

CITY OF BELMONT CITY COUNCIL



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CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, July 23, 2024

6:00 PM

City Council Chambers

City Hall, One Twin Pines Lane, Belmont, California

AMENDED AGENDA

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

PUBLIC COMMENT:

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

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

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

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **CLOSED SESSION [6:15 PM]**

A. **Public Employee Performance Evaluation** Government Code Section 54957(b)

Titles: City Manager, City Attorney

- B. **Conference with Labor Negotiators** (Government Code Section 54957.6); Agency designated representatives: Davina Hurt and Robin Pang-Maganaris; Unrepresented Employees: City Manager, City Attorney

5. REPORT FROM CLOSED SESSION

6. SPECIAL PRESENTATIONS

7. 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.

8. COUNCILMEMBER ANNOUNCEMENTS

9. 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. Meeting Minutes

Recommendation: Consider modifications and approve meeting minutes

Attachment(s):

[City Council July 9, 2024](#)

[BFPD July 9, 2024](#)

B. Monthly Financial Reports - June 2024

Recommendation: Motion to approve June 2024 Monthly Financial Reports

Attachment(s):

[Monthly Financial Reports - June](#)

C. Purchasing Ordinance

Recommendation: Motion to adopt Belmont Purchasing Ordinance

Attachment(s):

[BCC Chapter 2 Purchasing Amendments](#)

D. 4Leaf Service Agreement Amendment

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute Amendment No. 5 to the Service Agreement with 4 Leaf, Inc. to provide building inspection services for \$100,000, for a total not-to-exceed amount of \$449,865.

Attachment(s):

[Staff Report](#)

[Resolution](#)

[4Leaf, Inc. Service Rates FY 2024-25](#)

[4Leaf, Inc. Task Order - Belmont Inspection Services - FY 2024-25](#)

10. PUBLIC HEARINGS

11. 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. **Stanford Belmont Campus Conceptual Development Plan and Development Agreement - Project Update and City Council Discussion**

Recommendation: Receive a project status update from the City Staff and Applicant regarding the Stanford Belmont Conceptual Development Program Plan and Development Agreement, and provide any direction.

Attachment(s):

[Staff Report](#)

[Stanford DA Term Sheet July 2024](#)

[Stanford CEQA-EIR FAQ](#)

B. **Zoning Text Amendments - Corridor Mixed Use District, Parking, and By Right Processing**

Recommendation: Receive a presentation and provide direction on proposed Zoning Text Amendments related to development standards in the Corridor Mixed Use (CMU) District; consolidation of parking requirements into one section of the Zoning Ordinance; and updates to facilitate "by right" processing as required by State Law.

Attachment(s):

[Staff Report](#)

[CMU District Development Scenarios](#)

C. **Informational Update on Unmanned Aerial System**

Recommendation: Update and Discussion regarding the use of Unmanned Aerial System

Attachment(s):

[Staff Report](#)

[Unmanned Aerial System Policy](#)

12. BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

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

B. **Verbal report from City Manager**

13. 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.

14. ADJOURNMENT

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

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

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

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

TUESDAY, JULY 9, 2024

CALL TO ORDER 7:00 PM

ROLL CALL

COUNCILMEMBERS PRESENT: McCune, Pang-Maganaris, Hurt (remote), Latimerlo, Mates (remote)

COUNCILMEMBERS ABSENT: None

PLEDGE OF ALLEGIANCE

Led by Vice Mayor Latimerlo

REPORT FROM CLOSED SESSION

No closed session on this agenda.

SPECIAL PRESENTATIONS

Public Works APWA Accreditation Presentation

Assistant Public Works Director Scramaglia introduced the item and thanked all staff involved in the process. She introduces

National Night Out Announcement of Locations

Police Captain Armando provided a review of the annual neighborhood event.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Giuliano Carlini commented on Belmont transportation infrastructure.

COUNCILMEMBER ANNOUNCEMENTS

Councilmembers provided updates on upcoming events.

CONSENT BUSINESS

Minutes of City Council June 11, 2024 City Council June 25, 2024 BFPD June 11, 2024 BFPD June 25, 2024
Monthly Financial Reports - May

ACTION: On a motion made by Councilmember Latimerlo and Seconded by Councilmember Pang-Maganaris the Consent Business was approved by roll call vote. (5-0)

PUBLIC HEARINGS (none)

GENERAL BUSINESS

Traffic Calming Program

Assistant Public Works Director Scramaglia presented a review of updates to the 2000 Traffic Calming Program concepts and objectives and implementation. City Manager Oskoui added that the document is to implement neighborhood traffic calming. He noted that the plan does not include items such as bicycle transportation or safe routes to school, which are addressed in various transportation master plans.

Council Discussion ensued.

Public Comment received from Giuliano Carlini regarding public input on the program.

Council deliberation ensued.

ACTION: on a motion made by Councilmember Hurt and seconded by Councilmember Pang-Maganaris **resolution 2024-56** approving the Traffic Calming Program (TCP) and delegating authority to the City Engineer to make minor amendments was approved by a roll call vote (5-0).

Business License Tax Update Ballot Measure Placement

Management Analyst Clark presented the staff report noting that the process to date and amendments to the plan since last reviewed by the Council. She noted that the Business License fees support the City General fund with pay for essential City services. She noted that the current program is outdated and disproportionate. She explained that as a strategic plan initiative of the current Council the modernization of the fees addresses the imbalances while remaining revenue neutral. She outlined the outreach conducted and noted that a business gross receipts by category model was the most preferred by the business community. She explained that under this model, fees are based on the percentage of business receipts from prior tax returns, with a lower percentage for businesses and applies narrower margins and a base payment of twenty-five dollars. The model does not require CPI adjustments.

Council discussion ensued.

Public comment received from Mary Morrissey Parden and email correspondence.

In response to Council inquiry City Attorney Renne explained that the members of the Council who hold business licenses in the City stated that a Political Reform Act provision notes that a conflict of interest is not disqualifying if it affects a significant amount of the public.

ACTION: On a motion made by Councilmember Latimerlo and seconded by Councilmember Pang-Maganaris **resolution 2024-57** calling a municipal election on a measure to update and simplify the City's business license tax program was approved by a roll call vote and;

On a motion made by Mayor Mates and seconded by Councilmember Hurt Councilmember Latimerlo and Pang-Maganaris are designated as subcommittee members to develop the written argument in favor and rebuttal to the Business License Tax Ballot Measure by roll call vote (5-0)

BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

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

Councilmembers reported on their assignments.

Verbal report from City Manager

City Manager Oskoui commented on the value of offering Carlmont Students an opportunity for summer internships with City Department.

MATTERS OF INTEREST/CLARIFICATION (none)

ADJOURNMENT at this time being 8:45 p.m. in memory of three community members who have recently passed: Reverend Kristi Denham, Former Mayor Ed Rodriguez, Community Service Officer, Brian Waddell.

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

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

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

This meeting is concurrent with the City Council Meeting

TUESDAY, JULY 9, 2024

CALL TO ORDER: 7:00 PM

ROLL CALL

DIRECTORS PRESENT: Pang-Maganaris, Hurt (Virtual), McCune, Latimerlo, Mates (Virtual)

DIRECTORS ABSENT: None

CONSENT BUSINESS

Minutes of BFPD June 11 and 2024 BFPD June 25, 2024

Monthly Financial Reports - May

ACTION: On a motion made by Councilmember Latimerlo and Seconded by Councilmember Pang-Maganaris the Consent Business was approved by roll call vote (5-0).

ADJOURNMENT at this time being 8:45 p.m. in memory of three community members who have recently passed: Reverend Kristi Denham, Former Mayor Ed Rodriguez, Community Service Officer, Brian Waddell.

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



HIGHLIGHTS

PERFORMANCE AT A GLANCE REPORT

- General Fund balance decreased compared to prior YTD

BUDGET VARIANCE REPORT

- Management Discussion & Analysis
- Tax Trends

FUND RECAP AT A GLANCE REPORT

Notable Fund Balance Increase compared to prior YTD:

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

Notable Fund Balance Decrease compared to prior YTD:

- Planned Park
- Storm Drainage Enterprise

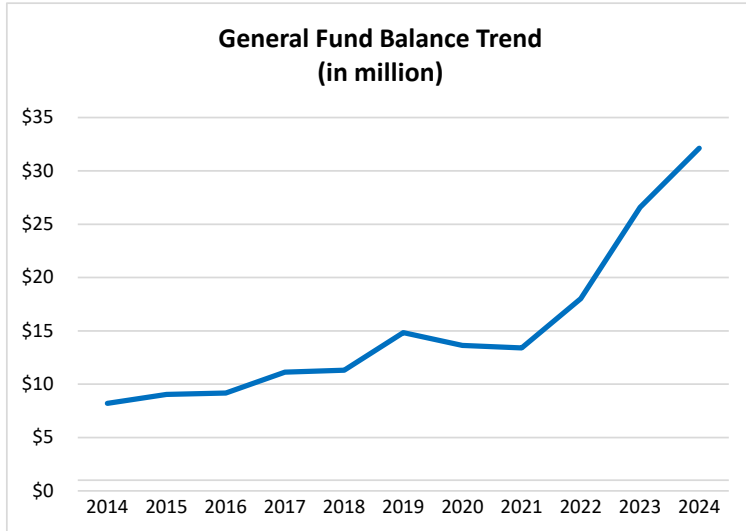
CASH DISBURSEMENTS & PURCHASE ORDER ACTIVITY REPORT

- Amounts equal to and above \$50,000

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

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

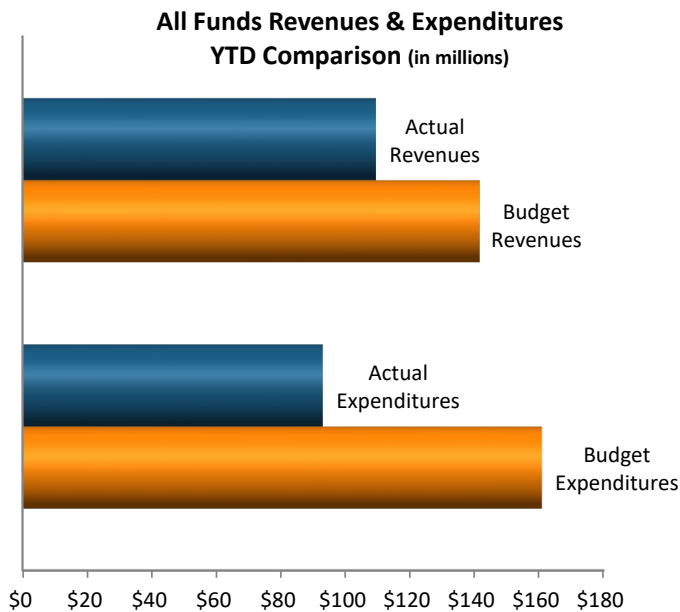
City of Belmont
Performance at a Glance
Results for the Period Ended June 30, 2024
 (000's)



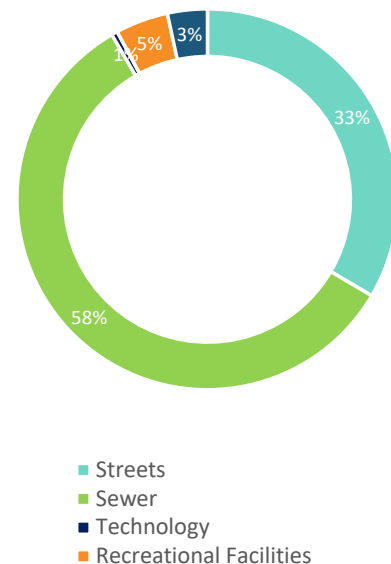
General Fund Balance Trends*

6/30/2014	2014	\$8,204	Audited
6/30/2015	2015	\$9,049	Audited
6/30/2016	2016	\$9,177	Audited
6/30/2017	2017	\$11,128	Audited
6/30/2018	2018	\$11,325	Audited
6/30/2019	2019	\$14,846	Audited
6/30/2020	2020	\$13,637	Audited
6/30/2021	2021	\$13,398	Audited
6/30/2022	2022	\$18,013	Audited
6/30/2023	2023	\$26,586	Audited
6/30/2024	2024	\$32,125	Unaudited

* excludes Measure I



Capital Improvement Plan



General Fund

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

Fund Balance - YTD Fund Deficits

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

City of Belmont
Fund Recap at a Glance
Results for the Period Ended June 30, 2024
(000's)



Fund	Fund Name	Audited Fund Balance 06/30/23 (1)	Revenues					Expenditures					Unaudited Fund Balance 06/30/24 (1)+(2)-(3)	Audited PY YTD Fund Balance 06/30/23	
			YTD Budget	YTD Actual (2)	Variance (Under) Over	%	PY YTD Actual	YTD Budget	YTD Actual (3)	Variance Under (Over)	%	PY YTD Actual			
GENERAL FUND															
101	General	\$26,586	\$29,961	\$30,197	\$236	101%	\$34,469	\$30,800	\$24,658	\$6,143	80%	\$25,897	\$	32,125	26,586
102	Measure I	3,937	2,402	2,061	(341)	86%	2,432	6,774	1,963	4,812	29%	1,434		4,035	3,937
SPECIAL REVENUE FUNDS															
205	Recreation	583	3,369	2,443	(926)	73%	3,729	3,692	3,476	216	94%	3,145		(449)	583
206	Library Maintenance & Operation	815	317	335	17	105%	330	949	387	562	41%	351		763	815
207	Athletic Field Maintenance	366	123	155	32	127%	149	351	133	218	38%	159		388	366
208	City Tree	284	15	43	27	276%	24	85	78	7	91%	37		249	284
209	Senior Services Donation	92	6	3	(3)	48%	2	5	0	5	5%	0		95	92
210	Development Services	1,538	6,812	6,583	(230)	97%	5,973	6,534	6,114	420	94%	5,520		2,006	1,538
212	General Plan Maintenance	1,592	599	856	257	143%	602	1,124	943	181	84%	315		1,505	1,592
223	Belmont Fire Protection District	20,198	17,314	18,215	901	105%	16,199	12,834	14,672	(1,838)	114%	12,218		23,741	20,198
225	Police Grants and Donations	30	5	5	0	105%	1	5	1	4	12%	3		35	30
227	Supplemental Law Enforcement	7	175	188	13	107%	186	127	126	1	99%	179		69	7
231	Street Maintenance	0	3,861	1,238	(2,623)	32%	2,232	2,606	2,502	104	96%	2,232		(1,264)	0
232	RMRA Street Project	606	678	676	(2)	100%	628	1,319	557	762	42%	23		725	606
233	Measure W	1,809	437	391	(46)	89%	622	950	0	950	0%	270		2,200	1,809
234	Street Improvements	1,903	1,082	1,288	206	119%	2,010	3,363	254	3,109	8%	1,012		2,938	1,903
237	Traffic Impact	97	12	3	(9)	23%	12	0	0	0	N/A	115		99	97
239	Public Art	404	8	11	4	149%	9	0	0	0	N/A	0		416	404
275	Affordable Housing Successor	9,448	412	310	(102)	75%	3,400	3,938	3,893	45	99%	420		5,866	9,448
277	Inclusionary Housing	2,572	603	609	6	101%	119	0	0	0	N/A	0		3,181	2,572
Total Special Revenue		42,343	35,829	33,352	(2,477)	93%	36,227	37,881	33,135	4,746	87%	26,000		42,560	42,343
CAPITAL PROJECT FUNDS															
308	General Facilities	734	14	21	7	148%	16	701	140	562	20%	7		615	734
310	Infrastructure	2,395	44	67	23	152%	746	1,413	197	1,216	14%	1,161		2,265	2,395
312	Comcast PEG Program	405	8	11	4	149%	9	120	0	120	0%	0		416	405
341	Planned Park	1,701	41	47	6	114%	451	713	675	38	95%	740		1,072	1,701
342	Park Impact	641	165	31	(134)	19%	486	655	0	655	0%	171		673	641
343	Open Space	97	0	6	6	N/A	14	71	0	71	0%	81		102	97
399	Capital Improvement Projects	-	38,297	9,197	(29,100)	24%	0	38,445	5,819	32,626	15%	0		3,378	0
704	Special Assessment Districts	315	6	9	3	149%	7	0	0	0	N/A	0		324	315
Total Capital Projects		6,288	38,574	9,388	(29,186)	24%	1,729	42,118	6,831	35,287	16%	2,160		8,846	6,288
DEBT SERVICE & OTHER FUNDS															
406	Library Bond Debt Service	286	675	687	12	102%	696	681	666	14	98%	681		307	286
501-505 Sewer Collection System		31,482	16,379	17,941	1,562	110%	16,391	23,113	10,654	12,459	46%	10,525		38,769	31,482
507	Sewer Treatment	27,391	3,233	3,223	(10)	100%	3,307	4,371	2,731	1,640	62%	1,908		27,883	27,391
525	Storm Drainage Enterprise	2,173	2,369	1,283	(1,086)	54%	1,303	3,226	2,147	1,079	67%	1,718		1,309	2,173
530	Solid Waste Management	1,868	709	713	4	101%	636	642	554	88	86%	534		2,027	1,868
570	Worker's Compensation	1,761	983	1,006	23	102%	857	731	734	(3)	100%	632		2,033	1,761
571	Liability Insurance	3,686	848	384	(464)	45%	797	1,124	708	416	63%	497		3,362	3,686
572	Self Funded Vision	0	0	0	0	N/A	2	4	0	4	0%	2		0	0
573	Fleet & Equipment Management	8,394	4,664	4,765	101	102%	4,594	5,464	4,387	1,077	80%	3,639		8,771	8,394
574	Facilities Management	(603)	3,462	2,923	(539)	84%	1,805	2,607	2,390	217	92%	2,408		(70)	(603)
575	Benefit Prefunding	1,234	1,483	1,460	(23)	98%	1,406	1,357	1,395	(38)	103%	1,253		1,299	1,234
Total Debt & Other		77,673	34,807	34,386	(421)	99%	31,793	43,320	26,368	16,953	61%	23,796		85,691	77,673
Total All Funds		\$156,826	\$141,574	\$109,384	(\$32,189)	77%	\$106,651	\$160,893	\$92,953	\$67,940	58%	\$79,286		\$173,257	\$156,826

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 June 30, 2024
(000's)



	General Fund					All Other Funds					
	Budget	Year to Date (YTD) Actual	Variance	%	Annual Budget	PY YTD Actual	Budget	Year to Date (YTD) Actual	Variance	%	
REVENUES											
Taxes	\$22,007	\$21,016	(\$992)	95%	\$22,007	\$23,164	\$21,516	\$20,846	(\$669)	97%	\$21,516
Licenses and permits	1,188	1,142	(46)	96%	1,188	1,262	2,565	3,248	683	127%	2,565
Intergovernmental	385	488	103	127%	385	3,685	10,481	6,348	(4,133)	61% a	10,481
Charge for services	4,347	4,534	187	104% b	4,347	4,469	37,847	39,211	1,364	104%	37,847
Fines and forfeits	160	141	(19)	88%	160	139	-	-	-	N/A	-
Use of money and property	1,512	2,505	993	166%	1,512	1,427	2,520	4,596	2,076	182%	2,520
Miscellaneous	357	367	9	103% c	357	324	235	(313)	(548)	-133%	235
Other financing sources	-	-	-	N/A	-	-	-	14	14	N/A	-
Operating transfers in	4	4	-	100%	4	-	36,448	5,236	(31,212)	14% d	36,448
Total Revenues	29,961	30,197	236	101%	29,961	34,469	111,612	79,187	(32,425)	71%	111,612
EXPENDITURES											
General government	7,752	6,577	(1,175)	85%	7,752	5,735	8,248	7,257	(991)	88%	8,248
Public safety	15,738	15,636	(103)	99%	15,738	14,657	12,917	14,696	1,779	114% e	12,917
Streets and utilities	-	-	-	N/A	-	-	51,274	19,340	(31,934)	38%	51,274
Culture and recreation	2,575	2,322	(253)	90%	2,575	2,036	9,732	7,145	(2,587)	73%	9,732
Urban redevelopment	-	-	-	N/A	-	0	9,591	9,244	(347)	96%	9,591
Debt service	-	-	-	N/A	-	-	6,614	5,497	(1,118)	83%	6,614
Operating transfer out	4,735	122	(4,612)	3%	4,735	3,468	31,717	5,118	(26,600)	16%	31,717
Total Expenditures	30,800	24,658	(6,143)	80%	30,800	25,897	130,093	68,296	(61,797)	52%	130,093
EXCESS OF REVENUES OVER/ (UNDER) EXPENDITURES	(\$839)	\$5,540			(\$839)	\$8,573	(\$18,481)	\$10,891			(\$18,481)
											\$18,198

Management Discussion and Analysis

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

General Fund

Revenues

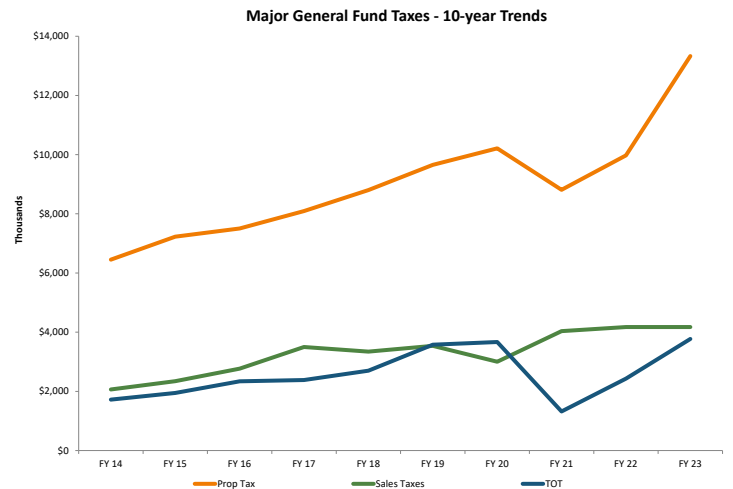
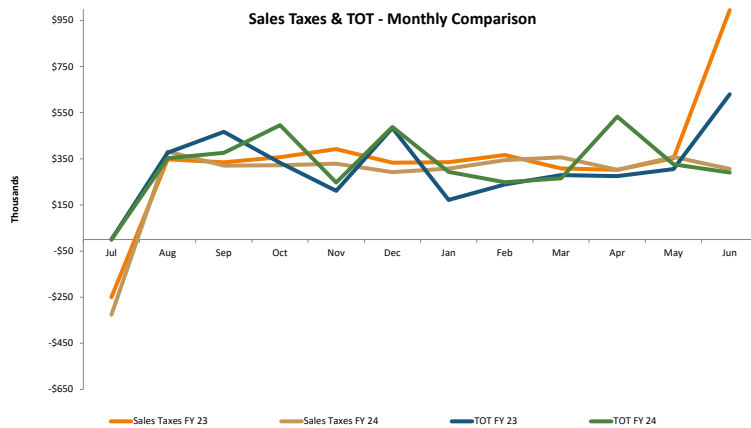
- a) **Taxes** - Property Transfer Tax for February through June were not recorded yet due to the County's late payments.

Other Funds

Revenues

- b) **Taxes** - Property Transfer Tax for February through June were not recorded yet due to the County's late payments.
c) **Intergovernmental** - Grant revenue will be received and reported in a future reporting period.
d) **Operating Transfers In** - Budgeted operating transfers are recorded at the end of the fiscal year based on actual results.

Trends



** July Sales Tax & TOT revenues received were for June activities and accrued to the previous FY. July revenues will be received in August. Sales Tax & TOT for June activities in FY24 will be received in July, and have not yet been accrued to FY24.

City of Belmont
Disbursements & Purchase Order Activity Report
Results for the Period Ended June 30, 2024



Disbursements Amounts Equal to \$50,000 and Above

Vendor	Description	Date	No.	Amount
BELMONT SAN CARLOS FIRE DEPT	FY 24/25 PERS LEGACY COSTS	6/21/24	EFT00035622	1,869,949.00
CALPERS	COB CONTRIBUTION PPE 5/31/24	6/3/24	DAJ000009048	138,396.10
CALPERS	COB HEALTH PREMIUM-JUNE	6/4/24	DAJ000009049	221,731.60
CALPERS	COB CONTRIBUTION PPE 06/14/24	6/26/24	DAJ000009051	137,663.94
CASEY CONSTRUCTION INC	PROGRESS PAY 2	6/7/24	1204751	161,511.90
DISBURSEMENTS	PAYROLL PPE 6/8/24	6/12/24	DAJ000009068	608,773.02
DISBURSEMENTS	PAYROL PPED 6/22/24	6/26/24	DAJ000009070	652,698.60
KIMLEY-HORN & ASSOC., INC.	1301 Shoreway EIR	6/21/24	EFT00035615	79,475.00
MISSIONSQUARE	DEF COMP ACCT# 302442	6/3/24	DAJ000009038	52,681.82
MISSIONSQUARE	DEF COMP ACCT#302442	6/17/24	DAJ000009042	55,172.81
SAN MATEO, CITY OF	SEWER SERVICE CHARGE	6/14/24	1204772	221,296.85
SILICON VALLEY CLEAN WATER	JULY 2024 CONTRIBUTIONS	6/7/24	EFT00035507	399,366.00
SILICON VALLEY CLEAN WATER	23/24 DEBT COVERAGE RESERVE	6/21/24	EFT00035585	270,000.00

Total Disbursements in Excess of \$50,000	\$ 4,868,716.64
Total Count	13

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

Vendor	Description	Date	No.	Amount
--------	-------------	------	-----	--------

Total Purchase Orders Issued in Excess of \$50,000	\$ -
Total Count	-

CITY OF BELMONT

TREASURER'S REPORT

June-24



Agency Receipts and Disbursements Summary

	Beginning Balance May 31, 2024		Receipts		Disbursements		Ending Balance June 30, 2024
City of Belmont	\$ 131,949,198.46	\$	13,794,826.46	\$	(13,868,751.71)	\$	131,875,273.21
Belmont Fire Protection District	26,159,207.85		18,468.00		(2,446,450.18)		23,731,225.67
Successor Agency of the RDA	-		-		-		-
Total	\$ 158,108,406.31	\$	13,813,294.46	\$	(16,315,201.89)	\$	155,606,498.88

Balance Summary

	Deposit		Investments		Pool Total
City of Belmont & Belmont Fire Protection District	\$ 1,435,700.30	\$	154,170,798.58	\$	155,606,498.88

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

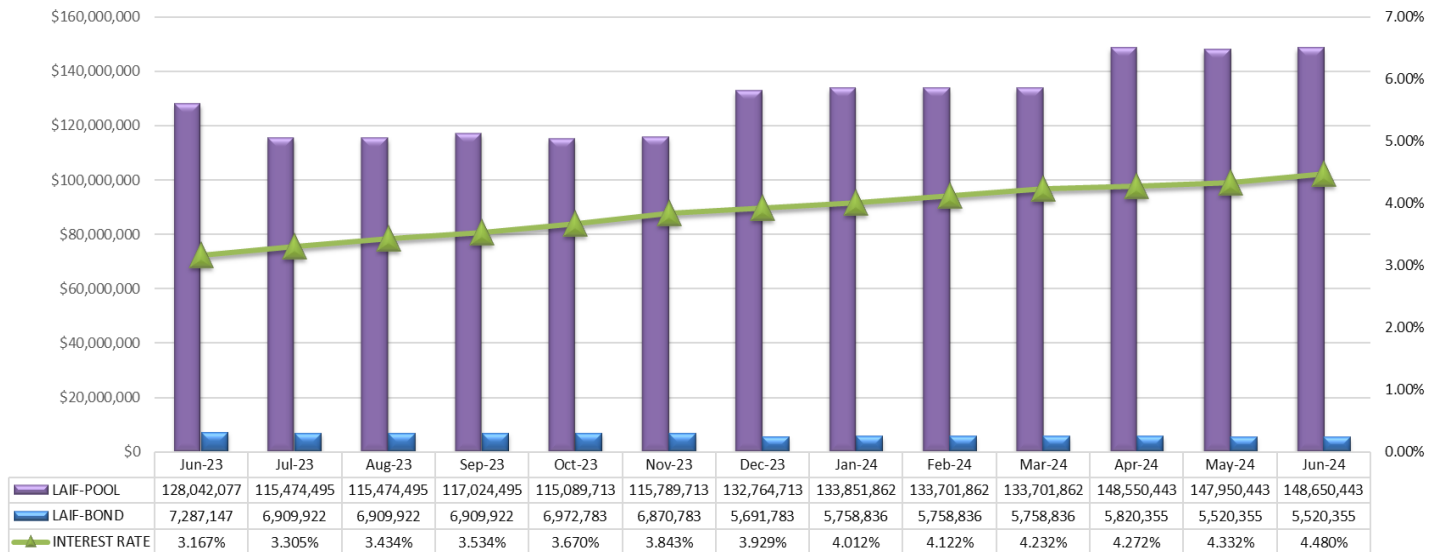
CITY OF BELMONT TREASURER'S REPORT June-24



Investment Detail

Investment Type	Issuer	Maturity Date	Par Amount	Current Market Value	Interest	Total	Investment Period	Rate	Pricing Source	Manager
Deposit										
General Account	Wells Fargo		\$ 1,435,700.30	\$ 1,435,700.30					Bank	Bank
Investments:										
L.A.I.F.-POOL	State of California	Daily	148,650,443.35	147,786,972.61	536,628.10		90 days	4.332%	LAIF	LAIF
L.A.I.F.-BONDS	State of California	Daily	5,520,355.23	5,488,288.96	19,928.48		90 days	4.332%	LAIF	LAIF
Total			\$ 155,606,498.88	\$ 154,710,961.87	\$ 556,556.58					

City of Belmont Investment Portfolio Trends



ORDINANCE NO. 2024-1179

AN ORDINANCE OF THE CITY OF BELMONT AMENDING REGULATIONS IN THE BELMONT CITY CODE RELATED TO PURCHASING AND CITY MANAGER AND CITY ATTORNEY CONTRACT AUTHORITY

THE CITY COUNCIL OF THE CITY OF BELMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. BCC §2-29 AMENDED

Belmont City Code Section 2-29 is amended to read:

Sec. 2-29 Contract Authority

(a) *Authority to execute.* The city manager is authorized to execute any contract on behalf of the city that is:

- (1) covered by sufficient unencumbered funds appropriated in the adopted budget,
- (2) in writing, prepared in accordance with all other requirements of this code,
- (3) approved as to form by the city attorney, and
- (4) included within one of the following subsections.

(b) Any document specified in Government Code Section 40602 whenever the city council has delegated such authority by resolution, motion, minute order or other appropriate council action. The authority granted by this section is in addition to and not a limitation on authority granted by other provisions of this code and city ordinances.

(c) *Services.* Any services contract in an amount of \$75,000 or less. Contracts for services that are awarded by the city manager for an initial term of one year or less may be renewed by affirmative action of the city manager for additional one-year terms provided the contract amount, including any change orders or amendments, does not exceed \$75,000 in any one year. Automatic renewals are not authorized by this subsection. It is expected that service contracts will be competitively solicited on a regular basis as appropriate (i.e., every three to five years).

(d) *Goods Acquisition or Disposition.* After complying with the procedures for contractor selection in Article V, any contract for goods acquisition or disposition in an amount of \$75,000 or less.

(e) *Real Property Acquisition.* Any contract for real property for:

- (1) Acquisition in an amount of \$75,000 or less including a temporary license to enter property, or
- (2) acceptance of an offer of dedication, regardless of amount, as a condition of development of private property.

(f) *Real Property Disposition.* Any contract for real property disposition in an amount of

\$75,000 or less including a temporary license to enter property. The term of any lease or use agreement shall not exceed 12 months; provided, however, the city manager may approve a lease term of up to three years if supported by a written determination of special circumstances which constrain alternate (non-lease) uses of the property during the extended term.

(g) *Public Project Construction.*

(1) Any contract for public project construction in an amount of \$200,000 or less.

(2) The dollar limit of authority in subsection (f)(1) is intended to match the dollar limit in Section 2-146 as indexed to Public Contract Code Section 22032(b). Amendments or adjustments in the monetary limit expressed in Public Contract Code Section 22032(b) after the effective of the ordinance that adopted this section apply when greater than the amount expressed in (f)(1) .c

(h) *Private Development Construction.*

(1) Improvement agreements for construction of public improvements required as a condition of a final map approved by the city council.

(2) Any contract for private development construction with public improvements of an estimated cost of \$200,000 or less.

(i) *Contracts Wholly Funded by Private Parties.* Any contract for goods or services, regardless of amount, when funded wholly by a private (nongovernmental) party.

(j) *Claim Settlement.* In accordance with Government Code Section 935.4, any agreement in an amount of \$50,000 or less for the settlement of a claim or of an administrative or judicial proceeding.

(k) *Contract Amendments or Change Orders.*

(1) City Manager Awarded Contracts. Any amendment or change order to an existing contract originally awarded or executed by the city manager, as long as the total contract amount, including all amendments or change orders, does not exceed the city manager's contract authority.

(2) Council Awarded Contracts. Unless otherwise specifically delegated by the city council at the time of contract award, any amendment or change order to an existing contract originally awarded by the city council, as long as the total aggregate amount of amendments or change orders for the contract are in an amount of 10 percent or less of the original contract amount.

(l) *Indemnity Agreements.* With the concurrence of the risk manager and the city attorney, the city manager is authorized to execute indemnity agreements in either of the following circumstances:

(1) An indemnity agreement to allow the city to use the property of any public agency, private organization or person; provided, that the indemnity is limited to claims, losses, damages, or injuries arising directly from the city's use of the property; or

(2) An indemnity agreement where the contract amount does not exceed \$50,000.

(m) *Emergency*.

(1) In the event of an emergency as defined in Section 2-102, the city manager is authorized, notwithstanding subsections (a)(2) and (a)(3), to enter into a written contract of any amount that complies with (a)1) if:

(A) the city manager makes a written determination based on substantial evidence that:

(i) there is an emergency,

(ii) there is a need to take immediate action to resolve the emergency,

(iii) the contract action proposed to be taken is directly related to resolving the emergency, and

(iv) the emergency will not permit a delay resulting from compliance with the Purchasing System; and

(B) complies with state and federal contracting laws, including Section 2-150 and Public Contract Code Section 22050.

(2) After documenting compliance with subsection (m)(1), the city manager is authorized to contract and direct action to the extent necessary to resolve the emergency. The city manager shall to the extent feasible comply with the requirements of the Purchasing System.

(3) The city manager must do the following at the earliest feasible time for each:

(A) Transmit the written determination required by subsection (m)(1)(A) to the city council; and

(B) Terminate the emergency action.

(4) The city manager must give a report of the emergency and actions taken to address the it to the city council at the next regularly scheduled city council meeting. The city council will determine the necessity of continuing further emergency action, if not already terminated by the city manager.

SECTION 2. BCC § 2-102 AMENDED

Belmont City Code Section 2-102 is amended to read:

Sec. 2-102 Definitions

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

Bidders list means a current file of sources of supply of articles for each category of commodities repetitively purchased for city use.

Capital improvement project means any public improvement undertaken by the city, including the construction or reconstruction in whole or in part of any building, plant, structure, road, park or other facility necessary in carrying out the activities of the city government. Capital improvement project shall have the same meaning as "public project" defined in California Public Contracts Code Section 20161.

Contract authority means either the city council or the city employee to whom the council has delegated authority to select contractors or enter into contracts on behalf of the city.

Contractual services means any and all telephone, gas, water, electric light and power service; towel, window washing and cleaning service; insurance and fidelity bonds; leases for all grounds, buildings, offices or other space required by the using departments; the rental or maintenance of equipment, machinery and other city owned or operated personal property; and contracts for labor required by the city but not furnished by its own employees.

Department or using department means any of the departments or other organizational units of the City of Belmont.

Emergency means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

Emergencies shall include, but not limited to, an unforeseen disruption of an essential service, a malfunction in machinery resulting in disruption of the public service, or unforeseen delays by contractors or transportation and unanticipated volumes of work.

Government Purchasing Alliances (GPA's) means collective purchasing power leverage savings on competitive bid contracts.

Open market means providing the general public the opportunity to participate in a property sale, purchase, lease, disposal or other transaction.

Over-the-counter means no specific purchasing requirements are prescribed, but competitive bidding should be used whenever practical. Bid award may be made by department using voucher or purchase order.

Personal property means all property not defined herein as real property.

Personal services means the service of accountants, attorneys, physicians, architects, engineers, consultants, and other individuals or organizations possessing a high degree of technical skill or specialized service.

Public project construction means both a "public project" as defined by California Public Contract Code Section 22002 and all works of construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility (including plants, buildings, structures, ground facilities, utility systems, real property, streets and highways, or other public work improvements).

Public notice means posting of required bid solicitations on a public bulletin board in a

manner prescribed by the purchasing officer and mailing of notice to a reasonable number of vendors.

Purchasing officer means the finance director or the employee designated by the city manager to be responsible for the purchasing system.

Real property means land and that which is affixed to, incidental to, or appurtenant to land, including that which is defined as real property pursuant to Section 658 of the Civil Code.

Responsible bid means a responsive offer submitted on forms approved by purchasing officer by a responsible bidder in conformity with the specifications, delivery terms, and conditions and other requirements included in the invitation for bids.

Responsible bidder means a bidder who submits a responsible and responsive bid, who has furnished, when requested, information and data to establish possession of the financial resources, production or service facilities, service reputation and experience adequate to make satisfactory arrangements for the supplies, materials, or equipment bid for, or to complete any capital improvement bid for, and who has not violated, or attempted to violate, any provisions of this chapter.

Safe harbor means a purchasing conduit which has been pre-certified by the purchasing officer.

Supplies, materials and equipment means any and all articles or things furnished to or used by any department, including any and all printing, binding or publication of stationary, forms, laws, journals and reports.

Unclaimed property means any and all property in the possession of the police department for which no claim or demand has been made and property for which no owner has been found.

SECTION 3. BCC § 2-106 AMENDED

Belmont City Code Section 2-106 is amended to read:

Sec. 2-106 Bidding procedures; exceptions

(a) Purchase of supplies and equipment shall be by bid procedure except for those set by council resolution which may be procured at the discretion and judgment of the purchasing officer in a manner consistent with the best interests of the city.

(b) The selection of contractors to perform public project construction shall comply with the Uniform Public Construction Cost Accounting Act ("UPCCAA") commencing at Public Contract Code Section 22000, as it may be amended from time to time, the provisions of this article applicable to public project construction, and all applicable requirements of state and federal law including all provisions of the Public Contract Code applicable to local agency public works contracts not in conflict with the UPCCAA.

SECTION 4. BCC § 2-107 AMENDED

Belmont City Code Section 2-107 is amended to read:

Sec. 2-107**Services contracts**

(a) The bid procedures, including the open market purchasing procedures in Division 2 and the formal contracting procedures in Division 3, of this article do not apply to contracts involving the acquisition of personal services and contractual services. Whenever the cost of the work to be performed is of an estimated value in excess of the amount specified by council resolution, selection of providers for such services will be made by an evaluation of proposals solicited from capable providers and subject to approval by the city council. This section does not prohibit the city manager from requiring proposals for work with an estimated cost of less than the council specified amount if, in the discretion of the city manager, selection based upon the evaluation of proposals would better serve the interests of the city. Evaluation of best value may be determined on factors other than price, including contractor reliability, expertise, availability, timeliness of delivery and operating efficiency. (b) The city attorney is authorized to execute any legal services contract on behalf of the city whenever the city council has delegated to the city attorney such authority by resolution, motion, minute order or other appropriate council action, the contract is in writing, and is covered by sufficient unencumbered funds appropriated in the adopted budget. Legal services contracts include, but not be limited to, contracts for the services of attorneys, experts and investigators.

SECTION 5. BCC § 2-108 AMENDED

Belmont City Code Section 2-108 is amended to read:

Sec. 2-108**Unlawful purchases**

If any department purchases or contracts for any supplies, materials, equipment or services contrary to the provisions of this chapter or to the rules and regulations made hereunder, such purchase or contract shall be void and of no effect. The person responsible for making such purchase transaction shall be personally liable for the costs of such purchase or contract, and, if already paid for out of city funds, the amount thereof may be recovered in the name of the city in an appropriate action therefore.

It is unlawful for any department to split its requirements for supplies, materials, equipment and services into lesser amounts in order to evade the provisions of that section.

SECTION 6. BCC § 2-110 AMENDED

Belmont City Code Section 2-110 is amended to read:

Sec. 2-110**Purchase authorization**

Purchase orders of supplies and equipment having an estimated value less than that specified by council resolution for bid, may be made by the purchasing officer or designee in the open market without observing the formal contract procedures set out in division 3 of this chapter. Contracts subject to bidding having an estimated value less than that specified by council resolution for bid, may be made by the city manager or designee in the open market without observing the formal contract procedures set out in division 3 of this chapter.

SECTION 7. BCC § 2-120 AMENDED

Belmont City Code Section 2-120 is amended to read:

Sec. 2-120 Requirements for purchase

Except as otherwise provided in this chapter, purchases and contracts for supplies and equipment, which are equal to or in excess of the bid requirement amount specified by council resolution, shall be by written contract with the lowest responsive and responsible bidder pursuant to the procedures described in this division.

SECTION 8. BCC § 2-121 AMENDED

Belmont City Code Section 2-121 is amended to read:

Sec. 2-121 Bids—Notice of invitation and submission

(a) Notices inviting bids shall include, but not be limited to, the following:

- (1) A general description of the item(s) to be purchased, or the public work to be constructed or improved;
- (2) The location where bid blanks and specifications may be secured;
- (3) The time and place assigned for the opening of sealed bids;
- (4) The type and character of bidder's security required, if any; and
- (5) The location and deadline for submission of bids.

(b) The city shall issue a written notice inviting bids at least 10 calendar days before the bid deadline, by posting the notice on the designated public bulletin boards, and by mailing the notice to qualified potential contractors on the bidders list, or by such other means which, in the discretion of the purchasing officer, provide notice to a reasonable number of potential contractors.

(c) Sealed bids shall be identified as bids on the envelopes and shall be submitted to the purchasing officer.

SECTION 9. BCC § 2-127 AMENDED

Belmont City Code Section 2-127 is amended to read:

Sec. 2-127 Determination of lowest responsive and responsible bidder

In addition to the bid or quotation price, criteria for determining the lowest responsive and responsible bid or quotation, for the purposes of this chapter, shall include, but not be limited to, the following:

- (a) The character, integrity, reputation, judgment, experience and efficiency of the bidder (this may include an analysis of previous work performed for the city);
- (b) The ability of the bidder to perform the contract, or provide the supplies, or equipment

required, within the time specified, without delay or interference;

(c) The ability of the bidder to provide future maintenance, repair parts and replacement of purchased equipment or supplies;

(d) Compliance by the bidder with federal acts, executive orders and state statutes governing nondiscrimination in employment; and

(e) The results of any evaluation relating performance and price, such as testing, life-cycle costing, and analysis of service, maintenance and technical data.

SECTION 10. CONSENT TO PRIOR CONTRACTS

The city council consents to the award or execution of those contracts entered into before the effective date of this ordinance under circumstances that would substantially comply with the requirements of the City's purchasing regulations as modified by this ordinance had those prior contracts been awarded or executed after the effective date of this ordinance.

SECTION 11. EFFECTIVE DATE.

This Ordinance takes effect and will be enforced 30 days after its adoption.

* * *

The City Council of the City of Belmont, California introduced the foregoing ordinance, on June 25, 2024 and adopted the ordinance at a regular meeting held on July 23, 2024 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney



STAFF REPORT

Meeting Date: July 23, 2024
Agency: City of Belmont
Staff Contact: Courtney Brown, Administrative Assistant - Community Development , (650) 595-7417, cbrown@belmont.gov
Agenda Title: Amendment No. 5 to the Service Agreement for Building Inspection Services from 4 Leaf, Inc.
Agenda Action: Resolution

Recommendation

Adopt a resolution authorizing the City Manager to negotiate and execute Amendment No. 5 to the Service Agreement with 4 Leaf, Inc. to provide building inspection services for \$100,000, for a total not-to-exceed amount of \$449,865.

Strategic Focus Area

Economic Development and Housing

Background

From time to time the City uses third-party building inspection staff for services related to large-scale, complex development project review, and all inspection disciplines. These projects/services require skilled building staff with expertise which may not be readily available inhouse, and/or manage one-time peak workload demands.

Analysis

The third-party building inspection services (as necessary) is reasonable and appropriate due to significant development activity occurring throughout the city (in multiple forms), there is an anticipated increase in complex development review applications and associated building construction inspections. Use of such services will assist staff to properly manage peak resource demands to expedite plan review, reduce wait times for inspection requests, and will assist in managing the Permit Center project load in a timely manner. Use of such third-party services is also a reasonable alternative to hiring permanent staff to address this peak demand related to development/construction activity.

Staff requests that the City Council authorize Amendment No. 5 to the Service Agreement with 4 Leaf, Inc. to provide building inspection services related to development projects, and City-wide building inspections on an as needed basis, at the rates set forth in Attachment B and in an amount of \$100,000 for Fiscal Year (FY) 2024-25 as outlined in Attachment C, for a total not-to-exceed amount \$449,865. These provisions are enumerated in the proposed resolution accompanying this report, contingent upon the availability of existing funds and with the expectation that service costs will be recouped from fees collected from building plan check/inspection applicants.



The City originally entered into a Service Agreement with 4 Leaf in February 2022, and extended their engagement in September 2022, July 2023, December 2023 based on the enhanced level of development activity and associated necessary building inspection services. 4 Leaf currently provides these recurring services to Belmont on an individual development project management basis. They employ building staff with various skill sets that can meet as-needed staffing needs for public jurisdictions.

4 Leaf has set a not-to-exceed amount of \$100,000 for their services. Building inspection services related to complex development projects are typically funded by the applicant, and therefore is not expected to have a direct financial impact on the City. For other matters, the authorization for procurement of planning services requested is limited to the amount of available funds appropriated within the fiscal year budget for that purpose. The services sought with this agreement will be performed by 4 Leaf or under its supervision. 4 Leaf will determine the means, methods, and details of performing the services subject to the requirements of the Service Agreement. Belmont has retained 4 Leaf on an independent contractor basis and not as an employee.

Alternatives

1. Deny the request.
2. Continue the item for further discussion.

Attachments

- A. Resolution
- B. 4 Leaf Inc. Service Rates – FY 2024-25
- C. 4 Leaf, Inc. Task Order – Building Inspection Services – FY 2024-25

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: Use of Building Inspection Services will be typically funded by the applicant as part of Project Development Review/Inspection Services fees and not expected to have a direct financial impact to the City.

Source:

Staff

Purpose:

Discretionary Action

Public Outreach:

Posting of Agenda

RESOLUTION NO. 2024 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT AUTHORIZING AMENDMENT NO. 5 TO THE SERVICE AGREEMENT FOR BUILDING INSPECTION SERVICES FROM 4 LEAF, INC.

WHEREAS, the City has need from time to time of building inspection services related to larger scale, complex development projects and multi-disciplinary inspections that require skilled building staff/project managers with particular expertise; and,

WHEREAS, the City has previously established a Service Agreement with 4 Leaf, Inc. and has demonstrated expertise in the building inspection field; and,

WHEREAS, building inspection services related to complex development applications are typically funded by the applicant, and therefore is not expected to have a direct financial impact on the City; and,

WHEREAS, for other matters, the authorization granted herein for procurement of building inspection services is limited to the amount of available funds appropriated within a fiscal year budget for that purpose; and,

WHEREAS, the services sought with this agreement shall be performed by 4 Leaf, Inc. or under its supervision. 4 Leaf, Inc. will determine the means, methods, and details of performing the services subject to the requirements of the Service Agreement. Belmont will retain 4 Leaf on an independent contractor basis and not as an employee. Any additional personnel performing the services under this contract on behalf of 4 Leaf, Inc. shall also not be employees of Belmont and shall at all times be under 4 Leaf, Inc. exclusive direction and control. 4 Leaf, Inc. shall pay all wages, salaries, benefits, and other amounts due such personnel in connection with their performance of services under this contract and as required by law. 4 Leaf, Inc. shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

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

SECTION 1. The City Manager is authorized to extend an agreement with 4 Leaf, Inc. to provide building inspection services related to development applications at the rates set forth in Attachment B for services in FY 2024-25 in the amount of \$100,000 in Attachment C, with a total service agreement not-to-exceed amount of \$449,865. This authorization is limited to the amount of available funds appropriated within a fiscal year budget for that purpose.

* * *

ADOPTED July 23, 2024 by the City of Belmont City Council by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney



FEE SCHEDULE

FY2024-2025 FEE SCHEDULE & BASIS OF CHARGES

FOR THE CITY OF BELMONT

All Rates are Subject to Basis of Charges

PLAN REVIEW COST STRUCTURE	NOTES
Plan Review Percentage: 65% <i>(Inclusive of all disciplines except Fire and Civil which are billed on an hourly basis)</i> Hourly Plan Review: \$125 Non-Structural Review \$145 Structural Review	Fee includes: ➤ Initial review and two (2) rechecks. Hourly charges apply after three (3) or more rechecks. ➤ Shipping, courier, and electronic service.

Building

Chief Building Official	\$155/hour
Structural Plan Review Engineer	\$145/hour
Non-Structural Plans Examiner	\$125/hour
Certified Access Specialist (CASp) Inspector	\$165/hour
Certified Access Specialist (CASp) Plans Examiner	\$165/hour
Senior Combination Building Inspector (Building Inspector III)	\$138/hour
Commercial Building Inspector (Building Inspector II)	\$125/hour
Residential Building Inspector (Building Inspector I)	\$108/hour
Permit Manager	\$110/hour
Senior Permit Technician	\$88/hour
Permit Technician	\$75/hour
Administrative Support	\$70/hour
Civil Engineer	\$155/hour
Code Enforcement Officer	\$105/hour
Senior Code Enforcement Officer	\$115/hour
Fire Plans Examiner	\$165/hour
Fire Inspector II	\$145/hour
Fire Inspector I	\$130/hour
Fire Protection Engineer (FPE)	\$195/hour
Senior Planner	\$160/hour
Associate Planner	\$135/hour
Assistant Planner	\$120/hour
Public Works Inspector	\$160/hour
Software Consultant	\$172/hour
Project Inspector/Inspector of Record	\$140/hour
OSHPD Review/Inspector	\$145/hour
Permit/Counter Manager	\$110/hour
Off-Site Project Manager	\$180/hour



Principal-in Charge.....	\$205/hour
Approved Subconsultant.....	\$Cost + 20%
Hourly overtime charge per inspector.....	1.5 x hourly rate
Mileage (for inspections performed within the City).....	IRS Rate + 20%

BASIS OF CHARGES

Rates are inclusive of “tools of the trade” such as forms, telephones, and consumables.

- All invoicing will be submitted monthly.
- Staff Augmentation work (excluding plan review) is subject to 4-hour minimum charges unless stated otherwise. Services billed in 4-hour increments.
- Most plan reviews will be done in 10 business days or less and 5 business days or less for re-checks. This is not inclusive of holidays or the day of the pick-up of plans.
- Expedited reviews will be billed at 1.5x the plan review fee listed in the fee schedule. Return time will be within seven (7) days of receipt of the plans from the City.
- Plan review of deferred submittals & revisions will be billed at the hourly rates listed.
- All plan review services will be subject to a \$270 minimum fee if percentage-based fee or 2-hour minimum charge if hourly rates apply.
- Larger complex plan reviews can be negotiated to achieve the best possible pricing.
- All plan review services will be subject to 2-hour minimum fee.
- All plan review services are billed on a percentage basis and includes the initial review and 2 rechecks.
 - Plan reviews will be billed on an hourly basis only after the initial review and 2 rechecks unless otherwise agreed upon on a case-by-case basis.
 - Fire and Civil Reviews are billed on an hourly basis and are not included in our plan review percentage.
- These above rates reflect the FY2024-2025 contract period. There will be a 3% escalation for FY2025-2026.
- Overtime and Premium time will be charged as follows:

- Regular time (work begun after 5AM or before 4PM)	1 x hourly rate
- Nighttime (work begun after 4PM or before 5AM)	1.125 x hourly rate
- Overtime (over 8-hour M-F or Saturdays)	1.5 x hourly rate
- Overtime (over 8 hours Sat or 1 st 8-hour Sun)	2 x hourly rate
- Overtime (over 8 hours Sun or Holidays)	3 x hourly rate
- Overtime will only be billed with prior authorization of the Director or other designated City personnel.
- All work with less than 8 hours rest between shifts will be charged the appropriate overtime rate.
- Mileage driven during the course of Inspections will be charged at cost plus 20%.
- Payment due on receipt. All payments over 30 days will be assessed a 1.5% interest charge.
- Client shall pay attorneys’ fees, or other costs incurred in collecting delinquent amounts.
- Client agrees that 4LEAF’s liability will be limited to the value of services provided.
- In accordance with California’s Meal Break and Rest Break Law requirements, Client will be billed one (1) additional hour per day at the regular rate for each missed meal or rest break due to Client-directed tasks or requirements. Client should allow 4LEAF’s non-exempt, hourly employees the opportunity to take their entitled rest and meal breaks during each work shift.

**Task Order: Building Inspection Services**

DATE: 07/05/24
PROPOSAL No.: P5908
CLIENT: City of Belmont
PROJECT: Building Inspection Services
LOCATION: 1 Twin Pines Lane
Belmont CA 94002

ITEM: V	4LEAF Personnel	ESTIMATED HOURS	UNIT PRICE	ESTIMATED TOTAL
Building Inspection Services				
Building Inspection Services	Mark Sherwood	800	\$125	\$100,000
<i>Preliminary Sub-Total of Services provided by 4LEAF</i>				<i>\$100,000</i>

<i>Preliminary Estimated Fees</i>	<i>\$100,000</i>
<i>Project Management & Administration N/A</i>	<i>\$0</i>
<i>Total Preliminary Estimated Fees</i>	<i>\$100,000</i>

Estimate is for 4LEAF to provide Building Inspection Services to the City of Belmont. **This estimate is not to exceed \$100,000.**

Scope of Work: 4LEAF will provide a qualified building inspector to perform building inspection services for the City.

This assignment is for two - three (2-3) days per week at eight (8) hours per day for one (1) year. The City may extend these services as-needed.

This is a time and materials estimate for these services and will be in accordance of the terms and conditions of 4LEAF's on-call Agreement.

4LEAF will bill the rate of \$125/hour for these services. All work will be billed at 4 hour minimums and billed in 4 hour increments.

This cost estimate is for 7/1/24 - 6/30/25. Personnel may be subject to change.



STAFF REPORT

Meeting Date: July 23, 2024
Agency: City of Belmont
Staff Contact: Laura Russell, Deputy Community Development Director, lrussell@belmont.gov
Kathy Kleinbaum, Assistant City Manager, kkleinbaum@belmont.gov
Agenda Title: Stanford Belmont Campus Conceptual Development Plan and Development Agreement - Project Update and City Council Discussion
Agenda Action: Discussion & Direction

Recommendation

Receive a project status update from City Staff and Applicant regarding the Stanford Belmont Conceptual Development Plan and Development Agreement, and provide any direction.

Strategic Focus Area

Economic Development and Housing

Background

The Notre Dame de Namur University (NDNU) campus is 45.65 acres in area and located at 1500 Ralston Avenue. There is currently 318,516 square feet of existing space onsite. Stanford entered into an option for a purchase agreement with NDNU in September 2021 to work toward Stanford's purchase of the campus. In October 2022 Stanford submitted an application to the City for a Conceptual Development Plan (CDP) and Development Agreement (DA) to renovate and revitalize the campus in a phased manner during a 30-year timeframe.

Proposed Project Summary

Stanford is proposing development of up to 700,000 square feet of academic and supporting uses and housing, including the preservation of three historic campus buildings. The proposed 700,000 square foot maximum buildout represents an increase of approximately 258,000 square feet beyond the amount of development that was approved by the City in 2000 for NDNU but never fully built. The anticipated campus population proposed at full buildout is 2,500, which includes faculty, students, and staff. Stanford proposes to maintain the educational/institutional land use of the site but has not yet determined exactly what type of educational uses would be established for the Belmont campus.

While the precise locations of individual new buildings are not known, the majority of the new construction is proposed to be concentrated on the existing, developed plateau area of the campus. Development within the remaining building areas would be more limited and at lower intensity. Under the CDP, Stanford may demolish the existing buildings and construct new buildings that better serve their educational purpose. Stanford is proposing to include 50 to 200 units of housing which may be located in more than one area of the campus, and are envisioned to be occupied for students, faculty, staff and/or other program attendees to support the proposed academic uses. Proposed building heights for new buildings range from 20' to 75', depending on their location on the campus.



On-site circulation improvements and/or reconfiguration of private streets, including emergency vehicle and service access, bicycle and pedestrian on-site circulation systems are proposed, with the primary vehicular access continuing to remain off of Ralston Avenue. A Transportation Demand Management (TDM) program is proposed which includes measures to foster a better pedestrian/bicycle environment, support transit, and make it easier and more appealing for residents, employees, and visitors to use alternatives to driving or driving alone.

As part of their application, Stanford University identified proposed community benefits which will be encapsulated in the Development Agreement (DA), as discussed below. At the July 23, 2024, City Council meeting, Stanford will give a presentation including the major project components.

The [CDP Application Materials \(October 2022\)](#) and [CDP Amendment \(April 2024\)](#) are available on the City's website.

Analysis/Discussion

The purpose of this report is to update the City Council on project status, receive any public comments, and provide an opportunity for Council discussion and direction. The discussion below includes an update on three topics: 1) Conceptual Development Plan (CDP); 2) Development Agreement (DA); and 3) Environmental Review.

1. Conceptual Development Plan (CDP)

The CDP is a legislative request to create site specific zoning standards through establishment of a Planned Unit (PD) Zoning District for the property. The CDP is a high-level long range planning tool and will establish general issues of permitted land uses, site and circulation plans for the property. A PD district is designed to accommodate various types of development and allow flexibility of design, in accordance with the goals, policies, and objectives of the General Plan. This zoning also allows for flexibility in meeting the strict interpretation of the Zoning Ordinance, provided the project is well designed, includes a favorable balance of open space to developed area, is sensitive to existing terrain, and is compatible with surrounding uses.

Applicants for a CDP have the option of applying for a Detailed Development Plan (DDP) at the same time as the CDP. The DDP includes the specifics of what is proposed to be constructed such as the exact building design and location, landscaping, grading/drainage, lighting and parking layout. The DDP must be consistent with the CDP but is more detailed.

Stanford is proposing to amend and replace the existing CDP and PD Zoning District currently governing the NDNU campus which was established in 2000. Stanford is not applying for a DDP at this time; the current application does not include any requests for specific development and/or physical improvements at the property. Future construction will require submittal of DDP applications and approval by the Planning Commission. Stanford may phase DDP applications over the 30-year time horizon.

Staff is continuing to review the details of the proposed CDP application for establishment of the PD District for compliance with the City's General Plan, provisions of Section 12 ("PD" District) of the Belmont Zoning Ordinance and other applicable City policies.



2. Development Agreement (DA)

A DA is a contract between the City and a property owner, effective for the project's life or terms set out in the agreement. In exchange for the City providing “vested rights” to Stanford to allow future development over the next 30 years in accordance with the CDP, Stanford has agreed to provide community benefits in excess of those that could normally be required by the City. The DA will be drafted and considered for approval along with the CDP.

The application submitted by Stanford includes a package of community benefits that was informed by discussions with local residents and stakeholders. The draft community benefits submitted and negotiated to date include various topics of interest to the City and community including, but not limited to:

- Restoration of Ralston Hall for community use.
- Contribution of \$4 million (including a CPI escalator) to a City Services Fund to support city services over the project’s life.
- Contribution of minimum \$5 million for a new Belmont Community Center.
- Contribution of \$2 million for Ralston Avenue mobility improvements.
- Establishment of a Stanford/Belmont Educational Initiative, including a \$1 million contribution towards TK-12 education programs, and \$150K for tuition grants to City staff for participation in Stanford’s Executive and Leadership Education courses
- Dedicated shared use agreement for Parks & Rec programming and community access to Koret Field.
- Inclusion of affordable housing units for Stanford affiliated non-student housing provided on campus.
- Payment of Development Impact fees for net new office and residential uses.
- Placement of a significant work of public art at the entry to the campus.

A more detailed summary of the currently proposed community benefits is included as Attachment 1. City staff are continuing to meet with Stanford to further refine key terms for inclusion in the Development Agreement in accordance with State law and Section 28 (“Development Agreement”) of the Belmont Zoning Code. Some components still under negotiation include the timing of the proposed financial contributions and the specific allocation of community use for Koret Field.

3. California Environmental Quality Act (CEQA)/Environmental Impact Report (EIR)

CEQA is a California statute that requires state and local agencies to identify the potential environmental impacts of a proposed project, inform decision makers and the public of those impacts, and to reduce the impacts to the extent feasible. Under CEQA, the City is the “lead agency” (i.e. the public agency that has the principal responsibility for carrying out or approving a project) and has determined that an Environmental Impact Report (EIR) is appropriate for the proposed project. The purpose of the EIR is to provide the City decision makers and the public with detailed information about the environmental effects that could result from implementing the proposed project, list methods of mitigating any identified environmental impacts should the proposed project get approved, and to consider feasible alternatives to the Project.



This EIR is a “Program EIR” that analyzes the adoption and implementation of future development, given the nature of the project’s 30-year phased implementation. This is different than a project-level EIR, used to identify and analyze the potential impacts of site-specific construction and operation of a development project. The City will use the Program EIR to specify any applicable environmental conditions or mitigation measures as part of the Project approvals that will apply to future DDPs.

The City hired the environmental consulting firm PlaceWorks to prepare the EIR which began in spring 2023. The first EIR milestone occurred on May 21, 2023 when the City issued a [Notice of Preparation](#), notifying the public of the City’s intent to prepare an EIR and of its 30-day public review period. On June 6, 2023, the Planning Commission held a public hearing (called a “scoping” meeting) to receive further oral and/or written feedback on the scope and contents of the EIR from the Planning Commission, public and relevant agencies. All public comments received during the public scoping period, as well as at the Planning Commission meeting, are made part of the public record. Since that time, the EIR environmental evaluation has been underway.

See Attachment 2, CEQA FAQ for additional information on what an EIR is and what it evaluates, the overall EIR process, and how the public can access and comment on the Draft EIR once it is released.

Next Steps

The project entitlement requests for the CDP, DA, and certification of the EIR will be considered simultaneously by the City decision makers. The following table lists the anticipated project milestones and targeted timelines for the continued processing of the application.

Project Milestone	Focus of Review	Timing
DA Negotiations	Continued negotiations between the City and Stanford on specific terms of the DA	Ongoing
Release of Draft EIR for Public Comment	Anticipated Release Date 45-day public review period of Draft EIR	August 2, 2024 August 2 – September 16, 2024
Planning Commission Meeting	Receive public comments on the Draft EIR	August/early September 2024 (date TBD)
Final EIR preparation	Address all public comments received during the 45-public review period and any additional relevant project information	Fall 2024



Planning Commission Public Hearing	Review the Final EIR, CDP and DA. Provide recommendations to the City Council	First Quarter 2025
City Council Public Hearing	Receive recommendations from the Planning Commission, consider certification of the EIR, take action on the CDP and DA	First Quarter 2025

Updates on the project will be posted to the City's website.

Please visit www.belmont.gov/developmentprojects and select the "1500 Ralston Avenue - Stanford Campus at Notre Dame de Namur University" project for additional information.

Attachments

1. Development Agreement Term Sheet
2. CEQA FAQ

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed:

Costs in processing this application are incurred by the project applicant. A fiscal and economic impact analysis has been prepared to evaluate the financial impacts the project may have on the City's General Fund over its 30-year horizon.

Source:

Staff

Purpose:

Discretionary Action

Public Outreach:

Posting of Agenda

*Notice of this City Council Meeting was mailed to all property owners within 300' of the project site and posted in three public locations.

Attachment 1:
Preliminary Term Sheet for Stanford Development Agreement
July 2024

These draft terms are for information and feedback and does not require City Council action at this time. These terms are subject to further refinement, and negotiations on substance of execution, and timing before it's brought for Council consideration.

1. **Term of Agreement:** Stanford requests a 30-year vesting period for the project entitlements.
2. **City Services Fund:**
 - \$4 million in discretionary funds offered by Stanford.
 - Funds to support City services over the project's life.
3. **Belmont Community Center (BCC):**
 - Stanford offers a \$5M minimum contribution towards a new facility and field construction.
 - If BCC is not realized within the term of Agreement, \$5M may be redirected to the City Services Fund.
4. **Historic Facility on Campus:**
 - Ralston Hall space made available for community use post-renovation.
 - City to have access to Taube or Ralston Hall at no cost for the greater of 30 hours or 10 events annually for City functions.
5. **Koret Field:**
 - City access to Koret Field during specific time blocks at no cost.
 - Additional time block availability to be reviewed annually.
6. **Ralston Avenue Transportation Improvements:**
 - \$2 million contribution for City-sponsored Ralston Avenue transportation improvements.
7. **Affordable Housing:**
 - Stanford commits to 20% affordable housing for all non-student housing development onsite.
8. **Development Impact Fees:**
 - Stanford to pay City development fees that apply to net new office and multi-family residential uses.
 - These fees include Park Impact fees, Affordable Housing mitigation fees, and Traffic Impact fees.
9. **Educational Partnerships & Benefits:**
 - Stanford to provide \$1 million for TK-12 education programs (\$100K annually for 10 years).
 - \$150K for tuition grants to City staff for participation in Stanford's Executive and Leadership Education courses.
10. **Public Art:**
 - Stanford to comply with City's Public Art ordinance.
 - Additionally, a significant work of art to be sited at the entry to the new campus.



CEQA/EIR FAQ

STANFORD BELMONT CAMPUS

CONCEPTUAL DEVELOPMENT PLAN AND DEVELOPMENT AGREEMENT

Q: What is CEQA?

A: The California Environmental Quality Act (CEQA), pronounced “sea-kwa”, generally requires state and local agencies to inform decisions makers, like the Belmont City Council, and the community about the potential environmental impacts of proposed projects, and to identify ways to avoid or mitigate those impacts, if feasible. If a project may cause adverse impacts, the public agency must prepare an EIR.

The City is the CEQA lead agency, meaning it has the primary responsibility in preparing the EIR and discretionary authority over the proposed project. The City has contracted with the environmental consulting firm PlaceWorks for professional environmental planning services in preparation of the EIR. The City solely manages the contract for these CEQA services and as the applicant, Stanford pays for the cost of such services. Stanford submits such funds directly to the City and the City directly pays related contract invoices to the consultant.

Q: What is an EIR?

A: An Environmental Impact Report (EIR) is a document that contains in-depth studies of potential impacts & measures to reduce or avoid those impacts (called mitigation measures), and an analysis of project alternatives. An EIR examines all phases of the project including planning, construction, and operation. The EIR itself does not determine whether a project will be approved; instead, it is an informational and disclosure document taken under consideration during the decision-making process.

Q: Who must comply with CEQA and who is responsible for approving an EIR?

PROJECT INFORMATION

PROJECT NAME: Stanford Belmont Conceptual Development Plan and Development Agreement

PROJECT ADDRESS: 1500 Ralston Avenue

PROJECT WEBSITE:

<http://www.belmont.gov/developmentprojects>

(via the 1500 Ralston Avenue link).

WHERE TO PROVIDE COMMENT ON THE DEIR:

***Email:** StanfordNDNU@belmont.gov

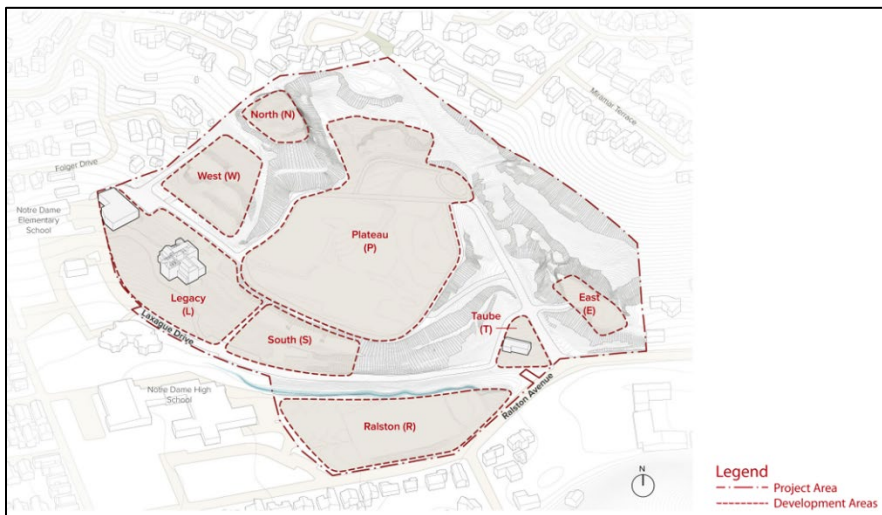
Please note that written correspondence is typically considered a public record and may be attached to staff reports, which are posted on the City's website.

***Mail:** City of Belmont, Planning Dept.
DEIR – Stanford Belmont CDP
1 Twin Pines Ln # 110
Belmont, CA 94002

WHEN TO PROVIDE COMMENT ON THE DEIR:

August 2 to September 16, 2024

A: A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a “project”; an activity which must receive some discretionary approval from a public agency which may cause either a direct physical change or a reasonably foreseeable indirect change in the environment. The proposed Stanford Belmont Conceptual Development Plan and Development Agreement project is a defined “project” per CEQA. Discretionary approval means that there is an exercise of judgement or deliberation by a governing body in determining whether a project will be approved, or if a permit is issued. The City Council is responsible for certifying the EIR in this project.



Area of Study – Site Plan and Location of Stanford Belmont Conceptual Development and Development Agreement Application

Q: Why is this EIR called a Program EIR

This EIR is a Program EIR that analyzes the adoption and implementation of the proposed project, which will be phased over time. This is in contrast to a project-level EIR, which is used to identify and analyze the potential impacts of site-specific construction and operation. The CEQA Guidelines allow lead agencies to prepare different types of EIRs for varying situations and intended uses. Section 15168 of the CEQA Guidelines states that Program EIRs are appropriate when a project consists of a series of actions related to the issuance of rules, regulations, and other planning criteria.

In this case, the proposed project that is the subject of this EIR consists of a long-term plan that would be implemented over a 30-year time frame. Future detailed development plans would be analyzed under the scope of this Program EIR. While further environmental review is not anticipated, each future activity will be evaluated according to the CEQA Guidelines.

Q: What topics did the Stanford Belmont EIR study?

A: The EIR evaluates a projects potential impact on the following environmental topics:

Aesthetics	Geology and Soils	Noise	Tribal Cultural Resources
Air Quality	Greenhouse Gas Emissions	Parks and Recreation	Utilities and Service Systems
Biological Resources	Hazards & Hazardous Materials	Population/Housing	Wildfire
Cultural Resources	Hydrology & Water Quality	Public Services	
Energy	Land Use & Planning	Transportation	

This programmatic EIR also includes a project description, alternative project scopes, description of the environmental setting, and identifies significant environmental impacts and potential adverse effects, technical studies, and mitigation measures.

It is important to note that not all specific details of the proposed project are evaluated in the EIR if not explicitly required in the CEQA guidelines but could be further evaluated as part of the City's future consideration of the project entitlements and consistency with applicable City plans and regulations. These may include such things as parking, transportation, and inclusionary housing issues not explicitly called out in CEQA.

Q: How do identified impacts in the DEIR affect the ability to approve or deny the project?

A: The DEIR is not intended to serve as recommendation of either approval or denial of the project. It provides the primary source of environmental information for the City to consider and identify ways any potentially significant environmental impacts can be avoided or significantly reduced. Impacts can be identified as "no impact", "less than significant or less than significant with mitigation incorporated", or "significant impact". If an impact is identified as "significant and unavoidable" it means that an impact would cause a substantial adverse impact that cannot be avoided, even with the implementation of all feasible mitigation. In these instances, a jurisdiction must adopt a "statement of overriding considerations" which will conclude that even though adverse impacts have been identified, overriding economic, legal, social technological or other considerations outweigh the project's significant, un-mitigated impacts.

All impacts identified in the Stanford DEIR are "no impact", "less than significant" or "less than significant with mitigation incorporated". No significant, unavoidable impacts were identified as part of this project.

Q: When and how can I provide comment on the Draft EIR (DEIR) document?

A: Public input is a critical component of the CEQA environmental review process. The DRAFT EIR (DEIR) will be circulated for review from August 2 to September 13, 2024. During this time you may submit your comments to the City via email, mail and/or drop off hard copy comments, or verbally during the Planning Commission's public meeting on the DEIR. *See "Where to Provide Comments" above.*

When the DEIR has been completed, the City shall notify the public that the DEIR is available for review and comment. The notice will include general information about a project; the comment period, the date, time and location of public hearings, and the location where the DEIR and supplemental information is available for review.

Q: How can I make the most effective comments on the DEIR?

A: It is best to try and make substantive comments that are backed by factual support. Substantive comments are required to be responded to prior to certification of the EIR. Substantive comments could point out errors, inconsistencies, omissions of data or analyses, conclusions not based on evidence, or failures to provide discussion required by CEQA. Be aware that, when responding to comments, the City need only respond to significant environmental issues and does not need to provide all information requested by reviewers, if a good faith effort at full disclosure is made in the DEIR. Comments that simply reflect an opinion or emotion

about the project will likely not be addressed. For example, comments that state, "I don't like the project," or "I oppose the entire development project" typically result in a response of "Comment Noted."

Try to focus on evaluating the sufficiency of the document in identifying and analyzing the possible impacts on the environment. For example, is there a local public facility that has not been identified as potentially having an impact? If you believe an area has been insufficiently analyzed, include that in your comment and request that it be analyzed. Another place to focus is on ways in which the significant effects of the Project might be avoided or mitigated. These are typically called "mitigation measures." Does it appear that the mitigation measures sufficiently minimize the project impacts? If not, do not simply state that the mitigation measure is insufficient. A comment is more substantive when it suggests an alternative project or a mitigation measure that would provide better ways to avoid or mitigate the significant environmental effects of the Project.



STAFF REPORT

Meeting Date: July 23, 2024
Agency: City of Belmont
Staff Contact: Laura Russell, Deputy Community Development Director, lrussell@belmont.gov
Agenda Title: Zoning Text Amendments - Corridor Mixed Use District, Parking, and By Right Processing
Agenda Action: Discussion & Direction

Recommendation

Receive a presentation and provide direction on proposed Zoning Text Amendments related to development standards in the Corridor Mixed Use (CMU) District; consolidation of parking requirements into one section of the Zoning Ordinance; and updates to facilitate “by right” processing as required by State law.

Strategic Focus Area

Economic Development and Housing

Background

The General Plan and Belmont Village Specific Plan were adopted in 2017 and since that time, there has been an increase in development activity in the City. Processing the development applications has provided the opportunity for staff to evaluate land use policies to see how they are working and assess if any changes are necessary. Additionally, State laws related to housing have been updated repeatedly in recent years, leading to changes to City policies to ensure consistency.

In January 2024, the Planning Commission and City Council considered amendments to the Belmont Zoning Ordinance to implement aspects of the Housing Element and State law including eliminating the maximum density provision. At that time, an increase to the height limit was also proposed in the Corridor Mixed Use (CMU) District. At their January 16, 2024 meeting, the Planning Commission conducted a public hearing and considered the proposed amendments. There was considerable discussion about the proposed increase in height in the CMU zone. Some Commissioners expressed concerns about the number of floors that may be achieved under the increased height and community expectations based on previous discussions about height. Others favored policies that would maximize affordable housing. Several Commissioners expressed an interest in additional study of the CMU District height, including consideration of sufficient height for active ground floor uses and detailed design standards.

On January 23, 2024, the City Council considered the proposed increase in height in the CMU District along with the other proposed amendments to the Zoning Ordinance related to the Housing Element. The City Council directed staff to further analyze the height and objective standards in the CMU District to ensure the development standards align with the City’s vision for the El Camino Real corridor while balancing other priorities.



In addition to the proposed height increase for the CMU District, staff has identified two additional areas of the Zoning Ordinance that would benefit from analysis and potential amendments to streamline processing including consolidating parking standards and revisions to the way housing projects are processed that are required to have a “by right” review under State law.

Analysis/Discussion

Staff retained the services of Lisa Wise Consulting, a consulting firm that specializes in zoning code amendments and architectural modeling, to assist in the revisions to the CMU development standards and parking section of the Zoning Ordinance.

1. Corridor Mixed Use District – Development Standards

The CMU District is located on El Camino Real to the north and south of the Belmont Village Specific Plan area and is considered a major regional commercial and transit corridor. The CMU District is intended to accommodate community- and visitor- serving retail and services, lodging, office and high density residential in a mixed-use setting. The current base height limit is 45’ and projects with community benefits approved by City Council are allowed to have a height of 55’.

The consultant/staff team have prepared a series of development scenarios to assist the Council and community in understanding how residential, office and hotel uses may develop in the CMU District (scenarios are included as Attachment 1). A common market-based assumption is that the ground floor height should be 16’ to accommodate commercial uses. The floor to ceiling heights of the upper floors is expected to vary according to the type of land use due to construction methods and market preferences. Both of these factors influence the overall height of the building and number of stories.

The scenarios show that the current base height of 45’ presents challenges for developing new projects with active ground floor uses and is likely a constraint on redevelopment of underperforming sites. For residential uses, the 45’ height limit with 16’ ground floor height would force the upper floors to be very constrained (under 10 feet), which may not meet the expectations of the market for new units. Increasing the height to 50’ would allow some flexibility in the ceiling heights for the upper floors without allowing an additional floor of residential to the building.

For office projects, taller ceiling heights on the upper floors are typical in the market. The 45’ height limit would be expected to limit a project to only three stories with 16’ ground floor height. Given the costs of development, three story office buildings are not likely to be viable and may be seen as an under-utilization of the property. Increasing the height to 50’ would allow additional flexibility to allow 16’ on the ground floor and three stories above, for a total of four stories.

In light of the analysis, staff recommends increasing the base height from 45’ to 50’. This increase would facilitate inclusion of viable retail space on ground floors and provide for more architectural variety.

As the City Council is aware, State Density Bonus law is the primary way residential projects exceed the City’s base development standards. Therefore, staff does not anticipate community benefits playing a meaningful role in future residential projects; applicants will use Density Bonus instead. However, community benefits may be a critical part of commercial development. Since community benefits require



approval by City Council, an increase in height can be evaluated on a case-by-case basis, balancing the benefits to the community with any concerns. As a reminder, non-residential projects are not subject to the same State mandates that apply to housing projects, so a detailed discretionary review is permissible. The scenario for office over retail with community benefits shows that a 60' height limit would allow up to five stories. The FAR would be the limiting factor to the overall size of development, so projects may not reach the 60' limit. However, the taller height limit may lead to superior architecture or site planning. Therefore, staff recommends establishing a height for projects with community benefits at 60' to allow flexibility for future office/commercial projects that might bring significant benefits to the City. The current recommendation of 60' is lower than the 65' height proposed by staff in January 2024 because the scenarios show that five stories can be achieved in 60' with a 16' ground floor height.

Through the course of the analysis, staff considered a range of options to address land uses the City wishes to see for economic development purposes. In particular, the existing height is likely a limiting factor to attracting hotel uses. Hotel developments are considered beneficial to cities due to the associated direct tax revenues from Transient Occupancy Tax (TOT), property tax, and sales (food/beverage and retail sales tax). To incentivize hotel development, staff proposes separate development standards specifically for hotels; these standards would not apply to other land uses in the same district. This approach, of setting regulations by land use to incentivize development, has not been used before in Belmont, but is utilized by other cities.

Based on the consultant/staff analysis and local property owner discussions about feasibility, staff recommends hotel development standards be set at 2.5 FAR and 65' in height (with no requirement to apply for the community benefit bonus). These standards would make it more feasible to achieve the requirements for architectural style and amenities that are required by some national brand hotels while acknowledging the economic benefit hotels provide. Staff further recommends removing the requirement for a Conditional Use Permit, making hotels a permitted use in the CMU District. Staff anticipates conducting additional analysis on the appropriate objective standards to minimize impacts from the FAR and height, to be presented at a future meeting.

In summary, staff proposes the following changes to the development standards in the CMU District:

- Increase the base height from 45' to 50' to encourage ground floor commercial uses and make four story office development feasible.
- Increase the community benefits height from 55' to 60' so that commercial projects have an approval pathway through City Council if the community benefits outweigh potential impacts.
- Establish unique development standards for hotels of 2.5 FAR and 65' height to provide an incentive for this fiscally positive land use.

2. Consolidation of Parking Requirements into One Section of the Zoning Ordinance

The City's parking requirements are currently in three sections of the Zoning Ordinance as a result of how the City's policies have evolved over time. Section 8 is the original parking code, Section 8A covers the CMU and Regional Commercial Districts, and Section 31 covers the BVSP districts. Staff has been implementing the separate requirements for several years and has found it challenging for applicants and staff to interpret. Staff recommends consolidating all parking requirements in one place for clarity and



consistency and updating to current best practices. Proposed updates include:

- Changing narrative standards to tables
- Changing units of measurement to modern standards, such as linking requirements to physical measurements (like floor area) instead of things that might change (like employees)
- Removing outdated land uses
- Revising the approval criteria for applications that would increase parking above the maximum or below the minimum
- Updating language to be consistent with AB 2097, which preempts parking requirements within one half mile of the Caltrain station
- Simplifying loading requirements

3. Facilitation of By Right Review of Housing Projects as Required by State Law

There are several provisions of State law that require cities to process certain housing projects through a “by right” or “ministerial process.” While some sections of State law refer to “by right” and others to “ministerial” the concept remains the same; the city must review the project according to objective standards, no discretionary review is allowed, and the California Environmental Quality Act (CEQA) does not apply. The terms by right and ministerial are often used interchangeably.

The Belmont Zoning Ordinance currently requires new multi-family housing projects to be approved by the Planning Commission, even if they are required to be processed “by right” under State law. Some housing laws set a strict timeline for processing of by right projects while others do not. An example of this is the SB 35 project review process which requires the application to be reviewed and approved within a 60-day timeframe. The expedited approval timelines for certain projects makes it infeasible for the project to be reviewed and scheduled for Planning Commission action.

In a circumstance when there is time for a Planning Commission review in compliance with State law, there are challenges in this approach. The Planning Commission’s primary role is to use judgement in making discretionary decisions. Moreover, acting as the approval body for by right projects with no discretion can lead to confusion or frustration on the part of the Commissioners or public. Members of the public may believe they can attend the Planning Commission meeting and materially influence the outcome.

Many cities have addressed these issues by shifting the approval authority for by right housing projects from Planning Commission to staff. This approach uses the Planning Commission’s time efficiently and focuses their efforts on items they can have input on. Therefore, staff recommends revising the Zoning Ordinance to shift approval authority of projects that are required to be processed by right from Planning Commission to staff. There would still be a public notice to alert property owners within a 300’ radius that a project is proposed and will be approved if it complies with all objective standards. Housing projects that are not required to have by right processing under State law would continue to be reviewed by Planning Commission.

Conclusion and Next Steps

Staff is seeking confirmation from the City Council on the proposed approach to Zoning Ordinance



amendments related to CMU District development standards, consolidation and clean-up of parking sections, and approach to by right processing for certain housing projects. Staff will incorporate Council’s direction and proceed with formal code amendments for review by the Planning Commission and City Council.

Attachments

1. CMU District Development Scenarios

Fiscal Impact

- ☒ No Fiscal Impact
- ☐ Funding Source Confirmed:
- Adoption of the proposed amendments to the CMU District may result in additional revenue for the City as projects are proposed, which will be utilized for processing the projects. Amendments to parking and processing requirements of the Belmont Zoning Ordinance do not have direct financial implications for the City.

Source:

Staff

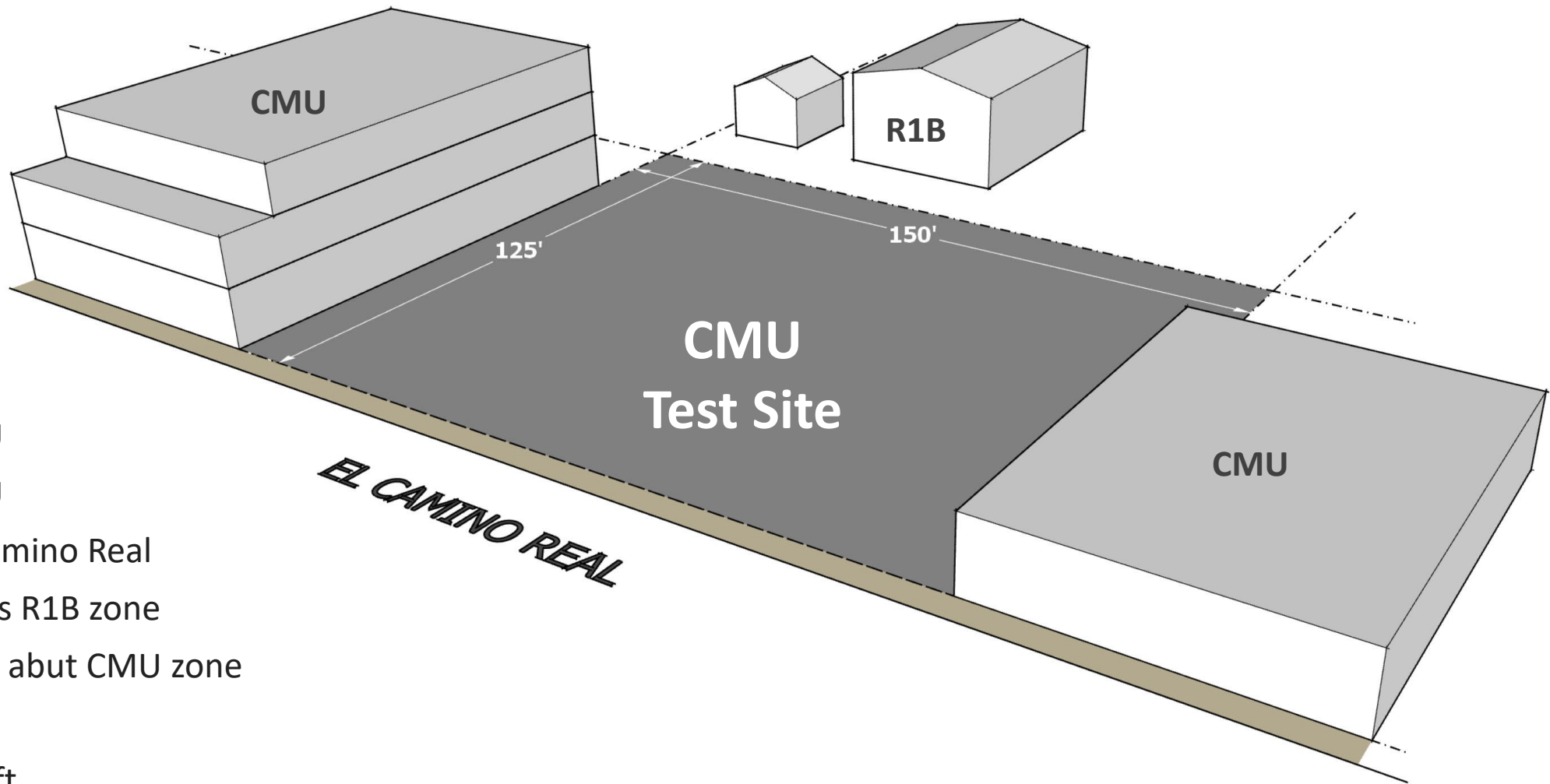
Purpose:

Council Vision/Priority

Public Outreach:

Posting of Agenda

Hypothetical Corridor Mixed Use Test Site



GP Land Use:	CMU
Zone:	CMU
Frontage:	El Camino Real
Rear:	abuts R1B zone
Interior Sides:	both abut CMU zone
Topography:	Flat
Lot Width:	150 ft
Lot Depth:	125 ft
Area:	18,750 (0.43 ac.)

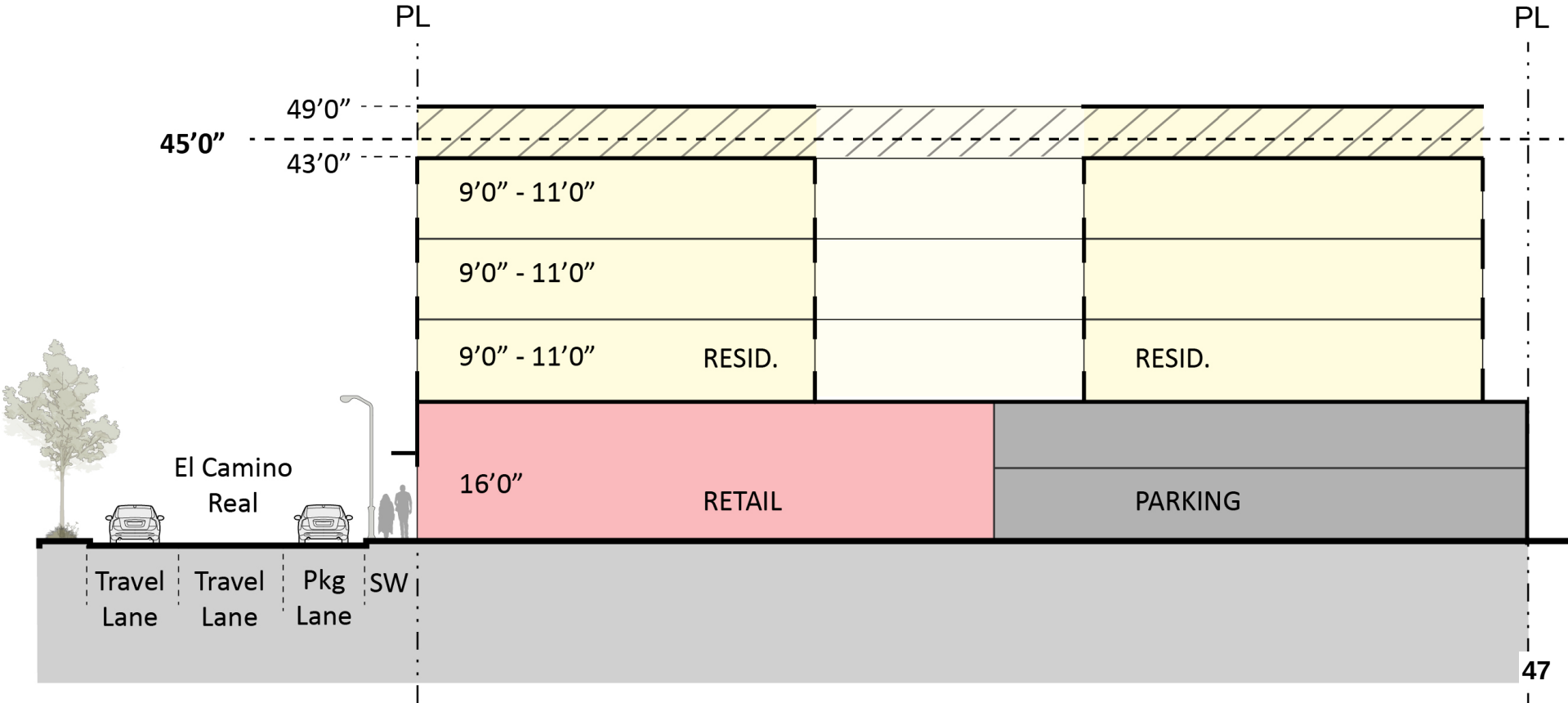
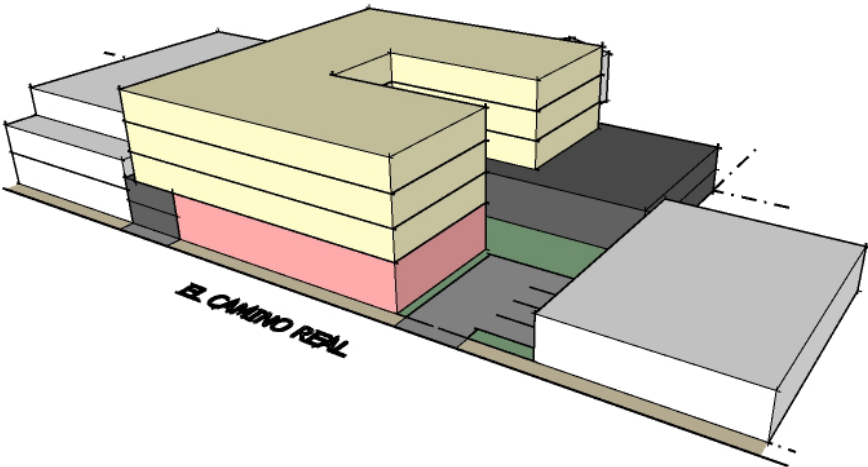
Residential over Retail

Current Height Limit 45'

FAR: 1.98
Density: 79 du/ac
Height: 43'0" - 49'0"
Open Space: 10% of site
Spaces: 49

Residential
34 units
850 sq ft avg. unit size
1.15 spaces/unit

Retail
4,925 sq ft retail
2 spaces/1,000 sq ft



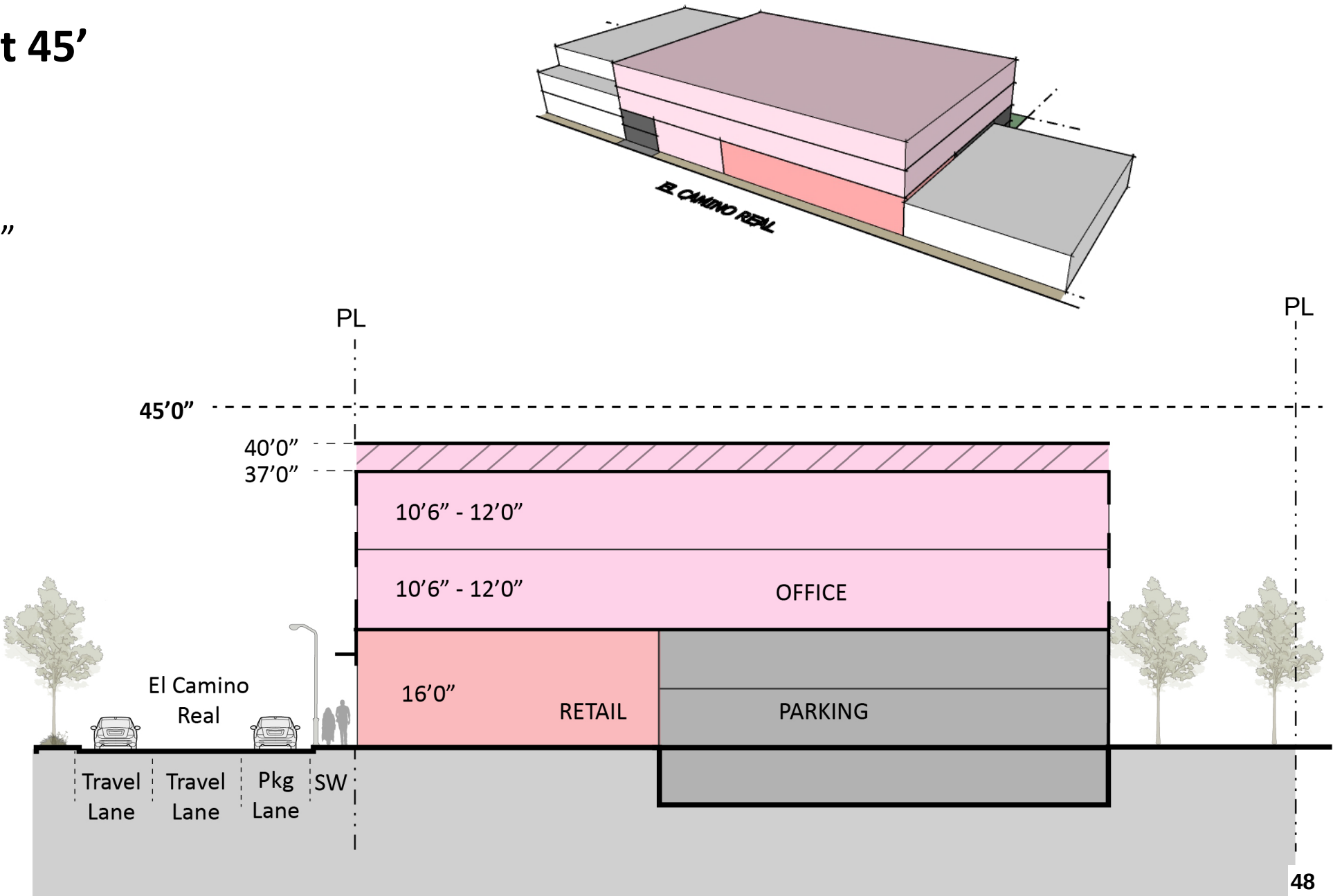
Office over Retail

Current Height Limit 45'

FAR: 1.87
Height: 37'0" - 40'0"
Open Space: 17% of site
Spaces: 68

Office
30,000 sq ft
2 spaces/1,000 sq ft

Retail
3,520 sq ft retail
2 spaces/1,000 sq ft



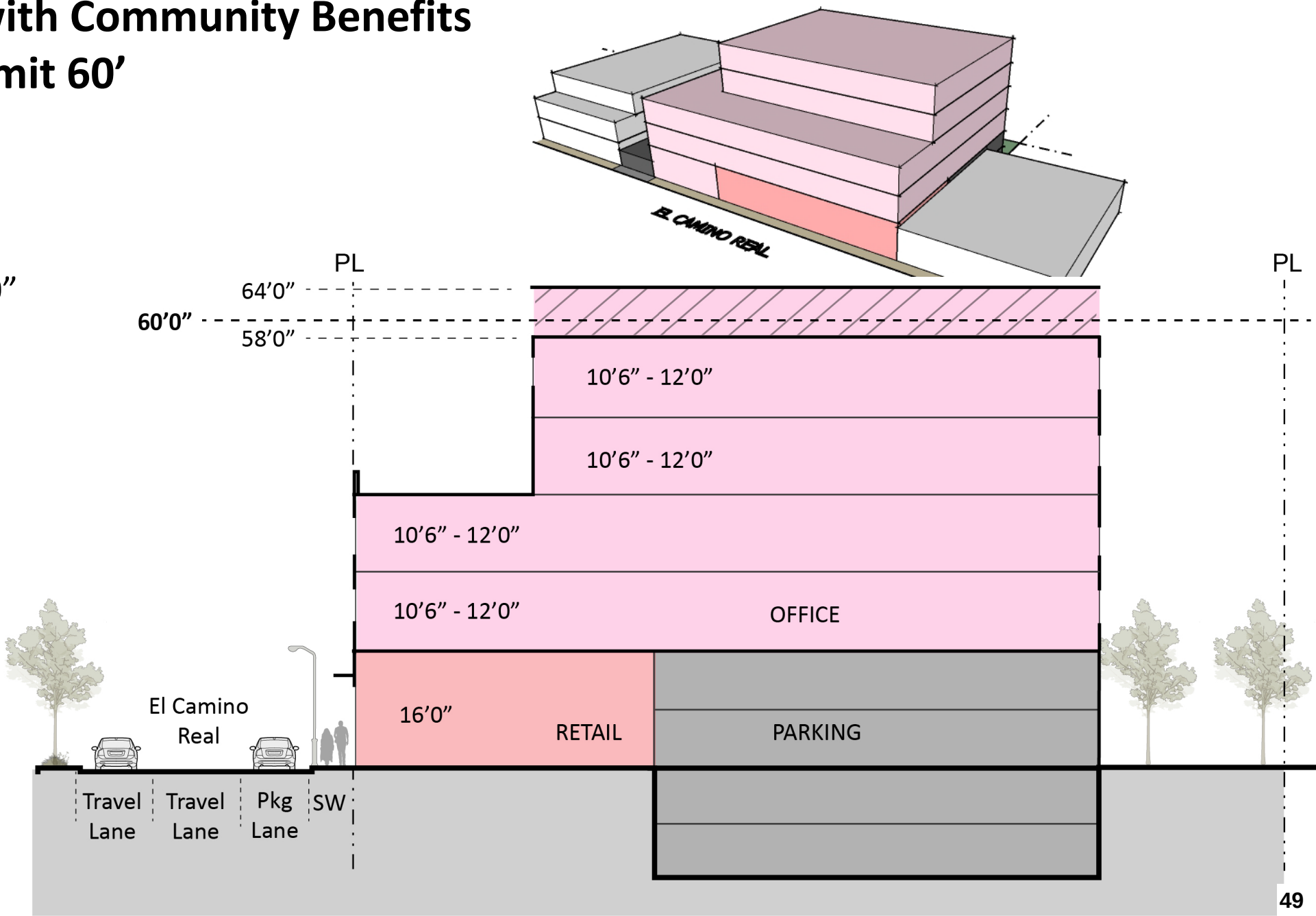
Office over Retail with Community Benefits

Proposed Height Limit 60'

FAR: 2.47
Height: 58'0" - 64'0"
Open Space: 17% of site
Spaces: 90

Office
41,250 sq ft
2 spaces/1,000 sq ft

Retail
3,520 sq ft retail
2 spaces/1,000 sq ft

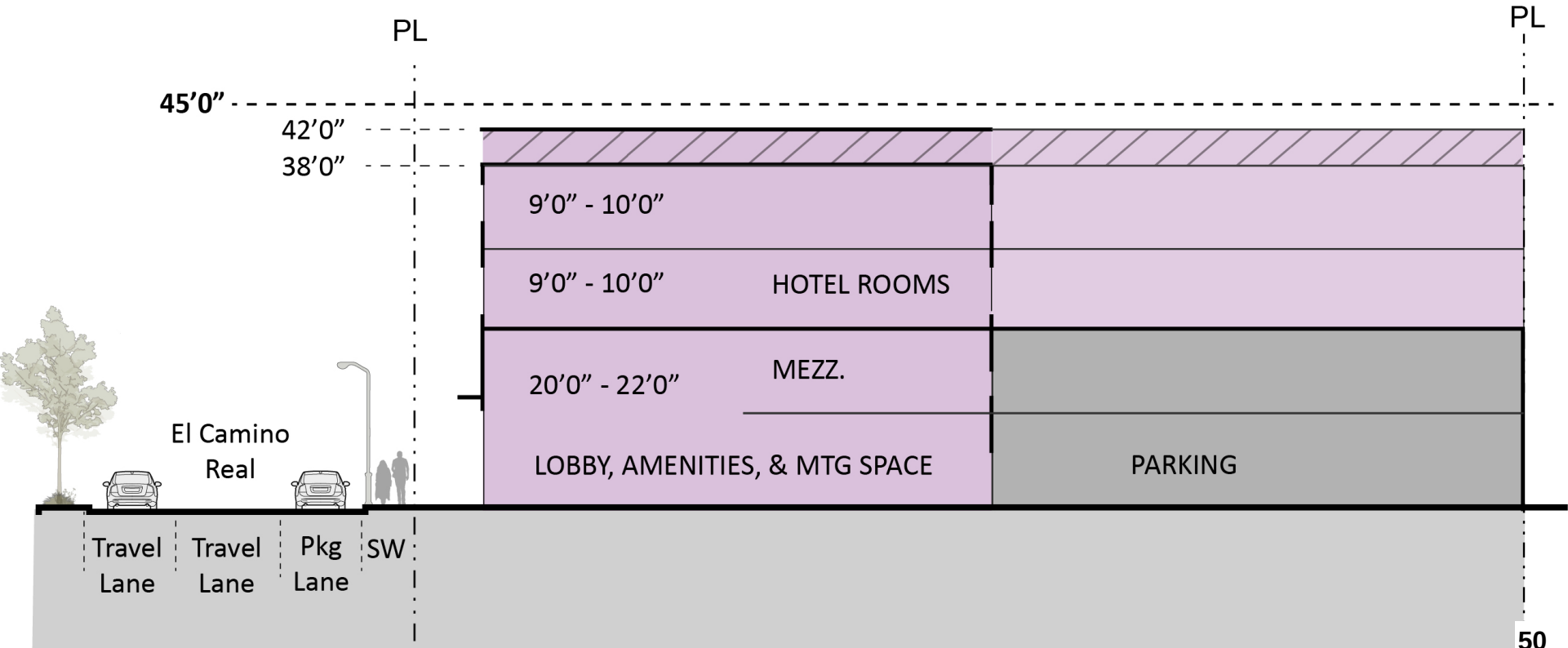
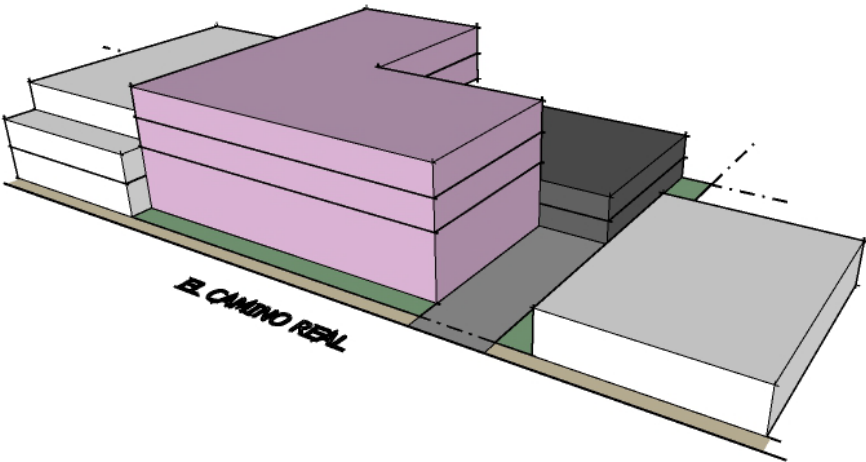


Hotel

Existing Height Limit 45' – Example 1

FAR: 1.39
Height: 38'0" - 42'0"
Open Space: 12% of site
Spaces: 42

Hotel
54 rooms
300 sq ft avg. room size
0.78 space/room

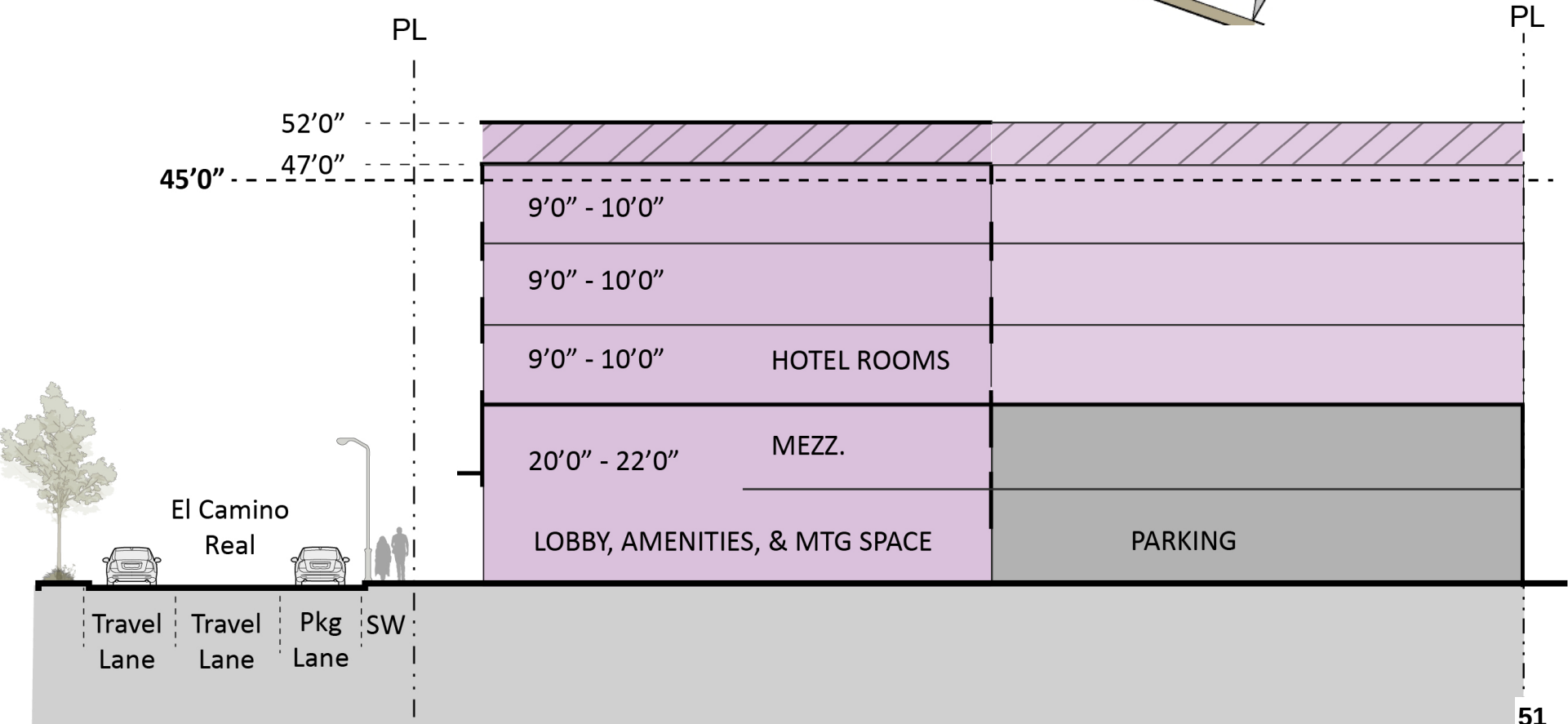
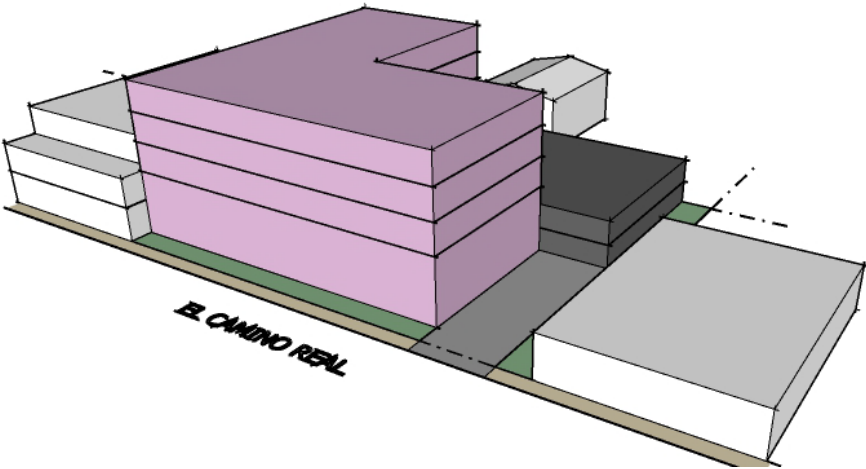


Hotel

Existing Height Limit 45' - Example 2

FAR: 1.91
Height: 47'0" - 52'0"
Open Space: 12% of site
Spaces: 42

Hotel
81 rooms
300 sq ft avg. room size
0.52 space/room

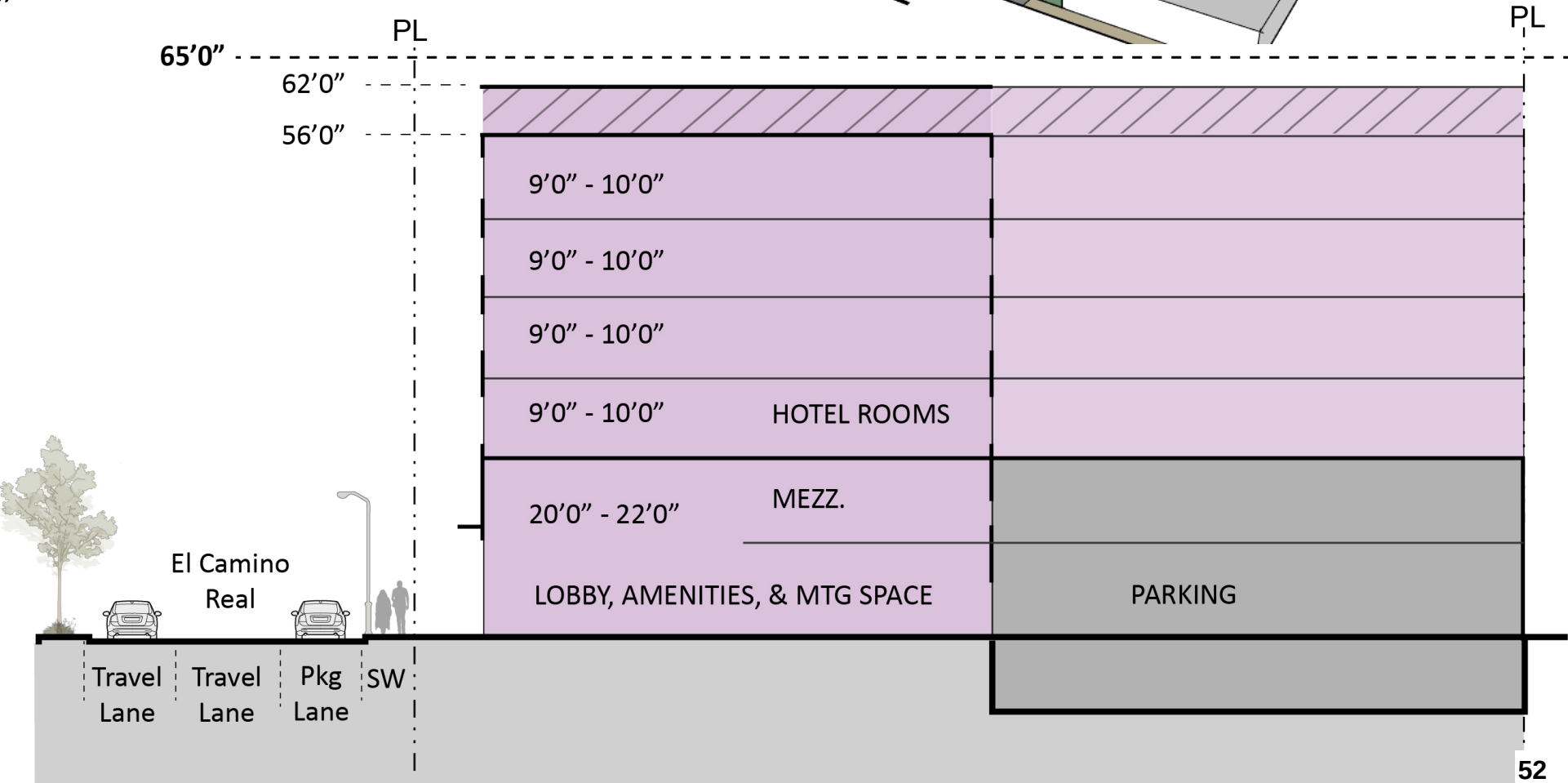
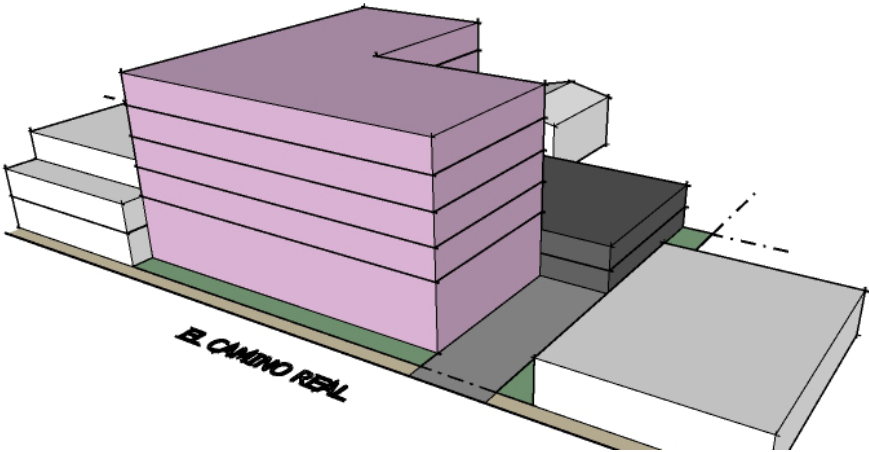


Hotel

Proposed Height Limit 65'

FAR: 2.43
Height: 56'0" - 62'0"
Open Space: 12% of site
Spaces: 63

Hotel
108 rooms
300 sq ft avg. room size
0.58 space/room





STAFF REPORT

Meeting Date: July 23, 2024
Agency: City of Belmont
Staff Contact: Ken Stenquist, Chief of Police (650) 595-7400
Agenda Title: Informational Update on Unmanned Aerial Systems
Agenda Action: For Information Only

Recommendation

Update and Discussion regarding the use of Unmanned Aerial Systems.

Strategic Focus Area

Public Safety

Background

On March 27, 2024, during the City of Belmont Strategic Planning Workshop, supplementing the use of technology to assist with public safety and emergency preparedness was identified as an initiative under the Public Safety Strategic Focus Area. This initiative is one of the four critical strategic goals of the police department and emergency preparedness.

On June 17th, 2024, the Unmanned Aerial System (UAS) program was presented to the City of Belmont Public Safety Committee for discussion and direction on the City's UAS policy and use cases. The presentation was intended to provide public education, and committee feedback about the proposed deployment of the technology across multi-departmental identified uses and operational capabilities across wide range of city functions. The UAS use policy are regulated by Belmont Police Department Policy 614 (Unmanned Aerial Systems), Federal Aviation Administration (FAA) regulations, and the United States Constitution. In addition, the acquisition and reporting of UAS are considered under AB 481, and per Government Code Section §7070 along with Belmont Police Department Military Equipment Policy 710. Additionally, the use of the UAS is reported annually and provided as part of the City's data transparency portal.

Analysis

UAS are not new to local governments and have been operating successfully in many jurisdictions including San Mateo County for many years. Although UAS have been utilized primarily under public safety, the capabilities these systems can provide crosses over all city departments. The use of UAS will be a resource multiplier and intended to increase productivity in many areas of operational needs across City departments. The list below provides examples of how this tool will can assist City operations.

Public Works: UAS can expedite infrastructure inspections, monitor construction projects, and assess damage after natural disasters. This technology reduces inspection times, lowers costs, and improves worker safety by minimizing the need for physical presence in hazardous locations.



Parks: UAS enhance the maintenance and surveillance of parklands, assist in monitoring wildlife and vegetation, and ensure the safety of visitors. Aerial views provide comprehensive data that aids in better park management and conservation efforts.

Emergency Preparedness and Management: UAS play a crucial role in disaster response and recovery by providing real-time aerial imagery, aiding in search and rescue operations, and assessing damage in hard-to-reach areas. They enable quicker decision-making and more effective resource allocation during emergencies.

Police Department: UAS support law enforcement by providing aerial observations during public events, aiding in crime scene analysis, and enhancing search and rescue operations. They offer a safe and efficient means to monitor and respond to incidents without risking personnel.

Although a city resource, the UAS program will be funded and managed through the police department. This is due to the departments twenty-four hours a day, seven days a week operational availability for the use of the UAS, and the mandatory training and reporting requirements.

Regarding the use policy of the technology, the Belmont Police Department Policy 614 (Unmanned Aerial System) addresses operational considerations and safeguards. Listed below are a few areas of concern addressed in the policy.

- Conducting random surveillance activities
- Targeting a person based solely on actual or perceived characteristics
- Harass, intimidate, or discriminate against any individual or groups
- Conducting personal business of any type

Additionally, the capabilities of UAS across departments is fiscally prudent and an efficient use of City resources. With the challenges around staffing, accessibility concerns of the City's terrain and open spaces, and emergency preparedness the program will maximize productivity, and speed of response in most efficient way. There are multiple incidents in the past year where the use of UAS would have reduced risk, increased efficiency of deployment of limited resources, and enhanced public safety operations.

In summary, the integration of UAS across multiple departments offers significant benefits, enhancing efficiency and safety in various operational areas. Key departments that benefit from UAS deployment include Public Works, Parks, Emergency Preparedness and Management, and the Police Department.

Safeguards and Policies: The Department Policy governing UAS deployment includes stringent safeguards to ensure ethical and legal use. Key measures include strict adherence to privacy laws, mandatory training for UAS operators, and predefined operational protocols to avoid misuse. Additionally, an annual reporting requirement is established to maintain transparency, assess operational effectiveness, and ensure compliance with regulations. This reporting includes detailed logs of UAS deployments, incident reports, and performance evaluations, fostering accountability and continuous improvement.



By leveraging UAS technology, the multi-departmental deployment enhances public safety, operational efficiency, and resource management, while adhering to robust policies to safeguard public trust and privacy.

Alternatives

1. Refer to Staff with Direction
2. Take No Action

Attachments

A. Belmont Police Department Police 614 (Unmanned Aerial System)

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: 101-601-8351
\$15,000 – Includes purchase of UAS, additional accessories (batteries, blades, etc.) FAA compliance certifications and flight training.
\$2000-\$3000 – Reoccurring cost for maintenance (blade replacements, batteries, etc.)

Source:

Staff

Purpose:

Plan Implementation*

Public Outreach:

Posting of Agenda

*Insert additional information, or delete if not used

Unmanned Aerial System

614.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

614.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned aerial system (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

614.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

614.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

614.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

Unmanned Aerial System

Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

614.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted consistent with FAA regulations.

Unmanned Aerial System

614.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

614.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.