordable Housing Successor	*6,468*	715	2,402	1,687	336%	13	50	151	(101)	302%	32	*8,719*	*3,668*
277	Inclusionary Housing	*2,452*	132	0	(132)	0%	0	0	0	0	N/A	0	*2,452*	*2,385*
	Total Special Revenue	*32,115*	6,075	4,701	(1,374)	77%	1,291	5,049	2,563	2,486	51%	6,558	*34,253*	*22,552*
CAPITAL PROJECT FUNDS														
308	General Facilities	*725*	6	0	(6)	0%	0	62	1	61	2%	1	*724*	*826*
310	Infrastructure	*2,809*	203	260	57	128%	0	426	193	233	45%	180	*2,876*	*2,122*
312	Comcast PEG Program	*396*	0	0	0	N/A	16	20	0	20	0%	0	*396*	*363*
341	Planned Park	*1,989*	233	406	173	174%	0	125	9	116	7%	22	*2,386*	*336*
342	Park Impact	*327*	469	0	(469)	0%	0	193	151	42	78%	0	*176*	*1,397*
343	Open Space	*164*	0	3	3	N/A	0	8	17	(9)	213%	3	*150*	*203*
704	Special Assessment Districts	*309*	0	0	0	N/A	0	0	0	0	N/A	0	*309*	*308*
	Total Capital Projects	*6,719*	911	669	(242)	73%	16	834	371	463	44%	206	*7,017*	*5,554*
DEBT SERVICE & OTHER FUNDS														
406	Library Bond Debt Service	*270*	112	0	(112)	0%	0	114	524	(410)	460%	509	*(254)*	*(242)*
501-505	Sewer Collection System	*25,615*	2,630	365	(2,265)	14%	23	2,684	1,798	886	67%	1,971	*24,182*	*18,368*
507	Sewer Treatment	*25,992*	525	0	(525)	0%	0	712	2,004	(1,292)	281%	1,636	*23,988*	*22,665*
525	Storm Drainage Enterprise	*2,588*	367	122	(245)	33%	48	488	252	236	52%	283	*2,458*	*3,350*
530	Solid Waste Management	*1,767*	91	45	(46)	49%	42	93	76	17	82%	54	*1,736*	*1,569*
570	Worker's Compensation	*1,537*	116	131	15	113%	125	118	632	(514)	536%	547	*1,036*	*915*
571	Liability Insurance	*3,387*	117	(1,661)	(1,778)	-1420%	(1,633)	178	463	(285)	260%	411	*1,263*	*1,332*
572	Self Funded Vision	-	0	0	0	N/A	2	1	(6)	7	-600%	(15)	*6*	*15*
573	Fleet & Equipment Management	*7,439*	742	746	4	101%	846	766	687	79	90%	558	*7,498*	*6,118*
574	Facilities Management	*0*	366	302	(64)	83%	267	388	484	(96)	125%	411	*(182)*	*(103)*
575	Benefit Prefunding	*1,081*	246	230	(16)	93%	212	219	512	(293)	234%	287	*799*	*1,400*
	Total Debt & Other	69,676	5,312	280	(5,032)	5%	(68)	5,761	7,426	(1,665)	129%	7,455	62,530	55,387
	Total All Funds	**$129,289**	**$17,820**	**$13,875**	**($3,945)**	**78%**	**$6,440**	**$17,204**	**$13,943**	**$3,261**	**81%**	**$18,013**	**$129,221**	**$101,732**

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 August 31, 2022
(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	$3,408	$3,142	($266)	92% **a**	$20,449	$1,219	$3,146	$202	($2,944)	6% **a**	$18,876	$89
Property Taxes	1,130	19	(1,111)	2%	6,780	29	2,413	-	(2,413)	91%	14,475	-
Sales Taxes	689	113	(576)	16%	4,136	140	571	202	(369)	71%	3,423	74
Other Taxes	1,589	3,009	1,420	189%	9,533	1,049	163	-	(163)	99%	977	16
Licenses and permits	187	154	(33)	82%	1,124	82	310	544	234	175%	1,858	349
Intergovernmental	581	3,274	2,693	564%	3,486	3,262	707	406	(301)	57% **c**	4,240	144
Charge for services	744	571	(173)	77% **b**	4,464	528	6,646	3,022	(3,624)	45% **b**	39,875	2,313
Fines and forfeits	28	7	(21)	25%	165	14	-	-	-	N/A	-	-
Use of money and property	156	1,051	895	674%	938	96	89	572	483	643%	534	30
Miscellaneous	56	1	(55)	2%	337	4	33	(1,467)	(1,500)	-4445% **d**	198	(1,689)
Other financing sources	-	-	-	N/A	-	-	652	2,397	1,745	368%	3,910	-
Operating transfers in	-	-	-	N/A	-	-	1,081	-	(1,081)	**e**	6,483	-
Total Revenues	**5,160**	**8,199**	**3,039**	**159%**	**30,963**	**5,204**	**12,665**	**5,676**	**(6,989)**	**45%**	**75,973**	**1,237**
EXPENDITURES												
General government	1,169	925	(244)	79%	7,013	696	1,310	2,295	985	175% **f**	7,863	1,795
Public safety	2,443	2,226	(217)	91%	14,658	2,237	2,081	202	(1,879)	10%	12,487	3,871
Streets and utilities	-	-	-	N/A	-	-	5,463	2,489	(2,974)	46%	32,779	4,581
Culture and recreation	369	331	(38)	90%	2,214	304	1,350	1,444	94	107%	8,101	1,042
Urban redevelopment	-	-	-	N/A	-		841	685	(156)	81%	5,043	527
Debt service	-	-	-	N/A	-	-	1,098	3,343	2,245	304% **g**	6,589	2,962
Operating transfer out	737	-	(737)		4,420		344	-	(344)		2,063	
Total Expenditures	**4,718**	**3,482**	**(1,236)**	**74%**	**28,305**	**3,237**	**12,487**	**10,458**	**(2,029)**	**84%**	**74,925**	**14,778**
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	**$442**	**$4,717**			**$2,658**	**$1,967**	**$178**	**($4,782)**	**($9,018)**		**$1,048**	**($13,541)**

Management Discussion and Analysis

(Items with unfavorable budget variance more than $0.1 million)

General Fund:

Revenues

a) Taxes - The budget variance is primarily due to the timing of semi-annual property tax receipts received in December and April. In addition, the majority of Sales Tax and Transisent Occupancy Taxes received in July are related to June activities, which are subject to an accounting adjustment.

b) Charges for Services - The Sewer Use Fee (Collection & Treatment) is included as part of the City's Property Tax bill to be received semi-annually, typically in December and April.

Other Funds

Revenues

c) Intergovernmental - The revenue will be received in a future reporting period and includes activities related to the prior fiscal year, which are subject to accounting adjustment.

d) Miscellaneous – This revenue is subject to an accounting adjustment during the fiscal year closing process related to claims liability.

e) Operating Transfers In – Budgeted operating transfers will be recorded at the end of the fiscal year based on actual results.

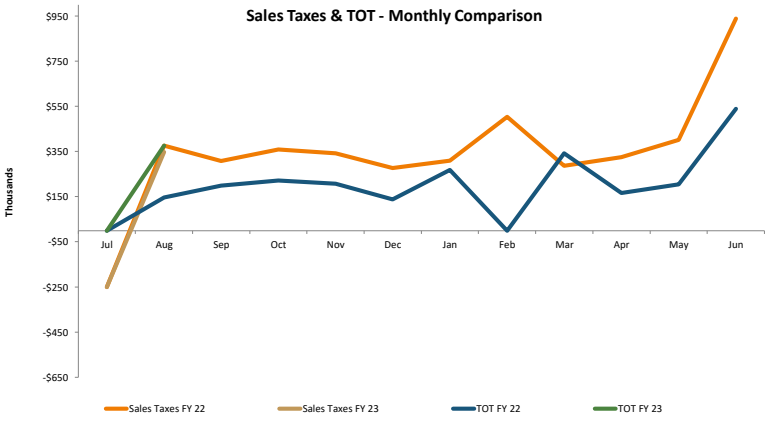
Other Funds

Expenditures

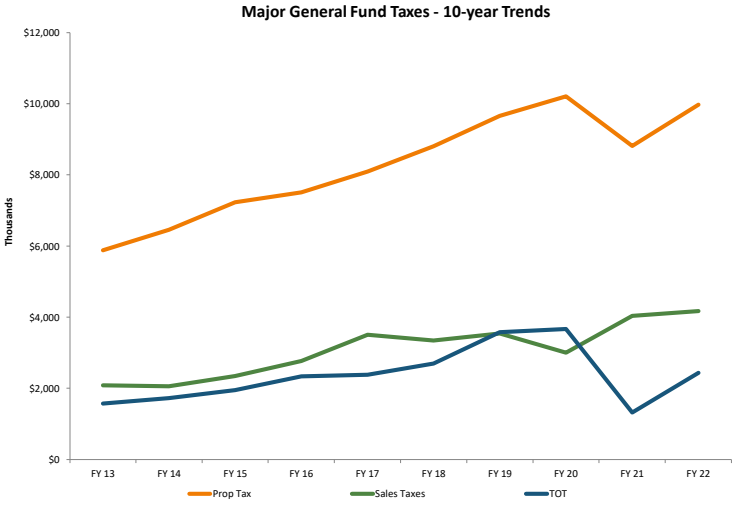
f) General Government - The annual insurance premiums and OPEB contributions were paid in July.

g) Debt Service - Semi-annual debt service on bonds were paid in August.

Trends



** July TOT revenues received were for June activities and accrued to the previous FY. July revenues will be received in August.



City of Belmont
Disbursements & Purchase Order Activity Report
Results for the Period Ended August 31, 2022

Disbursements Amounts Equal to $50,000 and Above

Vendor	Description	Date	No.	Amount
ADP	PAYROLL 8/6/22 TAXES	8/11/22	DAJ000007629	105,001.90
ADP	PAYROLL 8/20/22 TAXES	8/26/22	DAJ000007633	111,459.30
BANK OF NEW YORK	2018 SEWER REVENUE BONDS DEBT SERVICE	8/1/22	DAJ000007612	887,250.00
BANK OF NEW YORK	2019 SEWER REVENUE BONDS DEBT SERVICE	8/1/22	DAJ000007613	701,375.00
CALPERS	BELMONT FIRE DEPARTMENT UAL PAYMENTS	8/1/22	DAJ000007615	114,399.00
CALPERS	CITY OF BELMONT UAL PAYMENTS	8/1/22	DAJ000007617	3,829,423.00
CALPERS	COB CONTRIBUTION PPE 7/15/22	8/9/22	DAJ000007600	110,261.50
CALPERS	HEALTH PREMIUM	8/10/22	DAJ000007599	160,873.90
CALPERS	COB CONTRIBUTIONS PPE 7/29/22	8/23/22	DAJ000007587	110,582.98
CCAG	C/CAG	8/5/22	1202952	85,421.00
CITY OF BELMONT EMPLOYEES	PAYROLL 8/6/22	8/11/22	DAJ000007630	438,135.73
CITY OF BELMONT EMPLOYEES	PAYROLL 8/20/22	8/25/22	DAJ000007632	436,574.40
FIRST FOUNDATION	2022 SEWER REFUNDING DEBT SERVICE	8/1/22	DAJ000007611	1,355,208.40
G. BORTOLOTTO & CO.	2022 PAVEMENT PROJECTS	8/5/22	1202963	416,323.73
G. BORTOLOTTO & CO.	2022 PAVEMENT PROJECTS	8/26/22	1203022	187,247.34
GRANICUS, INC.	FY23 SUBSCRIPTION	8/5/22	EFT00029358	77,690.28
MNS ENGINEERS INC	6-1-22 TO 6-30-22 SERVICES FOR STORM PROJECT	8/5/22	EFT00029367	107,366.74
O'GRADY PAVING INC.	2022 PAVEMENT PRESERVATION PROJECT	8/5/22	EFT00029404	315,242.77
SILICON VALLEY CLEAN WATER	SEPTEMBER CONTRIBUTIONS	8/5/22	EFT00029359	303,292.00
VINTAGE CONTRACTORS INC	ALEXANDER PARK COURTS PROJECT	8/5/22	EFT00029387	151,000.00

Total Disbursements in Excess of $50,000 **$ 10,004,128.97**
Total Count **20**

Purchase Order Amounts Equal to $50,000 and Above

Vendor	Description	Date	No.	Amount
BAMACOR, INC.	FY23 CITY FACILITIES CLEANING SERVICES	8/3/22	23 00009	305,668.00
GEORGE HILLS COMPANY, INC.	CLAIMS ADJ & ADMINISTRATIVE SERVICES	8/4/22	23 00012	50,000.00

Total Purchase Orders Issued in Excess of $50,000 **$ 355,668.00**
Total Count **2**

CITY OF BELMONT
TREASURER'S REPORT
August-22

Agency Receipts and Disbursements Summary

	Beginning Balance July 31, 2022	Receipts	Disbursements	Ending Balance August 31, 2022
City of Belmont	$ 96,881,887.20	$ 7,286,662.70	$ (11,212,124.34)	$ 92,956,425.56
Belmont Fire Protection District	14,865,428.24	3,072.08	(152,981.44)	14,715,518.88
Total	**$ 111,747,315.44**	**$ 7,289,734.78**	**$ (11,365,105.78)**	**$ 107,671,944.44**
				-

Balance Summary

	Deposit	Investments	Pool Total
City of Belmont & Belmont Fire Protection District	**$ 2,155,530.97**	**$ 105,516,413.47**	**$ 107,671,944.44**
			-

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

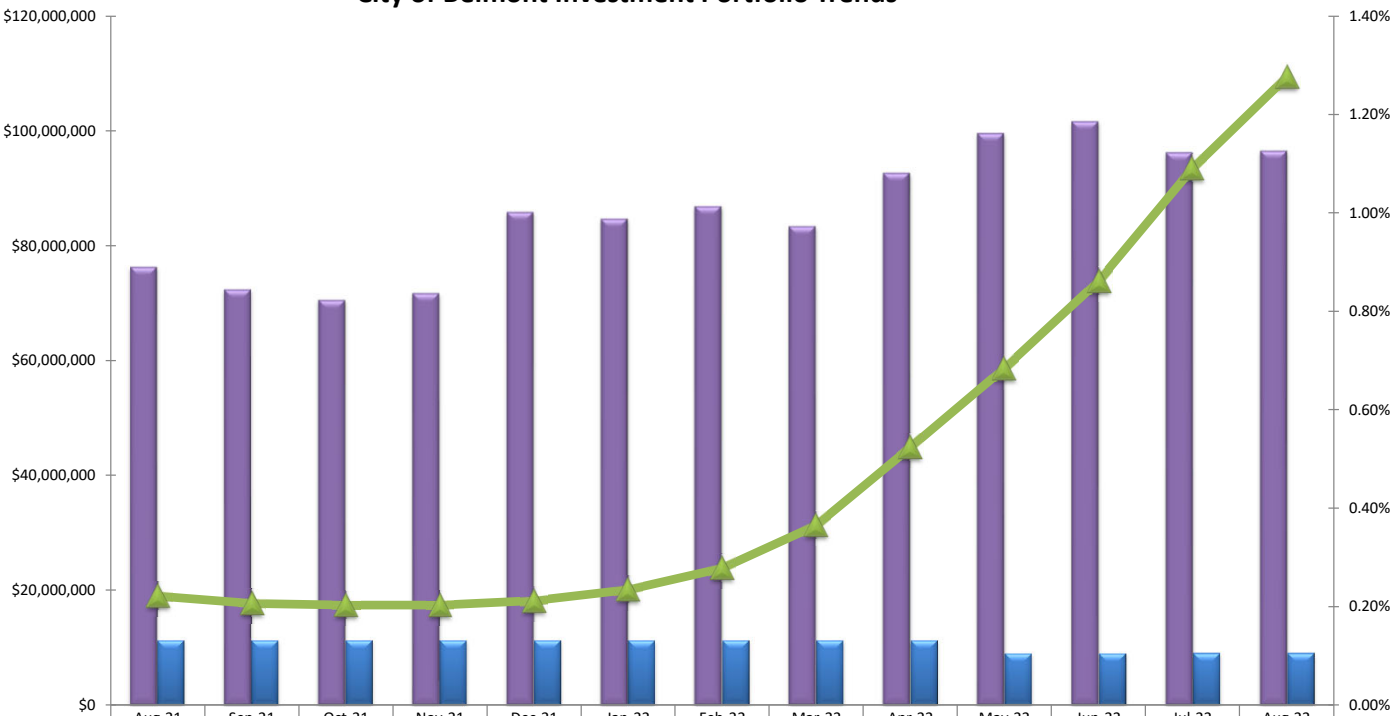
Grace Castaneda
City Treasurer

CITY OF BELMONT
TREASURER'S REPORT
August-22

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		$ 2,155,530.97	$ 2,155,530.97					Bank	Bank
Investments:										
L.A.I.F.-POOL	State of California	Daily	96,412,851.44	95,171,575.89	102,519.00		90 days	1.276%	LAIF	LAIF
L.A.I.F.-BONDS	State of California	Daily	9,103,562.03	8,986,357.44	9,680.12		90 days	1.276%	LAIF	LAIF
Total			**$ 107,671,944.44**	**$ 106,313,464.30**	**$ 112,199.12**					

City of Belmont Investment Portfolio Trends



	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22
L.A.I.F.-POOL	76,259,409	72,364,409	70,512,716	71,662,716	85,762,716	84,634,892	86,774,892	83,344,892	92,612,365	99,512,365	101,582,365	96,162,851	96,412,851
L.A.I.F.-BONDS	11,328,072	11,328,072	11,335,133	11,335,133	11,335,133	11,341,658	11,341,658	11,341,658	11,350,596	9,084,596	9,084,596	9,103,562	9,103,562
INTEREST RATE	0.221%	0.206%	0.203%	0.203%	0.212%	0.234%	0.278%	0.365%	0.523%	0.684%	0.861%	1.090%	1.276%

STAFF REPORT

Meeting Date:	October 25, 2022
Agency:	City of Belmont
Staff Contact:	Matt Hoang, Public Works Department, mhoang@belmont.gov, (650)637-2998
Agenda Title:	San Mateo County Transportation Authority (SMCTA) 2022 Cycle 6 Pedestrian and Bicycle Grant Funding
Agenda Action:	Resolution

Recommendation

Adopt a resolution supporting the Belmont Village Pedestrian/Bike Improvement Project and the application submittal to San Mateo County Transportation Authority (SMCTA) for Cycle 6 Pedestrian and Bicycle Program grant funding.

Strategic Focus Area

Infrastructure and Mobility

Background

In 2016, the City Council adopted the City of Belmont 2016 Comprehensive Pedestrian/Bicycle Plan. The plan provided operational planning and guiding principles to improve walking and biking as modes of travel for both commuting and recreational purposes. The primary objective of the plan is to increase usage of public facilities by pedestrians and bicyclists with benefits in health, reduction in vehicular traffic, air pollution, and energy consumption.

In 2017, the City Council approved the Belmont Village Specific Plan (BVSP). The BVSP updated land in the downtown and transit oriented core area to accommodate planned affordable housing and multi-family mixed use developments. As a result several new multi-family developments have been built or are under construction since. The pedestrian and bicyclist activity are steadily increasing within the city limits and particularly around the Belmont Village core.

In August 2022, SMCTA announced the Cycle 6 Pedestrian and Bicycle Program to help fund local projects that improve accessibility and safety for walking and bicycling. City staff is planning to implement the recommendations set forth by both the Comprehensive Pedestrian/Bicycle Plan and the BVSP with the Belmont Village Pedestrian/Bike Improvement Project (Project). To help fund the project, City staff has applied for SMCTA's funding program.

Analysis

A primary goal of the City is to implement infrastructure improvements as outlined in the bike and pedestrian master plan. The Project proposes additional Class II and Class III bike lanes to close current network gaps and improve connectivity for regional bike lanes and routes throughout the city. These new bike facilities are planned to be implemented along Ralston Avenue, 5th Avenue, and Belmont Canyon Road. In addition, and as recommended in the 2016 Comprehensive Pedestrian/Bicycle Plan, a High-

Intensity Activated Crosswalk (HAWK) is proposed at the El Camino Real / Hill Street intersection to improve safety and accessibility for the surrounding residential neighborhoods and affordable housing developments crossing El Camino Real to Belmont's Caltrain Station.

If this grant funding is secured, the Project can begin design in mid-2023 with construction to follow in 2024. The total project design and construction cost is estimated at $1,100,000 to be funded with $750,000 in requested grant funds and $350,000 in City match funds, likely from Traffic Impact Fees for capital improvements.

As part of the application process, SMCTA is requesting the City Council's support of the project and the grant fund application submittal for consideration in the program.

Alternatives

1. Do not support project and grant fund application submittal.
2. Refer back to staff for additional information.

Attachments

A. Resolution

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed:	The total project design and construction cost is estimated at $1,100,000 to be funded with $750,000 in requested grant funds and $350,000 in City matching funds likely from the Traffic Impact Fees Fund, which if awarded, will be incorporated as part of the budget and capital improvement program development.

Source:	**Purpose:**	**Public Outreach:**
Staff	Council Vision/Priority	Posting of Agenda

RESOLUTION NO. 2022 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT SUPPORTING THE BELMONT VILLAGE PEDESTRIAN/BIKE IMPROVEMENT PROJECT AND SUBMITTING AN APPLICATION TO THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY FOR CYCLE 6 PEDESTRIAN AND BICYCLE PROGRAM FUNDING

WHEREAS, the City of Belmont (Sponsor) has identified current gaps in the City pedestrian and bicycle network; and,

WHEREAS, the Sponsor has developed the Belmont Village Pedestrian/Bike Improvement Project (Project) to provide additional bike lane facilities and a high-intensity activated crosswalk for improved safety and accessibility to close current network gaps; and,

WHEREAS, the San Mateo County Transportation Authority (TA) issued a Call for Projects for the Cycle 6 Measures A and W Pedestrian and Bicycle Program on August 4, 2022; and,

WHEREAS, design and construction costs are estimated to be $1,100,000 to implement the Project ; and,

WHEREAS, the Sponsor is requesting a grant in the amount of $750,000 for the Project; and,

WHEREAS, the Transportation Authority (TA) requires the Sponsor's governing board to adopt a resolution:

1. Supporting the Project and application for $750,000 in TA Measures A and W Pedestrian and Bicycle Program funds for Project;

2. Committing the Sponsor to the completion of the Project, including the commitment of matching funds in the amount of $350,000 needed for implementation;

3. Certifying that any funds awarded by the TA will be used to supplement existing funds for program activities, and will not replace existing funds or resources; and

4. If funds are awarded, authorizing the Sponsor's City Manager, or designee, to sign a funding agreement or memorandum of understanding (MOU) with the TA for TA Measures A and W Pedestrian and Bicycle Program funding for the Project and to take any other actions necessary to give effect to this resolution.

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

SECTION 1. Direct staff to submit an application to the San Mateo County Transportation Authority for Measures A and W Pedestrian and Bicycle Program funds for $750,000 for the Belmont Village Pedestrian/Bike Improvement Project. SECTION 2. Authorize the City Manager, or designee, to execute a funding agreement or MOU with the San Mateo County Transportation Authority [and/or other parties, if applicable] to encumber TA Measures A and W Pedestrian and Bicycle Program funds

SECTION 3. Commit to the completing the Project, including contributing $350,000 of matching funds needed for Project implementation, if the requested TA funds are awarded;

SECTION 4. Certifies that any funds awarded by the TA will be used to supplement existing funds for program activities, and will not replace existing funds or resources; and

SECTION 5. Authorize the City Manager, or designee, to take any other actions necessary to give effect to this resolution.

* * *

ADOPTED October 25, 2022 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

STAFF REPORT

Meeting Date:	October 25, 2022
Agency:	City of Belmont
Staff Contact:	Elizabeth Wada, Public Works, (650) 595-7468, ewada@belmont.gov
Agenda Title:	1301 6th Avenue Permanent Encroachment Agreement
Agenda Action:	Resolution

Recommendation

Adopt a resolution approving a Permanent Encroachment Agreement to allow construction of a covered pergola for outdoor seating within the public right of way at 1301 6th Avenue (Farm House Restaurant) and additional sound attenuation along the southern property line fence.

Strategic Focus Area

Economic Development and Housing

Background

The property owner at 1301 6th Avenue is proposing outdoor seating improvements at Farm House restaurant, including construction of a covered pergola and sound attenuation along the southern property line fence. Due to site constraints, most of the pergola improvements are within the public right of way and includes adjoining sidewalk repairs, requiring a Permanent Encroachment Agreement, Building Permit and Temporary Encroachment Permit. The proposed work also required an Arborist Report, which determined that after sidewalk concrete removal, an arborist should be present to advise on the tree next to the sidewalk on tree/root preservation strategies. The second tree onsite shall be preserved per the Arborist Report.

The Temporary Encroachment Permit application was submitted in November 2021 and Permanent Encroachment and Building Permit applications in May 2022. The Building Permit is conditionally approved pending the approval of the Permanent Encroachment Agreement (PEA) application. At the September 27, 2022 City Council meeting, Staff presented the PEA and questions were raised by members of the public and Council regarding the specifics of the public improvements. Council directed staff to work with the applicant to address some of the concerns raised as it relates to the permit application.

Analysis

The Major Encroachment Permit (via an Agreement) is called for in Belmont City Code (BCC) section 22-6 and will clearly define the maintenance of the structure as the property owner's responsibility. BCC Section 22-6 regulates encroachments into the public right-of-way. The Code gives the City Council the sole authority to issue permits for "major or unusual encroachments" that include above-ground structures such as retaining walls, fences, poles, and awnings. This class of encroachment is commonly known as "permanent encroachment." However, the City retains the right to revoke the permit and require removal if the structure is not being used or if it interferes with planned public improvements. Section 22-6(b) requires the Director of Public Works to review all permanent encroachment applications. If the Director

finds the application follows the BCC, the Director will recommend approval with conditions necessary to protect the health and safety of the public and the City.

After meeting with Staff on October 11, 2022 to discuss the best methods to achieve the project goals, the property owner of 1301 6th Avenue, Farm House Restaurant, has updated the Permanent Encroachment Agreement application to allow encroachment into the right of way as shown in Exhibit B, as well as a sound attenuation plan shown in Exhibit C. The revised application has more specifics as to how to meet sound attenuation requirements via the use of a plexiglass perimeter, surrounding the entire patio encroachment into the public right of way, including the southern property line, as well as some good neighbor customer education. Staff has reviewed the application and found it in compliance with the City Code. The updated proposed action plan includes plexiglass additions to the existing fence on the southern property line as well as a perimeter enclosing the patio area (similar to other previously approved outdoor dining areas in Belmont), landscaping and good neighbor initiatives. The City Council may choose to approve or to conditionally approve the request only if it considers that there is some public benefit for the encroachment. BCC Section 22-7(e)(1) provides examples of acceptable public benefits, such as added off-street parking, or sidewalk, safer sight distance, reduced amount of grading, and replacement or improvement of an existing undesirable physical condition.

The proposed encroachment will allow the improvement of the existing patio seating area of the restaurant, reduce noise from the outdoor seating area to neighboring properties, and the repair of sidewalk along the frontage of 1301 6th Avenue. As part of the permanent encroachment, and in the category of improvement to undesirable physical conditions, the City is also requiring the patio redesign to incorporate sound attenuation between the patio dining area and the southern residential property, which will serve as a public benefit to address past noise complaints. The sound attenuation includes a cover for the pergola, clear plexiglass enclosing the pergola, and plexiglass along the top of the southern property fence. Lastly, there is a public benefit to allowing enhanced outdoor dining for the public amid on-going Covid-19 concerns associated with close contact at indoor locations. Staff also suggested that the owner work with their clientele to address some of the public complaints regarding parking and noise; on the restaurant website and tables, patrons should be directed to park in the angled parking on 5th Street, congregate near the front of the restaurant at O'Neil when awaiting a table, and be respectful of the existing neighborhood by not blocking driveways and maintaining low conversational volume levels. In accordance with BCC Section 22-6(d), notices were sent to all affected properties within 300 feet of the project location that the City Council would be considering the item.

Alternatives

1. Reject the application
2. Refer back to staff for more information

Attachments

A. Resolution
B. Exhibit A – Vicinity Map
C. Exhibit B – Site Plan
D. Exhibit C – Sound Attenuation Plan
E. Exhibit D – Project Update PowerPoint

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: Applicant has paid the appropriate fee.

Source:	**Purpose:**	**Public Outreach:**
Staff	Statutory/Contractual Requirement	Other*

*Notices sent to all affected properties within 300 feet of the project location.

RESOLUTION NO. 2022 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT APPROVING A PERMANENT ENCROACHMENT AGREEMENT TO ALLOW CONSTRUCTION OF A COVERED PERGOLA FOR OUTDOOR SEATING OF FARM HOUSE WITHIN THE PUBLIC RIGHT OF WAY AT 1301 6TH AVENUE

WHEREAS, the City of Belmont is authorized by Belmont City Code (BCC) Section 22-6 to issue encroachment permits for construction of structures in the public right-of-way; and,

WHEREAS, the property owner at 1301 6th Avenue has applied for a Permanent Encroachment Agreement to allow construction of a covered pergola for outdoor seating of Farm House as indicated in Exhibit B and,

WHEREAS, the property owner has proposed sound attenuation within the covered pergola and southern property line fence as indicated in Exhibit C and,

WHEREAS, the proposed encroachment will allow the improvement of the existing empty patio seating area of the restaurant and the repair of sidewalk along the frontage of 1301 6th Avenue; and,

WHEREAS, the Public Works Director has reviewed the application and determined that the application is in accordance with the requirements of BCC Chapter 22, Section 6(e); and,

WHEREAS, the encroached structure in connection with this agreement shall be constructed in accordance with City standards with the location as shown in Exhibit B.

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

SECTION 1 The City Council finds:

(a) There is a public benefit to the encroachments as the encroachment will allow the improvement of the existing empty patio seating area of the restaurant, reduce noise from the outdoor seating area to neighboring properties, the repair of sidewalk along the frontage of 1301 6th Avenue, and allow enhanced outdoor dining for the public amid on-going Covid-19 concerns associated with close contact at indoor locations; and,

(b) The encroachment will not unduly restrict the public right of way or public water course for other typical uses; and,

(c) The encroachment will not unduly restrict the public right of way or public water course for other typical uses; and,

(d) The City will be duly protected from liability for injury to persons and property; and,

(e) The required bonds will guarantee the faithful performance of all conditions and requirements specified in the encroachment agreement.

SECTION 2. Authorizes the City Manager to execute the Permanent Encroachment Agreement on behalf of the City of Belmont.

SECTION 3. Authorizes the City Clerk to file said Agreement with the County Recorder.

SECTION 4. The Permanent Encroachment Permit is approved subject to following conditions of approval which must be strictly complied with:

(a) The encroached structure shall be constructed according to the approved plans unless otherwise approved by the Director of Public Works and be included as part of the project; and,

(b) The property owners shall be responsible and bear all costs necessary to remove the encroachment in the event as determined by the Director of Public Works; and,

(c) The property owners shall be responsible for any restoration required as a consequence of work authorized by the City of Belmont within the public right-of-way; and,

(d) The applicant agrees to begin and complete said improvements to the City's satisfaction within 180 calendar days (or as extended by the Public Works Director) from and after the passage date of this Council Resolution approving this agreement.

* * *

ADOPTED October 25, 2022 by the City of Belmont City Council by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

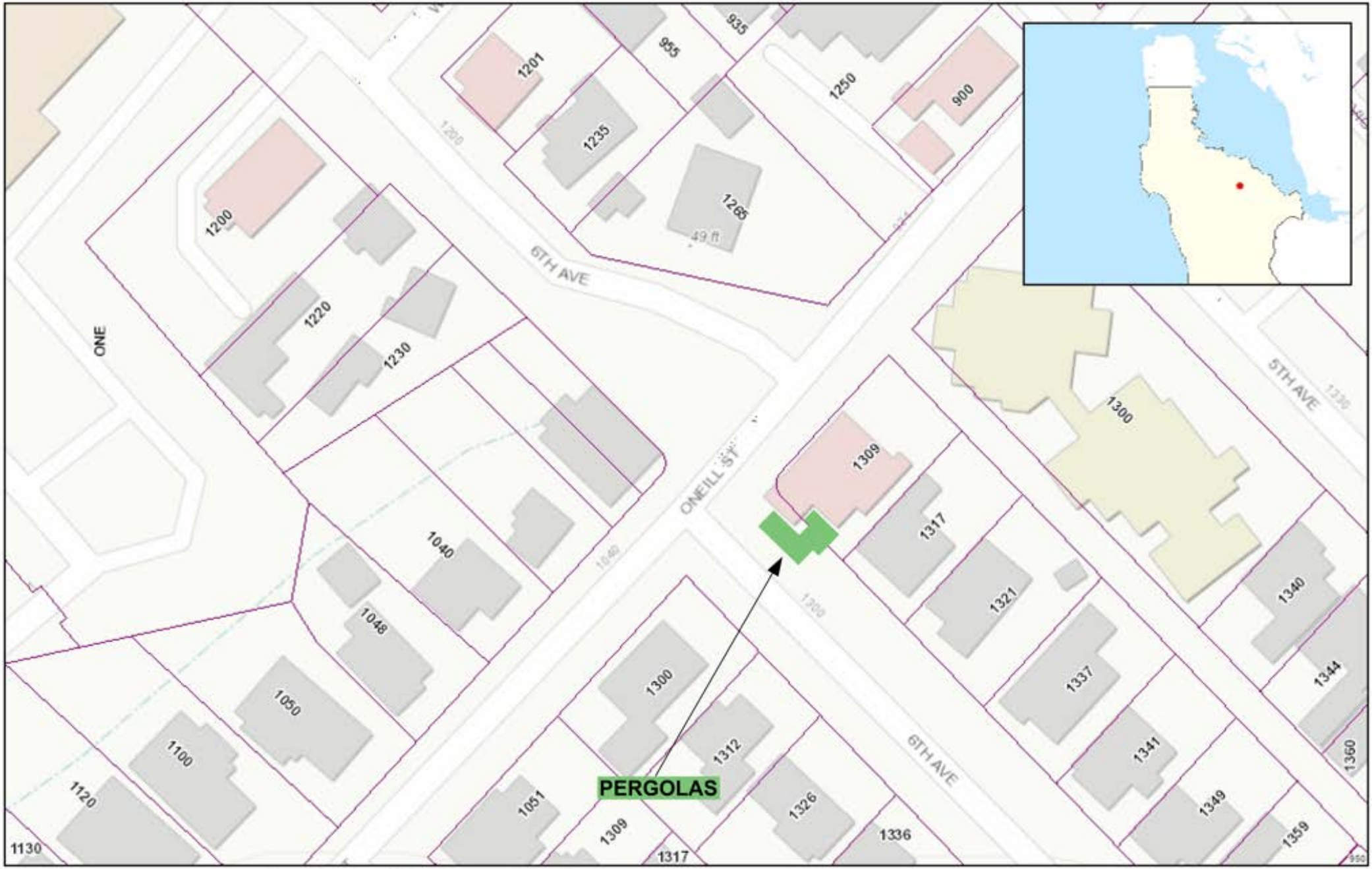
APPROVED AS TO FORM:

City Attorney

San Mateo County

Exhibit A - Vicinity Map

1301 6th



0.04 0 0.02 0.04 Miles

1: 1,128

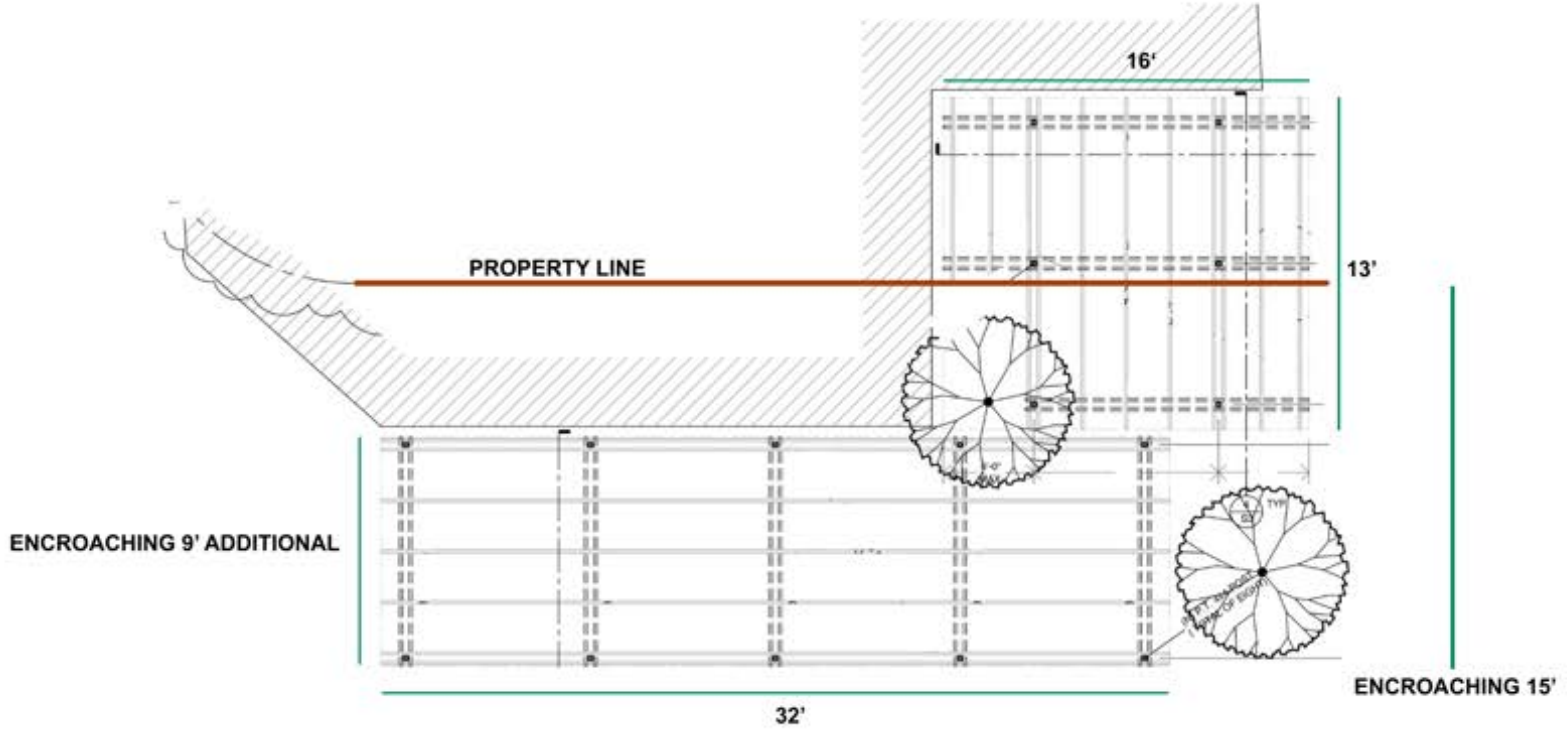
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© [illegible]ude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION




16'
PROPERTY LINE
13'
ENCROACHING 9' ADDITIONAL
ENCROACHING 15'
32'

1301 Sixth Avenue Permanent Encroachment

PAST:

This site before Farm House was Beli Deli that had hours of:
Monday-Friday 7am – 2:30pm
Saturday 10am – 2:30am
Sunday Closed

Pictures below shows usage of patio seating extending out to the sidewalk with 4 different materials (concrete, wood, slabs, and bricks) outlaying the space.









CURRENT:

Pictures of the current business, Farm House, operating within the same bounty as its former business, Beli Deli.





Owner wishes to remove patio landscape consisting of concrete, wood, slabs, and brick. They will install pavers throughout the patio with a covered pergola to improve curbside appeal within the community. The outdoor seating space remained the same as when the owner acquired from Beli Deli. The property was acquired with that understanding and permit to operate allowed by the city approved that in 2017. The business will not extend beyond the sidewalk.

Areas of concern from neighbors that were brought up during the last council hearing I want to take this opportunity to address since I was not in the room:

1. Hours of Operations – Hours of operations remained mostly the same as when we first opened our doors for business. Since Covid we have decreased our operating hours (closing Tuesday and removing lunch on Tuesday – Thursday). We are operating with 8 shifts vs 12 shifts.

Hours:	Brunch	Dinner
Monday	Closed	Closed
Tuesday	Closed	Closed
Wednesday	Closed	5:00pm – 9:00pm
Thursday	Closed	5:00pm – 9:00pm
Friday	11:00am – 2:30pm	5:00pm – 9:00pm
Saturday	11:00am – 2:30pm	5:00pm – 9:00pm
Sunday	11:00am – 2:30pm	5:00pm – 9:00pm

Other Businesses in Belmont Operating Hours:

Dog Haus (7 days; 14 shifts):	Monday – Sunday 11am – 10pm
Waterdog Tavern (7 days; 14 shifts):	Monday-Thursday 11am – 8:30pm Friday-Sunday 11am – 12:00am
Vivace Ristorante (7 days; 7 shifts):	Monday-Thursday 4:30-9:00pm Friday-Saturday 4:30-9:30pm Sunday 4:30-9:00pm
Marvin Garden (7 days; 14 shifts):	Monday-Saturday 11am – 10:00pm Sunday 11am – 7:00pm

2. Noise – we want to build a wood pergola that would include 4x4 wood posts as anchor and between the post would be planters. The planters (pictured below) would be filled with soil to absorb sound and provide weight to support the pergolas. The pergolas would be L-Shaped.

Between the posts and planters, we will install plexiglass as pictured below. The picture below is frosted to show the design coverage but the actual plexiglass used will be clear so that guests can still enjoy the Belmont and San Carlos Hill view.

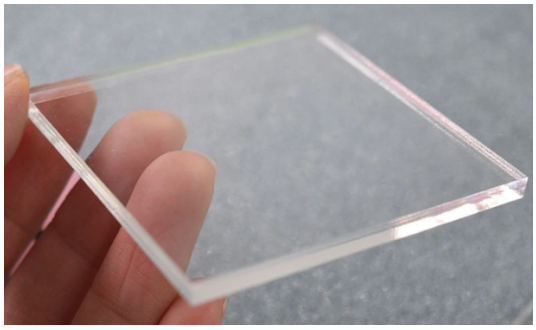
Additionally, we proposal to also install a 4-foot plexiglass to our neighbors southern fence. Half of the plexiglass (2 feet) will be attached to the fence with the remaining 2 feet above the exiting 6 feet fence making the total height of the fence to be 8 feet wall from the beginning of our neighbor's fence to where the bushes would be.

**please excuse the design below as I am not a designer so I've attached pictures of what it would look like after finished as examples.











With Other Materials

Construction material thickness	Approximate dB(A) noise reduction*
Plexiglas® sheet (0.118")	25
Plexiglas® sheet (0.236")	29
Plexiglas® sheet (0.472")	33
Plexiglas® sheet (0.944")	35
Double glazed Plexiglas sheet	38
Glass (1/8")	25
Glass (1/4")	27
Plywood (1")	26
Steel (1/8")	37
Sheet lead (1/16")	38
Wood stud partition	38



Part of Pergola will be planters

We also want to mention that since the last council meeting, we have every night of our operations, taken pictures between 8:30-9:00pm to document our outdoor seating space and 90% of the time, there are 2-3 tables occupied. Pictures can be provided upon request.

3. Parking – Farm House provides 4-5 parking spaces by the side of the restaurant. The City of Belmont provide public street parking when the restaurant's parking spaces are filled. However, we will provide signage for each of our table (sample picture below) informing our guests to (1) be respectful of the noise & neighborhood (2) park on 5th street is preferred (3) be respectful of our neighbors and do not block their drive-way

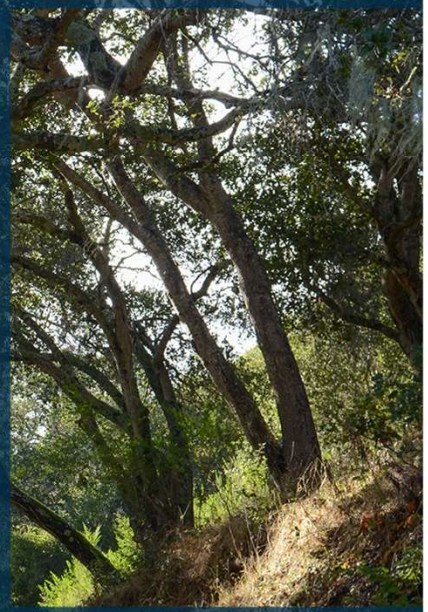


It is worth noting that Farm House is part of the Belmont Village plans in its Mixed-Use Core Study. And the soon-to-be-open Firehouse Square will also impact parking availability on both 5th and 6th Avenue.

Firehouse Square will provide affordable 66 rental homes consisting of
Studio (18 studios x 1 car = 18 cars)
1 bedroom (12 one-bedroom units x 1 car = 12 cars)
2 bedroom (19 two-bedroom units x 2 cars = 38 cars)
3 bedroom (17 three-bedroom units x 3 cars = 51 cars)…possibly 119 cars

Additionally, will provide 3,783 sq feet of retail space and 735 sq feet of after school program space. However, there will only be approximately 47 party parking spaces (sources: MidPen Housing) available at Firehouse Square. Parking will be assigned by a lottery system. Residents that do not receive an assigned parking space can park on alternative off-site parking options, which means that future tenants will also be parking on 5th and 6th avenue.

Please approve our permanent encroachment permit and allow us to build the covered pergola to adhere to Covid safety protocol, curb appeal for the community and the city, & allowing us to continue to run a small successful business. We are trying to cooperate with the neighborhood & The City on their asks and want to note we have made efforts to adhere to their asks. Thank you!



CITY OF BELMONT

City Council Meeting Oct 25, 2022

1301 Sixth Avenue Permanent Encroachment

PUBLIC BENEFITS of the PEA

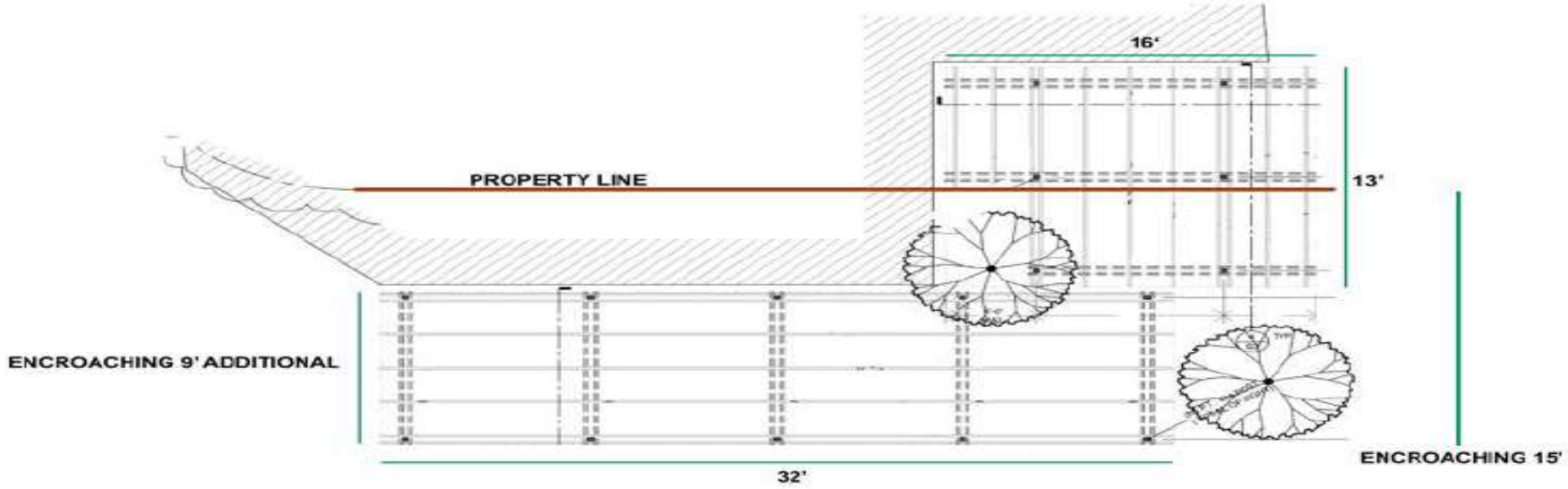


- Council requested more details on 9-27-22
- Allow the improvement of the existing empty patio seating area of the restaurant amid on-going Covid-19 concerns associated with close contact at indoor locations
- Reduce noise from the outdoor seating area to neighboring properties via a plexiglass perimeter
- Repair of sidewalk along the frontage of 1301 6th Avenue

FARM HOUSE ENCROACHMENT







SOUND ATTENUATION



- Plexiglass will enclose the covered patio
- Plexiglass will be **clear** and is shown here only for demonstration purposes
- Ambient noise will be reduced



SOUND ATTENUATION

- Clear plexiglass will be installed 2’ above and 2’ below the existing southern property line fence for the entire length of the fence along the southern property line



NOT under consideration



- Restaurant hours of operation
- Street parking nearby the restaurant
- However, signage will be provided at tables to be respectful of noise and parking.



1301 6th Avenue



Questions?

Peter Brown, Public Works Director

City of Belmont

pbrown@belmont.gov

STAFF REPORT

Meeting Date:	October 25, 2022
Agency:	City of Belmont
Staff Contact:	Jozi Plut, City Clerk/Communications Coordinator, jplut@belmont.gov, 650-595-7414
Agenda Title:	Response Letter to Grand Jury Report – "A Delicate Balance Between Knowledge and Power: Government Transparency and the Public Right to Know"
Agenda Action:	Motion

Recommendation

Approve the City of Belmont's response to the San Mateo County Civil Grand Jury entitled, "A Delicate Balance between Knowledge and Power: Government Transparency and the Public's Right to Know" dated August 9, 2022 and authorize the City Clerk to send the response letter on behalf of the City.

Strategic Focus Area

Fiscal and Organizational Sustainability

Background

On August 9, 2022, the San Mateo County Civil Grand Jury released a report regarding how San Mateo County jurisdictions meet the requirements of the California Public Records Act (PRA), which requires that inspection or disclosure of governmental records be available to the public upon request. With the advent of electronic communications and the potential that cities may be facing increased complexity and potential burdens in the processing of requests for public records, the Civil Grand Jury sought to understand the impacts on cities responsiveness to PRA requests. This report focused on four main areas: 1) City's policies and procedures for handling requests; 2) the types of record requests received; 3) the training of key employees, elected officials, and appointed officials about PRA related matters; and 4) how legal changes may be impacting cities regarding fulfilling PRA requests.

Analysis

The Civil Grand Jury made five findings and five recommendations after they completed their study. The findings and recommendations, which can be reviewed in the Grand Jury Report (Attachment A) on page 21, had to do with establishing PRA policy and procedures; using commercially available software and a public portal for accountable tracking and transparency; PRA having a prominent place on the City's website; having a Records Clean-up Day; and having a PRA request form available online. The five recommendations were directly linked to the findings and provided deadlines for the City to cure each identified deficiency area or implement recommended best practices.

The City of Belmont is required to respond to findings 1, 3 and 5, and recommendations 1 through 5. The responses are due to the Grand Jury no later than November 9, 2022, stating its agreement or disagreement with the findings and timeframe for implementation of the recommendations. The proposed letter is submitted as Attachment B. In summary, staff generally agrees with the Grand Jury findings and

recommendations and is in process of acquiring a commercially available software for processing PRAs and updating its internal processes, training and tracking of citywide requests.

Alternatives

1. Refer to staff for further information.

Attachments

A. Grand Jury Report, dated August 9,2022
B. Response Letter

Fiscal Impact

☒ No Fiscal Impact	No fiscal impact to respond to the report, however the implementation of the recommendations will require expenditure of funds for system acquisition and staff resources.
☐ Funding Source Confirmed:	

Source:	**Purpose:**	**Public Outreach:**
Staff	Statutory/Contractual Requirement	Posting of Agenda

CITY OF BELMONT

One Twin Pines Lane
Belmont, CA 94002

November 9, 2022

Hon. Amara A. Lee
Judge of the Superior Court
c/o Jenarda Dubois
Civil Grand Jury Coordinator
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: Response To Grand Jury Report: "A Delicate Balance Between Knowledge and Power: Government Transparency and the Public Right to Know"

Honorable Judge Lee,

Thank you for the opportunity to review and comment on the above referenced Grand Jury Report filed on August 9, 2022. The report instructed the City of Belmont to respond to findings F1, F3, and F5 and to five recommendations, R1 through R5. Pursuant to Penal Code §933.05, the following response to the Grand Jury was reviewed and approved by the City Council at its meeting on October 25, 2022. The City of Belmont's response to both the findings and recommendations are listed below.

Response to Grand Jury Findings (The City is instructed to respond to Findings 1, 3 and 5):

F1. The city has no written documentation of its PRA policy and internal procedures, making it more likely that requests could be handled inconsistently.

Response: The City partially disagrees with this finding.
The City has a PRA response tracking process, however as referenced in the report upon implementation of City's commercially available public records request web portal an updated written internal policy and procedures for handling PRA requests will be completed.

F3. Information about how to access public records requires multiple clicks to find on the city's website, which hinders the public 's access to public records.

Response: The City agrees with this finding.
The City is in process of procuring a commercially available public records request web portal, to automate and centralize the submittal, records retrieval, internal processing, and response to all public records requests, and as a result will redesign access to the site through more direct website interface.

F5. The city has no PRA request form online, making public access to public records less efficient.

Response: the City agrees with this finding.
The City is in process of procuring a commercially available public records request web portal to automate and centralize the submittal, records retrieval, internal processing, and response to all public records requests in a more efficient manner.

Response to Grand Jury Recommendations (The City is instructed to respond to all recommendations):

R1. The city council should direct city staff to consider and report back by June 30, 2023, on the creation of a written PRA policy or procedures document for circulation to all relevant staff.

Response: This recommendation is in process and will be implemented by June 30, 2023.
The City Clerk's Office is in the process of updating written procedures along with the deployment of a new PRA web portal by the recommended date.

R2. The city council should direct city staff to consider performing a cost/benefit analysis and report back by September 1, 2023, on the purchase of commercially available public records request software.

Response: This recommendation has not been implemented but will be implemented by June 30, 2023.
The City is in process of procuring a commercially available public records request web portal, by April 2023, to automate and centralize the submittal, records retrieval, internal processing, and response to all public records requests in a more efficient manner.

R3. By June 30, 2023, the city council should consider directing city staff to place information about how to access public records on the home page of the city's official website.

Response: This recommendation has not been implemented but will be implemented by June 30, 2023.
Once the City's web portal is fully integrated, staff will create a direct link for ease of accessing the public PRA portal.

One Twin Pines Lane
Belmont, CA 94002

R4. By June 30, 2023, the city council should direct city staff to review and consider adopting a records management practice analogous to the City of San Mateo's "Records Cleanup Day."

Response: The recommendation requires further analysis.
The City of Belmont currently does not have available resources to implement the City of San Mateo's records management practices. The City will evaluate best practices as it relates to the City of Belmont's processes and practices by April 2023.

R5. By June 30, 2023, the city council should direct city staff to create, on the city clerk's page of its website, a submittable PRA request form.

Response: This recommendation will be implemented by June 30, 2023.
Once the City's PRA web portal is fully integrated, staff will create a direct link for ease of accessing the public PRA portal linked to the City Clerk's page.

The City of Belmont appreciates the Grand Jury's effort in this regard and we continue to strive for excellence in government operations by improving the public's access to records while increasing efficiency in records management and transparency.

Respectfully,

Jozi Plut, CMC, CPMC
City Clerk/Communications Coordinator

A Delicate Balance between Knowledge and Power: Government Transparency and the Public's Right to Know

Release Date: August 9, 2022

ISSUE

The California Public Records Act requires that inspection or disclosure of governmental records be available to the public upon request. How do the cities in San Mateo County meet the requirements of this Act?

SUMMARY

The California Public Records Act (PRA) is an essential tool for the public to find out what their government agencies are doing. It's one of the freedom of information laws enacted in every state in the Union to ensure that the public can witness the actions of their governments. The PRA's purpose is to promote government transparency in California.

Fifteen years ago, the 2006-2007 San Mateo County Civil Grand Jury's report, "Electronic Communication Among City Officials: A Valuable Tool in Need of Careful Guidance," addressed the rise in local governments' use of electronic forms of communication between elected and appointed officials.[1] As it observed, these valuable and efficient tools can quickly disseminate information, and they can constitute public documents subject to public disclosure. Reviewing that Grand Jury's report alerted the 2021-2022 San Mateo County Civil Grand Jury to the potential that cities may be facing increased complexity and potential burdens in the processing of requests for public records.

The Grand Jury sought to understand how San Mateo County's 20 cities respond to PRA requests, including:

- Cities' policies and procedures for handling requests;
- The types of records requests they receive;
- The training of key employees, elected officials, and appointed officials about PRA-related matters; and
- How legal changes may impact cities with regard to fulfilling PRA requests.

While the PRA does not require cities to adopt a formal policy, the Grand Jury sought to identify the cities that have written policy or procedure documents and the methods cities use to process the public's requests. It also wanted to learn how key staff keep up to date with changes in PRA law. Failing to comply with these laws can subject a city to litigation and, more importantly, lead to erosion of the public's trust.

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[1] 2006-2007 San Mateo County Civil Grand Jury, Electronic Communication Among City Officials: A Valuable Tool in Need of Careful Guidance https://sanmateocourt.org/documents/grand_jury/2006/ElectronicCommunicationfinal.pdf, retrieved June 9, 2022.

The Grand Jury recommends that city councils of the subject cities should:

1. Consider directing staff to create a written PRA procedures document for circulation to all relevant staff.

2. Consider directing staff to perform a cost/benefit analysis regarding the purchase of commercially available public records request software.

3. Consider directing staff to place information about how to access public records on the home page of their official website.

4. Consider directing staff to create a submittable online PRA request form.

5. Consider directing staff to review and consider adopting a records management practice analogous to the City of San Mateo's "Records Cleanup Day."

BACKGROUND

Two centuries ago, James Madison wrote these words:

> "A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or perhaps both. Knowledge will forever govern ignorance: And a people who mean to be their own Governors, must arm themselves with the power which knowledge gives."[2]

He further asserted, "Knowledge [is] the only Guardian of true liberty."[3]

John Moss, a California member of the U.S. House of Representatives, used Madison's quote to generate support for a bill he was introducing in Congress. In 1967, after a 12-year struggle, he was finally successful in passing the Federal Freedom of Information Act (FOIA). It served as the model for California's similar Public Records Act enacted one year later.

The California Public Records Act was signed into law by Governor Ronald Reagan in 1968 and acknowledges one simple concept – that secrecy is contrary to a democratic system of "government of the people, by the people, and for the people". Specifically, the PRA declares that "access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state".[4]

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[2] Letter from James Madison to W.T. Barry (August 4, 1822), in The Writings of James Madison (Gaillard Hunt ed.).

[3] Letter from James Madison to George Thomson (June 30, 1825) (on file with The James Madison Papers at The Library of Congress).

[4] California Government Code, Section 6250 (2021).

Every state has some form of freedom of information law that governs public access to state and local government documents.[5] In addition, every state has some form of a "Sunshine Law" or "Open Meetings" law that requires public access to meetings of public legislative bodies. California's Ralph M. Brown Act is such a Sunshine Law.[6] Passed in 1953, it guarantees the public's right to attend and participate in meetings of local legislative bodies. The PRA and the Brown Act are California's primary laws intended to promote government transparency.

What are Public Records?

The PRA defines the term "public records" as any "writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained by a state or local agency regardless of physical form or characteristics."[7] Thus, a "writing" is not simply a hand-written or printed document; writings include an ever-broadening range of communications including audio and video recordings, emails, photos, drawings, computer data, and more.[8]

The agencies that hold these public records, and are subject to the PRA, include every county, city, town, school district, special district, police and fire department, commission, and board in California.[9] Certain private entities that carry out public functions using funding from a local agency may also be subject to the PRA. The PRA applies to nearly every public agency one can imagine except for the Legislature and the courts.[10]

A public record refers to information that has been recorded or maintained by a public agency. Typical examples of records that the public might request include:

- Property records,
- Building permits,
- Business registrations
- Employee compensation information
- Financial documents
- Code enforcement records
- Public works documents, and
- Police records.

Merely addressing a question to a local agency official or employee is not sufficient to constitute a public records request under the PRA. "What time do the lights go off at the neighborhood park?" Or "Why are there so many potholes on my street?" are not public records requests. However, a request to see the contract for the vendor who installed the lights or paved the street would be a public records request.

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[5] FOIA Advocates, State Public Records Laws. http://www.foiadvocates.com/records.html Retrieved May 11, 2022

[6] CA Govt Code § 54950 et seq.

[7] CA Govt Code § 6252(e).

[8] CA Govt Code § 6252(g).

[9] CA Govt Code § 6252(f). Excluded from the definition of state agency are those agencies provided for in article IV (except section 20(k)) and article VI of the Cal. Constitution.

[10] The Legislature has its own sunshine law, Gov. Code, § 1070. Most court records are disclosable under a number of legal decisions and the First Amendment of the U.S. Constitution.

The Form of PRA Request

The PRA ensures that all persons must receive equal access to public records. "Persons" can be corporations, partnerships, homeowners' associations, and the media.[11] Simply put, every person has the right to inspect public records, and no one type of person has a greater right of access to public records than any other person.[12]

Because the intent of the law is to enable easy access to public records, it is expansive in the available ways requests may be made. The request can be made in writing or orally, by physical or electronic means, remotely or in person. Persons making a PRA request are not required to explain the reason for the request.[13]

Public records are to be open for inspection during office hours at the local agency. To preserve the orderly function of their offices, agencies may establish reasonable policies for the inspection and copying of records. If the request asks for copies of documents, the agency is required to respond within ten days to determine whether they have disclosable records in their possession and to notify the person making the request of that determination. The agency must then make the records "promptly" available.[14]

An agency may extend the normal ten-day requirement for responding whether it has any disclosable documents for up to 14 additional days under certain circumstances.[15] For example, if the agency needs to search through and collect a voluminous number of records or to consult with another agency with an interest in the requested records, such an extension is available.

The agency is required to assist the requester who is having difficulty making a focused and effective PRA request.[16] And while the request may be burdensome, that burden alone is not sufficient to justify noncompliance. However, the agency is also not required to perform a "needle in a haystack" search for records.[17] Additionally, a PRA request only applies to records that exist at the time of the request, not for records to be created in the future.

Widespread Use of Electronic Communications

The public's business increasingly relies on electronic communications. Email, social media postings, video and audio recordings, and the use of personal devices have created enormous volumes of public records for cities. In a case with broad consequences related to PRA requests, City of San Jose v. Superior Court of Santa Clara County (2017), the California Supreme Court

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[11] CA Govt Code § 6252(c); Connell v. Superior Court (Intersource, Inc.) (1997) 56 Cal.App.4th 601.
[12] CA Govt Code § 6252.5; Los Angeles Unified School Dist. v. Superior Court (2007) 151 Cal.App.4th 759; Dixon v. Superior Court (2009) 170 Cal.App.4th 1271, 1279.
[13] CA Govt Code § 6250; California. Constitution, Article. I, Section 3.
[14] CA Govt Code § 6253(c).
[15] CA Govt Code § 6253(c)(1-4).
[16] CA Govt Code § 6253.1.
[17] Cal. First Amend Coalition v. Superior Court (1998) 67 Cal. App. 4th 159, 166.

ruled that communications carried out using a personal account or device were disclosable if the communication was related to the conduct of public business.[18]

For example, such a PRA request might be for all communications between city officials and a vendor that was granted a city-awarded contract. The search for responsive records could include reviewing all the emails, voice mails, and texts between the parties for relevant material, including on officials' personal devices. This can be problematic since this communication, especially if voluminous, could require attorneys to determine what might be non-disclosable for reasons of privacy or privilege. In Getz v County of El Dorado (2021), a California appeals court ruled that El Dorado County's unsubstantiated claim that a PRA request was overly broad and burdensome was not a valid reason for denial of records. The court explained that establishing that a request is overly burdensome requires more than the vague prospect of having to review lots of records. The County was ultimately compelled to produce over 40,000 email records.[19]

Law Enforcement Records

In recent years the most publicized form of an electronic record has been police body-cam footage. Landmark legislation has broadened PRA access to law enforcement records, including a limited subset of these audio and video recordings. On January 1, 2019, SB 1421 became law. Called the Peace Officers: Release of Records bill, it requires law enforcement agencies to make records (including body-cam footage) related to certain serious officer use of force incidents, sexual assault, and acts of dishonesty available under the PRA.[20] Police unions have filed multiple challenges to the law asserting concerns about officers' privacy, retroactivity of the law, and the cost of producing records.[21] These challenges have been consistently denied by courts.[22] And in January 2022, SB 16, became effective. This new law now requires additional police disciplinary records, involving allegations of discrimination, unlawful arrest, and cover-ups of excessive force by fellow officers, to be made available under the PRA.[23]

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[18] Latham & Watkins, Client Alert Commentary, https://www.lw.com/thoughtLeadership/california-supreme-court-government-communications-on-private-accounts-are-public, retrieved May 11, 2022.
[19] Getz v. The Superior Court, 72 Cal.App.5th 637, 287 Cal. Rptr. 3d 722 (Cal. Ct. App. 2021) https://law.justia.com/cases/california/court-of-appeal/2021/c091337.html, retrieved June 1, 2022.
[20] CA Penal Code § 832.7 and § 832.8.
[21] Voice of San Diego, A Brief History of Police Challenges. https://voiceofsandiego.org/2019/06/10/brief-history-of-police-challenges-and-losses-sb-1421/, retrieved March 18, 2022.
[22] JD Supra, Another SB1421 Decision Against Law Enforcement. https://www.jdsupra.com/legalnews/another-sb-1421-decision-against-law-45114/, retrieved March 18, 2022.
[23] BBK Attorneys at Law, SB 16 Compliance Expanded Public Access. https://www.bbklaw.com/News-Events/Insights/2021/Legal-Alerts/12/SB-16-Compliance-Expanded-Public-Access-to-Law-Enf, retrieved March 18, 2022.

Methods of Handling Requests

The PRA does not mandate any specific method for agency handling of records requests. Some local agencies simply monitor the process manually using an internally created document. Many other agencies now use commercially available software that links to information on their public websites. Often marketed to city clerks through professional organizations, such as the City Clerks Association of California, these software applications offer solutions to manage large portions of the PRA request process.

These applications can:

- Manage intake of requests through a public portal;
- Provide an automated response of receipt to the person making a request;
- Alert agency staff to deadlines;
- Promote coordination across departments;
- Gather records and track their production to person making a request;
- Provide tools to redact information; and
- Display and store responsive records.

The software enables anyone making a PRA request to see the status of their request through a portal. It also enables cities to make both the request and the records responsive to the request visible to the public.

Fees

An agency may charge a fee for costs of complying with the PRA, but only for the direct costs of making copies of responsive records – typically a nominal fee per page of paper copies. Since today most records are produced and delivered to the requester electronically, many responsive records are cost-free to the requesting party.

In National Lawyers Guild v. City of Hayward (2019), the California Supreme Court held that an effort by the city to charge $3,000 for labor related to redacting requested bodycam footage was not permissible as a "data extraction" cost.[24] With this decision, the Court reaffirmed that local agencies may not charge for ancillary costs such as the labor required to retrieve documents or the inspection and handling of files.[25]

Voter-approved Propositions Affecting the PRA

In 2004, voters overwhelmingly passed Proposition 59, the "Public Records, Open Meetings Legislative Constitutional Amendment." It essentially adds a "sunshine" amendment to the Declaration of Rights section of the California Constitution (similar to the U.S. Constitution's

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[24] Reporters Committee, National Lawyers Guild v City of Hayward. https://www.rcfp.org/briefs-comments/national-lawyers-guild-v-hayward-california-supreme-court, retrieved June 14, 2022.

[25] BBK Attorneys at Law, California Public Records Act Update. https://www.bbklaw.com/news-events/insights/2021/legal-alerts/01/california-public-records-act-update, retrieved March 16, 2022.

Bill of Rights) stating, "The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny."[26]

Proposition 42, the "Public Records. Open Meetings. State Reimbursement to Local Agencies. Legislative Constitutional Amendment" was approved by voters in 2014. It was the result of a dispute over a controversial bill that would stop local governments from being required to follow key provisions of the PRA. The State legislature had considered the bill to be a budget move, since at that time it was required to reimburse local governments for complying with some aspects of records requests. The backlash over the signing of this bill caused the legislature to rescind it and put the matter before the voters as a constitutional amendment. When it passed, by a 62% yes vote, it required local governments to comply with the PRA without being reimbursed by the State for the cost of public access to records."[27] The full financial burden of compliance with the PRA now falls entirely on local governments.

Exemptions

While the PRA states that "the people" have the right to know what their government is doing, clearly circumstances arise where a balance must be achieved between the public interest and individual privacy rights. The PRA contains at least 76 express exemptions, for matters as diverse as library circulation records, copyright protected building plans, and medical and personnel records.[28] In some instances a public document may not be considered exempt but may contain private information such as social security numbers and home addresses. Those specific portions will be redacted before release to the public.

Government Code section 6254 specifies a large number of exemptions under the PRA. Several of the more notable exemptions are listed below:

- **Records Not in Existence**

  The agency is under no obligation to create records where none exist; agencies are not required to provide records that may be produced in the future relevant to the original request.

- **Disclosure of records exempted by Federal or other State law**

  Records shielded from disclosure by existing state or federal law, such as individual health records, are not accessible using the PRA.

- **Public Interest Test and Deliberative Process Privilege**

  Agencies may withhold certain records if they can demonstrate that the public interest served by not disclosing the record clearly outweighs the public interest served by its disclosure.

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[26] Cal. Const., Art I, § 3, subd. (b)(1)
[27] Cal. Const., Art. I, § 3, subd. (b)(7)
[28] CA Govt Code § 6254

- **Preliminary Drafts**
Preliminary drafts, notes, or memos not normally preserved in the course of business are exempt.

- **Attorney Client Communications**
Confidential communications between lawyers and clients, and attorney work product, are exempt from disclosure.

- **Pending Litigation**
Records pertaining to pending litigation or claims to which a public agency is a party until the litigation or claim has been finally adjudicated or otherwise settled.

- **Personal Information**
This exemption is intended to protect the confidentiality of personnel, medical or other similar files which would constitute an unwarranted invasion of personal privacy.

- **Trade Secrets**
Businesses engaged in public contracts are not required to disclose their trade secrets in response to a PRA request.

Recourse When Responsive Documents Are Not Produced

If a local agency has unlawfully refused to disclose a public record, a person may ask a judge to enforce their rights under the PRA. This enforcement is primarily through a special, expedited civil judicial process.[29] The PRA provides specific relief in the form of court costs and attorneys' fees when an agency unlawfully denies access or copies of public records.

Conversely, a local agency cannot bring an action for relief to determine its obligation to disclose records.[30] That would require the person requesting documents to defend a civil action and discourage them from requesting records in the first place. It would frustrate the central purpose of the act and the constitutional amendments specifically designed to provide access to information.

The PRA is an indispensable tool for the responsible exercise of democracy in California. Government transparency, accountability and effectiveness depend on how our local agencies handle the information they create and are entrusted with maintaining. A changing legal framework, the ubiquity of electronic records, new communications technologies and the treatment of their related records, and the public's demonstrated desire for "open government" present significant challenges to the efficient handling of PRA requests for the cities in our county.

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[29] CA Govt Code § 6258 and 6259.

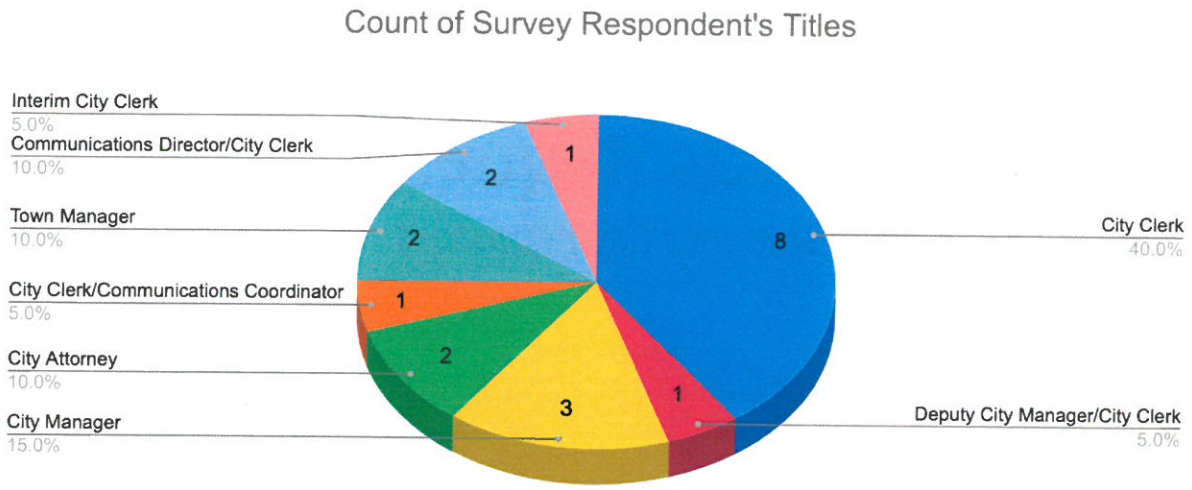
[30] Filarsky v. Superior Court (2002) 28 Cal.4th 419, 426.

DISCUSSION

As stated above, the PRA applies to all of the public agencies in San Mateo County. To narrow the focus of our investigation, the Grand Jury opted to concentrate on the 20 cities, including their police and other departments, and the committees and commissions formed by those cities.

Survey Respondents

The Grand Jury began by sending a survey to the 20 city managers in the County (a copy of the survey appears in Appendix A). It asked six questions related to the processing of public records requests, policies and procedures used, and the PRA training of staff and officials. In most cases (13 of 20) the responses came from city clerks who are responsible for maintaining a city's public records. Some of the clerks perform multiple roles for their cities, reflected in some cases (15%) by an additional job title. The following graphic illustrates the various job titles of survey respondents.



In two cities, the city clerk position is determined by public election; in the remainder of the cities, clerks are appointed by the city manager. Our investigation found that the city clerk is typically the official primarily responsible for the acknowledging receipt of a PRA request, tracking it through the city's internal processes, and delivering correspondence and responsive records to the person submitting the request.[31]

The Grand Jury conducted follow-up interviews with representatives of all 20 cities, confirming their survey responses and gathering additional information. We asked the cities to provide written documentation of their PRA policies and procedures, if any exist. Fourteen cities replied that they had existing policies or procedures and supplied them to the Grand Jury. We also conducted in-depth interviews with five selected cities.[32] These cities were chosen to give us a cross section sample based on city population, method of tracking, and volume of requests. The

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[31] In one city, the city attorney assumed most of this role, but even there the city clerk was involved in the process.

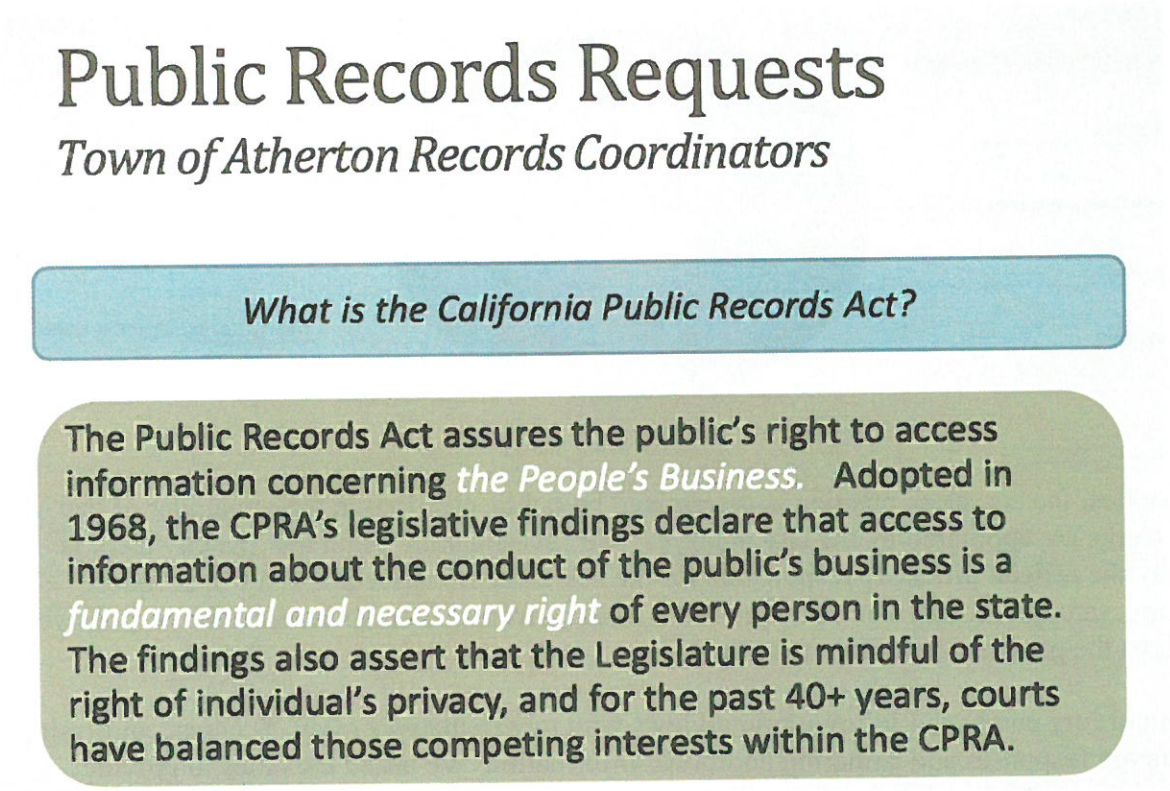
[32] Belmont, Daly City, San Bruno, San Mateo, and South San Francisco

Grand Jury notes that respondents from all 20 cities were entirely cooperative and knowledgeable about their city's PRA request procedures.

Documentation of PRA Policies and Procedures

The PRA does not require local agencies to create policies or documentation of how they receive, route, track, and fulfill records requests. When the Grand Jury asked respondents and interviewees to provide documentation describing how they handled PRA requests, we learned that six cities had no such documentation.[33] In some cases, the documentation received from the remaining 14 cities was simply a description of the PRA's requirements (perhaps supplied to staff for training for information). The Grand Jury also received documents such as the city's internal procedures, as well as some that were formal policies signed and dated by the city manager. In interviews, all respondents could describe their processes.

The documentation received and reviewed by the Grand Jury varied widely. Atherton's document is a colorful presentation defining the PRA and describing what is and isn't a public record.



33 Grand Jury survey (December 2021) Belmont, Daly City, Half Moon Bay, Hillsborough, Menlo Park, and Woodside.

It generally outlines city staff's role in responding to a request. In contrast, Redwood City's document is an administrative policy detailing the purpose and scope of how they respond to PRA requests. It notes specific types of records such as political reform act records and requests for electronic communications. It also specifies that the document will be reviewed every two years. Copies of the PRA documentation provided by Atherton and Redwood City can be found in Appendix B.

The Grand Jury noted that some cities relied on an individual staff member (city clerk or city attorney) to respond to records requests. In the event of illness, vacation, resignation or other interruption of service, no documentation exists to guide replacement personnel.

Written PRA policies or procedures provided to the Grand Jury typically covered subjects such as:

- The purpose of the PRA;
- Resources for PRA training;
- The steps in processing a request; and
- Specific staff responsibilities.

Website Portals

The Grand Jury found that while cities do receive PRA requests in various ways - submitted in-person at city offices, by telephone, and postal mail - they are most frequently submitted via email. We found that 16 of the 20 city websites included a portal containing a submittable form for the filing of a PRA request and four cities had no such form.[34]

Every city website somewhere provides instructions on how to make a PRA request. Some have links to those instructions on the home page, but most require steps to navigate to it. In some cases, the Grand Jury found broken links indicating inconsistencies in the level of maintenance of the PRA related pages. Some city websites simply instruct the public to send a public records request to the city clerk and provide contact information including an email address, a phone number, or a physical address at which to file.

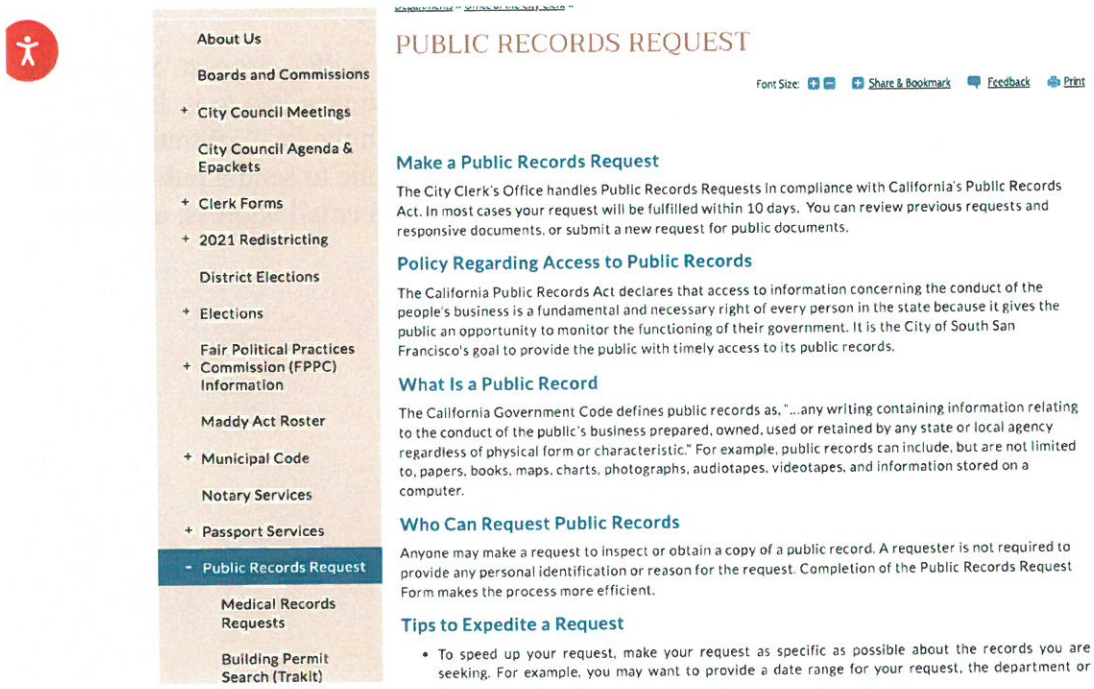
[34] Belmont, Brisbane, Hillsborough, and Portola Valley.

Example of Easy and Accessible PRA-Information on a City Website

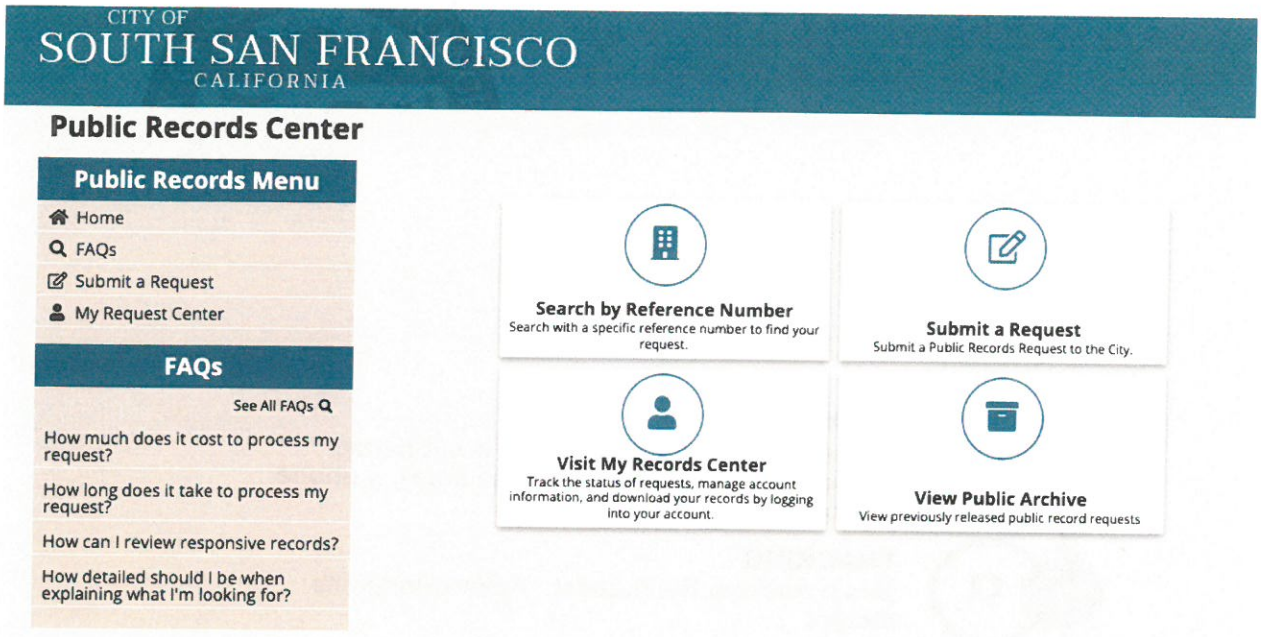
The website for the City of South San Francisco provides easily accessible information regarding PRA requests. The home page includes a "Public Records Request" link.



Clicking on the link brings up a page full of useful titles including how to make a request, the city's PRA policy, who can make a request, and tips to expedite requests.

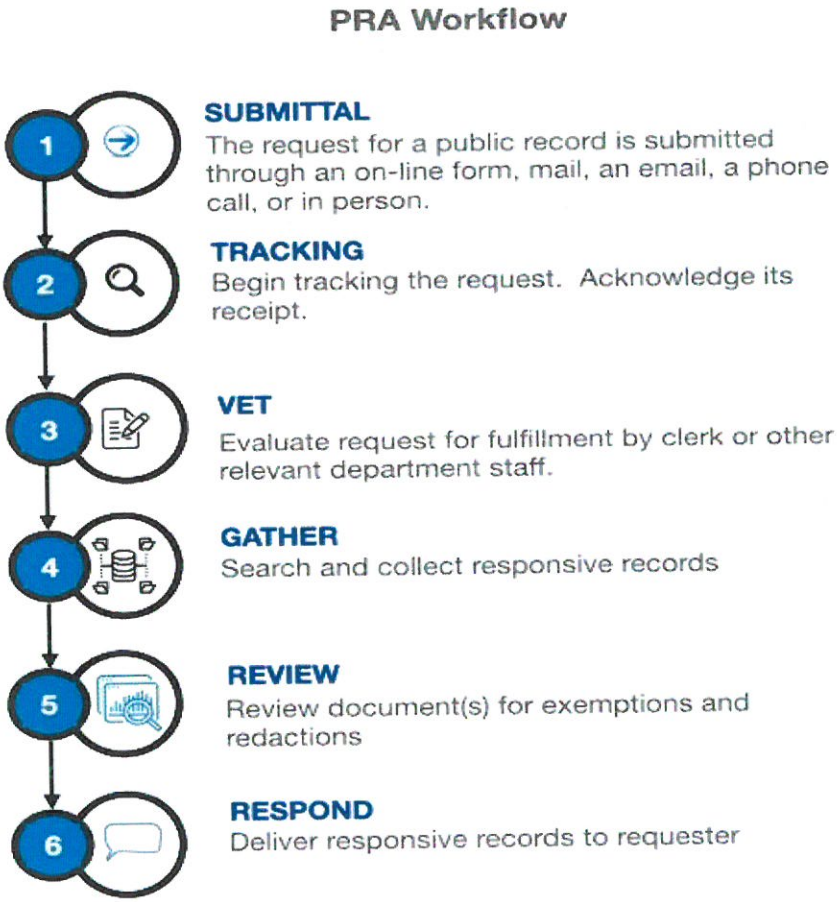


Clicking on "Public Records Request" takes the user to a third-party public records web application where they can search by request reference number, track the status of a previous request, view a public archive, and submit a new request.



Tracking a Public Records Request

Since the PRA mandates specific deadlines for public agencies to respond to a public records request, the ability to track submissions is vital in order to ensure legal compliance.[35] All cities informed the Grand Jury that they track PRA requests, utilizing a variety of methods to do so. Regardless of the specific method used by a city, the workflow is generally as follows.



[35] CA Govt Code § 6253(c).

Ten cities, which were generally smaller and field fewer requests, reported that they track PRA requests manually using an Excel spreadsheet or similar internal document.[36] These documents require manual data entry and maintenance by staff. For example, see San Bruno's spreadsheet at Appendix C. While these cities indicated general satisfaction with their current methods of tracking, one city was actively seeking proposals from commercial software vendors and others were considering doing so. Appendix D shows such a vendor's proposal.

The ten other cities, including most of the larger ones, use third-party software that automates the handling of PRA requests.[37] These cities use one of two software applications.[38] In interviews, staff generally expressed satisfaction with both products, citing their effectiveness and efficiency. Pricing of these applications will vary based on the configuration and storage options selected. One city indicated a desire to purchase software but cited the city's budget constraints. Another city noted that the cost was prohibitive for a city of their size and volume of requests.

Volume of Requests

Thirteen cities reported receiving more than 100 PRA requests in the past year. Two cities reported receiving fewer than 50 requests, while one city indicated that it received more than 1,600 requests for records. Another city noted a 500% increase from the previous year. All cities reported significant increases in the volume of requests received since the outset of the Covid pandemic.

Subjects of Requested Records

All 20 cities reported that the majority of the PRA requests they received were for routine records such as property-related documents, police records, public works documents, and business registrations. For example, in San Mateo, the City Clerk's office recorded 1,695 PRA requests in the fiscal year ended June 30, 2021. The largest percentage (46%) were directed to the Community Development Department and typically asked for property records of some kind, including planning applications, building permits, blueprints, inspections, and code violations. Requests for police records (35%) were the next most frequently requested type of record. The clerk's office noted that the police department directly receives substantially more requests than come to the clerk through their PRA request software.

Time-Consuming Requests

The Grand Jury learned that a relatively small number of records requests are disproportionately time-consuming to fulfill. In particular, requests for communications records may fall into this category. The request may require a broad search of all relevant communications created and

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[36] Atherton, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Hillsborough, Portola Valley, San Bruno, and Woodside as of May 16, 2022.

[37] Foster City, Half Moon Bay, Menlo Park, Millbrae, Pacifica, Redwood City, San Carlos, San Mateo, and South San Francisco as of May 16, 2022.

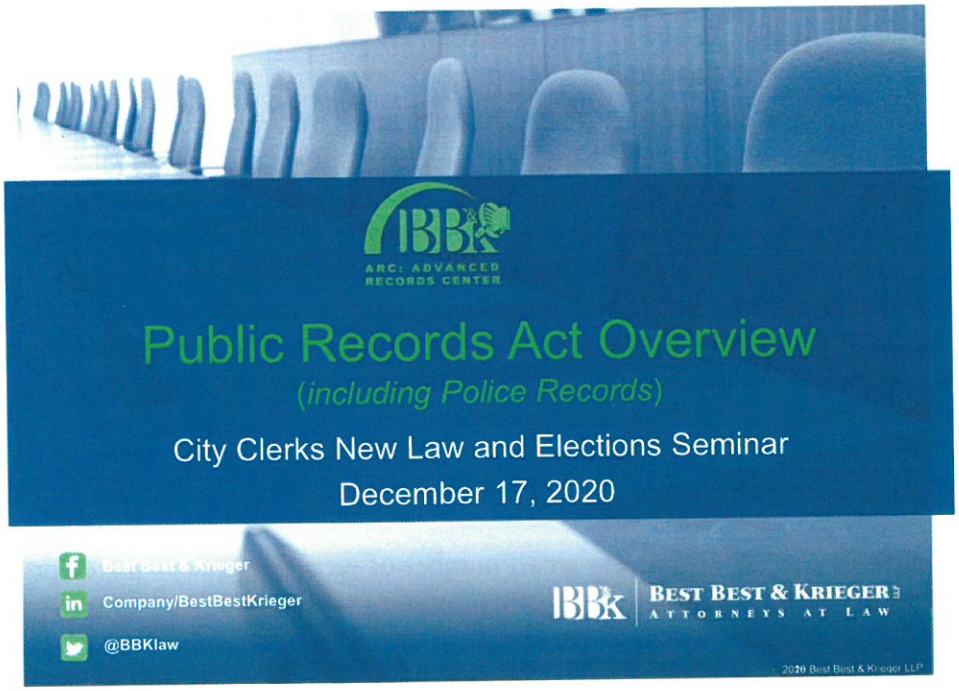
[38] GovQA, If You Have a Public Records Problem. https://www.govqa.com/solutions/public-records-software/ Retrieved May 16, 2022, and NextRequest, The All-In-One Open Records Request Platform. https://www.nextrequest.com/, retrieved May 16, 2022.

stored on electronic devices, including employees' cell phones and laptops. Recently, Portola Valley received what was characterized as a "massive" PRA request for "all town communications regarding the housing element since July 1, 2021, including communications among elected officials, staff, consultants or members of the committee, like emails and text messages, including on personal devices."[39] The request was the result of a potential change to the town's zoning laws to allow for more dense housing in one residential neighborhood.

Several cities reported to the Grand Jury that on rare occasions a disgruntled citizen or ex-employee has intentionally crafted a detailed records request intending to be time-consuming and annoying for the city. One respondent reported that the search and review of electronics communications in response to one request took months to complete, due to the number of responsive records and the broad search of multiple devices.

Training

State law does not mandate training for those implementing its provisions. City clerks often attend training through annual City Clerks Association of California conferences and other professional associations.



[39] Angela Swartz, "'Massive' public records request escalates battle over Portola Valley's housing element," *Almanac,* March 21, 2022. https://www.almanacnews.com/news/2022/03/21/massive-public-records-request-escalates-battle-over-portola-valleys-housing-element, retrieved June 9, 2022.

Half of the cities interviewed by the Grand Jury mandate formal PRA training for their key employees. Others offer training but do not mandate it, while some cities have no formal arrangements for PRA training at all.[40] Training, if offered, is conducted by the city attorney. In our investigation, respondents agreed that formal training for key city employees would make the handling of records requests more efficient and consistent.

Twelve cities informed the Grand Jury that they provide PRA training for their appointed and elected officials. This training is also typically provided by the city attorney, sometimes with the assistance of the city clerk. Eight cities reported that they do not offer specific PRA training to such officials, but some noted that their training in Brown Act compliance includes PRA training content.[41]

While the PRA does not include criminal penalties for noncompliance with its provisions, civil actions, as described earlier, may be filed and cities can be liable for court costs and attorneys' fees.

Increasing Efficiency in Records Request Processing

Some cities have demonstrated how commonly requested records can be made available to the public without formal PRA requests.

Making public records available online is a convenient and efficient mechanism for both the requester and the municipality. Cities generally do this for many common records, such as meeting agendas for public meetings (which are legally required to be posted publicly).[42] At the time of this investigation, some cities, such as San Carlos, also posted many records online.

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[40] Burlingame, Portola Valley, and Woodside.

[41] BBK, Attorneys at Law, Summary of the Major Provisions and Requirements of the Ralph M. Brown Act. https://www.bbklaw.com/bbk/media/library/pdf/major-provisions-and-requirements-of-the-brown-act.pdf, retrieved June 9, 2022.

[42] CA Govt Code § 54954.2.

Using the search term "public records" on the San Carlos city website brings up "Records Available Online for Your Easy Access," which connects to records such as budgets, building permits, and public works documents.

Submit a Public Records Request

If you are unable to locate the records you want online, please submit a Public Records Request via our NextRequest portal:



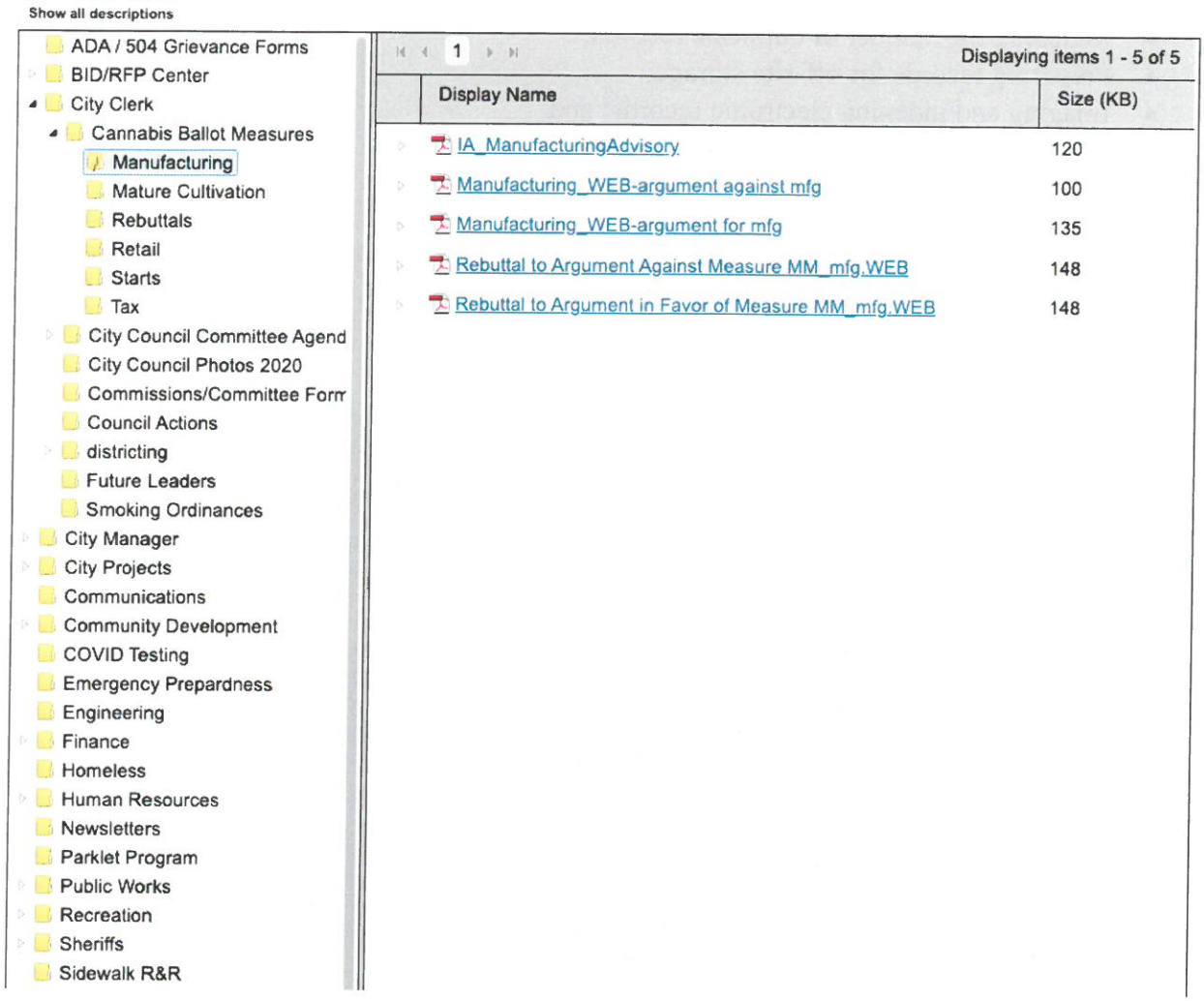
Our goal is to provide you with timely access to the City's public records. All requests for documents will be reviewed and responded to within ten (10) days, in compliance with the California Public Records Act. Fees are charged according to our fee schedule, however, there is no charge to review records in person at City Hall.

- Master fee schedule

Records Available Online for Your Easy Access

- Accounts payable cash disbursements journal
- Active business registrations
- Budgets
- Building Permits
- City Council and Commission agendas, minutes and videos
- City Municipal Code
- Citywide Reports
- Financial Reports and Documents
- Ordinances and Resolutions
- Various Public Works Documents, including documents pertaining to sewers, streets, traffic, etc.

The Half Moon Bay website offered a "Document Center" containing more than 2,000 city documents going back a decade.



Several cities noted that they often receive requests for the same records repeatedly. For example, this can occur when a sought-after property is offered for sale and brokers, architects, attorneys, and potential buyers are doing their due diligence. Cities using commercially provided software applications, or that post public records as do San Carlos and Half Moon Bay, can reduce the number of such duplicative PRA requests.

Records Management

Proper records management policies and practices facilitate effective compliance with the PRA. Having better control of these records makes their timely and appropriate production more accurate and efficient. All cities in the County reported having records retention schedules that determine what documents must be retained and for how long. For example, in South San Francisco, leases for city owned properties must be kept in hard copy for the current year plus two-years. Board and commission resolutions must be kept permanently (a copy of the records retention schedule for South San Francisco is at Appendix E).

The City of San Mateo reported a unique method for encouraging city staff in one element of the effective management of public records. There, the city clerk held a "Records Clean Up Day" (related materials are contained in Appendix F). During this event employees are tasked with:

- Reducing the number of duplicate records;
- Preparing records for off-site storage;
- Imaging and indexing electronic records; and
- Identifying electronic records eligible for destruction.

The retention life cycle of various records determined how different categories of documents are handled. The program was designed to create an enjoyable environment around these tedious tasks by employing a food truck, encouraging casual dress, creating contests with prizes, and printing T-shirts commemorating the day. The program included an on-site shred truck, and the city attorney was available for consultation.



In an email to the Grand Jury, a city staffer wrote, "In addition to elevating the employee understanding that these public records are an asset of the city (just like the vac truck, fleet, and streets) …we have a duty to manage and maintain them well; reinforce the policy and procedures we have adopted; and let's face it, maintaining records can become back burner in the flurry of day-to-day needs and requests. Setting aside time to honor the need, accomplish an objective and then celebrate it – keeps it more in the forefront of the mind and honors the importance of the public's records." [43]

[43] Grand Jury correspondence April 26, 2022.

Law Enforcement Records

Some cities reported receiving significant numbers of requests for police records. All such requests were forwarded directly to city police departments or the County Sheriff's Office (for those cities contracting for police services).[44] Law enforcement agencies typically employ a records manager tasked with responding to public records requests. In some cities the disposition of these requests was reported back to the city clerk for inclusion in their tracking systems; in others, the city clerk had no knowledge of the status of a police records request. The Grand Jury did not investigate how these requests for law enforcement records were handled in compliance with the PRA. It is of note that most law enforcement records are exempted from the Public Records Act pursuant to Government Code Section 6254(f).

FINDINGS

F1. The city has no written documentation of its PRA policy and internal procedures, making it more likely that requests could be handled inconsistently.
F2. The city uses a commercially available software application that includes a web portal enabling the public to easily request records and track their disposition.
F3. Information about how to access public records requires multiple clicks to find on the city's website, which hinders the public's access to public records.
F4. The City of San Mateo implements a Records Cleanup Day with the purpose of increasing employee understanding of the need to effectively maintain public records, thereby improving PRA request responsiveness.
F5. The city has no PRA request form online, making public access to public records less efficient.

RECOMMENDATIONS

R1. The city council should direct city staff to consider and report back by June 30, 2023, on the creation of a written PRA policy or procedures document for circulation to all relevant staff.
R2. The city council should direct city staff to consider performing a cost/benefit analysis and report back by September 1, 2023, on the purchase of commercially available public records request software.
R3. By June 30, 2023, the city council should consider directing city staff to place information about how to access public records on the home page of the city's official website.
R4. By June 30, 2023, the city council should direct city staff to review and consider adopting a records management practice analogous to the City of San Mateo's "Records Cleanup Day."
R5. By June 30, 2023, the city council should direct city staff to create, on the city clerk's page of its website, a submittable PRA request form.

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44 Contracting cities are Half Moon Bay, Millbrae, San Carlos, Woodside, and Portola Valley.

REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses from the selected city and town councils as follows (x):

City	F1	F2	F3	F4	F5	R1	R2	R3	R4	R5
Atherton			x		x		x	x	x	
Belmont	x		x		x	x	x	x	x	x
Brisbane			x		x		x	x	x	x
Burlingame							x		x	
Colma							x		x	
Daly City	x	x				x			x	
East Palo Alto							x		x	
Foster City		x							x	
Half Moon Bay	x	x				x		x	x	
Hillsborough	x		x		x	x	x		x	x
Menlo Park	x	x				x		x	x	
Millbrae		x							x	
Pacifica		x							x	
Portola Valley			x		x		x	x	x	x
Redwood City		x						x	x	
San Bruno			x		x		x	x	x	
San Carlos		x							x	
San Mateo		x		x						
South San Francisco		x							x	
Woodside	x				x	x	x		x	

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

RESPONSE REQUIREMENTS

California Penal Code Section 933.05, provides (emphasis added):

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall report one of the following:

(1) The respondent **agrees** with the finding.

(2) The respondent **disagrees** wholly or partially with the finding; in which case the response shall **specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor**.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, **with a summary regarding the implemented action**.

(2) The recommendation has not yet been implemented, but will be implemented in the future, **with a timeframe for implementation**.

(3) The recommendation requires further analysis, **with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.**

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, **with an explanation therefor.**

METHODOLOGY

Through examination of surveys, interviews, the documentation provided by the cities, a demonstration of third-party software, and a site visit, the Grand Jury studied how cities respond to public records requests, and how they keep up with changes in the law.

Survey

- The Grand Jury developed an online survey consisting of six questions and a request for copies of their PRA policies and procedures.
- The survey was sent to all 20 city managers in the County and various respondents completed the survey.
- We then followed up with a brief phone interview to confirm the responses received from those completing the survey, and to request written policy and procedures documents and records retention policies.

Documents

The Grand Jury reviewed:

- Policy and procedure documents from all cities that indicated having them.
- Records retention policies from several cities.
- Proposals and contracts for third-party software received from various vendors
- Marketing material of third-party software vendors
- Research on best practices in records management

Site Tour

- GJ conducted a site visit to the San Bruno City Attorney's office.
- San Mateo conducted a virtual demonstration of their third-party software.

Interviews

- The Grand Jury conducted further interviews with city attorneys, city clerks and city managers based on those with written policies or procedures documents, training of key employees and elected and appointed officials (advisory bodies), number of public records requests received per year, and those with an elected city clerk.

Web Sites

- The official websites of the 20 cities in the County were reviewed to assess the ease in locating information relating to public records, the methods of submission of a public records request, as well as users' direct access to commonly requested public records.

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LIST OF APPENDICES

Appendix A – The Grand Jury Survey Results

Appendix B – PRA Policies and Procedures: Atherton and Redwood City

Appendix C – San Bruno PRA Request Log

Appendix D – GovQA Proposal for Services

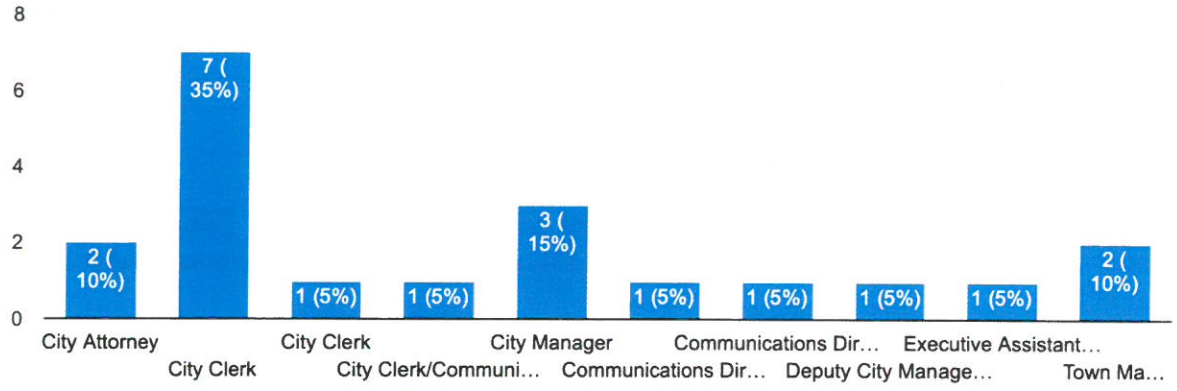
Appendix E – South San Francisco Retention Schedule

Appendix F – City of San Mateo's Clean-Up Day Staff Plan and Flyer

APPENDIX A
The Grand Jury Survey Results

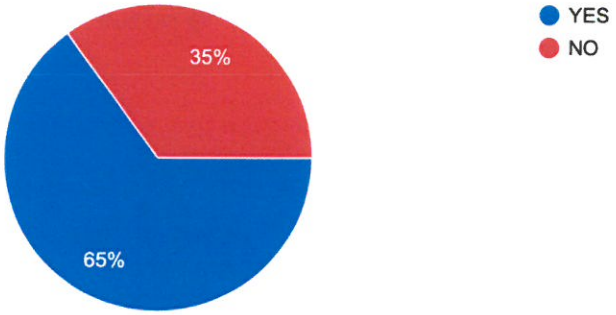
What is your job title?

20 responses

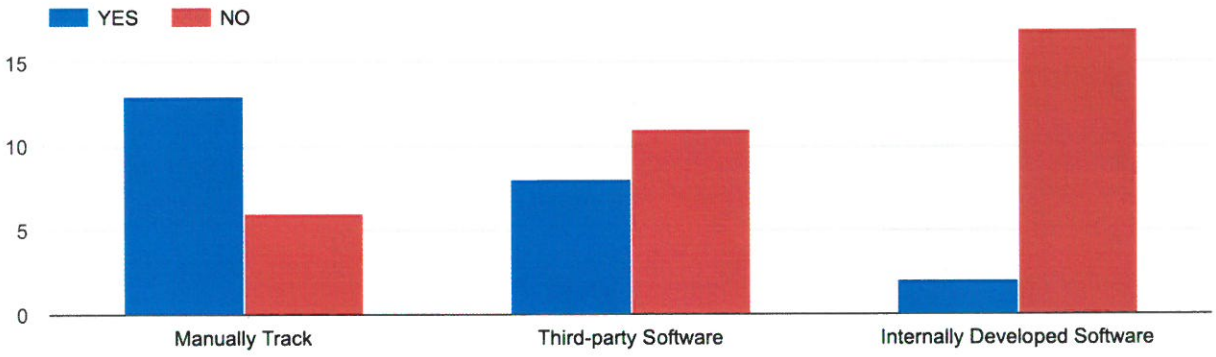


2. Have you established internal written procedures, or policies, for handling Public Records Act requests? If YES, please provide documentation to: rweiss@smcivilgrandjury.org.

20 responses

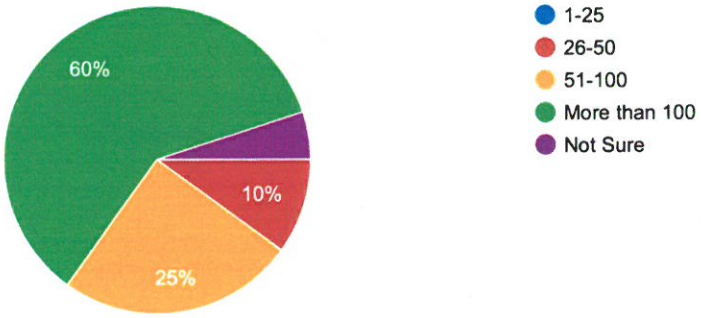


3. Please indicate if you use any of the following to track the status of each Public Records Act request.



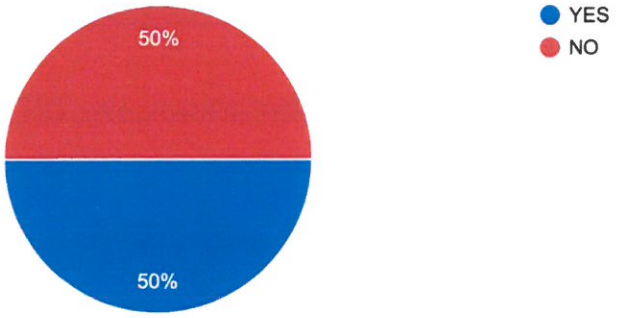
4. How many requests do you receive per year?

20 responses

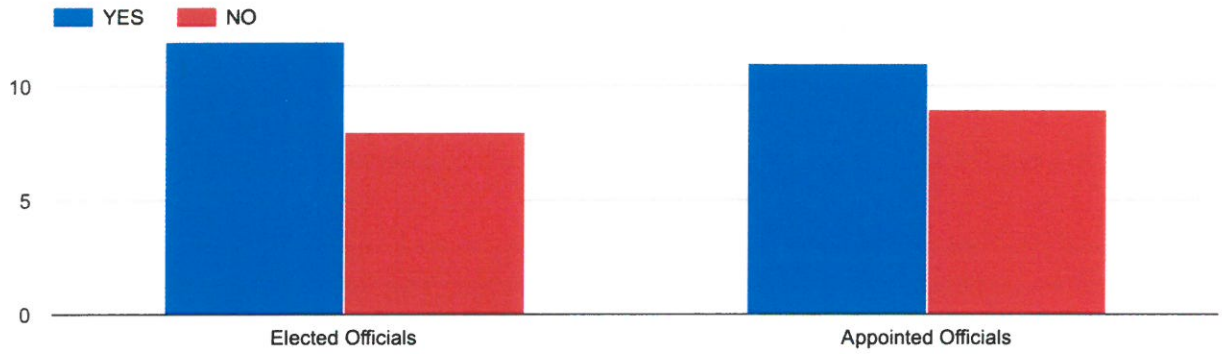


5. Does your city mandate formal Public Records Act training for key employees?

20 responses

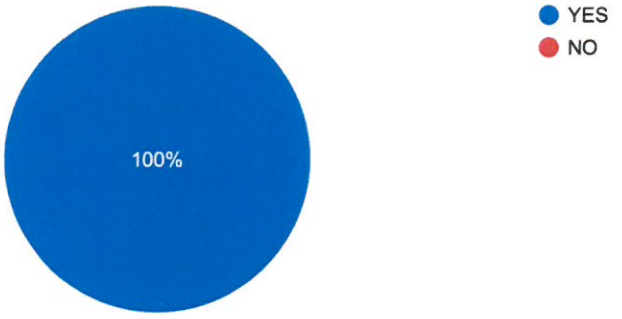


6. Does your city offer Public Records Act training for elected and appointed officials (i.e. advisory boards, commissions, committees)?



7. Have you adopted a written document retention policy?

20 responses



APPENDIX B

PRA Policies and Procedures: Atherton and Redwood City

Atherton: https://www.sanmateocourt.org/documents/grand_jury/2021/Appendix B - PRA PAP Atherton.pdf

Redwood City: https://www.sanmateocourt.org/documents/grand_jury/2021/Appendix B - PRA PAP Redwood City.pdf

APPENDIX C
San Bruno PRA Request Log
(sample page with requester names removed)

#	PRA	Sbpna	Date of request	Date Received	Requester Name	Description of Record(s)	Dept(s)	Response Due Date	Acknowledgment Letter Out	Records Provided
1	X		07/01/21	07/01/21		June 2021 Building permits	CD	07/12/21	Emailed rsps on 07/08/21	07/08/21
2	X		07/01/21	07/01/21		Docs re CPUC approval of purchase of streetlights from	PW	07/12/21	Emailed rsps on 07/08/21	7/8/2021
3	X		07/07/21	07/07/21		Records involving code enforcement, utility shut offs, and fire damaged properties	CD/CE/FD/ Finance	07/19/21 08/18/21	req 30 day ext - now due 08/18/21. Emailed rsps on 08/18/21	08/18/21
4	X		07/08/21	07/08/21		June 2021 Business licenses	Finance	07/19/21	Emailed report on 07/19/21	07/19/21
5	X		07/13/21	7/13/2021		June 2021 Building permits	CD	07/23/21	Emailed rsps on 07/13/21	7/13/2021
6	X		07/13/21	07/13/21		Records involving code enforcement, utility shut offs, and fire damaged properties	CD/CE/FD/ Finance	7/23/2021 08/23/21	07/23/21 req 30 day ext - now due 08/23/21. Emailed rsps on 08/18/21.	08/18/21
7		X				Subpoena for records involving 692 Green Ave	CE/CD/ PW	07/19/21	Emailed rcds on 07/23/21	07/23/21
8	X		07/14/21	07/15/21		Oldest current standing houses in SB	CD??	07/26/21	Emailed rsps on 07/23/21	X
9	X		07/15/21	07/15/21		Private tows from 04/01/21 thru 06/30/21	PD	07/26/21	Emailed report on 07/26/21	07/26/21
10	X		07/17/21	07/19/21		Electronic copy of all payment transactions for fiscal year 2020	Finance	07/29/21	Emailed link to agenda packets on 07/29/21	7/29/2021
11	X		07/20/21	07/20/21		2020 Pension Benefit/Payout Report	Finance	07/30/21	Request was meant for City of Concord - withdrawn on 07/31/21	Withdrawn
12	X		07/19/21	07/20/21		Uncashed checks	Finance	07/30/21	Emailoed link to website on 07/29/21	7/29/2021
13	X		07/22/21	07/22/21		Building & FD rcds for 787 E SB Ave	CD/FD	08/02/21	Emailed rcds on 08/02/21	8/2/2021
14	X		07/09/21	07/09/21		Firearm & Ammunition arrests & related demographic	PD	7/19/2021 08/18/21	req 30 day ext - now due 08/18/21. Emailed rsps on 08/18/21	8/18/2021

APPENDIX D
GovQA Proposal for Services

GRANICUS

Order Form

PRICING SUMMARY

The pricing and terms within this Proposal are specific to the products and volumes contained within this Proposal.

One-Time Fees

Solution	Billing Frequency	Quantity/Unit	One-Time Fee
FOIA Platform Onboarding	Up Front	1 Each	$0.00
Online Training – Administrator	Up Front	1 Each	$0.00
Online Training – Users	Up Front	1 Each	$0.00
		SUBTOTAL:	**$0.00**

New Subscription Fees

Solution	Billing Frequency	Quantity/Unit	Annual Fee
Essentials Package 3	Annual	1 Each	$10,500.00
PST Email Extractor	Annual	1 Each	$1,500.00
Payments Module	Annual	1 Each	$0.00
Hosted Data Storage (TB)	Annual	1 Each	$0.00
Invoicing Module	Annual	1 Each	$0.00
FOIA Module for Enterprise Sales	Annual	1 Each	$0.00
Redaction License (per named user)	Annual	3 Each	$0.00
ADFS/Single Sign-on Module	Annual	1 Each	$0.00
Advanced Email Tracking	Annual	1 Each	$0.00
		SUBTOTAL:	**$12,000.00**

GRANICUS
FUTURE YEAR PRICING

Solution(s)	Period of Performance	
	Year 2	Year 3
Essentials Package 3	$11,235.00	$12,021.45
PST Email Extractor	$1,605.00	$1,717.35
Payments Module	$0.00	$0.00
Hosted Data Storage (TB)	$0.00	$0.00
Invoicing Module	$0.00	$0.00
FOIA Module for Enterprise Sales	$0.00	$0.00
Redaction License (per named user)	$0.00	$0.00
ADFS/Single Sign-on Module	$0.00	$0.00
Advanced Email Tracking	$0.00	$0.00
SUBTOTAL:	**$12,840.00**	**$13,738.80**

APPENDIX E
South San Francisco Records Retention Schedule 2016

https://www.sanmateocourt.org/documents/grand_jury/2021/Appendix E - SSF Retention Schedule 2016.pdf

APPENDIX F
City of San Mateo's Clean-Up Day Staff Plan and Flyer

San Mateo Records Clean-Up Day Staff Plan

Department/Location/Division:_____
Your Name: _____

Date of Clean-Up: **May 05, 2022 Cinco De Mayo**
This Form Due To Your Dept. Record Coordinator 4/28/22

Goal(s) for clean-up day (*select all that apply*)

- ☐ Prepare paper records for destruction
- ☐ Dispose of duplicate records
- ☐ Prepare records for off-site storage
- ☐ Sort through off-site storage records
- ☐ File paper files
- ☐ Develop file inventory
- ☐ Email clean-up (delete unnecessary emails. Move attachments that are records to the correct records repository e.g., One Drive, SharePoint, Laserfiche)
- ☐ Identify electronic records that are eligible for destruction
- ☐ Focus on imaging, indexing electronic records
- ☐ Ensure website content is accurate and up-to-date (Remove old/outdated documents and/ or pages from website)
- ☐ Other: _____

Key Activities and Strategies: What will you do to accomplish these goals? Be as specific as possible.

Welcome Back San Mateo

ANNUAL CINCO DE MAYO RECORDS CLEAN-UP DAY PICNIC

Let's Celebrate being together in person again with a picnic of specialty tacos in our backyard with your colleagues!

How to join the fun (and yes, records clean-up is fun!)

1. Ask your Department's Records Coordinator for a records clean-up commitment form.
2. Choose from a list of clean-up activities or create your own
3. Sign the form and provide it to your Records Coordinator by **April 28, 2022** - this is your RSVP for the luncheon. Sorry: No form - no tacos.
4. On or before 5/5/22 clean-up, purge, & organize those records!

Questions? Talk to your Records Coordinator or Alesha Boyd in the City Clerk's Office

Join us here!



Join us for Tacos in City Hall Backyard
11:00 am - 12:30 pm

Courtesy of the Clerks for anyone who committed to Records Clean-up



- Salad
- Tacos - Grilled Chicken, Steak, Carnitas



- Veggie Spanish Rice and Veggie Beans
- Grilled Veggies
- Guacamole, sour cream and cheese fixins



- Corn tortillas
- Chips and Salsa
- Churros for dessert! Yum!

STAFF REPORT

Meeting Date:	October 25, 2022
Agency:	City of Belmont
Staff Contact:	Jennifer Rose, Housing and Economic Development Manager
Agenda Title:	Resolution Finding the Real Property Located at 876, 884, 898, and 900 El Camino Real to be Exempt Surplus Lands to be Disposed of Pursuant to Government Code Section 37364
Agenda Action:	Resolution

Recommendation

Adopt Resolution Finding the Real Property Located at 876, 884, 898, and 900 El Camino Real to be Exempt Surplus Lands to be Disposed of Pursuant to Government Code Section 37364.

Strategic Focus Area

Economic Development and Housing

Background

On June 21, 2022, the City Council adopted Resolution No. 2022-066 approving an Amended Exclusive Negotiating Agreement ("Agreement") with Linc Housing Corporation, Inc. ("Linc Housing"), for a 37-unit Affordable Housing Project located on El Camino Real at Hill Street, and authorizing streamlined ministerial review pursuant to Senate Bill 35. As part of that Agreement, the City committed to take actions to declare the subject property exempt surplus land pursuant to the Surplus Land Act and submit the required exempt surplus land resolution to the California Department of Housing and Community Development by October 2022.

Concurrently, the City is preparing a draft Disposition Development and Loan Agreement that will enable the City and Linc Housing to complete project negotiations and proceed with review of an SB 35 streamlined entitlement review. It is anticipated that the public review meetings will occur in January 2023.

Analysis

The Surplus Land Act is a statute that local agencies must follow when disposing of surplus land. The Surplus Land Act requires local agencies across California to follow certain public notification and wait periods prior to disposing of publicly-owned land determined to be surplus or not necessary for local agency operations. One purpose of the Surplus Land Act is to give potential housing developers priority access to surplus land for development of new housing. The Surplus Land Act also allows local agencies to declare land exempt from the Surplus Land Act disposition requirements when certain criteria and met.

The four main categories of exemptions from the Surplus Land Act process are:

1. If the local agency took certain action to dispose of property, and the disposition is complete, before a specific date.
2. Streamlining the process for disposing of land for affordable housing, with specific affordability requirements met for lower income households.
3. Land dedicated for other public uses.
4. Land not suitable for housing.

The proposed affordable housing project meets the requirements for criteria number two above as follows:

- At least 80 percent of the Property will be developed with housing;
- At least forty (40) percent of the housing units developed will be affordable to households with incomes at or below seventy-five (75) percent of the maximum income of lower-income households, as defined in Health & Safety Code Section 50079.5;
- Half of those affordable units will be affordable to very-low income households, as defined in Health & Safety Code Section 50105;
- The project will restrict units to remain affordable for a period of at least fifty-five (55) years.

Furthermore, Government Code Section 37364 acknowledges that real property of cities can be utilized to provide housing affordable to persons and families of low or moderate income. Whenever the legislative body of a city determines that real property owned by the city can be used to provide affordable housing, the city may sell or otherwise dispose of the real property at less than fair market value. Pursuant to the Agreement approved by the Belmont City Council in June 2022, including the proposed unit affordability levels and term of the affordability agreement, the project meets the requirements of Government Code Section 37364.

The City has prepared a resolution declaring the subject property to be exempt surplus land to be disposed of pursuant to Government Code 37346, and directing staff to transmit a copy of the resolution to the California Department of Housing and Community Development no later than thirty (30) days prior to the disposition of the Property.

Alternatives

1. Take No Action; the Property will not be declared exempt surplus land and will be subject to disposition requirements of the Surplus Land Act.

Attachments

A. Resolution

Fiscal Impact

☒ No Fiscal Impact

☐ Funding Source Confirmed:

Source:	**Purpose:**	**Public Outreach:**
Staff	Council Vision/Priority	Posting of Agenda

RESOLUTION NO. 2022 - ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT FINDING THE PROPERTIES LOCATED AT 876, 884, 898, AND 900 EL CAMINO REAL, BELMONT ARE EXEMPT SURPLUS LANDS TO BE DISPOSED OF PURSUANT TO GOVERNMENT CODE SECTION 37364

WHEREAS, the City of Belmont ("City") owns that certain property (the "Property") in fee identified as Assessor Parcel Numbers 045-162-090; 045-162-080; 045-162-070; and 045-163-070.

WHEREAS, the City has determined that the Property are not necessary for the City's use; and

WHEREAS, the City, in accordance with its adopted Housing Element, desires to increase the supply of affordable housing by providing sites for the development of very-low and low-income housing; and

WHEREAS, the City has determined that the Property is a suitable site for the development of affordable housing and that the development of the Property with affordable housing will address a significant need within the City for additional affordable housing units; and

WHEREAS, the City has entered into an Exclusive Negotiating Agreement Linc Housing Corporation, Inc. (“Linc”) to negotiate the terms for the acquisition of the Property by Linc for the development of thirty-six (36) units of affordable housing with one (1) manager's unit (the "Proposed Project"); and

WHEREAS, at least eighteen units will be made available affordable to very low income households, as defined in Health & Safety Code Section 50105 for a period of at least fifty-five (55) years; and

WHEREAS, the City has determined to dispose of the Property pursuant to the requirements of Government Code Section 37364, which requires that at least 80 percent of the Property will be developed with housing with at least forty (40) percent of the housing units developed affordable to households with incomes at or below seventy-five (75) percent of the maximum income of lower income households, as defined in Health & Safety Code Section 50079.5, with half of those units affordable to very low income households, as defined in Health & Safety Code Section 50105; and

WHEREAS, the City has determined that the Proposed Project meets the requirements of Government Code Section 37364; and

WHEREAS, Government Code Section 54221(f)(1)(A) defines exempt surplus land to mean surplus land that is transferred pursuant to Government Code Section 37364.

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

SECTION 1. The Property is designated as exempt surplus land on the basis that the City intends to dispose of the Property in accordance with Government Code Section 37364.

SECTION 2. The City Council directs the City Manager to transmit a copy of this Resolution to the California Department of Housing and Community Development no later than thirty (30) days prior to the disposition of the Property.

* * *

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

STAFF REPORT

Meeting Date:	October 25, 2022
Agency:	City of Belmont
Staff Contact:	Carlos de Melo, Community Development Director, (650) 595-7440 cdemelo@belmont.gov
Agenda Title:	Belmont Village Specific Plan (BVSP) Streetscape Design Guidelines
Agenda Action:	For Information Only

Recommendation

Receive a presentation and update of the Belmont Village Specific Plan (BVSP) Streetscape Design Guidelines project. While this item is informational, staff requests City Council feedback to inform the final guidelines document slated for Council review/adoption at the November 9th Council meeting.

Strategic Focus Area

Infrastructure and Mobility

Background

One of the City's priorities is to implement "Placemaking" improvements via evaluation of entry point and neighborhood identification, wayfinding signage, streetscape design/features, and public art. Key Placemaking goals are as follows:

1. Define programs which will inform residents and visitors of Belmont's commitment to economic development, displaying and encouraging public art, enhancing the customer experience, and celebrating the vitality of Belmont's unique neighborhoods and natural features.
2. Integrate these programs to mesh with Council's Top Priorities (e.g., Implementation of 2035 General Plan and Belmont Village Specific Plan (BVSP), and development of the Twin Pines Master Plan)
3. Implement specific capital improvement projects which support these objectives.

A key Placemaking outcome centers on facilitating and completing three distinct but connected projects:

- Public Art Master Plan (Adopted by City Council – September 2020)
- BVSP Streetscape Design Guidelines (***the focus of tonight's presentation/update***)
- Signage/Wayfinding Program (current project under development)

Analysis

Both the 2035 General Plan and Belmont Village Specific Plan (BVSP) include numerous policies with a focus on enhancing Belmont's character and image as a desirable community with distinct visual qualities, small-town character, and connections to nature and open space. BVSP goals/policies more specifically

center on identifying and developing the Belmont Village as a vibrant town center for residents and visitors with commercial, residential, dining, civic, cultural, and entertainment activities.

Both long-range planning documents support revitalization of the City (with a strong emphasis within the BVSP area) through public investments in infrastructure, parking, streetscapes, and public spaces. Development of the Streetscape Guidelines is critical in defining the pedestrian level "finishing touches" such as sidewalks, street trees, site furnishings, and on-street parking layout/design, that support a vibrant downtown Belmont Village.

Well-designed streets, public realm improvements, and wayfinding signage complement surrounding land uses and provide for attractive, safe, and efficient circulation for all users and all modes of transportation. To achieve a "Complete Streets" balance, multiple strategies are needed to promote mobility improvements, and a streetscape program aids this goal.

The streetscape guidelines seek to implement a number of the Guiding Principles identified within the BVSP including:

- Creating and Identifying a Sense of Place – the Specific Plan seeks to foster Belmont's Downtown Village Area as a mixed-use pedestrian scale, transit-oriented District.

- Improving Multi-Modal Mobility – improve connectivity, accessibility, and safety for all modes of transportation. Provide attractive streetscapes which encourage drivers to "park once" and walk to their destinations.

- Enhancing Public Realm, Infrastructure, and Attractions – establish a unified image for the Downtown Village and enhance the public realm with consistent streetscapes, improved sidewalks, and greater opportunities for community gatherings and outdoor dining.

The City's adopted *Bicycle and Pedestrian Master Plan* outlines a strategy to support the bicycle movement in Belmont's downtown. The streetscape guidelines address the key goal of the Comprehensive and Bicycle Plan to create a safe and demonstrated pedestrian and bicycle environment that will encourage people of all ages to bike or walk.

The Streetscape Design Guidelines project assessed prototypes for each street typology in the BVSP, including layout, widths, materials, site elements, street tree palette, monumentation, etc. The Guidelines will ensure that incremental streetscape improvements, as funding and development opportunities arise, will result in an integrated and consistently high quality streetscape system.

The City engaged Gates & Associates in 2019 to assist in developing the detailed Design Guidelines for streetscape treatments to support the BVSP Urban Design Vision; their firm previously prepared similar guidelines to support the streetscape details for the Ralston Corridor 1 & 2 project. City staff and Gates & Associates also worked with the City Council Placemaking Subcommittee (Davina Hurt & Julia Mates) to develop and evaluate various options/components of the program. The Draft BVSP Streetscape Design Guidelines document is attached to this report (See Attachment 1).

Community Outreach

The City has conducted multiple public events/outreach efforts to inform the community of the project; a City Council Update (April 2020); Zoom Public Outreach Meeting (November 2020); Joint Planning & Parks & Recreation Commission workshop/project update (January 2021); and city-wide survey (March 2022) focusing on this Streetscape Guidelines effort and the City's Signage/Wayfinding project.

The City Council Placemaking Subcommittee conducted a public meeting on October 17, 2022 to review the draft streetscape booklet, and the Planning Commission reviewed the document at their October 18th meeting in advance of tonight's presentation/update to the full City Council.

Next Steps

As noted earlier, this report provides an update on the BVSP Streetscape Design Guidelines effort; while no specific action is required, staff requests Council feedback to inform the final version document. City staff and the consultant team will develop the final document and return the project to the City Council for anticipated review/adoption at the November 9th City Council meeting.

Alternatives

1. Refer back to staff for additional information.
2. Continue the item for further discussion.

Attachments

A. Draft BVSP Streetscape Design Guidelines Booklet

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: While no specific financial commitment is required with this informational item on the BVSP Streetscape Design Guidelines, adoption and program implementation will require City staff resources and technical consulting as appropriate. As such, budget resources have been incorporated in the current fiscal year in the General Plan Maintenance Fund.

Source:	**Purpose:**	**Public Outreach:**
Council	Plan Implementation*	Other*

** E-Notification of agendas, public notification as required for the October 25, 2022 City Council meeting

BELMONT VILLAGE STREETSCAPE DESIGN GUIDELINES

BELMONT, CALIFORNIA
OCTOBER, 2022



CALIFORNIA BELMONT

GATES +ASSOCIATES

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TABLE OF CONTENTS

1 PROJECT OVERVIEW 5
2 STREETSCAPE PROTOTYPICALS 11
VILLAGE BOULEVARD PROTOTYPICALS 11
RALSTON AVENUE (EAST) 11
RALSTON AVENUE (WEST) 15
EL CAMINO REAL (NORTH) 19
EL CAMINO REAL (SOUTH) 23
VILLAGE AVENUE PROTOTYPICALS 27
OLD COUNTY ROAD 27
ELMER STREET 31
VILLAGE MAIN STREET PROTOTYPICALS 35
SIXTH AVENUE PROTOTYPICAL 39
FIFTH AVENUE PROTOTYPICAL 43
3 SITE ELEMENTS 47
VILLAGE CORE 48
VILLAGE CORE - PAVING MATERIALS 49
VILLAGE CORE - SITE FURNISHINGS 50
VILLAGE CORE - STREET LIGHT 54
VILLAGE PERIMETER 56
VILLAGE PERIMETER - PAVING MATERIALS 57
VILLAGE PERIMETER - SITE FURNISHINGS 58
4 STREET TREE MASTER PLAN 62

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1 PROJECT OVERVIEW

INTRODUCTION

The streetscape system comprises the largest portion of public land in Belmont – almost 20% of all City-owned property. The Belmont community has expressed a strong interest in rethinking the use of this public resource to create a more livable streetscape. In general, and in compliance with the Complete Streets Act of 2008, Belmont is moving to create an environment that prioritizes the pedestrian and bicyclist experience, and safety, rather than assuming that everyone will be traveling by automobile. Two important comprehensive planning efforts reflect this prioritization - the Belmont Village Specific Plan (BVSP) and the Bicycle and Pedestrian Master Plan. To facilitate the implementation of a livable streetscape system, these BVSP Streetscape Design Guidelines merge the recommendations from these two documents with the realities of the existing conditions. This document provides actionable guidance for the incremental installation of streetscape improvements as funding and development opportunities arise.

THE PROCESS

As a part of the City's Placemaking strategy, these guidelines were developed concurrently with a Signage and Wayfinding Study and a Public Art Master Plan.

Outreach

In order to solicit its most recent public input on the designed character and preferences for site amenities, the City conducted a two-part online survey in Spring 2022 regarding its planned Signage/Wayfinding Program and the subject BVSP Streetscape Design Guidelines. The survey was designed to share project information and solicit community feedback. Those responding to the survey, generally indicated a preference for a more traditional materials palette within a Downtown Village core that is consistent with the existing brick pavers or colored concrete, and



RALSTON AVENUE



EL CAMINO REAL



CLASS I BIKE ROUTE

lantern light standards. There was also interest with introducing more modern and artful elements to the street furniture palette. City staff provided additional input regarding streetscape maintenance considerations, the character of major pending development proposals, and scheduled public works improvement projects.

Builds Upon Existing Documents

The (**Belmont Village Specific Plan**), developed in 2017, provides a roadmap for the creation of livable, attractive outdoor public spaces with a unique sense of community and social connections in the heart of Belmont.

The streetscape guidelines seek to implement several the Guiding Principles identified with the Belmont Specific Plan including:

- Creating and Identifying a Sense of Place- The specific plan seeks to foster Belmont's Downtown image as a mixed-use pedestrian scale, transit-oriented District.
- Improve Multi-Modal Mobility- Improve connectivity, accessibility, and safety for all modes of transportation. Provide attractive streetscapes which encourage Belmont visitors to arrive by train, bus or bike, and for drivers to "park once" and walk to their destinations.
- Enhance Public Realm, Infrastructure, and Attractions- Establish a unified image for Downtown and enhance the public realm with consistent streetscapes, improved sidewalks and bike lanes, and greater opportunities for community gatherings and outdoor dining.

The (**Bicycle and Pedestrian Master Plan**) outlines a strategy to support the bicycle movement in Belmont's downtown. The streetscape guidelines address the key goal of the Comprehensive and Bicycle Plan to create a safe and demonstrated pedestrian and bicycle environment that will encourage people of all ages to bike or walk.

Benefits

A well-designed streetscape contributes to:

- Distinctive Community Characteristics- A well-designed public realm (streetscape) reflects community pride. In its small-town ambiance, Belmont sets itself apart as a tranquil, inclusive, and safe place to live, work, and play.
- Economic Utility- Bikeable and walkable communities have increased property values. Studies have found that residents who walk and bike to local businesses spend more money than customers who drive.
- Environmental Responsibility- Tree-lined streets reduce heat gain, green street infrastructure, treat stormwater, and reduction with auto trips and reduce greenhouse envisions.
- Enhanced Mobility- The provisions of a complete streets network, high quality transit service, and elimination of barriers to walking and biking will increase transportation options for all segments of the population.
- Improved Public Health- The provision of a pedestrian/bike-friendly streetscape system encourages physical activity and social interaction and key contributions to community health.

Activating Street Life Beyond Guidelines

Now, with more people working from home, the increasing use of electric bikes, and the potential evolution of autonomous vehicles, priorities are emerging to reallocate the rights-of-way to create streetscapes focused on people, not cars. Cities are exploring reductions in the quantity and width of vehicle travel lanes and on-street parking stalls to repurpose right-of-way space for bicycle and pedestrian use.

As we rethink the Belmont streetscape system, we should actively look for opportunities to foster the creation of social spaces that support community interactions and active street life. The use of the public right-of-way as a people-oriented space is of increasing importance as Belmont's Downtown Village area densifies with more residential development.

A well-designed streetscape can be an integral part of a downtown's public space system. Wider sidewalks enhance connectivity and provide space for more than just movement. Creating parklets by repurposing parking stalls can provide the community with gathering spaces to rest, socialize, or play. Expanding dining areas into the street or allowing pop-up outdoor retail displays brings life to public sidewalks. Communities are finding ways to revitalize street life through the installation of bike racks and bike repair stations to support more active transportation modes, adding exercise loops and fitness equipment to promote physical activity, creating small play areas for children, clustering seating oriented towards social interactions, and adding interactive art or small dog areas, all to take advantage of the underutilized public space that is our streetscape.













Character images of parking area converted to outdoor dining, gather spaces, dog station, lending library, etc.

Response to Constraints of Existing Settings

The right-of-way (R.O.W) must typically accommodate pedestrian, bicycle, and auto movement as well as on-street parking. These guidelines illustrate how the width of the right-of-way (R.O.W) for each street has space that could accommodate these uses. On-street parking has been provided on most public streets in Belmont. However, innovations in technology such as on-demand transportation/ ride-share systems and autonomous vehicles may reduce the need for on-street parking. Thus, while providing on-street parking may be required to meet “todays” needs, these parking areas could be perceived as an opportunity to “Bank” a portion of the R.O.W for future needs. Thus, as opportunities occur the City should seek to convert on-street parking areas to buffed bike lanes to support emerging micro-mobility demands such as e-bike use. For now, Belmont will be building out its bike and pedestrian infrastructure as envisioned in the BVSP and the Bike and Pedestrian Master Plan to maximize safety of the traveling public, create as many choices as possible for those who may choose to take transit, rideshare, or active modes. In the near future, should technology or travel preferences change, the Belmont downtown will be well-positioned to adapt.

Embracing Green Infrastructure

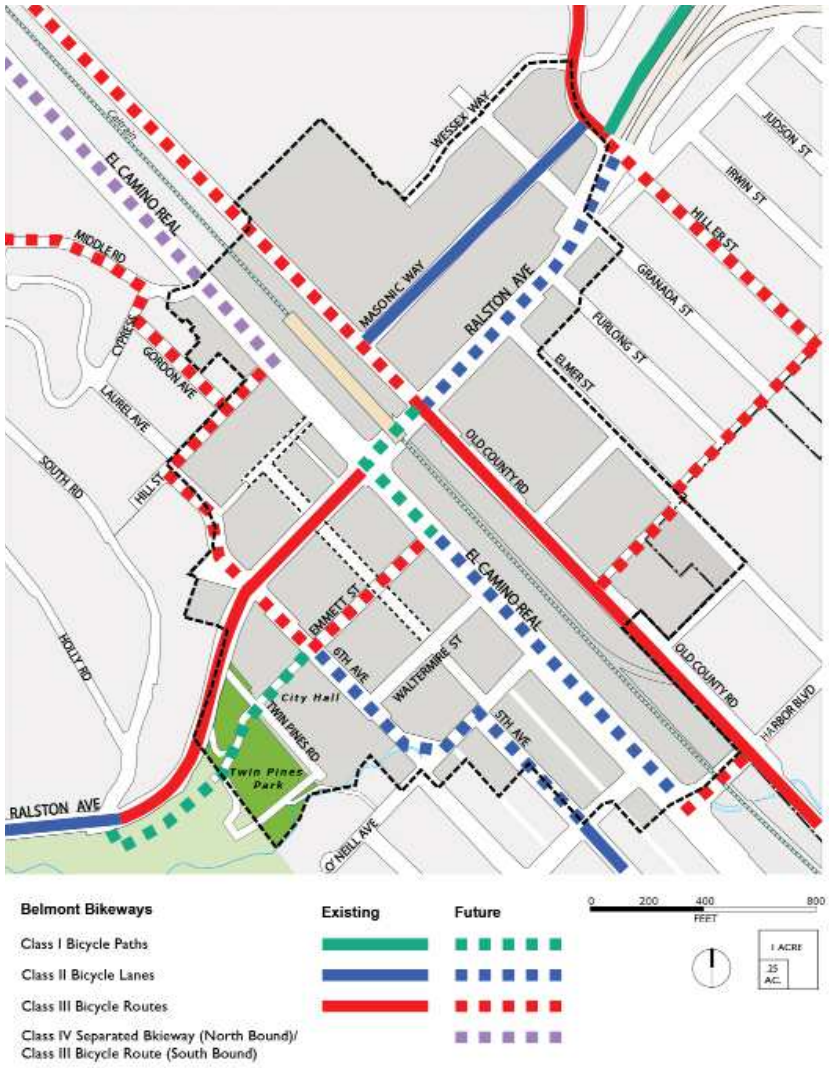
Belmont is encouraging the introduction of green infrastructure elements into the streetscape system as streets are redeveloped. As part of our municipal regional permit, the City encourages new development to put in and maintain things like bioswales, stormwater treatment facilities, and advanced filtration both in the public ROW and on private property as a condition of approval. Projects such as Firehouse Square, Windy Hill, 815 Old County Road, and the Alameda De Las Pulgas corridor project all contain various examples of green infrastructure.

Organization

The guidelines include detailed streetscape recommendations for:

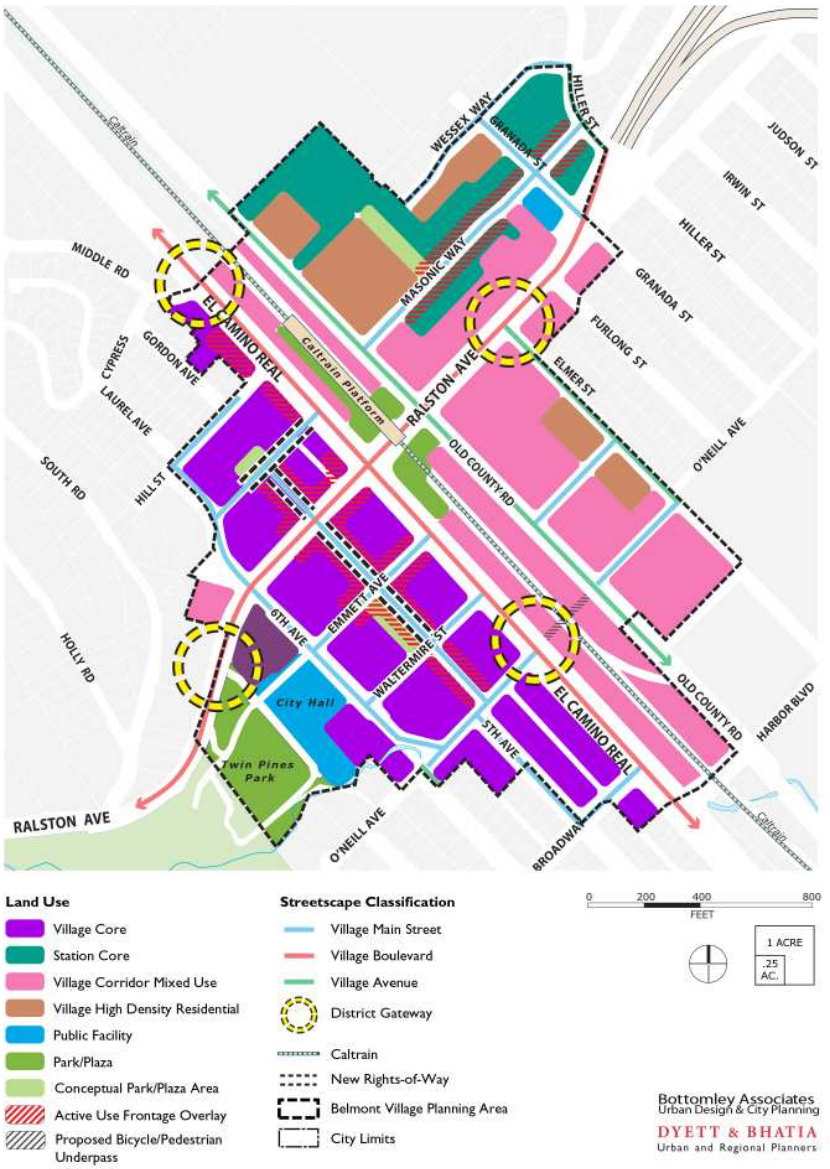
- Street segments identified in the Specific Plan as prototypical
- A unifying palette of plant materials and site amenities in both the village core and the surrounding mixed use/high density residential areas
- Street tree selections on each corridor in the “village” area.

FIGURE 4-2:BICYCLE PLAN NETWORK MAP



City of Belmont Comprehensive Pedestrian and Bicycle Plan

FIGURE 4-1:URBAN DESIGN FRAMEWORK



Belmont Village Specific Plan Chapter 4: Urban Design Framework

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2 STREETSCAPE PROTOTYPICALS

VILLAGE BOULEVARD PROTOTYPICALS

RALSTON AVENUE (EAST)

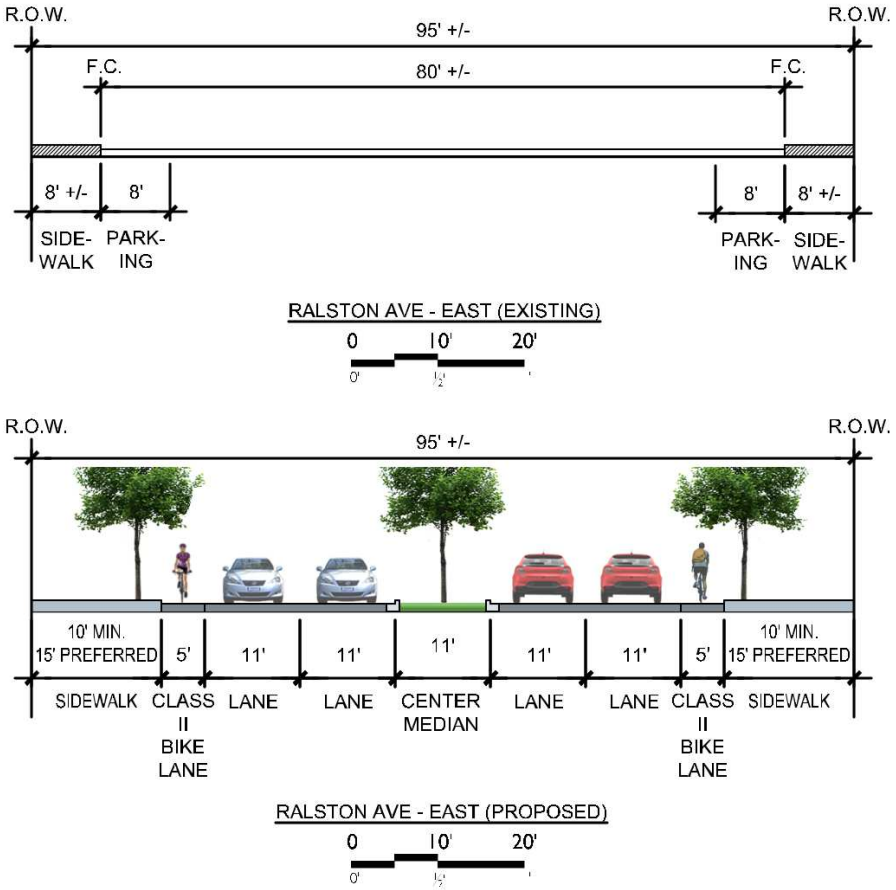
The Village Boulevards accommodate both local and regional multi-modal traffic. Ralston Avenue and El Camino Real are identified as Village Boulevards in the Specific Plan.

Ralston Ave. (East)

The limited on-street parking along this busy corridor will ultimately be eliminated to accommodate Class II bike lanes and widened sidewalks.

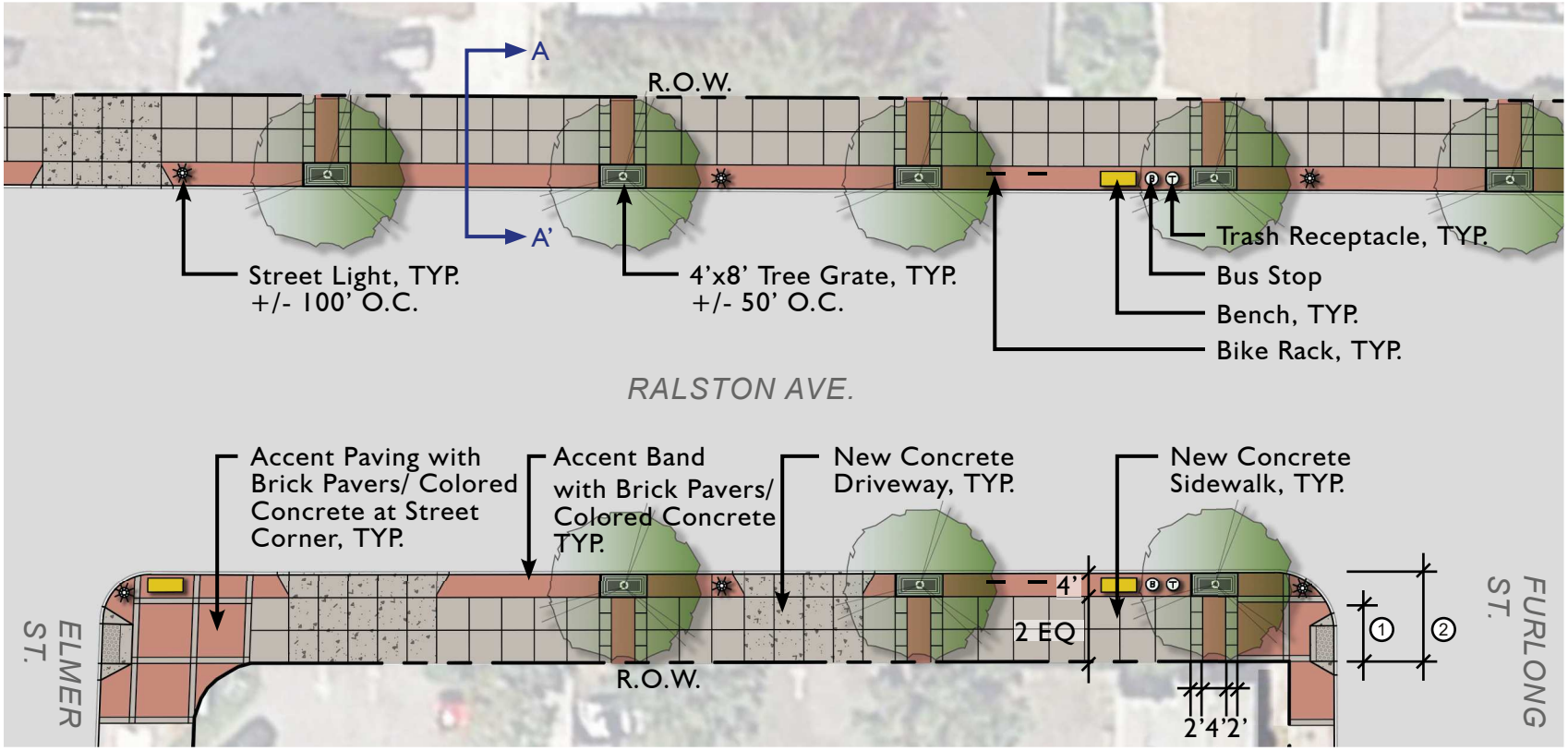


RALSTON AVENUE (EAST)



TYPICAL STREET SECTION

RALSTON AVENUE (EAST) - PLAN



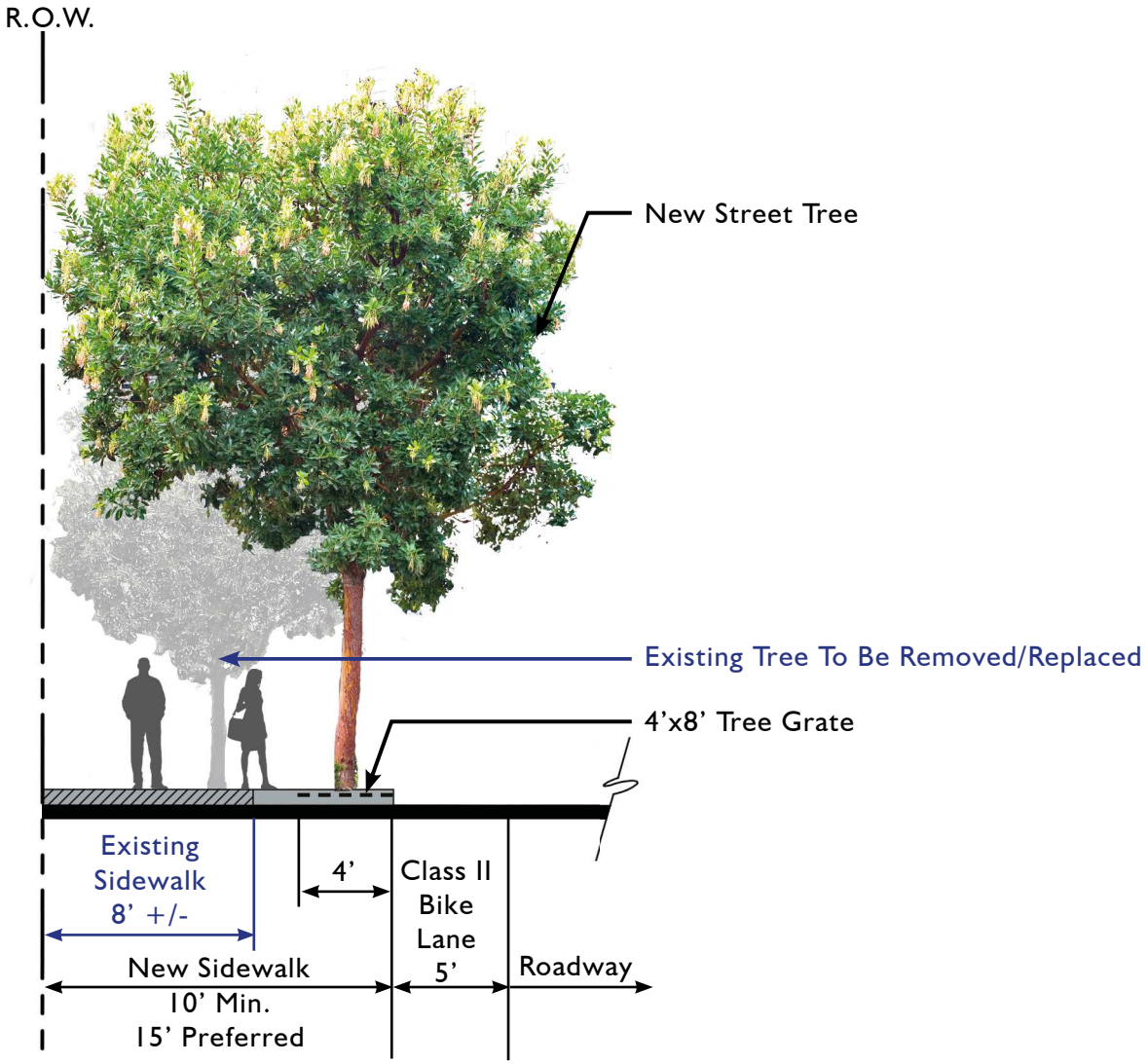
LEGEND

- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Tree Grate
- Street Light
- Bench
- Bike Rack
- Trash Receptacle
- Bus Stop
- ① Existing Sidewalk: 8' +/-
- ② New Sidewalk: 10' Minimum, 15' Preferred



KEY MAP

RALSTON AVENUE (EAST) - CROSS SECTION



SECTION A-A'
TYPICAL SECTION

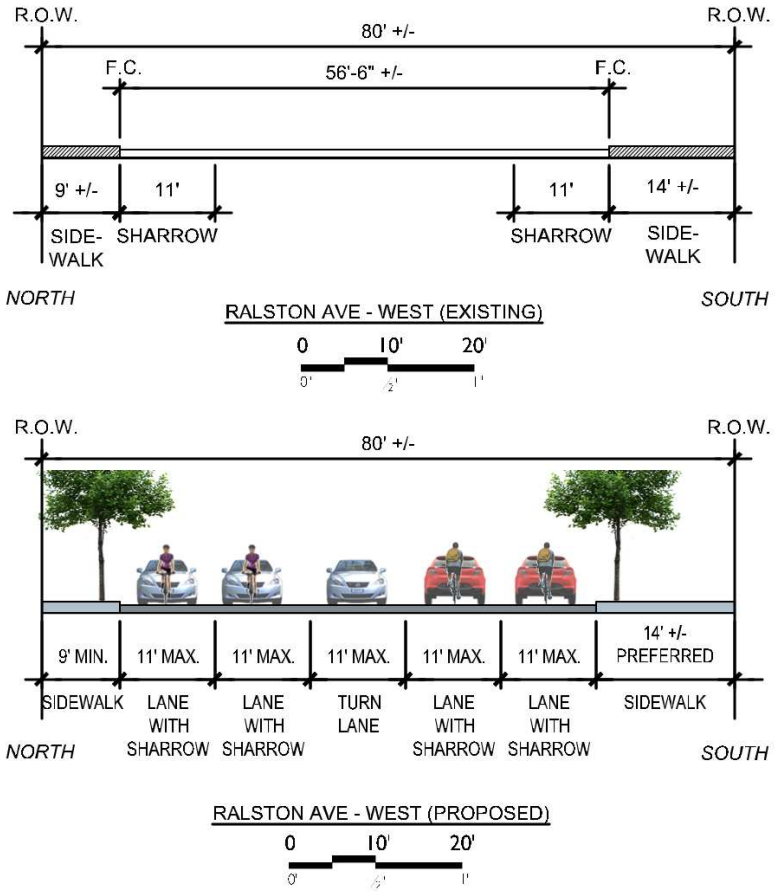
0 4' 8'
SCALE

RALSTON AVENUE (WEST)

The existing limited right-of-way precludes use of designated Class II bike lanes along this segment of Ralston Ave. The Bicycle and Pedestrian Master Plan identifies a parallel Class I Bike Path through Twin Pine Park connecting to Class III bike route on Emmett Street. A wider sidewalk is proposed on the south side of this portion of Ralston Ave.

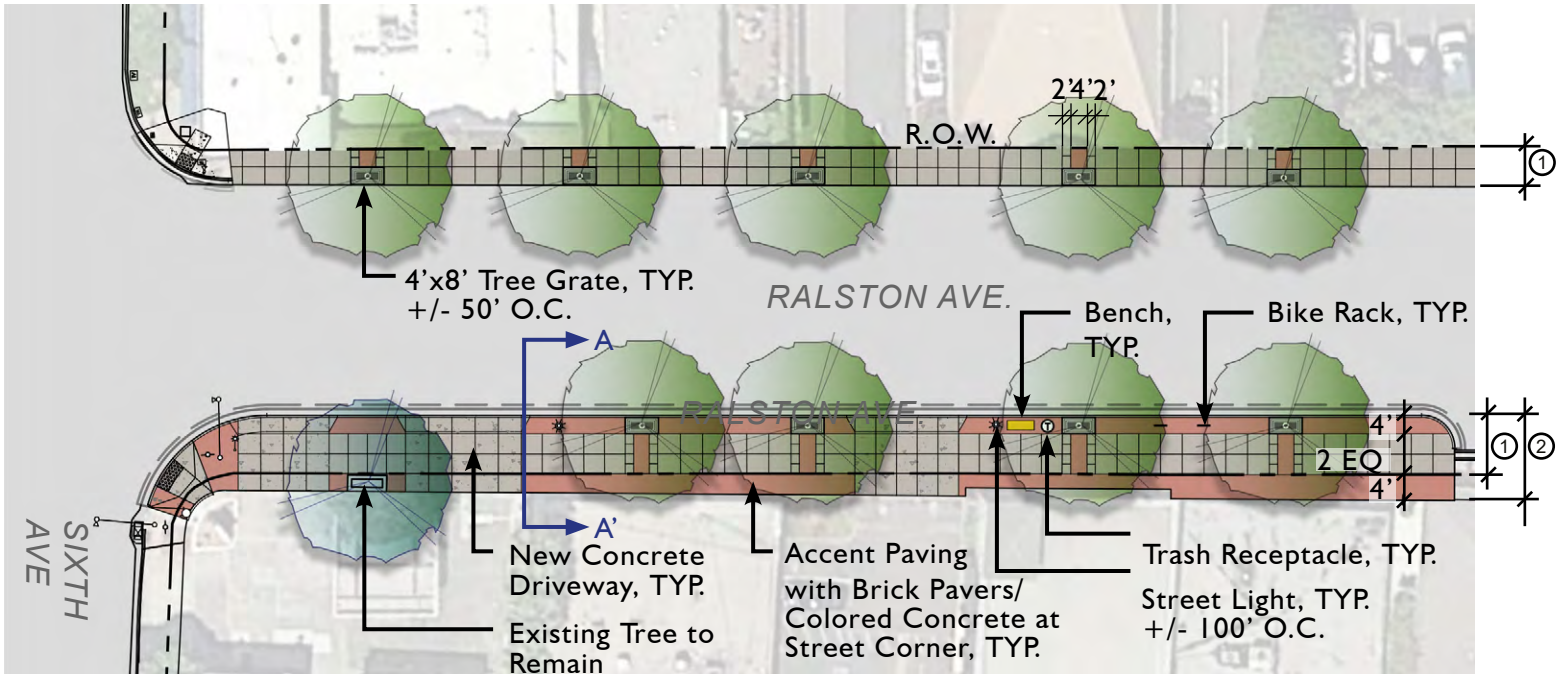


RALSTON AVENUE (WEST)



TYPICAL STREET SECTION

RALSTON AVENUE (WEST) - PLAN



LEGEND

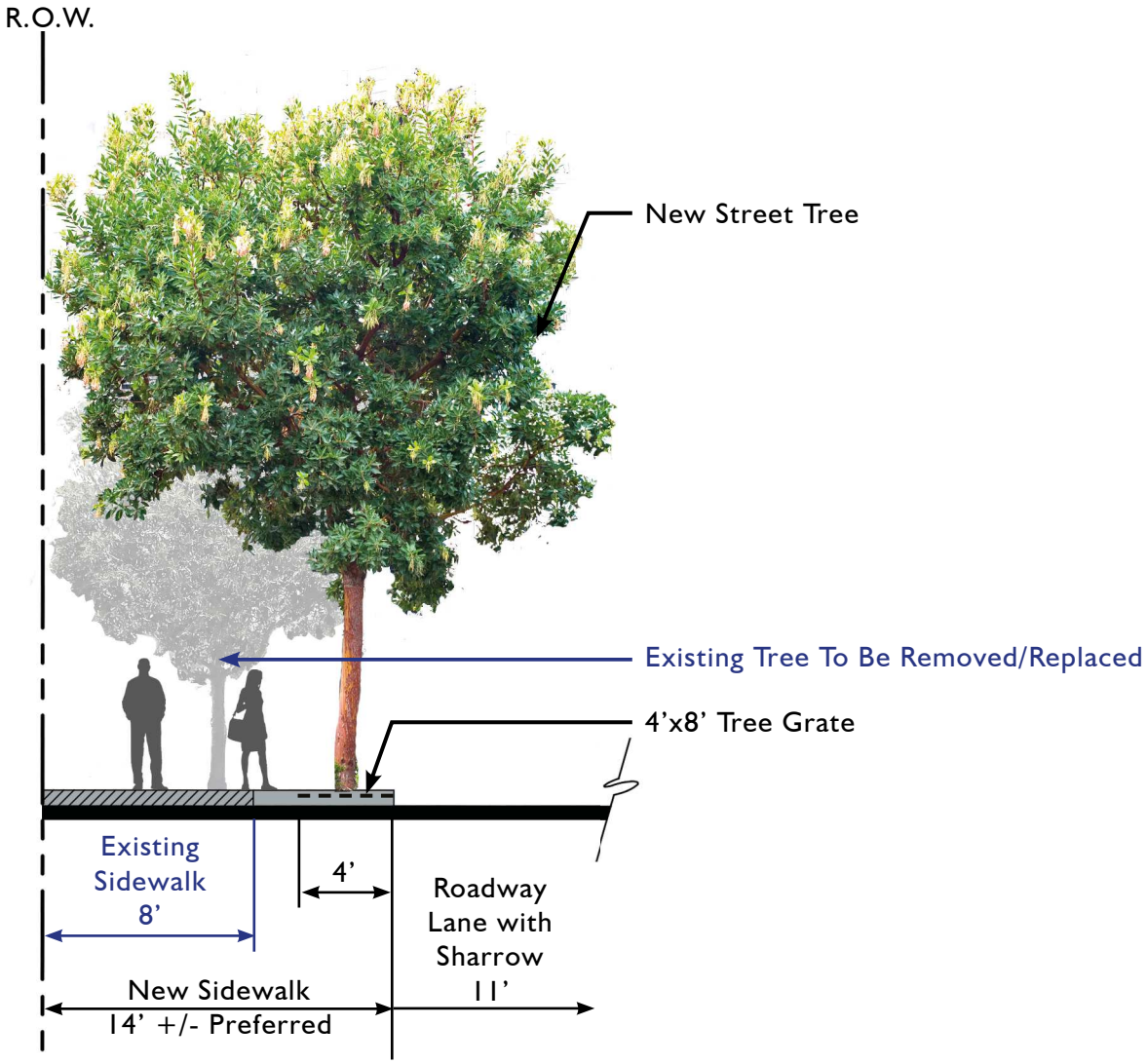
- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Tree Grate
- Street Light
- Bench
- Bike Rack
- Trash Receptacle
- Bus Stop
- ① Existing Sidewalk: 8' +/-
- ② New Sidewalk: 14' +/- Preferred

0 15' 30'



KEY MAP

RALSTON AVENUE (WEST) - CROSS SECTION



SECTION A-A'
TYPICAL SECTION

0 4' 8'
SCALE

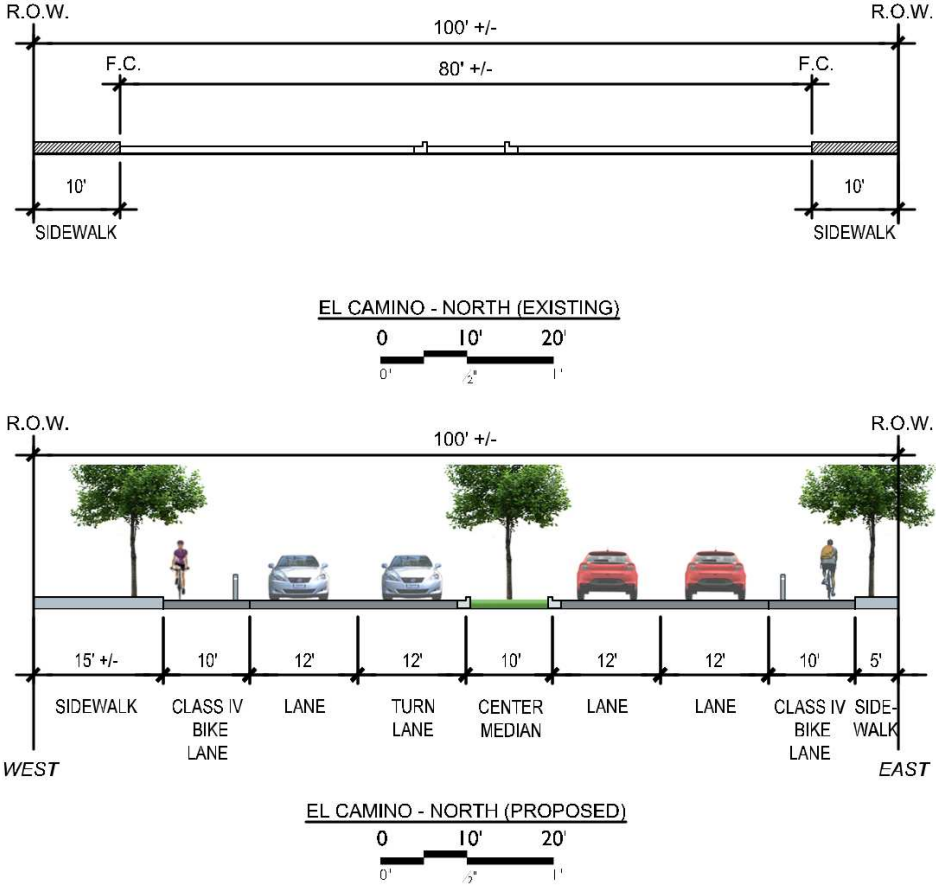
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EL CAMINO REAL (NORTH)

All vehicle lane widths, and the sidewalk width on the east side of the street are reduced to accommodate Class IV buffered bike lanes on both sides of the street. A widened sidewalk is proposed for the west side of the street.

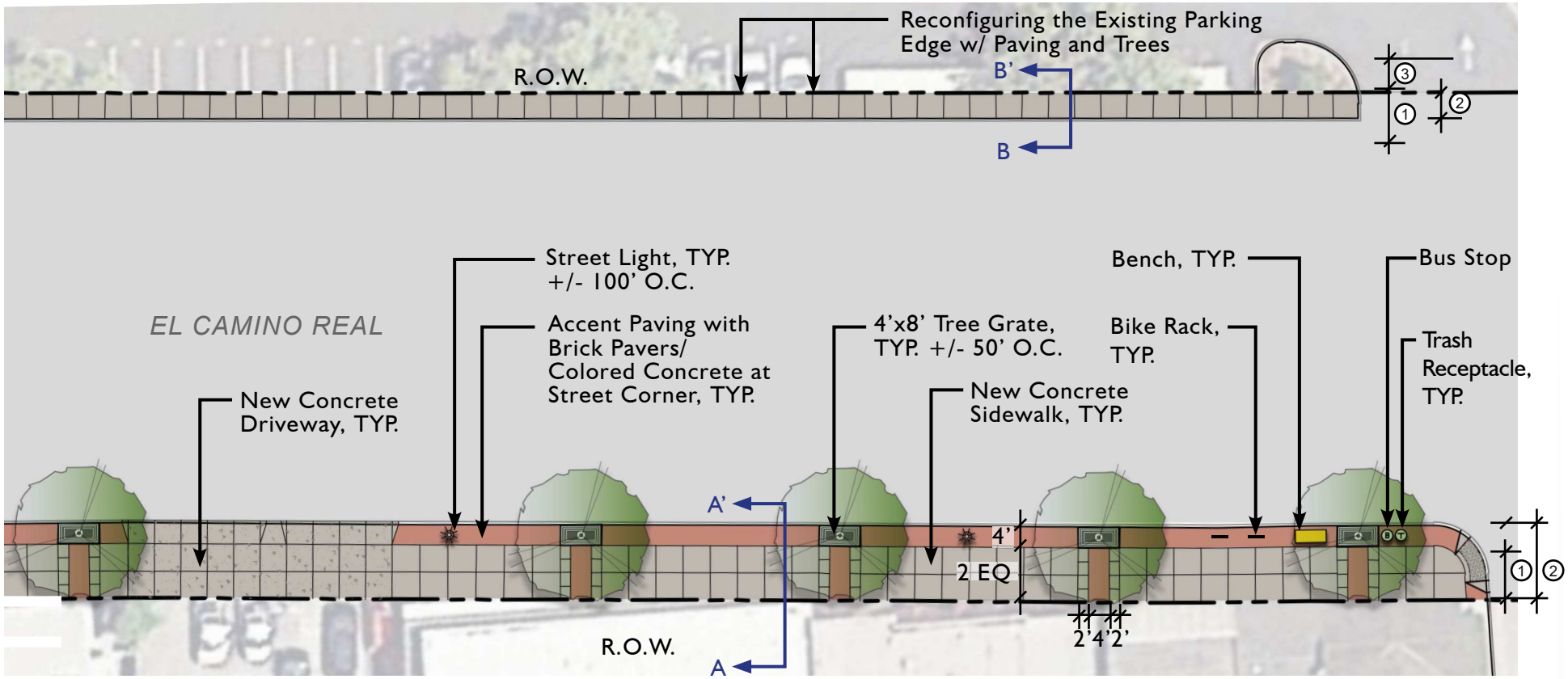


EL CAMINO REAL (NORTH)



TYPICAL STREET SECTION

PLAN - EL CAMINO REAL (NORTH)



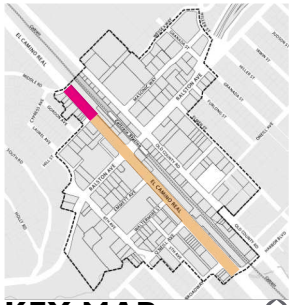
LEGEND

- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Tree Grate
- Street Light
- Bench
- Bike Rack
- Trash Receptacle
- Bus Stop

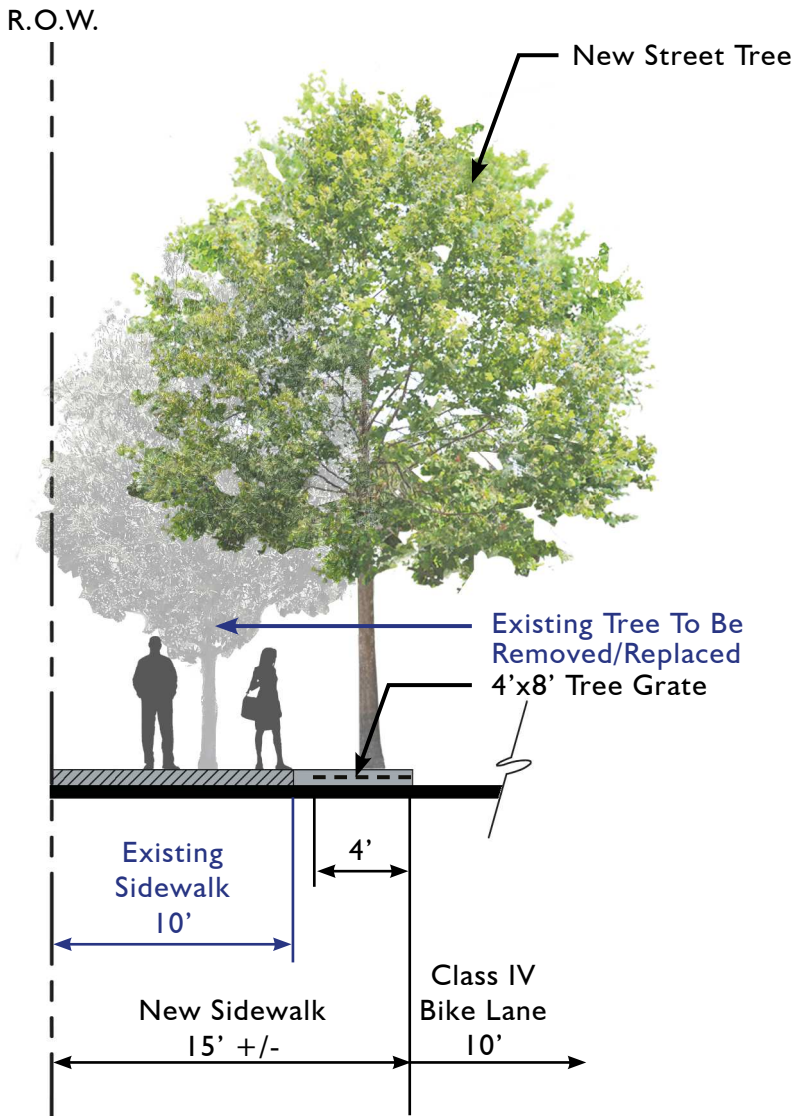
① Existing Sidewalk 10'

② New Sidewalk 15' +/- (west), 5'(east)

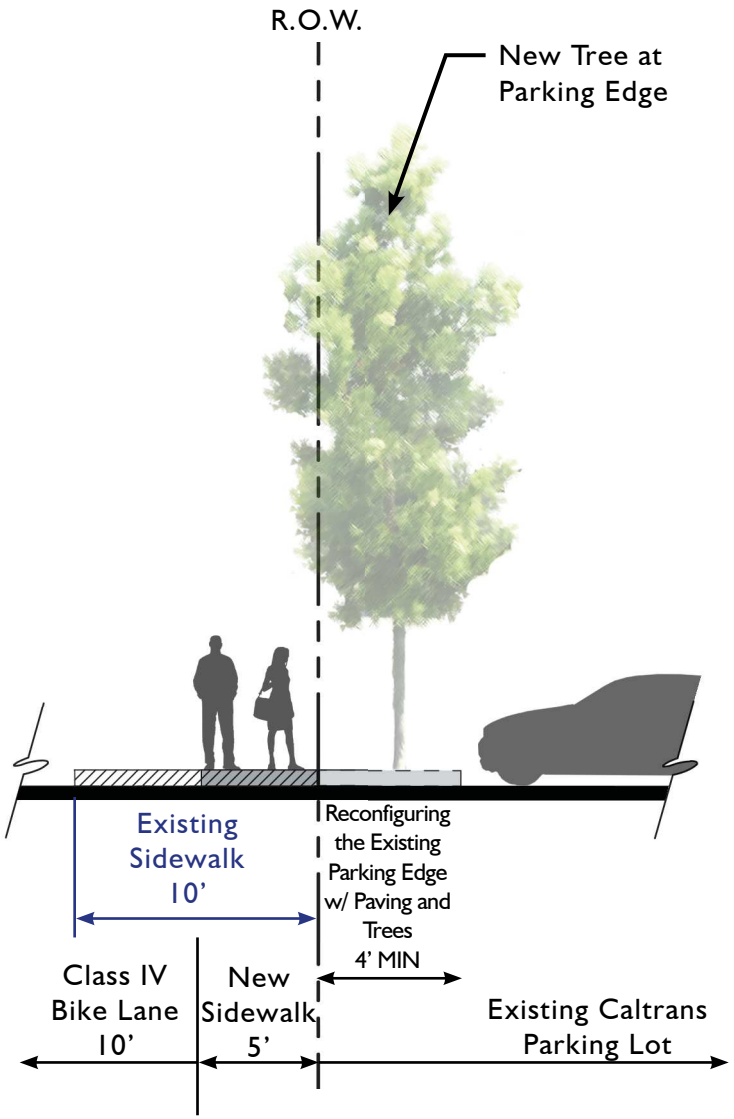
③ Reconfiguring the Existing Parking Edge w/ Paving and Trees



KEY MAP



SECTION A-A'
TYPICAL SECTION



SECTION B-B'
ADJACENT TO CALTRANS PARKING



SCALE

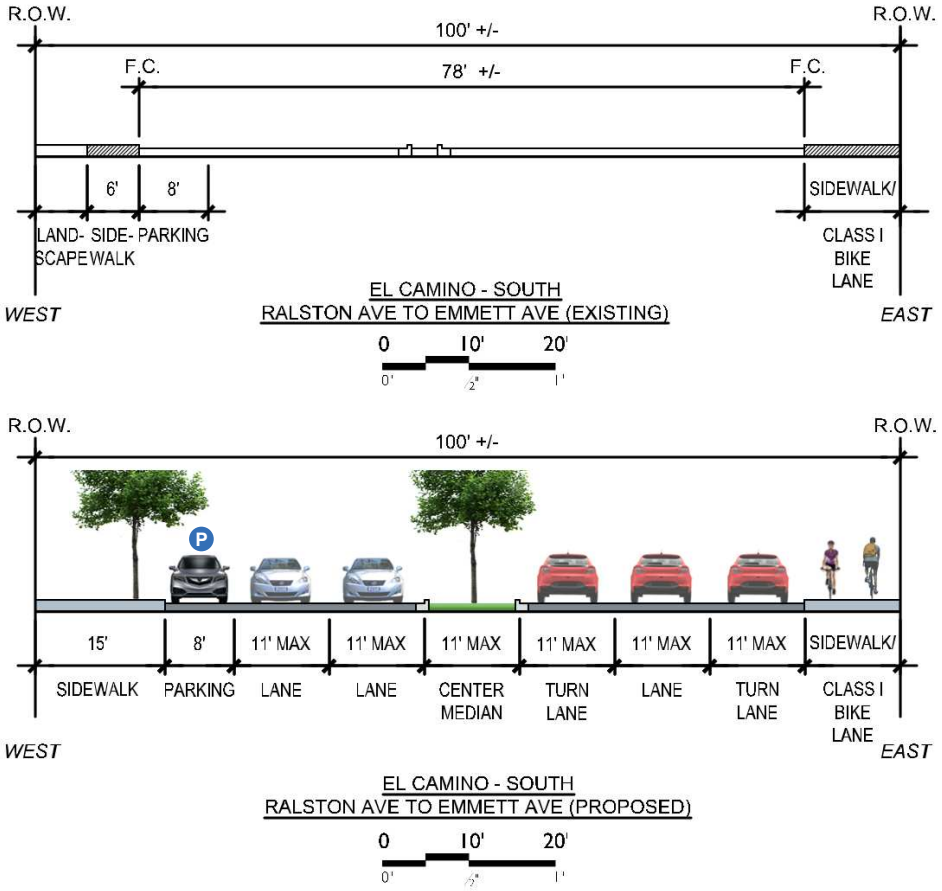
EL CAMINO REAL (SOUTH)

El Camino south Ralston Ave to Emmett Steet is currently developed with a Class I bike path on the east side. As redevelopment occurs on this block, widen the sidewalk on the west side.

South of Emmett Street, on-street parking on the east side of the street adjacent to Caltrans is eliminated to accommodate a Class II bike lane and a widened sidewalk with a planted buffer on the east side to protect pedestrians.



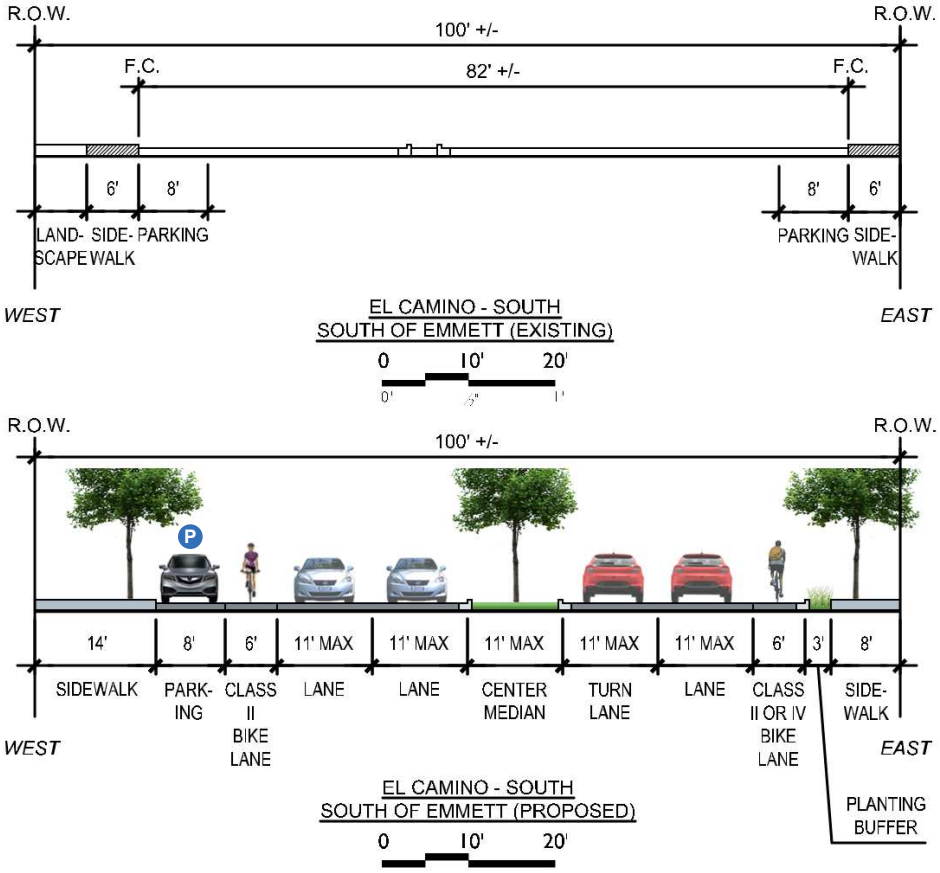
EL CAMINO REAL (SOUTH) - RALSTON AVE TO EMMETT AVE



TYPICAL STREET SECTION

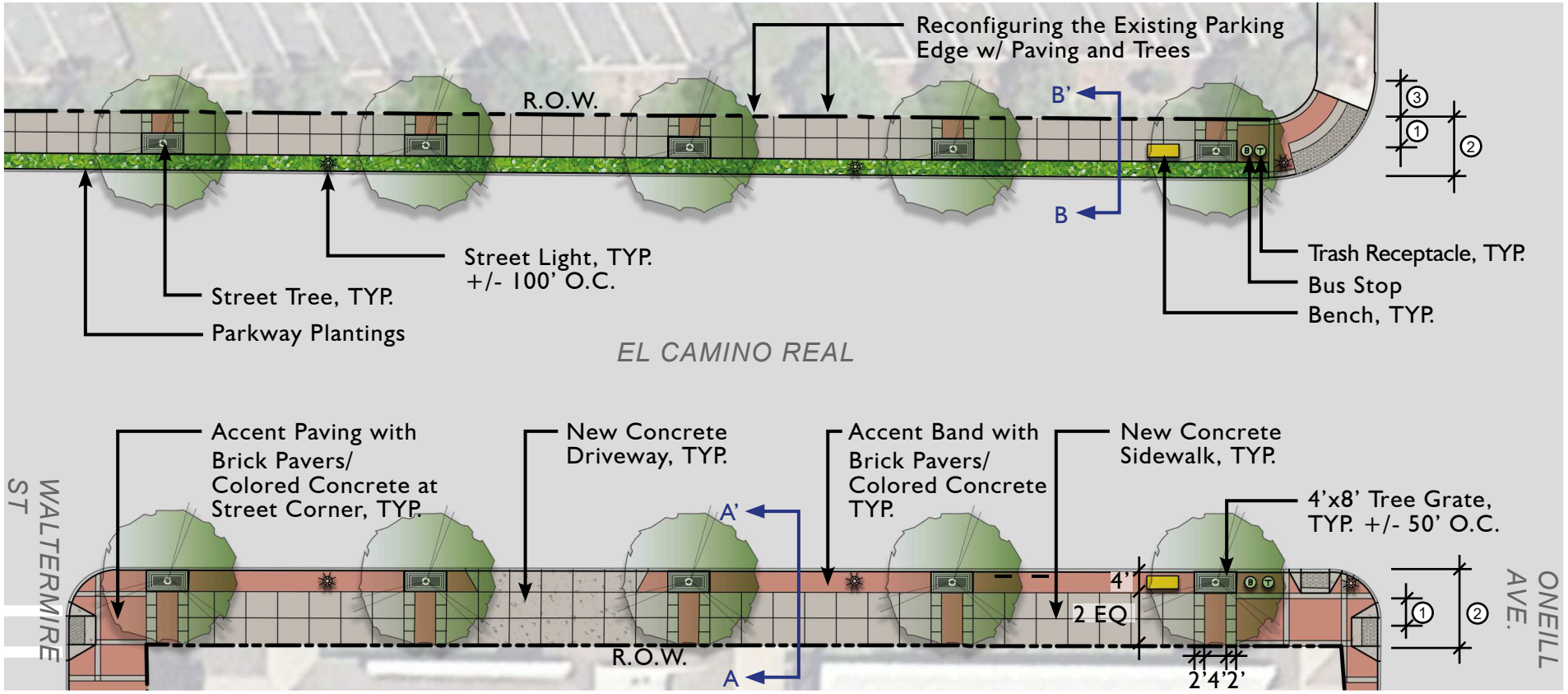


EL CAMINO REAL (SOUTH) - SOUTH OF EMMETT AVE



TYPICAL STREET SECTION

EL CAMINO REAL (SOUTH), SOUTH OF EMMETT AVE - PLAN



LEGEND

- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Tree Grate
- Street Light
- Bench
- Bike Rack
- Trash Receptacle
- Bus Stop

① Existing Sidewalk 6'

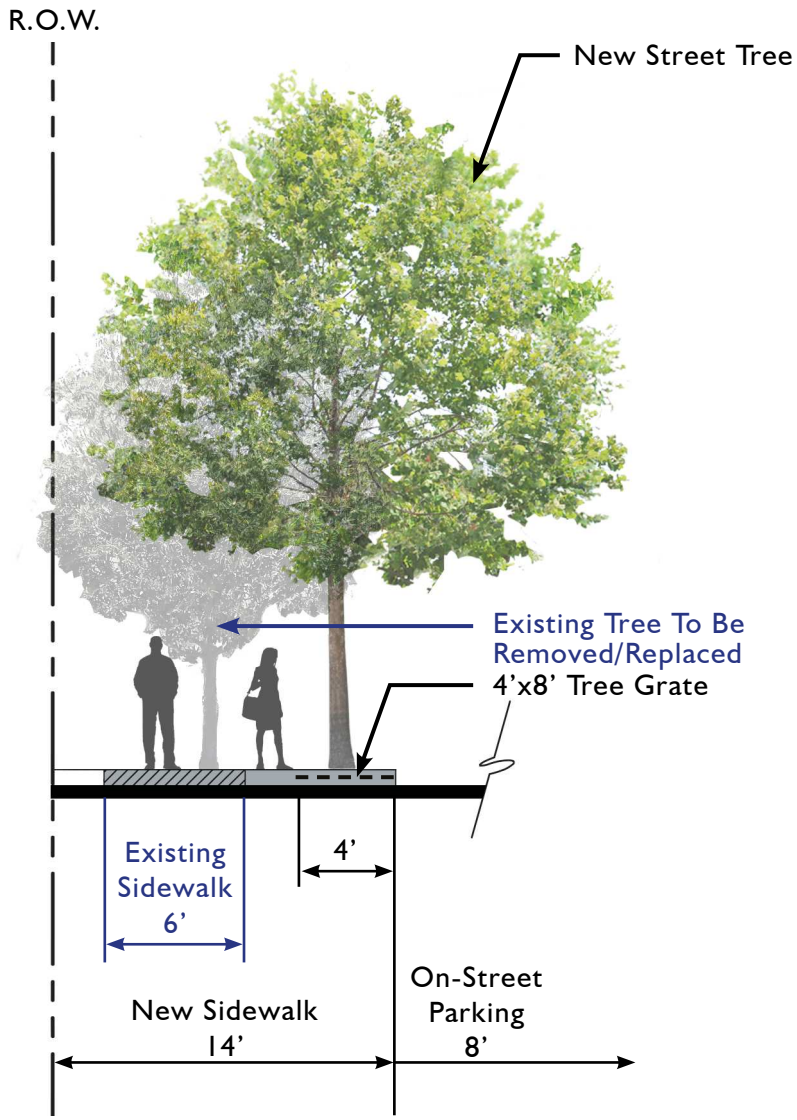
② New Sidewalk 14' (west), 8'(east)

③ Reconfiguring the Existing Parking Edge w/ Paving and Trees

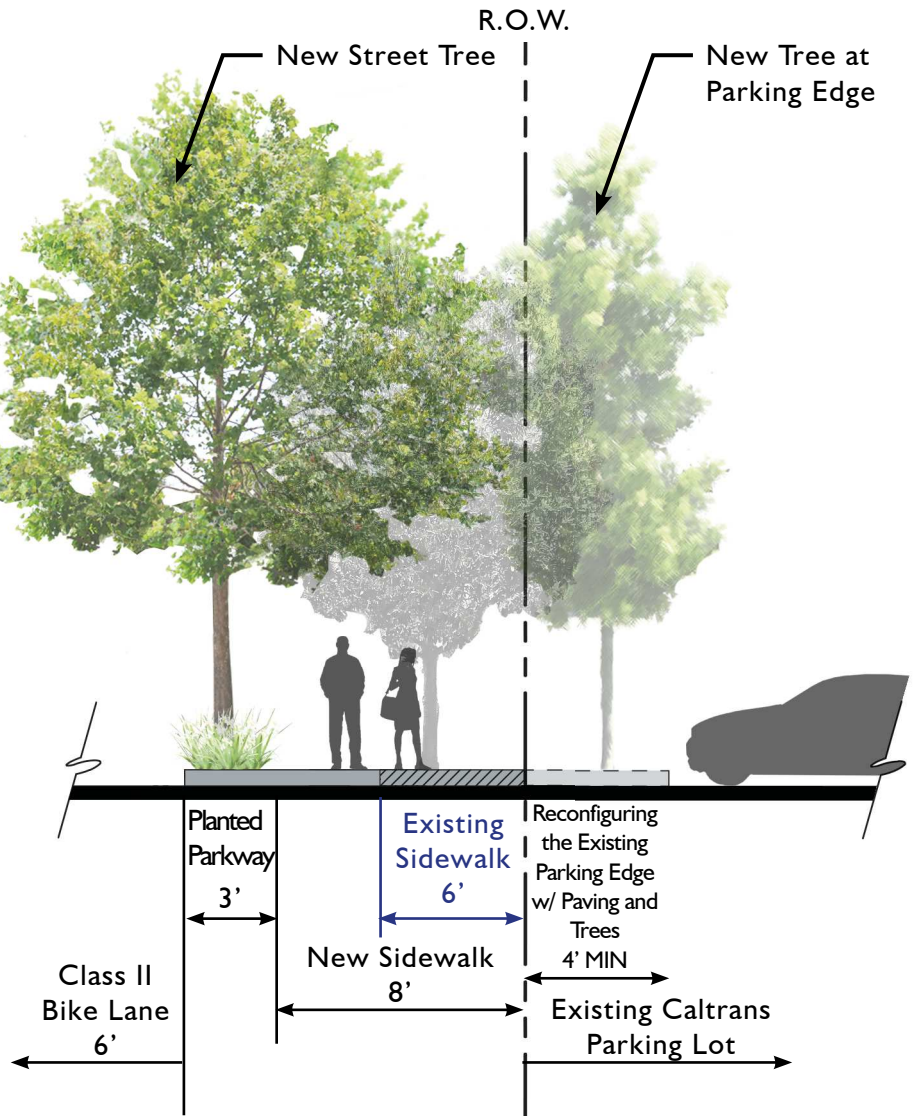


KEY MAP

EL CAMINO REAL - CROSS SECTIONS



SECTION A-A'
TYPICAL SECTION



SECTION B-B'
ADJACENT TO CALTRANS PARKING

0 4' 8'
SCALE

VILLAGE AVENUE PROTOTYPICALS

OLD COUNTY ROAD

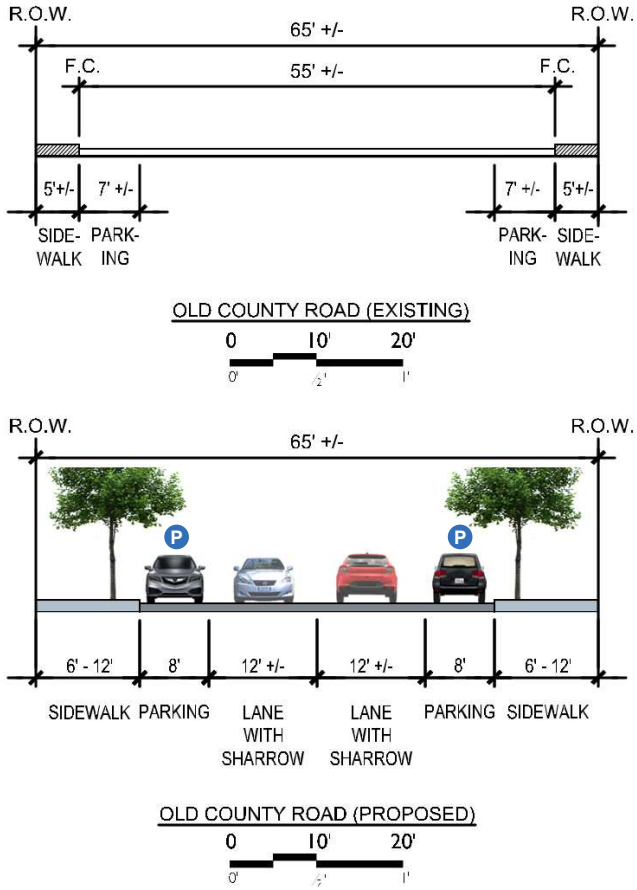
These streets provide connections between retail areas and local residential neighborhoods. They have narrow rights-of-way which need to accommodate on-street parking. Widened sidewalks with bulb-outs are essential to create shortened street crossings and encourage pedestrian circulation. Bike circulation shares the road on these narrow, slow streets. The Specific Plan classifies Old County Road and Elmer Street and as Village Avenues.

Old County Road

Where right-of-way or land dedication permits, sidewalks should be widened. Bulb-out crossings should be created at intersections to facilitate pedestrian circulation and to slow traffic. This street is designated as a Class III bike route, indicated with sharrows.

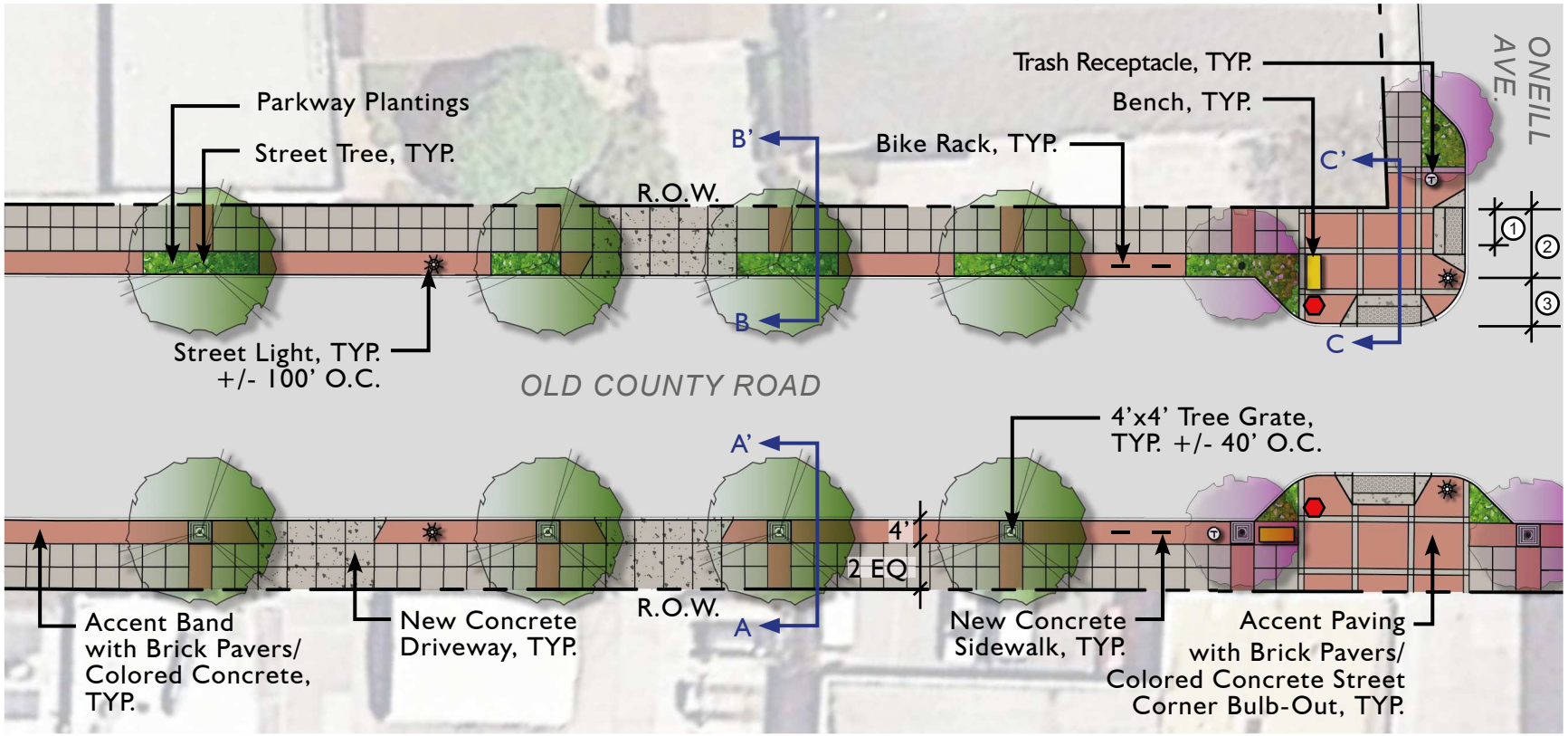


OLD COUNTY ROAD



TYPICAL STREET SECTION

OLD COUNTY ROAD - PLAN



LEGEND

- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Tree Grate
- Street Light
- Bench
- Bike Rack
- Trash Receptacle
- Wayfinding Hotspot

0 15' 30'

① Existing Sidewalk 5' +/-

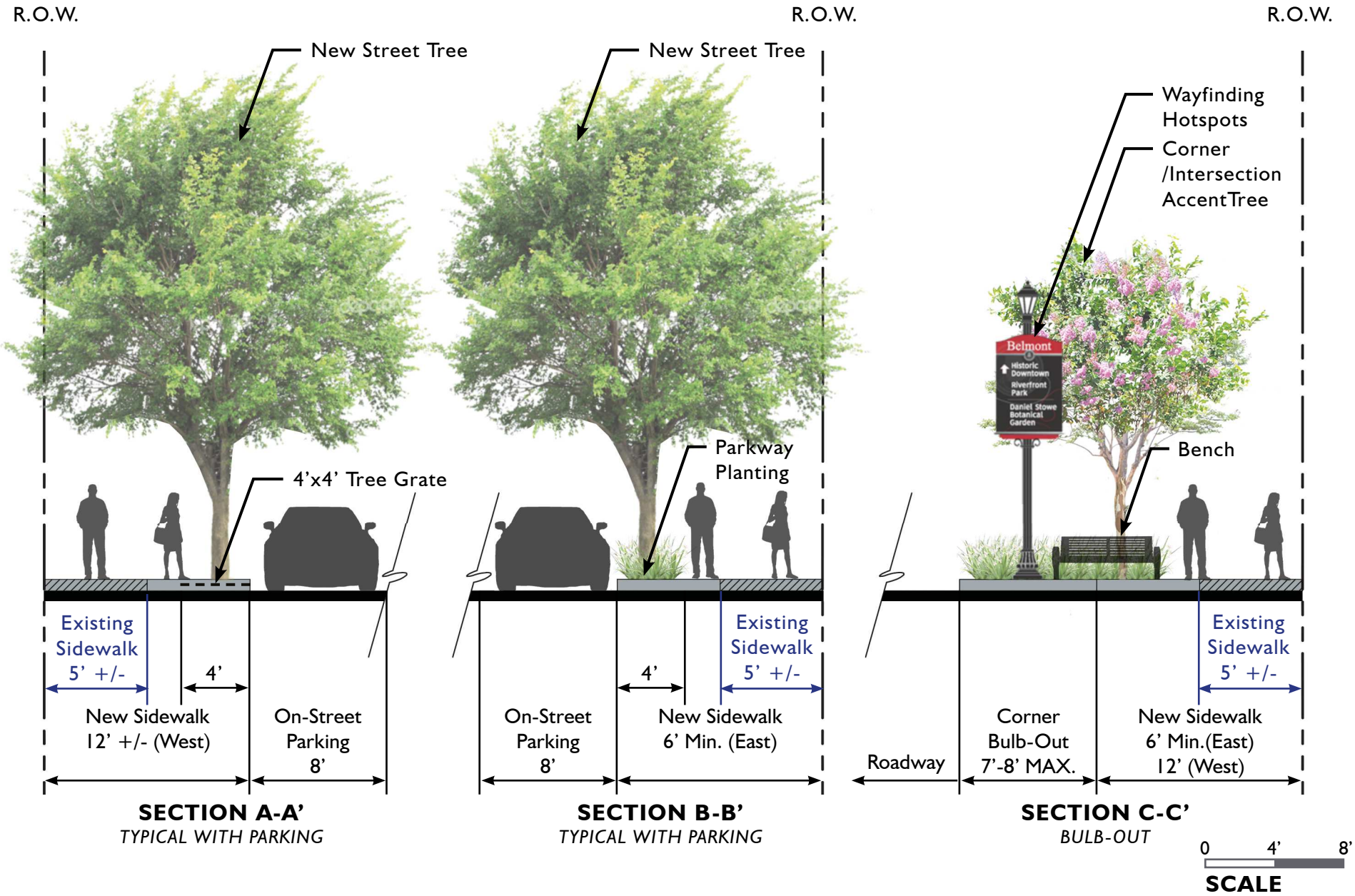
② New Sidewalk 6' Min. (East), 12' +/- (West)

③ Bulb-Out 7'-8' Maximum



KEY MAP

OLD COUNTY ROAD - CROSS SECTIONS

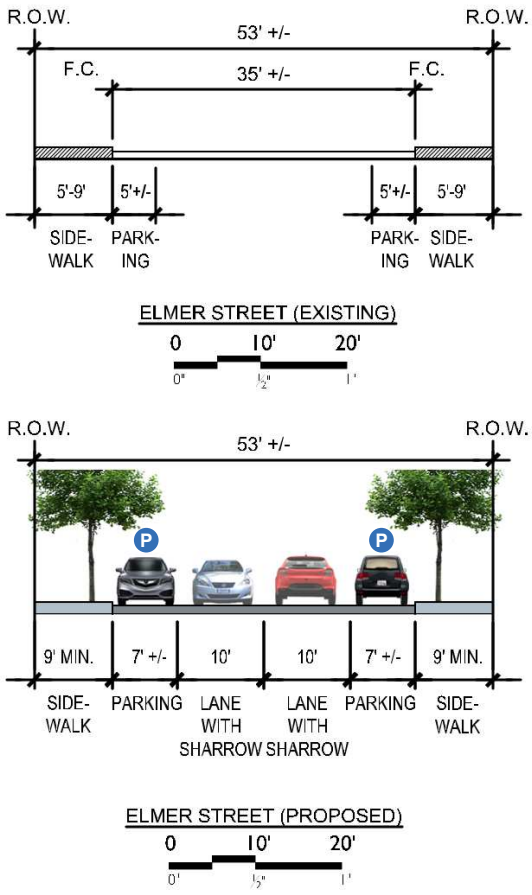


ELMER STREET

As right-of-way and land dedication permits, sidewalks should be widened and bulb-outs added at intersections.

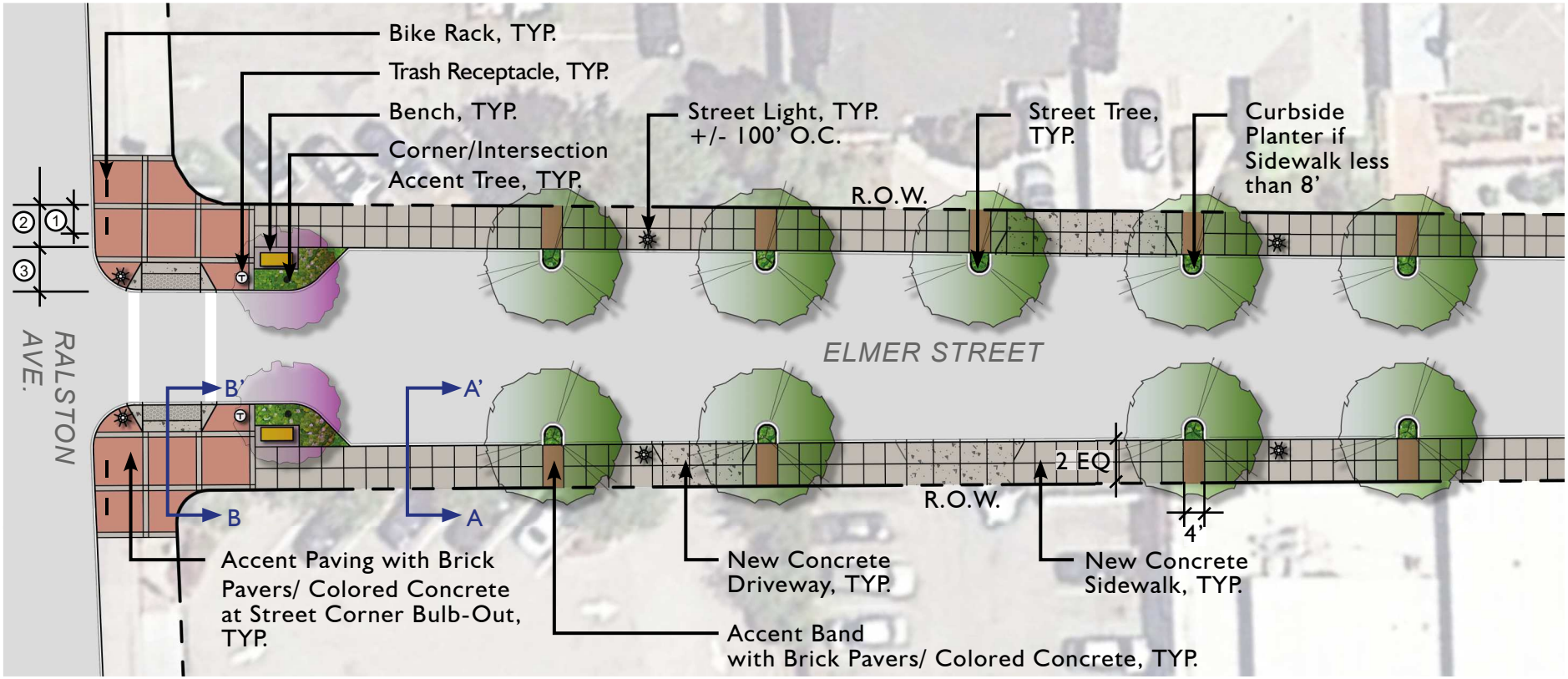


ELMER STREET



TYPICAL STREET SECTION

ELMER STREET - PLAN



LEGEND

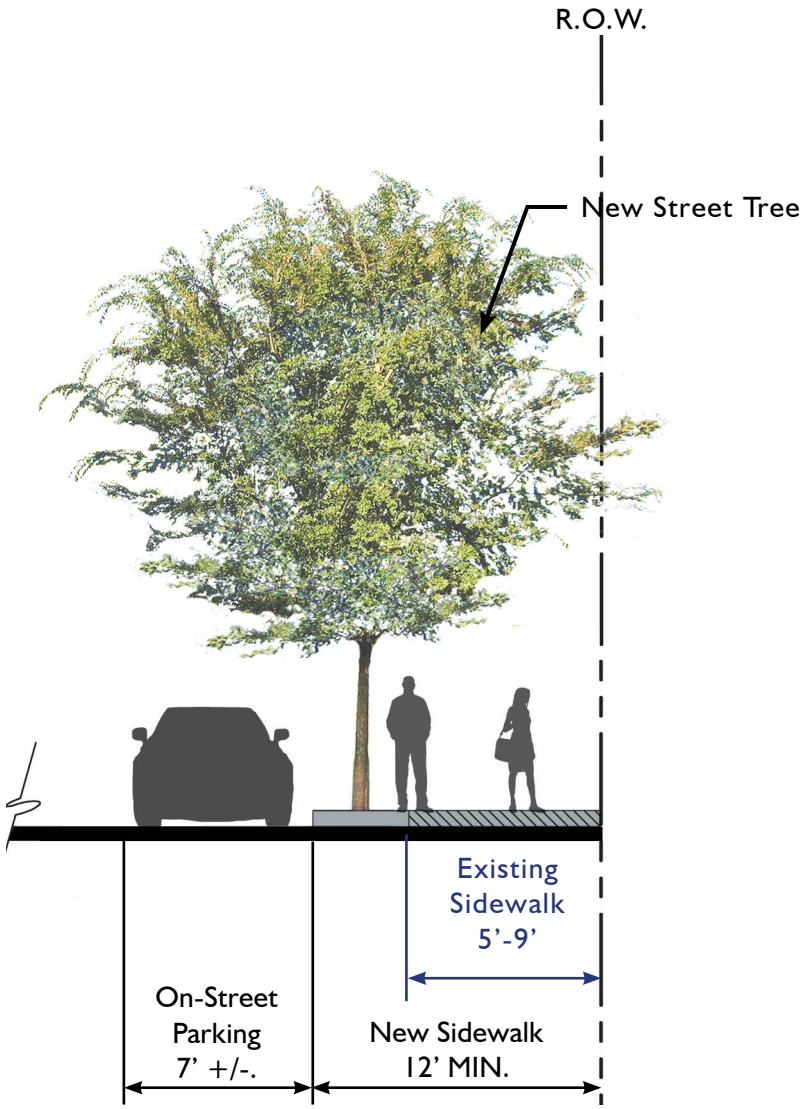
- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Street Light
- Bench
- Bike Rack
- Trash Receptacle
- ① Existing Sidewalk 5'-9'
- ② New Sidewalk 9' Minimum
- ③ Bulb-Out 7'-8' Maximum

0 15' 30'

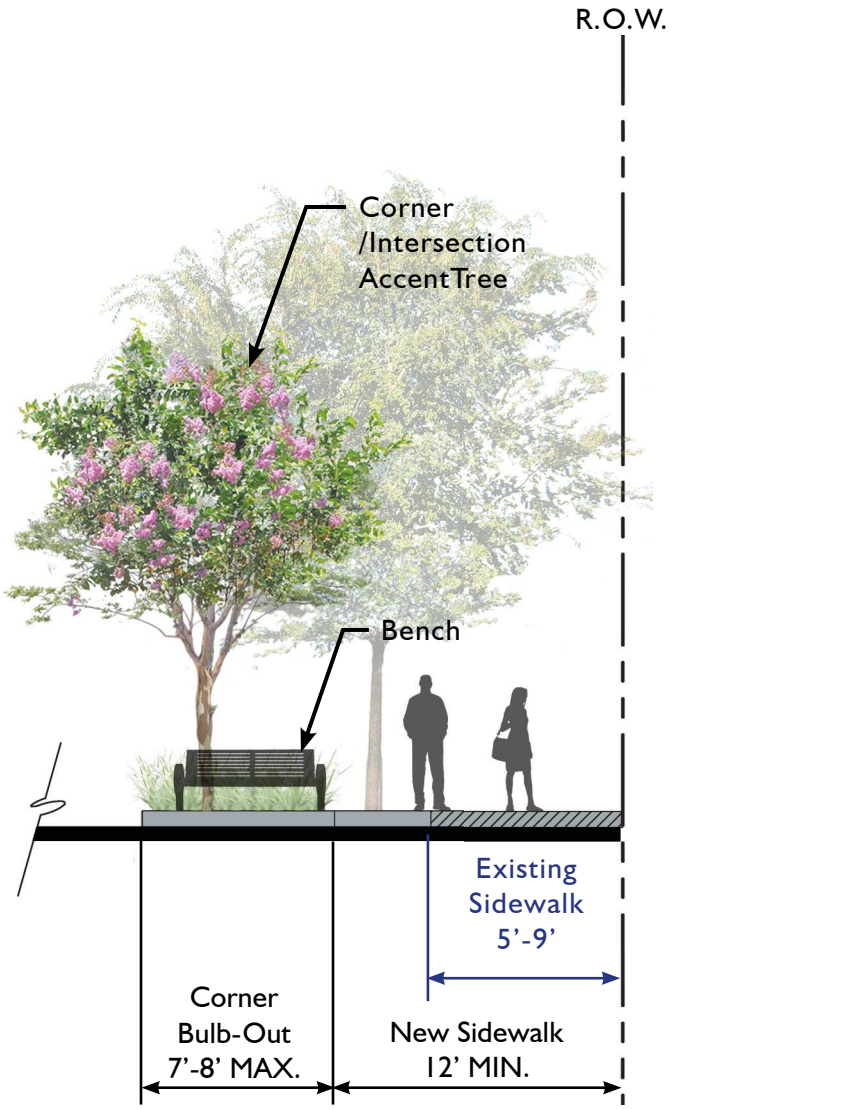


KEY MAP

ELMER STREET - CROSS SECTIONS



SECTION A-A'
TYPICAL WITH PARKING



SECTION B-B'
BULB-OUT

0 4' 8'
SCALE

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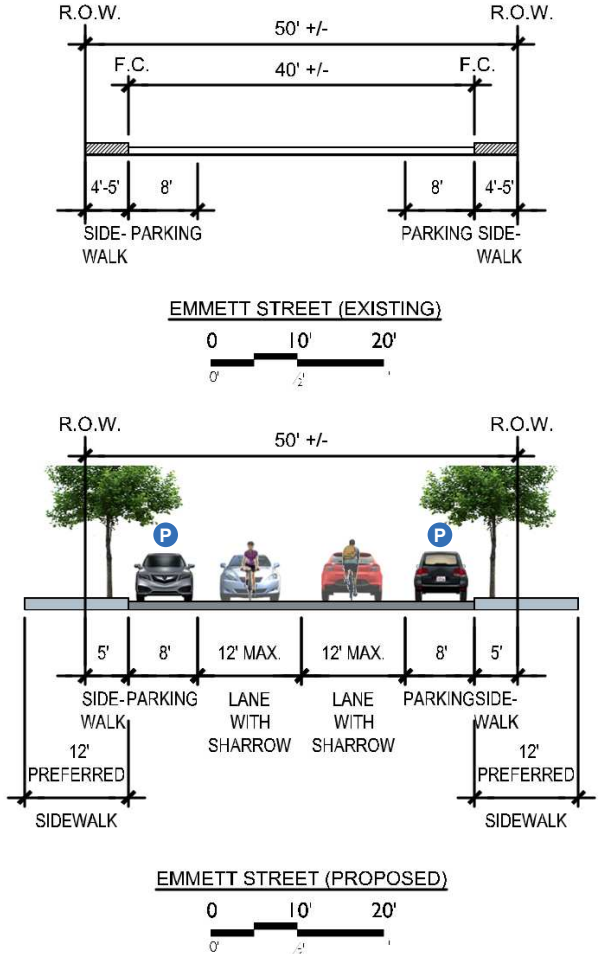
VILLAGE MAIN STREET PROTOTYPICALS

APPLY TO O'NEILL AVENUE, EMMETT STREET, HILL STREET, MASONIC WAY, WESSEX WAY, FLASHNER WAY

These streets form the heart of the retail and shopping area, typically with curbside parking, generous sidewalks and areas for outdoor dining and display. Bulb-outs at intersections are required. The Specific Plan classifies 5th Ave., 6th Ave., O'Neill Ave., Emmett Street, Hill Street, Masonic Way, Flashner Way, and Wessex Way as Village Main Streets. The Bike and Pedestrian Master Plan proposes a Class II bike lanes for portions of 5th and 6th Avenues.

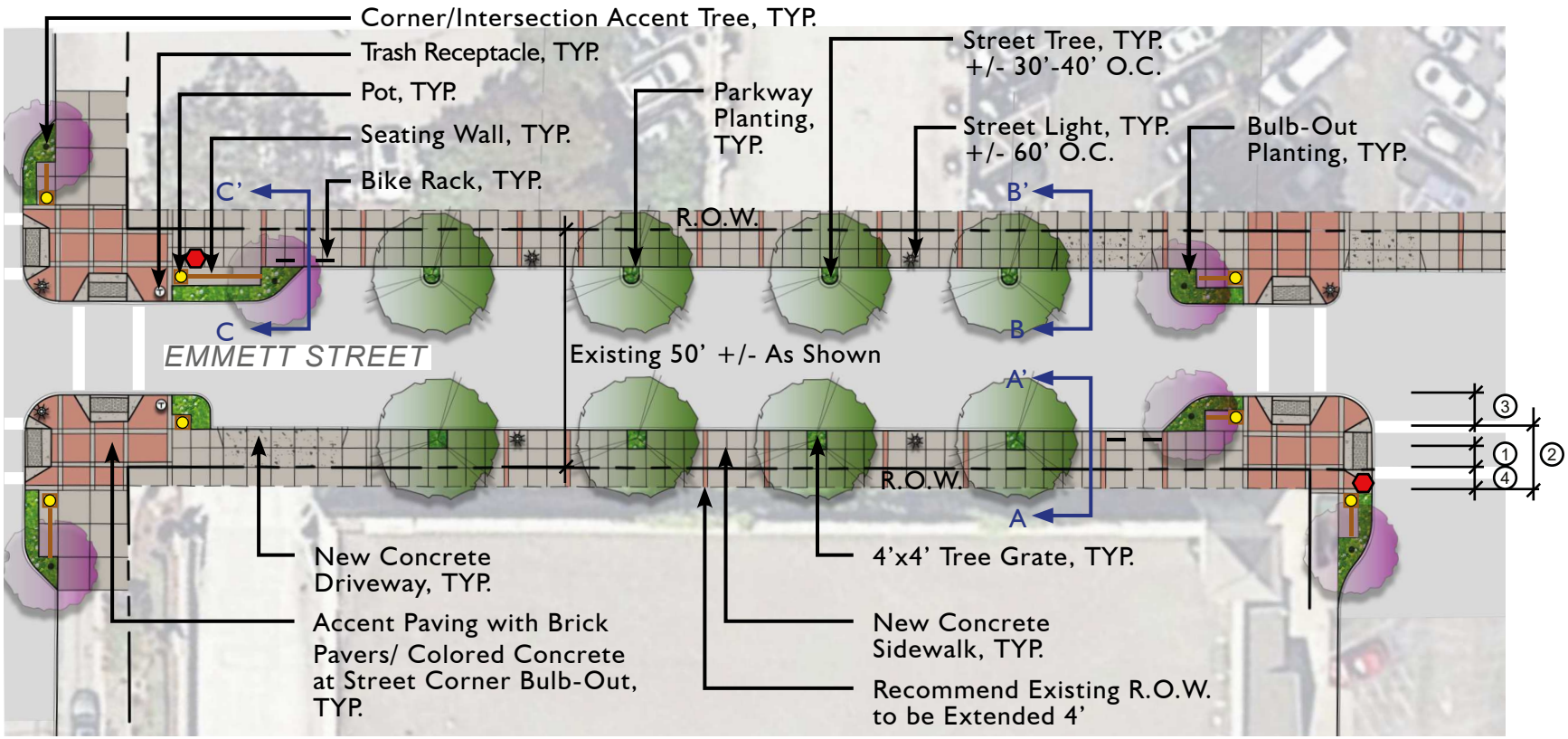


EMMETT STREET



TYPICAL STREET SECTION

VILLAGE MAIN STREET - PLAN



LEGEND

- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Tree Grate
- Street Light
- Seating Wall w/ Pot
- Bike Rack
- Trash Receptacle
- Wayfinding Hotspot

① Existing Sidewalk 4'-5'

② New Sidewalk 12' Preferred

③ Bulb-Out 7'-8' Maximum

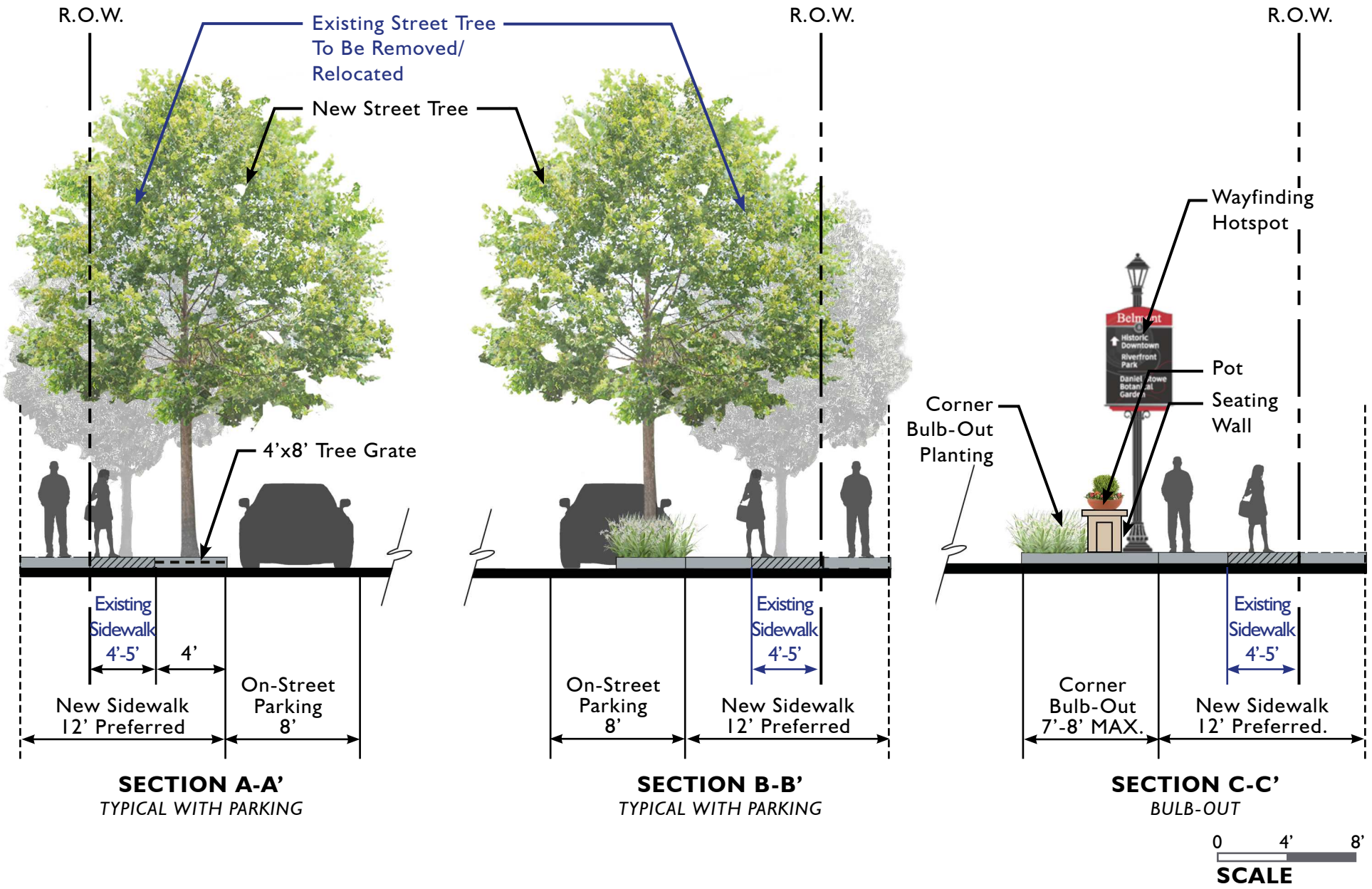
④ Recommend Existing R.O.W. to be extended

0 15' 30'



KEY MAP

VILLAGE MAIN STREET - CROSS SECTIONS



SECTION A-A'
TYPICAL WITH PARKING

SECTION B-B'
TYPICAL WITH PARKING

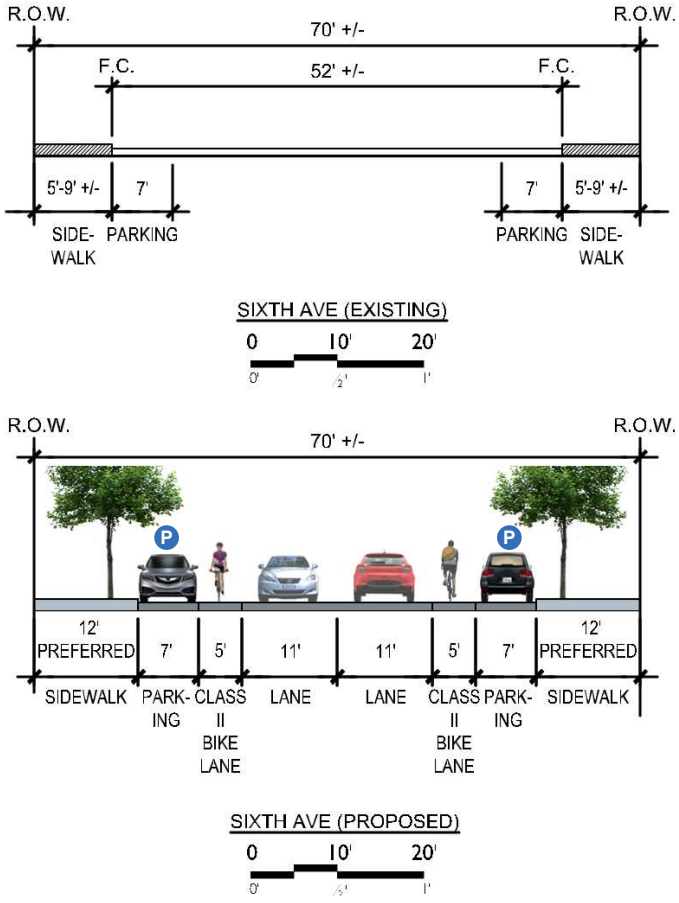
SECTION C-C'
BULB-OUT

SIXTH AVENUE PROTOTYPICAL

As redevelopment occurs, provide Class II bike lanes on both sides of the street with areas for on-street parking or future parklets. Sidewalks should be widened to accommodate pedestrian activities.

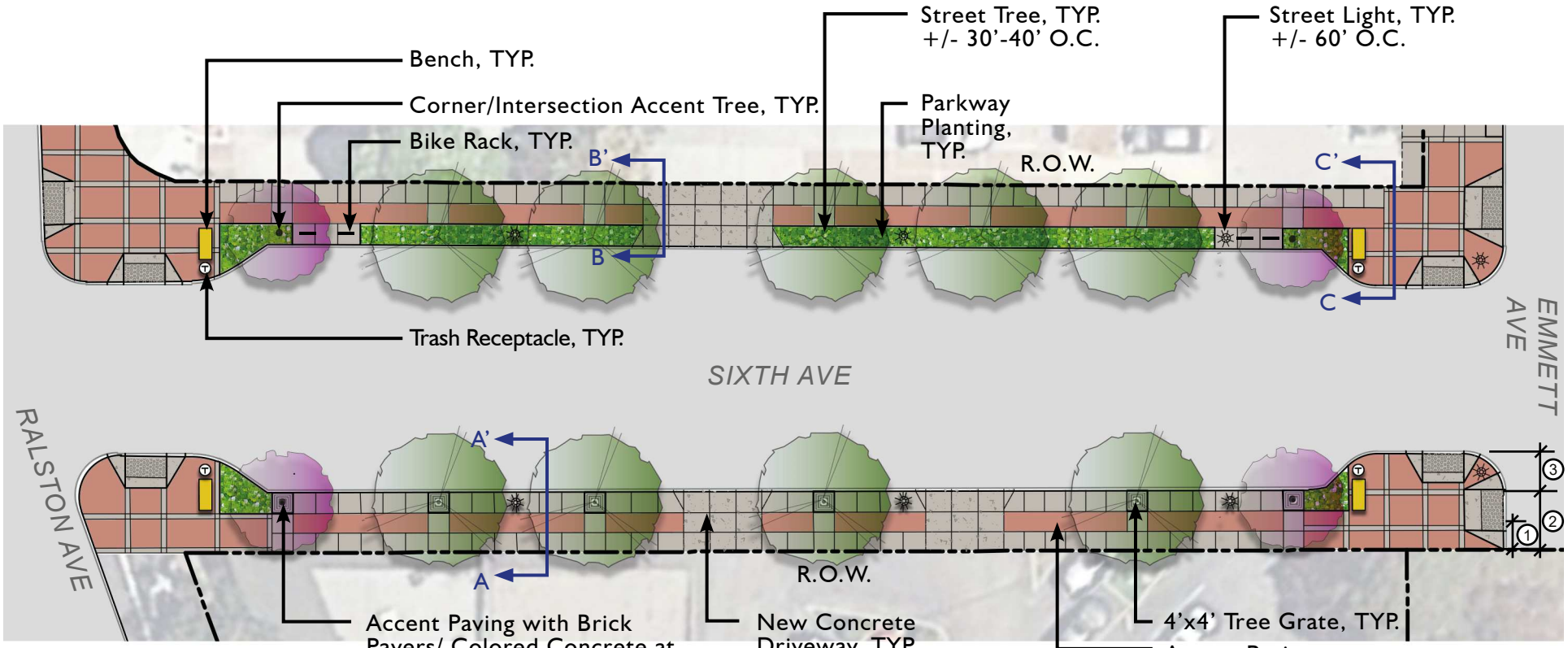


SIXTH AVE



TYPICAL STREET SECTION

SIXTH AVE - PLAN



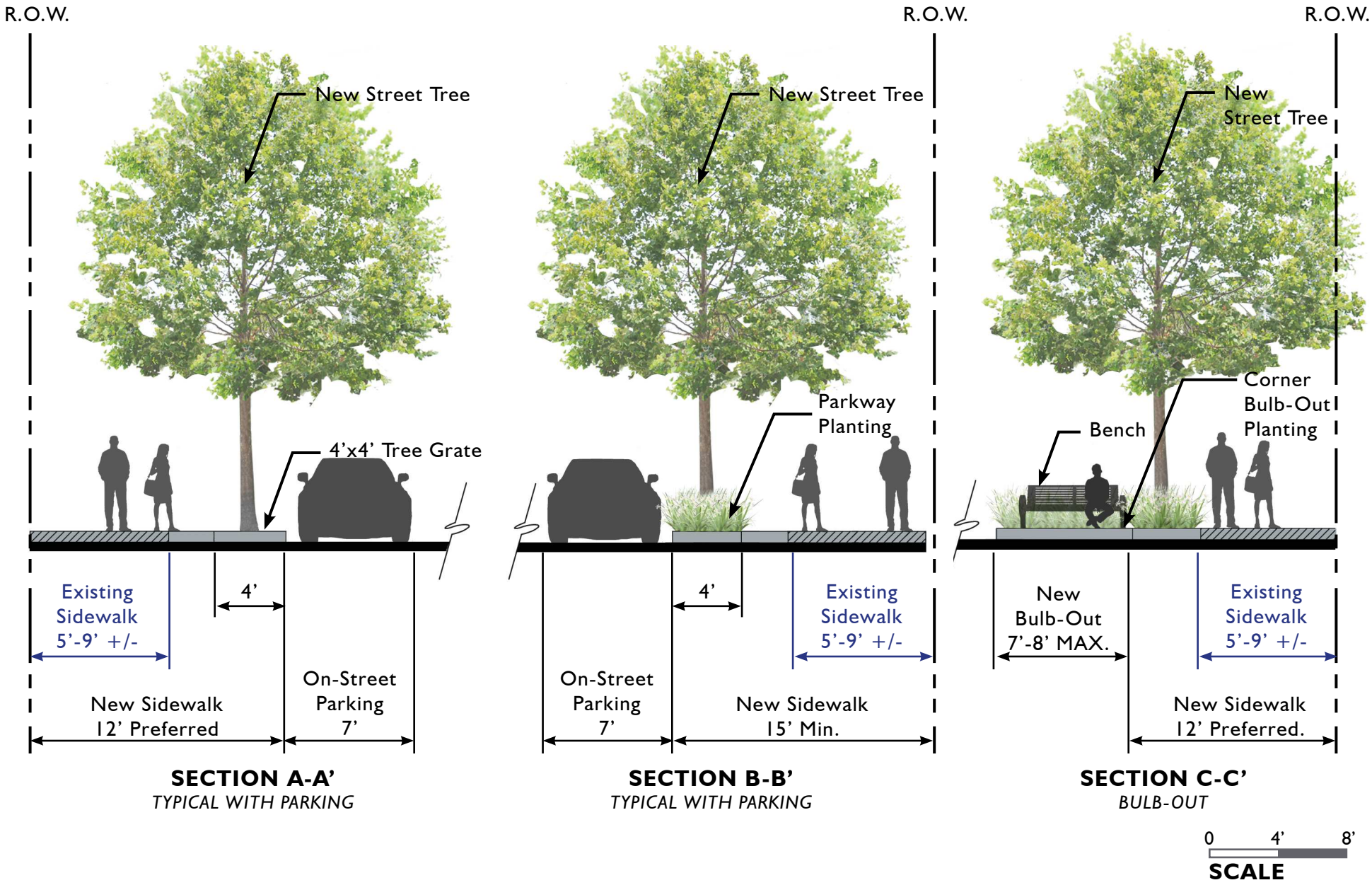
LEGEND

- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Tree Grate
- Street Light
- Bench
- Bike Rack
- Trash Receptacle
- ① Existing Sidewalk 5'-9' +/-
- ② New Sidewalk 12' Preferred
- ③ Bulb-Out 7'-8' Maximum



KEY MAP

SIXTH AVE - CROSS SECTIONS



SECTION A-A'
TYPICAL WITH PARKING

SECTION B-B'
TYPICAL WITH PARKING

SECTION C-C'
BULB-OUT

0 4' 8'
SCALE

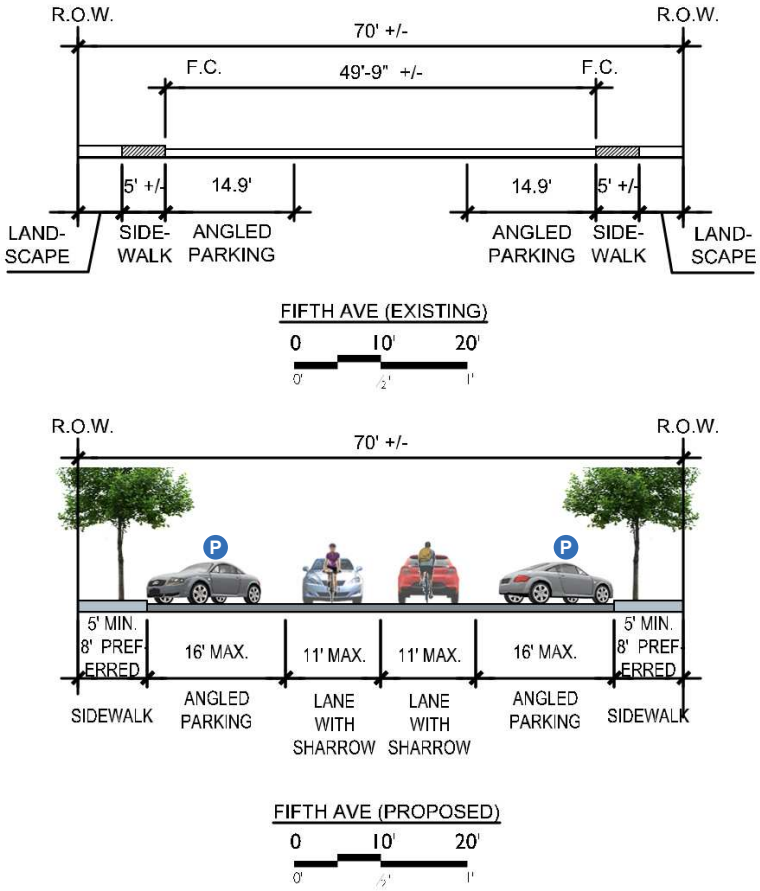
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FIFTH AVENUE PROTOTYPICAL

5th Avenue between O'Neill Ave and Broadway, length of retained angled parking increased and travel lanes narrowed, as redevelopment occurs, sidewalks will be widened.

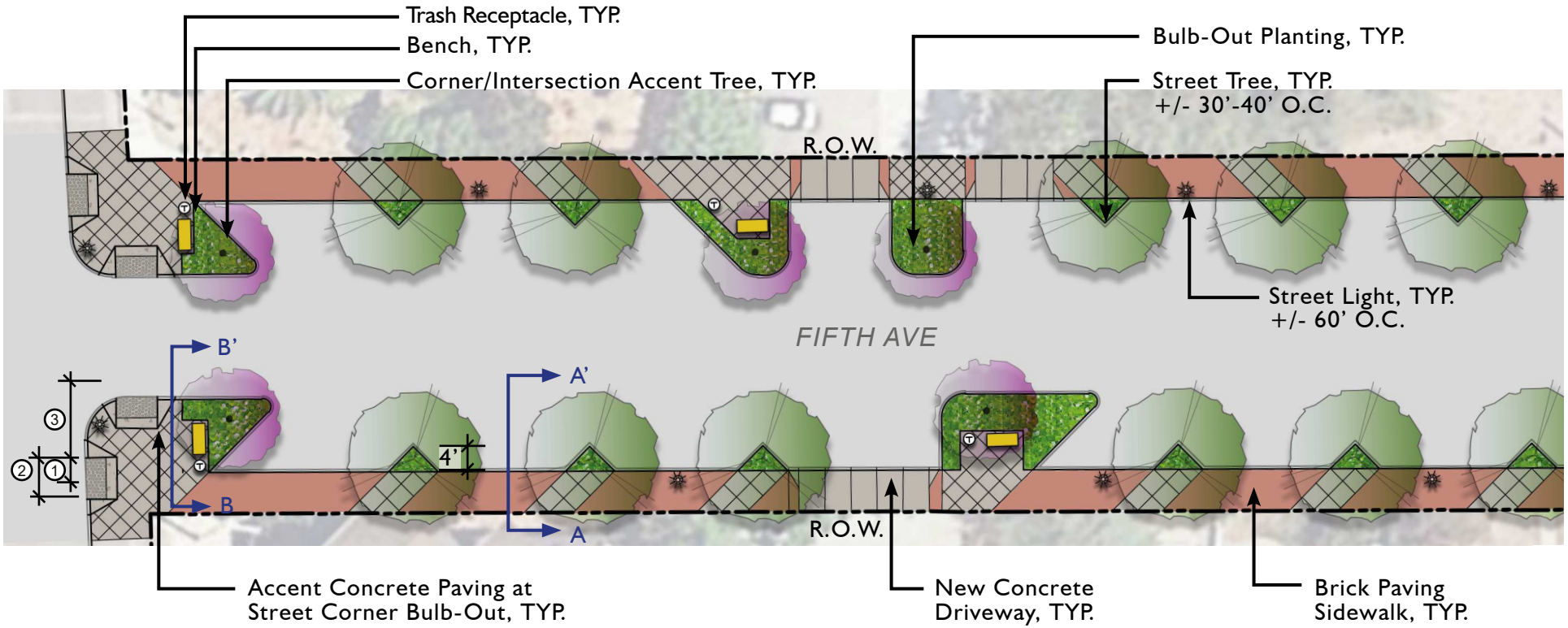


FIFTH AVE



TYPICAL STREET SECTION

FIFTH AVE - PLAN



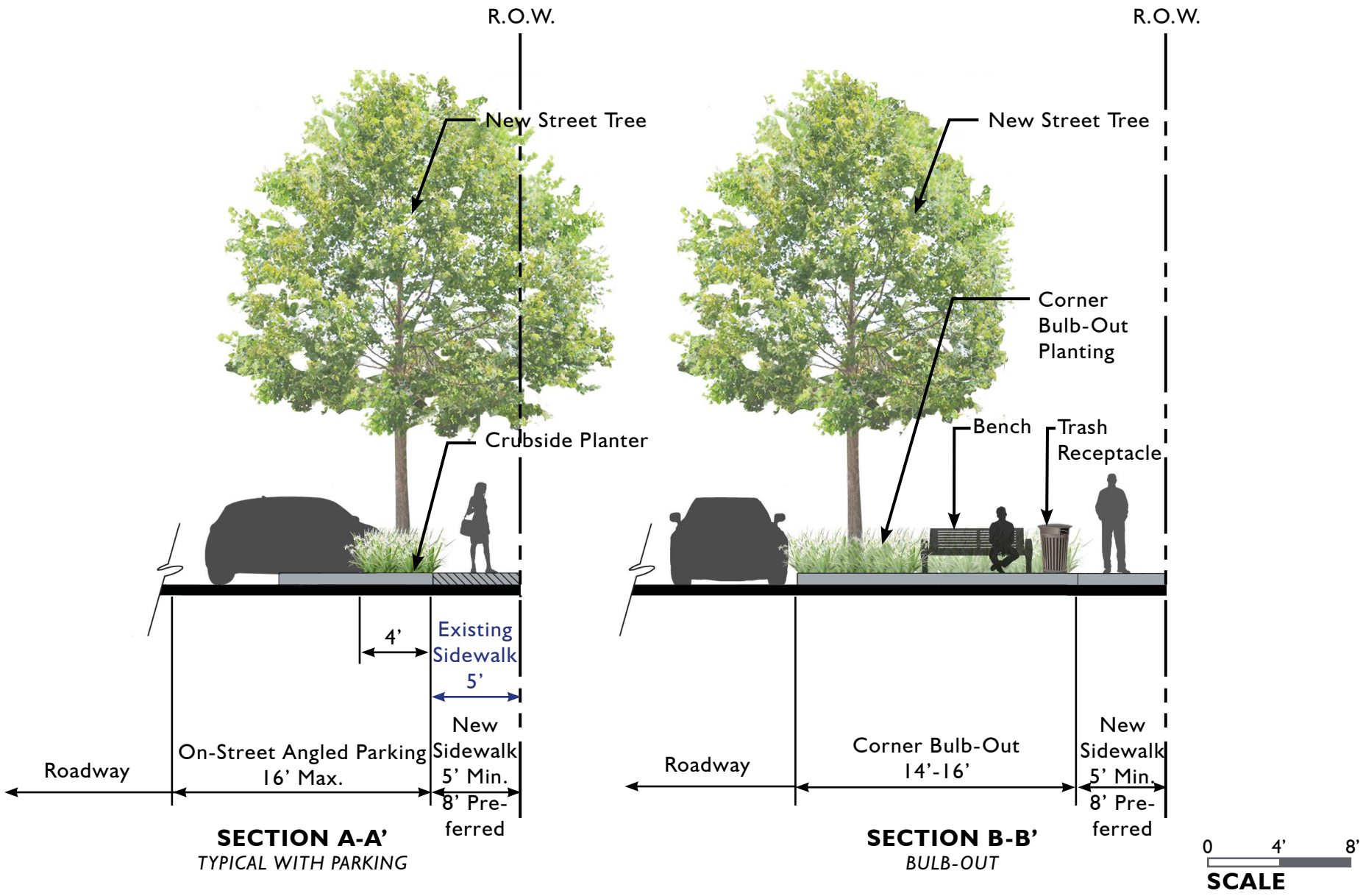
LEGEND

- Brick Pavers/ Colored Concrete
- Concrete Sidewalk
- Concrete Driveway
- Property Line / Right of Way
- Street Light
- Bench
- Trash Receptacle
- ① Existing Sidewalk 5'
- ② New Sidewalk 5' Minimum, 8' Preferred
- ③ Bulb-Out 14'-16'



KEY MAP

FIFTH AVE - CROSS SECTIONS



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3 SITE ELEMENTS

There are 3 distinct “site element” palettes tailored to reflect the diversity of uses and the architectural character of the Downtown.

Boulevard

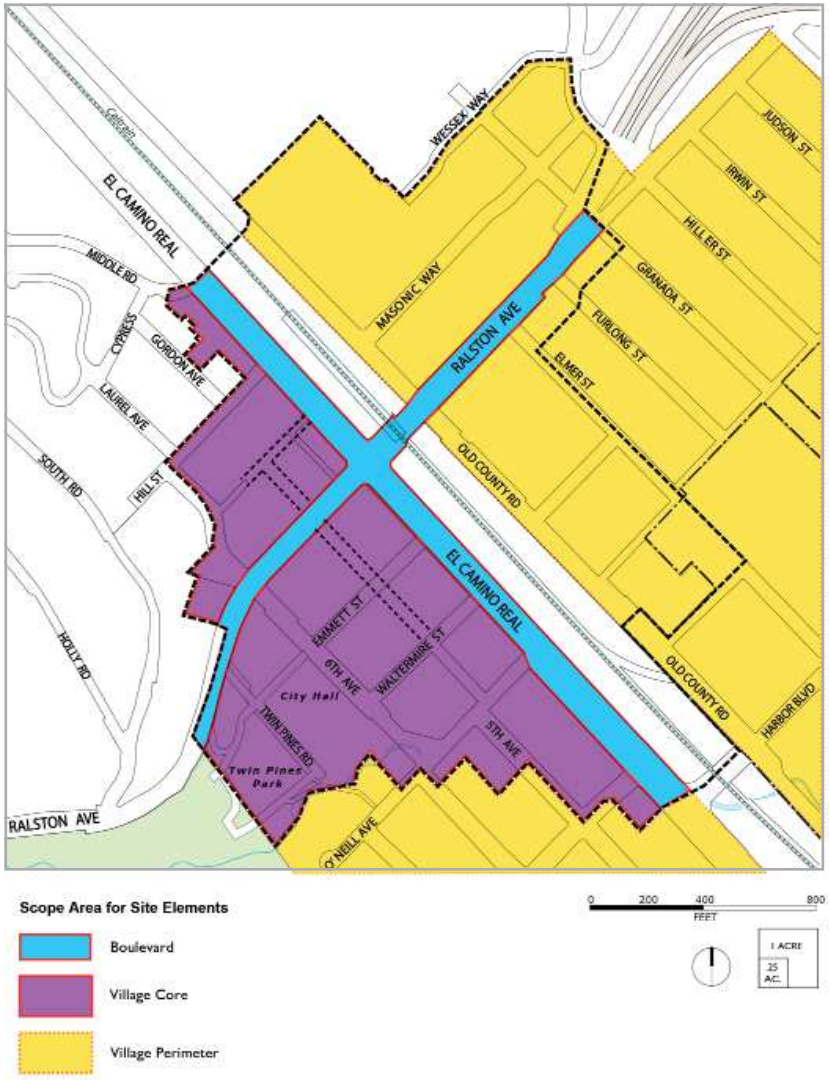
Introduces a distinctly contemporary, pedestrian-friendly palette.

Village Core

Builds upon the traditional, well-established vocabulary of Brick Paving Band and Lantern Light standards while introducing more contemporary elements.

Village Perimeter

Celebrates an aesthetic, playful streetscape by introducing technology.



Site Elements Key Map

VILLAGE CORE

The vocabulary of site elements proposed for the Village Core builds upon the current historic materials palette of brick paving and lantern style streetlights.

The street furnishings are designed to support pedestrian activities, providing visual interest in the textured paving and ornamental tree grates, comfortable benches with backs and arm rests, and convenient trash receptacles and bike racks.

There are two types of streets in the Village Core- Main Street and the Avenues and Boulevards.

Main Street, as the primary pedestrian corridor, has enhanced accessories such as brackets for hanging baskets and for decorative street signs. The vocabulary for the Avenues and Boulevards is more contemporary. All site furnishing must be durable and appropriate for high intensity public use.



SITE ELEMENTS ON RALSTON AVENUE

VILLAGE CORE - PAVING MATERIALS

Boulevard and Avenue



Accent Band/Street Corner:
Interlocking Pavers set on
Concrete sub-grade
MFR: Basalite or equal
Size: 4 x 8 x 2-3/8” thickness
Color: as shown



Sidewalk:
Color: Standard Gray Concrete
Joint: Sawcut Scoring Joint
Finish: Medium Broom

Main Street



Accent Band/Street Corner:
Interlocking Pavers set on
Concrete sub-grade
MFR: Basalite or equal
Size: 4 x 8 x 2-3/8” thickness
Color: as shown

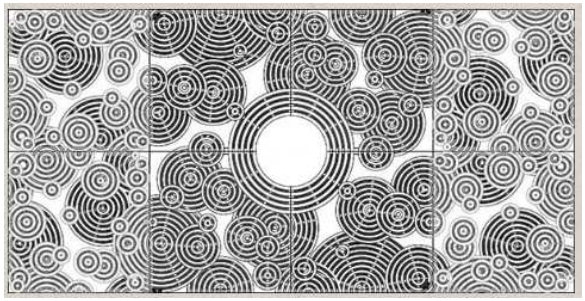


Sidewalk:
Color: Integral Color Concrete
Pebble by Davis Colors
Joint: Sawcut Scoring Joint
Finish: Medium Broom

VILLAGE CORE - SITE FURNISHINGS

TREE GRATE

Boulevard and Avenue

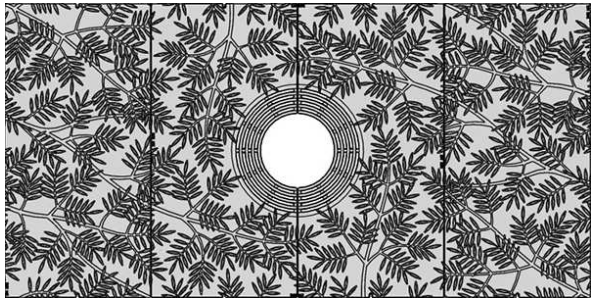






MFR: Iron Age Designs
Model: Oblio – ADA compliant
Frame: “E” Frame Installation
Size: 4’ x 8’ Rectangular
Material: Cast Iron
Finish: Natural Raw Finish

Main Street





MFR: Iron Age Designs
Model: Locust – ADA compliant
Frame: “E” Frame Installation
Size: 4’ x 8’ or 4’ x 6’ Rectangular
Material: Cast Iron
Finish: Natural Raw Finish

BENCH

Boulevard and Avenue



MFR: Forms and Surfaces
Model: Balance Bench with Logo/Branding Incorporated
Size: 6’ long
Material and Finish: Solid Cast Aluminum with Powder Coat Finish
Arm Rest and Frame Color Finish: Powder Coated with Slate Texture
Seat and Back Color Finish: Powder Coated with Aluminum Texture or Cream Texture
Mounting: Surface Mount

Main Street





MFR: Landscape Forms
Model: Plainwell
Size: 72” long (25” x 72” x32”)
Seating and Back Slats: IPE
Arm Rest and Frame Color Finish: Powder Coat Titanium
Mounting: Surface Mount

TRASH RECEPTACLE

Boulevard and Avenue





MFR: Forms and Surfaces
Model: Dispatch Litter & Recycling Receptacle with Logo/ Branding Incorporated
Model: SLDIS-220, 40 gallons (20 gallons each side)
Top Lide Color Finish: Powder Coated with Slate Texture
Body Slats Color Finish: Powder Coated with Aluminum Texture or Cream Texture.
Mounting: Surface Mount

Main Street



MFR: Forms and Surfaces
Model: Poe Litter Receptacle, Side Opening
Size: 34 gallon
Material and Finish: Cast and Extruded Aluminum
Mounting: Surface Mount

BIKE RACK

Boulevard and Avenue



MFR: Forms and Surfaces
Model: Trio Bike Rack with Logo/Branding Incorporated
Material: Solid Cast Aluminum
Finish: Powder Coated with Aluminum Texture
Size: 12” x 33.5”H
Mounting: Surface with Embedded Anchors

Main Street



MFR: Landscape Forms
Model: Bola Bike Rack
Material: Powdercoated Steel, color finish to match bench.
Size: 2” x 28” x 32”
Mounting: Embedded



MFR: Landscape Forms
Model: Ring Bike Rack
Material: Powdercoated Steel, color finish to match bench.
Size: 1.5” x 25” x 27”
Mounting: Embedded

VILLAGE CORE - STREET LIGHT

Boulevard, Avenue and Main Street



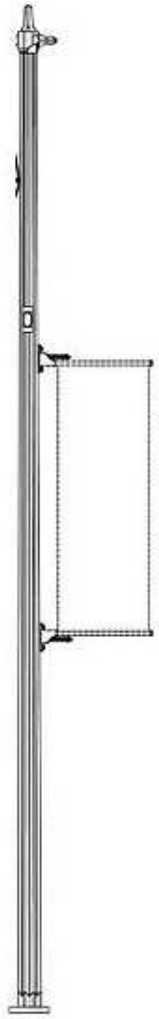
LANTERN LIGHT



CUSTOM CASTING AT LIGHT POLE



DORCHESTER POLES



BANNER ARM

Accessories

Main Street



PLANTER BRACKET



STREET NAME BRACKET

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VILLAGE PERIMETER

Outside of the Village Core, Belmont is emphasizing a modern architectural style. Thus, the proposed street amenities embrace this emerging style with plank pavers and refined concrete finishes for hardscape, playful bench styles, recycling trash containers, and solar charging stations integrated into site furniture.



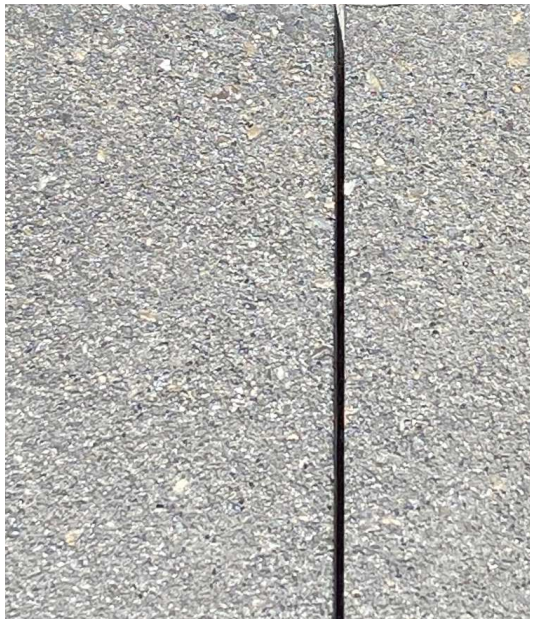
Redevelopment in contemporary architectural style
Credit: 601 Harbor Public Art Opportunities LORES by Slate Art Consulting

VILLAGE PERIMETER - PAVING MATERIALS



MFR: Basalite or equal
Model: Plank Pavers
Color: T.B.D.





MFR: Davis Color
Sawcut Integral Color Concrete
Color: T.B.D.
Finish: Topcast

VILLAGE CORE - SITE FURNISHINGS

TREE GRATE



MFR: Urban Accessories
Model: Cascade
Size: 4’ x 8’ Rectangular
Material: Ductile Iron
Finish: Rust Conditioner



MFR: Iron Age Designs
Model: Rain Heel Proof
Size: 4’ x 4’ or 4’ x 8’ Rectangular
Material: Cast Iron
Finish: Baked Oil Finish

BENCH



MFR: InfraMarks Green Innovations

Model: Smart Solar Bench



MFR: INCLUDE

Model: Steora City Smart Bench







Art Benches

MFR: T.B.D.



TRASH RECEPTACLES



MFR: MTR
Model: 650 Trash Containers
Size: 32 Gallon
Pattern: Birch Pattern
Color: T.B.D.
Finish: Powdercoat



MFR: MTR
Model: 2900 Series
Size: 32 Gallon
Pattern: Vinyl Graphics
Color: T.B.D.
Finish: Powdercoat

BIKE RACKS



MFR: T.B.D.
Model: T.B.D.
Mounting: Surface Mount



MFR: Forms and Surfaces
Model: Bike Garden Bike Rack
Mounting: Surface Mount



MFR: Santa & Cole
Model: Tactil
Mounting: Surface Mount

OTHER SITE FURNISHINGS



4 STREET TREE MASTER PLAN

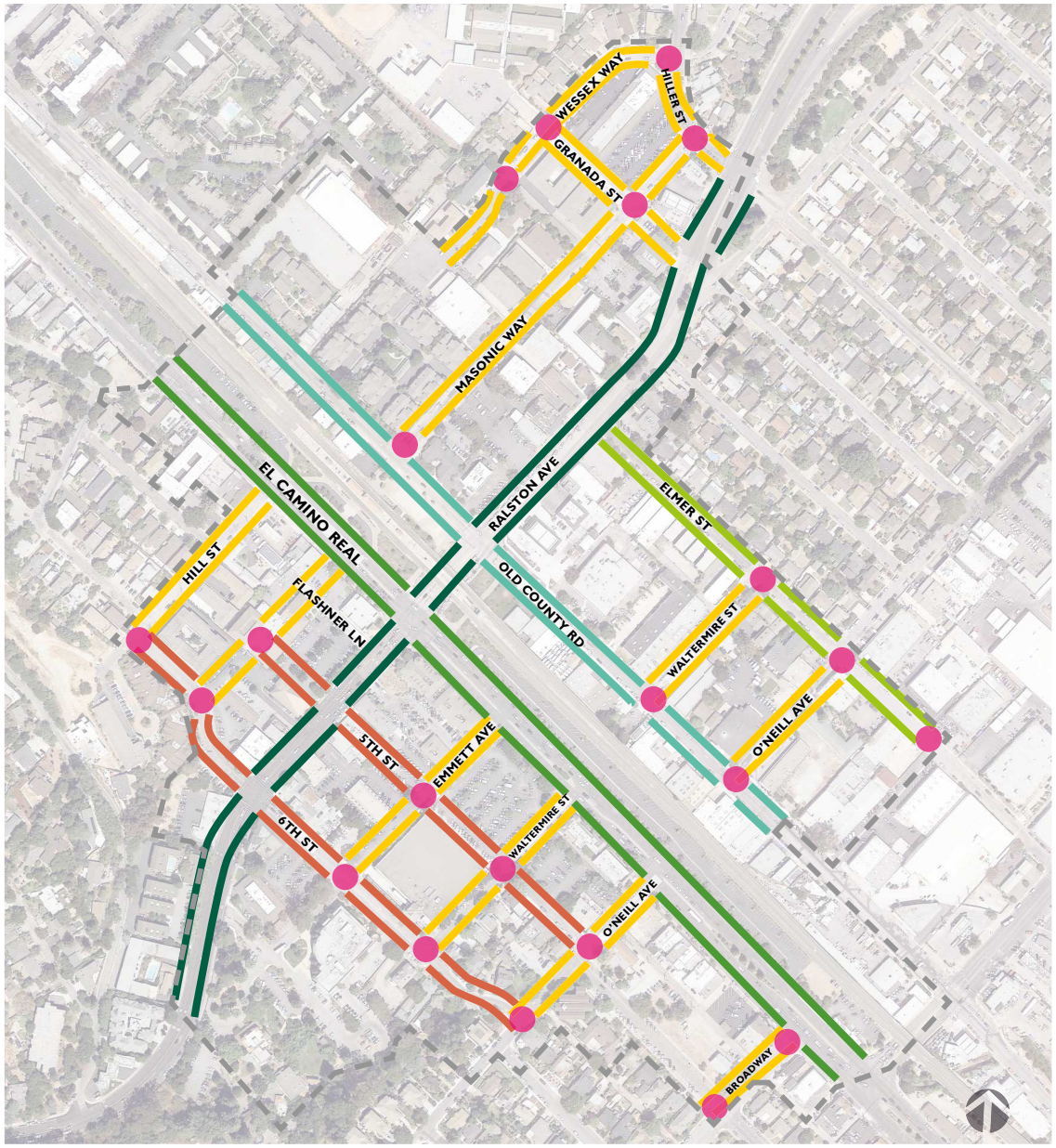
Street trees may be installed as part of a streetscape improvement project, or incrementally as new adjacent development occurs. The Street Tree Master Plan creates a distinct characteristic for each street by identifying a unifying tree species. Where more than one tree species is identified it is important that all the trees in a block are the same species. Accent trees may be used to highlight intersection or parklets along the street.

The tree palette is a mixture of deciduous and evergreen trees. Larger canopy trees are proposed for use on the wide major corridors, while columnar trees would be used on the narrower streets.

All trees have been selected for their tolerance of urban conditions and local climate.



STREET TREE MASTER PLAN



LEGEND

- Boulevard Tree - Ralston Ave
  Arbutus marina
- Boulevard Tree - El Camino Real
  Platanus acerifolia 'Columbia'
- Avenue Tree - Old County
  Ulmus parvifolia 'Drake'
  Quercus shumardii
- Avenue Tree - Elmer Street
  Ulmus hybrid 'Frontier'
- 5th Street/6th Street
  Pistachia chinensis
- Main Street
  Acer rubrum 'Armstrong Gold'
  Acer rubrum 'October Glory'
  Zelkova serrata 'Musashino'
- Accent Trees
  Lagerstroemia indica 'Tonto'
  Lagerstroemia indica 'Muskogee'
- Project scope area

Note:
1. Boulevard trees to be 36" box minumum.
2. Avenue trees to be 24" box minumum.
3. Main Street trees to be 24" box minumum.

STREET TREE PALETTE

BOULEVARD TREE



Arbutus marina
Strawberry Tree



Platanus acerifolia 'Columbia'
London Plane Tree

AVENUE TREE



Quercus shumardii
Shumard oak



Ulmus parvifolia 'Drake'
'Drake' Chinese Elm



Ulmus hybrid 'Frontier'
Frontier Elm

5TH AVE./6TH AVE.



Pistachia chinensis
Chinese pistache

MAIN STREET TREE



Acer rubrum 'Armstrong Gold'
Armstrong Gold Maple



Acer rubrum 'October Glory'
October Glory Maple



Zelkova serrata 'Musashino'
Musashino Columnar Zelkova

ACCENT TREE



Lagerstroemia indica 'Tonto'
Tonto Crape Myrtle



Lagerstroemia indica 'Muskogee'
Muskogee Crape Myrtle

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Council Agenda Item 11
Matter of Council
Interest/Clarification

Meeting Date: October 25, 2022

Councilmember(s): Julia Mates and Charles Stone

Item Title: Discussion of School Crossing Guard Pilot Program at Carlmont High School

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Description of Issue/Request:

We are requesting the Council to consider creating a Council Subcommittee to work with the Sequoia Union High School District (SUHSD) and City of San Carlos regarding the development of a School Crossing Guard Pilot Program at Carlmont High School.

As part of the City's Strategic Plan, it is the goal of the City to promote mobility, walking and biking throughout the community in a safe manner. The city and local school districts often collaborate with one another to accomplish this objective.

Over the years the City has worked through multi-jurisdictional committees to recommend solutions to various traffic concerns involving pedestrian, bicycle and vehicular circulation issues through the Alameda de las Pulgas/San Carlos Avenue corridor in the vicinity of Carlmont High School and Tierra Linda Middle School.

During the school year, the corridor is heavily congested in the area due to traffic accessing Carlmont High School, Immaculate Heart of Mary School, Charles Armstrong School, and Tierra Linda Middle School. In the AM peak hour, southbound queues on Alameda de Las Pulgas extend from Carlmont Drive to hundreds of feet east of Dartmouth Avenue, while northbound queues extend from Dartmouth Avenue to nearly Carlmont Drive.

Pedestrians at school bell times are abundant as they walk to/from home or transit and are dropped off and picked up along nearby streets. Pedestrian crossing is worse at the stop-sign controlled intersections along Alameda de Las Pulgas where drivers and pedestrians must understand and apply right of way rules, often resulting in delays and confusion as users wait for others who are waiting for them.

In 2016 The Alameda de las Pulgas/San Carlos Avenue Corridor Study was approved by the Cities of Belmont and San Carlos, and endorsed by San Carlos School District and SUHSD.

While the implementation of the study, already in design, will provide improved safety measures and pedestrian facilities; providing crossing guards will improve pedestrian crossings by organizing them into groups for crossing efficiency, student safety and to minimize disruption to the traffic flow on the ADLP corridor

Approximately how much staff involvement will this item take?
This would likely involve reaching an agreement and cost sharing with other agency partners and creating an MOU.

Financial Implications?
Implementing a program of this nature may cost up to $50,000 and may be shared among the partner agencies and will be subject to future Council approval.

How time sensitive is this issue?
While there is no imminent danger to public health, research and development of program options should be done in a timely manner.

General Plan/Vision Statement.
This measure would be consistent with the Council's past efforts to support the General Plan's mobility objectives.