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

www.belmont.gov

CITY COUNCIL REGULAR MEETING AGENDA
Tuesday, May 9, 2023
7:00 PM
City Council Chambers
City Hall, One Twin Pines Lane, Belmont, California

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

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

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

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

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. REPORT FROM CLOSED SESSION

4. SPECIAL PRESENTATIONS

A. Proclamation Celebrating May as Asian Pacific American Heritage Month

B. Proclamation Celebrating Jewish American Heritage Month 2023

C. Proclamation Honoring Local Educators on Teacher Appreciation Week

D. Proclamation Recognizing May 2023 as Mental Health Month

E. Chamber San Mateo and Belmont Collaboration Presentation

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

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

6. COUNCILMEMBER ANNOUNCEMENTS

7. CONSENT BUSINESS

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

A. Approval of Minutes

Recommendation: Consider Modifications and Approve Minutes

Attachment(s):

City Council April 11, 2023 Regular Meeting
City Council April 25, 2023 Regular Meeting
BFPD April 11, 2023 Regular Meeting
BFPD April 25, 2023 Regular Meeting

B. Monthly Financial Reports - March

Recommendation: Motion to Receive Monthly Financial Reports

Attachment(s):

Monthly Financial Reports - March

C. Rejecting All bids for the 2023 Pavement Project , CCN 2022-613

Recommendation: Adopt a resolution rejecting all bids received for the 2023 Pavement Project, CCN 2022-613, and provide authorization to rebid and award to the lowest responsible bidder

Attachment(s):

Staff Report
Resolution

D. Contract Award for Demolition of City owned properties located at El Camino Real at Hill Street (APN's 045-163-070, 045-162-070, 045-162-080, 045-162-090), City Contract Number 2023-626

Recommendation: Adopt a resolution to award the contract to Selway Construction, Inc for $106,390, approving a 15% construction contingency of $15,958.50 for unforeseen conditions for a total amount not to exceed $122,348.50 and authorize the City Manager to execute a contract for the Demolition of City owned properties located at El Camino Real at Hill Street (APN's 045-163-070, 045-162-070, 045-162-080, 045-162-090), City Contract Number 2023-626

Attachment(s):

Staff Report

Resolution

E. Firehouse Square Apartments - 1300 El Camino Real
Recommendation: Adopt a resolution accepting the street improvements for the Firehouse Square Apartments as completed and complying with City approved plans, authorize the release of the subdivision improvement bonds, and accept a maintenance and warranty bond and authorize its release after the required one-year warranty period

Attachment(s):
Staff Report
Resolution

F. Sanitary Sewer Root Abatement Service Agreement
Recommendation: Adopt a resolution authorizing the City Manager to execute an agreement with Duke's Root Control, Inc., for root foaming of sanitary sewer lines for an amount not to exceed $66,000

Attachment(s):
Staff Report
Resolution

8. PUBLIC HEARINGS - (None)

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

A. Consider amendments to Belmont Zoning Ordinance (BZO) Section 2 (Definitions), Section 5B (Harbor Industrial Area), Section 8 (Off-Street Parking and Loading), and Section 8A (Off-Street Parking and Loading in the Corridor Mixed Use and Regional Commercial Districts) to include a "Research and Development Facilities" definition, parking ratio, and loading space requirements.
Recommendation: 1) Conduct a Public Hearing; and 2) Recommend City Council adoption of an Ordinance amending Belmont Zoning Ordinance (BZO) Section 2.100.1 (Definitions), Sections 5B.1.2(G) and 5B2.2(E) (Harbor Industrial Area), Sections 8.4.9 and 8.5.2 (Off Street Parking and Loading), and Section 8A.2-1 and 8A.5-1 (Off-Street Parking and Loading in the Corridor Mixed Use and Regional Commercial Districts) to include a "Research and Development Facilities" definition, minimum and maximum parking ratio, and loading space requirements.

Attachment(s):
Staff Report
Redline Parking Standards Amendments Ordinance
Parking Standards Amendments Ordinance

B. Twin Pines Detention Basin and Creek Restoration Project
Recommendation: Informational item only; no action is required

Attachment(s):
Staff Report
Presentation

C. Annual Review of The Police Department's Military Equipment Use Policy in

Accordance with Assembly Bill 481
Recommendation: Receive the Police Department's Annual Military Equipment Report; and adopt a resolution renewing the Belmont Police Department's Military Equipment Use Policy

Attachment(s):
Staff Report
Resolution
Military Equipment Policy
Presentation

10. BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

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

11. MATTERS OF INTEREST/CLARIFICATION

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

12. ADJOURNMENT

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

MEETING MINUTES OF THE 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, APRIL 11, 2023

CALL TO ORDER 7:05 PM

ROLL CALL
COUNCILMEMBERS PRESENT: Pang Maganaris, McCune, Hurt, Mates
COUNCILMEMBERS ABSENT: Latimerlo

PLEDGE OF ALLEGIANCE
Led by AYSO 12UB President's Cup Winners

REPORT FROM CLOSED SESSION
No closed session on the agenda.

SPECIAL PRESENTATIONS

Proclamation Celebrating April 22nd as Earth Day
The Mayor read the proclamation.

AYSO 12UB - President's Cup Recognition
AYSO Reginal Commissioner provided a background on the season and introduced the team members.

The Mayor presented the players with certificates of recognition for their accomplishments.

Belmont Library Update
Ana Koch, Belmont Library Manager provided an update on a City of Belmont and Library Partnership for Teen and Senior Tech Program.
Librarian David Vargas, provided an overview of an interim Makerspace program at the library.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA
Victor Garza commented regarding his property on Alhambra Drive in the City.
Amar Desai commented regarding his property on Naughton Avenue in the City.
Robin Gonsalves Schreier provided comments on her late Father and past Belmont Mayor and Councilmember Frank Gonsalves.

COUNCILMEMBER ANNOUNCEMENTS
Mayor Mates commented on the passing of past Mayor and Councilmember Frank Gonsalves and past City Treasurer and Measure I Committee Member, and strong advocate and leader in the Belmont Community.
She commented on the tragic loss of nine members of the 101st Airborne Division of the US Army, she called out the names of the individuals: Warrant Officer 1 Jeffery Barnes, Cpl. Emilie

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Marie Eve Bolanos, Chief Warrant Officer 2 Zachary Esparza, Sgt. Isaacjohn Gayo, Staff Sgt. Joshua C. Gore, Warrant Officer 1 Aaron Healy, Staff Sgt. Taylor Mitchell, Chief Warrant Officer 2 Rusten Smith, Sgt. David Solinas Jr.

Mayor Mates announced that the Belmont Police department is recognizing Autism Awareness Month. She announced events celebrating Poetry Month. She thanked staff for a successful Egg Hunt Adventure which generated a large turnout from the community. She announced the upcoming conversation on fentanyl.

CONSENT BUSINESS

Approved minutes of City Council Regular Meeting, March 28, 2023 and BFPD Meeting, March 28, 2023

Resolution 2023-035 Opposing Initiative No. 21-0042a1, The Taxpayer Protection And Government Accountability Act

Resolution 20223-36 Authorizing The City Manager To Execute A Fund Transfer Agreement For The Alameda De Las Pulgas Corridor Improvement Project Between The California Department Of Transportation And The City Of Belmont

Resolution 2023-037 Approving Establishment Of 1) A No-Parking Zone (Red Zone) On Maywood Drive At Ralston Avenue; 2) No-Parking Zones (Red Zones) On The Curb Returns At The Intersections Of Hallmark Drive And Soho Circle, Paddington Court, Wakefield Drive, The Intersection Of Somerset Drive And Wakefield Drive (South Side Only), And Leigh Way At Hallmark Drive And Somerset Drive; 3) A No-Parking Zone (Red Zone) On Monserat Avenue At Cipriani Boulevard In Front Of 2736 Monserat Avenue; 4) A Residential On-Street Accessible Parking Spaces Administrative Policy

ACTION: On a motion made by Councilmember Hurt and Seconded by Councilmember McCune the Consent Business was approved as presented by a roll call vote (4-1 Latimerlo absent)

PUBLIC HEARINGS (none)

GENERAL BUSINESS

Housing Element Annual Progress Report 2022 and Housing Successor Annual Report FY 2022

Economic Development and Housing Manager Rose noted that the city completed an 8-year cycle. The Regional Housing Needs Assessment (RHNA) 5th cycle covers the years 2015 through 2022 She noted that following the 2017 General Plan and Village Specific Update Belmont has experienced a housing development success adding seven hundred thirty-two new units. She noted that ADU units are on the rise with more simplified permitting process. She provided an update on upcoming permitted developments including more affordable units for the lower income demographic. Ms. Rose noted that the City has met all Housing Successor reporting.

No persons came forward to speak.

Council concurred to accept the Housing Element Annual Progress Report 2022 and the Housing Successor Annual Report FY 2022 and directed staff to transmit the reports to the California

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Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

Memorandum of Understanding with the County of San Mateo to Join a Multi-Jurisdictional Safety Element and Authorization of Project Funding

Economic Development and Housing Manager Rose provided an overview of the General Plan Safety Element, she noted that the complexity of the safety elements have increased, and listed areas that the State of California is requiring updates including flood and fire hazard information and climate adaptation and resiliency.

She explained that the update will bring Belmont's Element to full compliance in with climate change adaptation and evacuation planning. She noted that the City is collaborating with the San Mateo County which includes the County Of San Mateo, the municipalities of Atherton, Belmont, Brisbane, Burlingame, East Palo Alto, Half Moon Bay, Pacifica, San Bruno as agency participants for grater efficiently.

Ms. Rose concluded her presentation requesting that the Council not take action this evening on authorizing the memorandum of understanding (MOU) due to the need of finalizing certain details included in the project.

In response to council questions Mrs. Rose explained that the County of San Mateo will conduct outreach to obtain feedback from impacted areas in the Belmont Harbor Industrial Area (HIA).

City Manager Oskoui stated the safety elements update position the City for future funding opportunities.

No public comment provided.

ACTION: Item continued to subsequent Council meeting.

Belmont Strategic Communications and Community Engagement Update

Communications and Engagement Specialist Benz provided update on the City of Belmont's strategic communications and community engagement efforts since implementation. She briefly identified elements of the new Belmont brand.

No public comments provided.

Council discussion ensued and Council concurred to continue to identify ways to reach those that do not default to electronic media.

BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

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

Councilmembers reported on their IGR's.

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Verbal report from City Manager

City Attorney Oskoui acknowledged Telecommunicator Week and thanked the Belmont dispatch team for their dedication to the community. He announced the upcoming restaurant we and welcomed the new restaurant in Belmont, Tacos El Grullense.

MATTERS OF INTEREST/CLARIFICATION

None

ADJOURNMENT at this being 8:30 pm in a moment of silence in memory of Frank Gonsalves, the Nine Members of the 101st Airborne Division of the US Army, and John Violet.

Jozi Plut
City Clerk

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MEETIN MINUTES OF CITY OF BELMONT CITY COUNCIL AND BELMONT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS
City Council Chambers
City Hall, One Twin Pines Lane, Belmont, California

Tuesday, April 25, 2023

CALL TO ORDER: 7:00 PM

ROLL CALL
COUNCILMEMBERS PRESENT: Latimerlo, Pang-Maganaris, McCune, Hurt, Mates
COUNCILMEMBERS ABSENT: None

PLEDGE OF ALLEGIANCE
Led by Mayor Mates

REPORT FROM CLOSED SESSION
No closed session on the agenda.

SPECIAL PRESENTATIONS

Proclamation Celebrating April 28th as Arbor Day
Mayor Mates read the proclamation and presented it to Parks and Recreation Commissioner Craig Michaels and his son Ben, both participated in recent Earth Day plantings.

Proclamation Honoring General Manager Tammy A. Rudock Upon Her Retirement from the Mid-Peninsula Water District
Mayor Mates read the proclamation and expressed her congratulations to Ms. Rudock on her retirement.

Ms. Rudock thank the Council for the recognition.

Mid-Peninsula Water Board President Luis Vella and City Staff congratulated Ms. Rudock on her retirement.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA
Dirk Van Ulden commented on energy efficiency provisions.
Ilya Moiseenko commented on permits for certificates of compliance.
Arvind Chandra commented on permitting issues.
Giuliano Carlini commented on safety for cyclists.

COUNCILMEMBER ANNOUNCEMENTS
Councilmember McCune announced that he will perform at the upcoming Celebrate the Music Festival at Twin Pines Park.

Councilmember Hurt invited public participate in the Silicon Valley Bicycle Coalition, Cities Bike Challenge. She announced the upcoming Rotary Lobster Fest.

Councilmember Latimerlo announced a Commute.org alternative commute challenge.

Mayor Mates thanked those who participated in the City's Earth Day event, she provided updates on upcoming community events.

CONSENT BUSINESS
None

PUBLIC HEARINGS
None

GENERAL BUSINESS

Military Equipment Annual Update
Item continued to a subsequent meeting.

Belmont Development Projects & Long-Range Plan Update
Community Development Director de Melo provided an update on Belmont's current development projects, and major long-range plans. This was an informational item only and no Council action was requested.

Public Comment
Larry Stein (email correspondence), Joanne Adamkewicz (email correspondence and spoke), Dipendra Sinha, Sven Edlund.

Council discussion ensued.

Community Development Director de Melo noted that community outreach and engagement process for the proposed projects will be a priority.

Discussion concluded.

BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments
Councilmembers reported on their IGR assignments.

Verbal report from City Manager
City Manager Oskoui announced an upcoming townhall meeting with Belmont YAC and Police Department.

MATTERS OF INTEREST/CLARIFICATION
None

ADJOURNMENT at this time being 8:45 p.m.

Jozi Plut
City Clerk

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MEETING MINUTES OF REGULAR MEETINGS OF DIRECTORS OF BELMONT FIRE PROTECTION DISTRICT
City Council Chambers, City Hall, One Twin Pines Lane, Belmont, California

TUESDAY, APRIL 11, 2023

CALL TO ORDER 7:00 PM

ROLL CALL
DIRECTORS PRESENT: Latimerlo, McCune, Pang-Maganaris, Hurt,
DIRECTORS ABSENT: Mates

No Belmont Fire Protection District items on this agenda

ADJOURNMENT at this being 8:30 pm in a moment of silence in memory of Frank Gonsalves, the Nine Members of the 101st Airborne Division of the US Army, and John Violet.

Jozi Plut
District Secretary

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MEETING MINUTES OF REGULAR MEETINGS OF DIRECTORS OF BELMONT FIRE PROTECTION DISTRICT
City Council Chambers, City Hall, One Twin Pines Lane, Belmont, California

TUESDAY, April 25, 2023

CALL TO ORDER 7:00 PM

ROLL CALL
DIRECTORS PRESENT: McCune, Pang-Maganaris, Hurt, Mates
DIRECTORS ABSENT: Latimerlo

No Fire Protection District items on this agenda

ADJOURNMENT at this time being 8:45 P.M.

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Jozi Plut
District Secretary

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CITY OF BELMONT

FISCAL YEAR 2023

MONTHLY FINANCIAL REPORT - MARCH 31, 2023



HIGHLIGHTS

PERFORMANCE AT A GLANCE REPORT

• General Fund balance increased compared to prior YTD
• Some funds experiencing cyclical deficits

BUDGET VARIANCE REPORT

• Management Discussion & Analysis
• Tax Trends

FUND RECAP AT A GLANCE REPORT

Notable Fund Balance Increase compared to prior YTD:

•General Fund
•Belmont Fire Protection District
•Afforable Housing Successor
•Planned Park
• Sewer Collection System
• Sewer Treatment
• Measure W
• Liability Insurance

Notable Fund Balance Decrease compared to prior YTD:

• Street Improvements

CASH DISBURSEMENTS & PURCHASE ORDER ACTIVITY REPORT

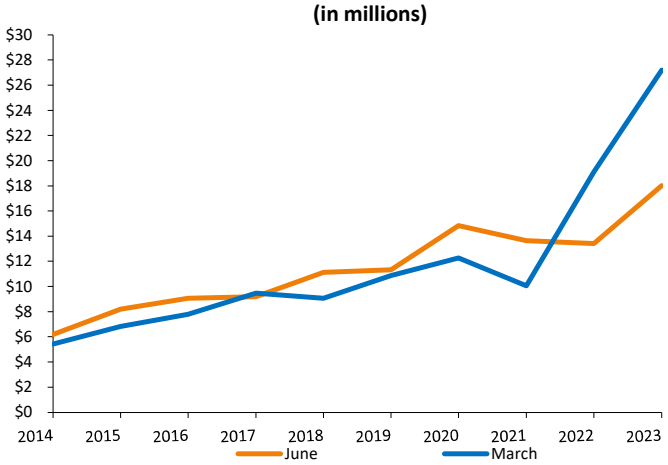
This report contains financial information which has not been reviewed or audited by an independent auditor, does not reflect the application of generally accepted accounting principles in all instances and is subject to future revision. This report has not been prepared with a view to informing an investment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

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

CALIFORNIA BELMONT

City of Belmont
Performance at a Glance
Results for the Period Ended March 31, 2023
(000's)

General Fund Balance Trend
(in millions)

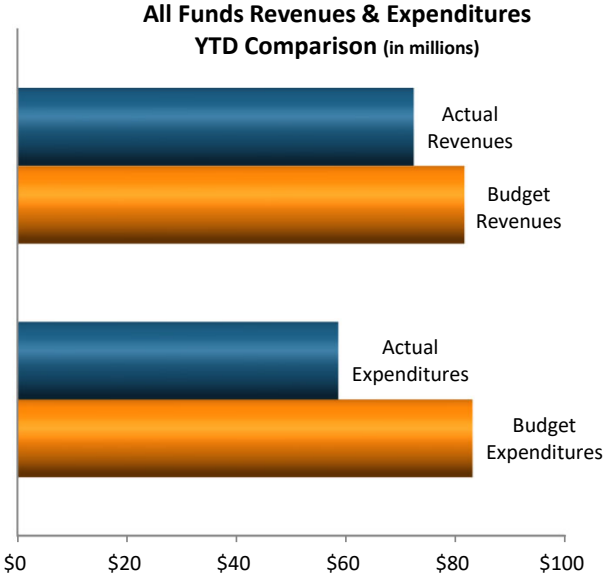


General Fund Balance Trends*

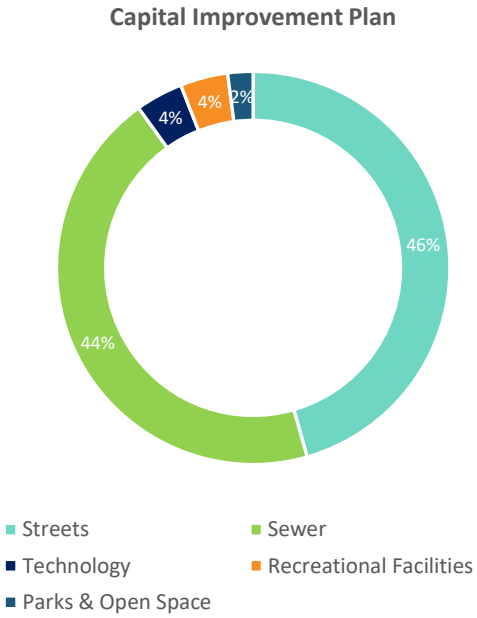
6/30/2013	$6,200	Audited
6/30/2014	$8,204	Audited
6/30/2015	$9,049	Audited
6/30/2016	$9,177	Audited
6/30/2017	$11,128	Audited
6/30/2018	$11,325	Audited
6/30/2019	$14,846	Audited
6/30/2020	$13,637	Audited
6/30/2021	$13,398	Audited
6/30/2022	$18,013	Audited
3/31/2023	$27,195	Unaudited

* excludes Measure I

All Funds Revenues & Expenditures
YTD Comparison (in millions)



Capital Improvement Plan



General Fund

The General Fund balance is $27.2 million, a $9.2 million increase compared to amount at the prior fiscal year end. The increase compared to the 6/30/22 balance was primarily due to the receipt of the second and last tranche of one-time $3.2 million in ARPA Federal Coronavirus State and Local Fiscal Recovery Funds, a $1.5 million VLF reimbursement due to the shortfall from two years prior, transient occupancy tax recovering from the prior year, as well as the timing of property tax collections received in December. Additionally, a $4.4 million budgeted operating transfers from the General Fund to support other funds will not be recorded until 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) the Recreation Fund, 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 March 31, 2023
(000's)

Fund	Fund Name	Audited Fund Balance 06/30/22 (1)	Revenues YTD Budget	YTD Actual (2)	Variance (Under) Over	%	PY YTD Actual	Expenditures YTD Budget	YTD Actual (3)	Variance Under (Over)	%	PY YTD Actual	Unaudited Fund Balance 03/31/23 (1)+(2)-(3)	PY YTD Fund Balance 03/31/22
GENERAL FUND														
101	General	*$18,013*	$26,055	$25,563	($492)	98%	$19,384	$21,308	$16,381	$4,927	77%	$15,258	***$ 27,195***	*19,094*
102	Measure I	*2,938*	1,703	1,454	(249)	85%	1,355	6,168	776	5,392	13%	1,872	***3,616***	*4,320*
SPECIAL REVENUE FUNDS														
205	Recreation	*(0)*	2,926	1,649	(1,277)	56%	1,214	2,579	2,264	315	88%	1,988	***(615)***	*(750)*
206	Library Maintenance & Operation	*836*	228	210	(18)	92%	178	540	266	275	49%	292	***780***	*822*
207	Athletic Field Maintenance	*376*	68	108	40	159%	81	203	136	67	67%	74	***348***	*384*
208	City Tree	*297*	8	10	3	134%	7	55	29	26	53%	30	***279***	*304*
209	Senior Services Donation	*90*	3	2	(1)	54%	3	0	0	0	N/A	0	***92***	*89*
210	Development Services	*1,084*	4,146	3,206	(940)	77%	3,121	4,633	3,812	822	82%	3,330	***479***	*250*
212	General Plan Maintenance	*1,305*	376	486	110	129%	173	1,365	98	1,268	7%	8	***1,694***	*903*
223	Belmont Fire Protection District	*16,217*	12,183	10,990	(1,192)	90%	7,471	9,244	9,601	(356)	104%	11,197	***17,607***	*11,682*
225	Police Grants and Donations	*33*	0	0	0	1195%	0	4	3	0	90%	2	***30***	*34*
227	Supplemental Law Enforcement	-	141	160	19	113%	145	134	134	(0)	100%	175	***26***	*(30)*
231	Street Maintenance	-	1,808	910	(898)	50%	754	1,885	1,647	239	87%	1,435	***(737)***	*40*
232	RMRA Street Project	-	454	412	(42)	91%	349	578	9	569	2%	621	***403***	*52*
233	Measure W	*1,457*	662	439	(223)	66%	823	488	0	488	0%	0	***1,896***	*467*
234	Street Improvements	*905*	1,527	1,368	(158)	90%	2,162	2,311	861	1,450	37%	2,178	***1,413***	*2,751*
237	Traffic Impact	*200*	611	3	(608)	0%	200	86	0	86	0%	0	***203***	*200*
239	Public Art	*396*	2	6	4	378%	0	0	0	0	N/A	0	***402***	*0*
275	Affordable Housing Successor	*6,468*	2,468	3,025	557	123%	69	372	330	42	89%	345	***9,163***	*3,412*
277	Inclusionary Housing	*2,452*	2	2	0	104%	0	0	0	0	N/A	0	***2,455***	*2,385*
	Total Special Revenue	*32,117*	27,611	22,987	(4,624)	83%	16,751	24,477	19,188	5,289	78%	21,676	***35,916***	*22,995*
CAPITAL PROJECT FUNDS														
308	General Facilities	*725*	28	10	(17)	37%	0	278	6	272	2%	86	***730***	*742*
310	Infrastructure	*2,810*	1,081	725	(356)	67%	1,087	2,050	988	1,062	48%	189	***2,547***	*2,114*
312	Comcast PEG Program	*396*	0	6	5	1443%	33	90	0	90	0%	0	***401***	*395*
341	Planned Park	*1,989*	1,050	437	(613)	42%	0	563	392	171	70%	469	***2,034***	*(112)*
342	Park Impact	*327*	213	287	74	135%	1	999	151	848	15%	0	***463***	*1,398*
343	Open Space	*164*	6	5	(1)	77%	0	132	57	75	43%	39	***112***	*167*
704	Special Assessment Districts	*308*	0	4	4	1322%	0	0	0	0	N/A	0	***312***	*308*
	Total Capital Projects	*6,719*	2,379	1,474	(905)	62%	1,122	4,112	1,594	2,517	39%	784	***6,600***	*5,012*
DEBT SERVICE & OTHER FUNDS														
406	Library Bond Debt Service	*270*	506	442	(63)	87%	395	514	663	(149)	129%	653	***49***	*(49)*
501-505	Sewer Collection System	*25,616*	11,836	10,671	(1,165)	90%	8,277	12,745	8,124	4,621	64%	7,488	***28,164***	*19,915*
507	Sewer Treatment	*25,992*	2,364	2,094	(271)	89%	1,845	3,205	3,032	173	95%	3,896	***25,054***	*21,981*
525	Storm Drainage Enterprise	*2,588*	1,653	839	(815)	51%	692	2,194	1,306	889	60%	1,420	***2,121***	*2,814*
530	Solid Waste Management	*1,766*	411	411	0	100%	356	417	380	37	91%	319	***1,797***	*1,619*
570	Worker's Compensation	*1,537*	524	604	80	115%	547	549	660	(111)	120%	557	***1,481***	*1,327*
571	Liability Insurance	*3,386*	527	84	(443)	16%	(1,297)	800	710	90	89%	540	***2,760***	*1,537*
572	Self Funded Vision	-	2	2	(1)	69%	8	4	(6)	10	-178%	(3)	***8***	*11*
573	Fleet & Equipment Management	*7,438*	3,341	3,430	89	103%	3,829	3,671	2,932	739	80%	2,621	***7,935***	*7,039*
574	Facilities Management	*0*	1,658	1,343	(315)	81%	1,244	1,915	1,839	77	96%	1,551	***(496)***	*(268)*
575	Benefit Prefunding	*1,082*	1,105	1,026	(79)	93%	999	1,074	1,070	4	100%	1,362	***1,039***	*1,073*
	Total Debt & Other	69,676	23,926	20,945	(2,981)	88%	20,817	27,089	20,709	6,380	76%	20,759	69,912	56,998
	Total All Funds	**$129,464**	**$81,674**	**$72,423**	**($9,251)**	**89%**	**$59,430**	**$83,153**	**$58,647**	**$24,506**	**71%**	**$60,348**	**$143,239**	**$108,419**

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

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 March 31, 2023
(000's)

	General Fund						All Other Funds					
	Year to Date (YTD)				Annual	PY YTD	Year to Date (YTD)				Annual	PY YTD
	Budget	Actual	Variance	%	Budget	Actual	Budget	Actual	Variance	%	Budget	Actual
REVENUES												
Taxes	$17,879	$15,895	($1,984)	89% **a**	$23,839	$11,394	$15,349	$13,333	($2,016)	87% **a**	$20,465	$14,099
Property Taxes	5,385	4,573	(812)	85%	7,180	3,602	11,974	10,337	(1,638)	91%	15,966	11,325
Sales Taxes	3,252	2,636	(616)	81%	4,336	2,614	2,642	2,355	(287)	71%	3,523	2,169
Other Taxes	9,242	8,686	(556)	94%	12,323	5,177	733	641	(92)	99%	977	606
Licenses and permits	880	730	(150)	83% **b**	1,174	610	1,394	1,642	248	118%	1,858	1,342
Intergovernmental	2,661	3,619	957	136%	3,549	3,431	3,622	2,550	(1,071)	70% **d**	4,829	2,337
Charge for services	3,371	3,375	4	100%	4,494	3,124	27,189	24,266	(2,924)	89% **e**	36,252	21,613
Fines and forfeits	124	87	(37)	70%	165	105	-	-	-	N/A	-	-
Use of money and property	868	1,841	973	212%	1,157	656	532	2,193	1,661	413%	709	256
Miscellaneous	271	17	(254)	6% **c**	362	65	148	(75)	(223)	-51% **f**	198	(704)
Other financing sources	-	-	-	N/A	-	-	2,183	2,951	769	135%	2,910	17
Operating transfers in	-	-	-	N/A	-	-	5,203	-	(5,203)	**g**	6,938	1,086
Total Revenues	**26,055**	**25,563**	**(492)**	**98%**	**34,740**	**19,384**	**55,619**	**46,860**	**(8,759)**	**84%**	**74,159**	**40,046**
EXPENDITURES												
General government	5,324	4,119	(1,204)	77%	7,098	3,870	6,227	5,395	(832)	87%	8,302	5,100
Public safety	11,009	10,777	(232)	98%	14,678	9,997	9,376	9,738	362	104% **h**	12,501	11,374
Streets and utilities	-	-	-	N/A	-	-	28,352	14,000	(14,352)	49%	37,803	16,033
Culture and recreation	1,661	1,485	(176)	89%	2,214	1,390	6,164	4,956	(1,208)	80%	8,219	4,314
Urban redevelopment	-	-	-	N/A	-		4,896	3,043	(1,853)	62%	6,528	3,072
Debt service	-	-	-	N/A	-	-	4,941	5,135	193	104% **i**	6,589	4,113
Operating transfer out	3,315	-	(3,315)		4,420		1,888	-	(1,888)		2,518	1,086
Total Expenditures	**21,308**	**16,381**	**(4,927)**	**77%**	**28,411**	**15,258**	**61,845**	**42,267**	**(19,578)**	**68%**	**82,460**	**45,090**
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	**$4,747**	**$9,182**	**($5,419)**		**$6,329**	**$4,127**	**($6,226)**	**$4,593**	**($28,338)**		**($8,301)**	**($5,045)**

Management Discussion and Analysis

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

General Fund:

Revenues

a) Taxes - The budget variance is primarily due to the timing of semi-annual property tax receipts received in December and April. In addition, March Sales Taxes and Transient Occupancy Taxes (TOT) remiitances were received in April and will be reported in that period.

b) Licenses and permits - March Business license revenue will be received in April and will be reported in that period.

c) Miscellaneous - The budget variance is primarily due to the timing of the annual Crystal Springs Uplands School (CSUS) Public Service Fee, which will be received in a future reporting period.

Other Funds

Revenues

a) Taxes - The budget variance is primarily due to the timing of semi-annual property tax receipts received in December and April.

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

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

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

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

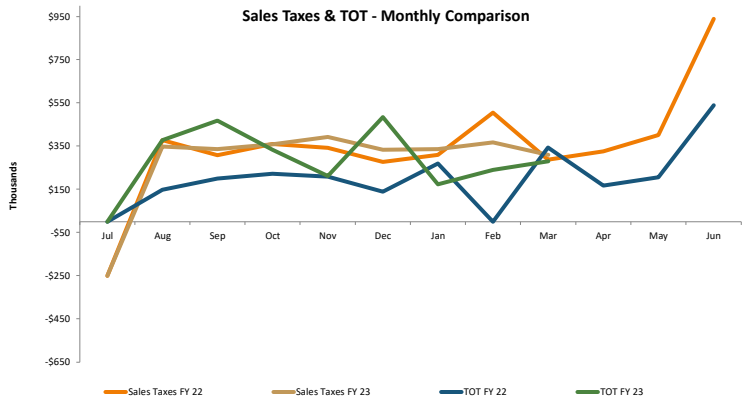
Other Funds

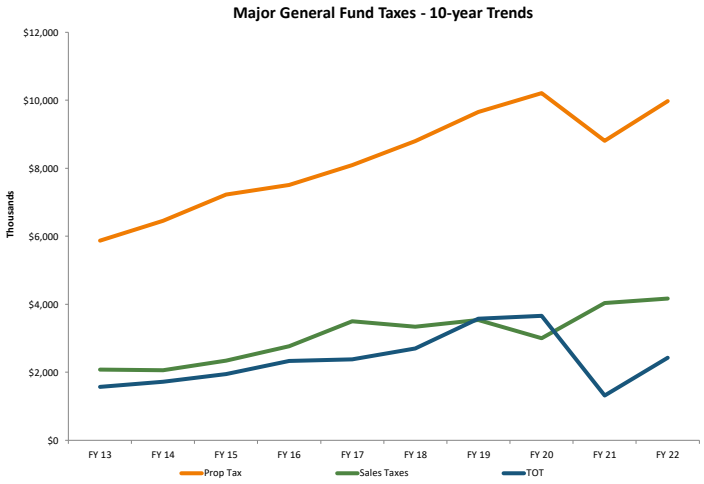
Expenditures

h) Public Safety - Annual payment of $1.8 million to BSCFD.

i) Debt Service - Semi-annual debt service on bonds were paid in August and January.

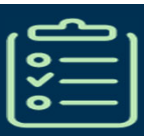
Trends





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

City of Belmont
Disbursements & Purchase Order Activity Report
Results for the Period Ended March 31, 2023



Disbursements Amounts Equal to $50,000 and Above

Vendor	Description	Date	No.	Amount
4LEAF INC	BUILDING INSPECTION SERVICES	3/10/23	EFT00031246	53,882.70
ADP	PAYROLL 03/10/2023 TAXES	3/10/23	DAJ000008021	103,162.93
ADP	PAYROLL 03/24/2023 TAXES	3/23/23	DAJ000008029	94,756.81
CALPERS	COB CONTRIBUTIONS PPE 2/10/23	3/8/23	DAJ000008046	114,962.96
CALPERS	COB CONTRIBUTIONS PPE 2/24/23	3/21/23	DAJ000008059	114,741.36
CALPERS	HEALTH PREMIUM-APRIL	3/23/23	DAJ000008063	181,041.48
CASEY CONSTRUCTION INC	EMERGENCY CLEAN UP	3/3/23	1203504	68,457.39
CASEY CONSTRUCTION INC	NORTH ROAD PUMP STATION REHABILITATION PROJECT	3/24/23	1203561	260,630.18
CITY OF BELMONT EMPLOYEES	PAYROLL 03/10/2023	3/10/23	DAJ000008019	431,746.40
CITY OF BELMONT EMPLOYEES	PAYROLL 03/24/2023	3/23/23	DAJ000008026	410,968.04
PAVEMENT ENGINEERING INC	2023 PAVEMENT PROJECT	3/17/23	EFT00031275	58,245.00
SAN MATEO CONSOLIDATED FIRE DEPARTMENT	Q3 CONTRIBUTION	3/10/23	EFT00031239	2,180,635.75
SILICON VALLEY CLEAN WATER	APRIL CONTRIBUTION	3/10/23	EFT00031231	303,292.00
TOWNE FORD SALES	2022 FORD F150 POLICE RESPONDER TRUCK	3/3/23	EFT00031218	60,250.25
WOOD RODGERS INC	STORM PROJECT	3/17/23	EFT00031285	55,848.75

Total Disbursements in Excess of $50,000 **$ 4,492,622.00**
Total Count **15**

Purchase Order Amounts Equal to $50,000 and Above

Vendor	Description	Date	No.	Amount
PAVEMENT ENGINEERING INC	CURB RAMP IMPROVEMENT	3/2/23	23 00038	89,085.85
EATON & ASSOCIATES	IT MANAGED SERVICES	3/2/23	23 00039	50,000.00

Total Purchase Orders Issued in Excess of $50,000 **$ 139,085.85**
Total Count **2**

CITY OF BELMONT
TREASURER'S REPORT
March-23

Agency Receipts and Disbursements Summary

	Beginning Balance February 28, 2023	Receipts	Disbursements	Ending Balance March 31, 2023
City of Belmont	$ 106,530,349.06	$ 3,840,022.88	$ (3,662,762.67)	$ 106,707,609.27
Belmont Fire Protection District	19,127,819.47	878,715.80	(2,520,831.85)	17,485,703.42
Total	**$ 125,658,168.53**	**$ 4,718,738.68**	**$ (6,183,594.52)**	**$ 124,193,312.69**
				-

Balance Summary

	Deposit	Investments	Pool Total
City of Belmont & Belmont Fire Protection District	**$ 2,798,686.06**	**$ 121,394,626.63**	**$ 124,193,312.69**
			-

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,

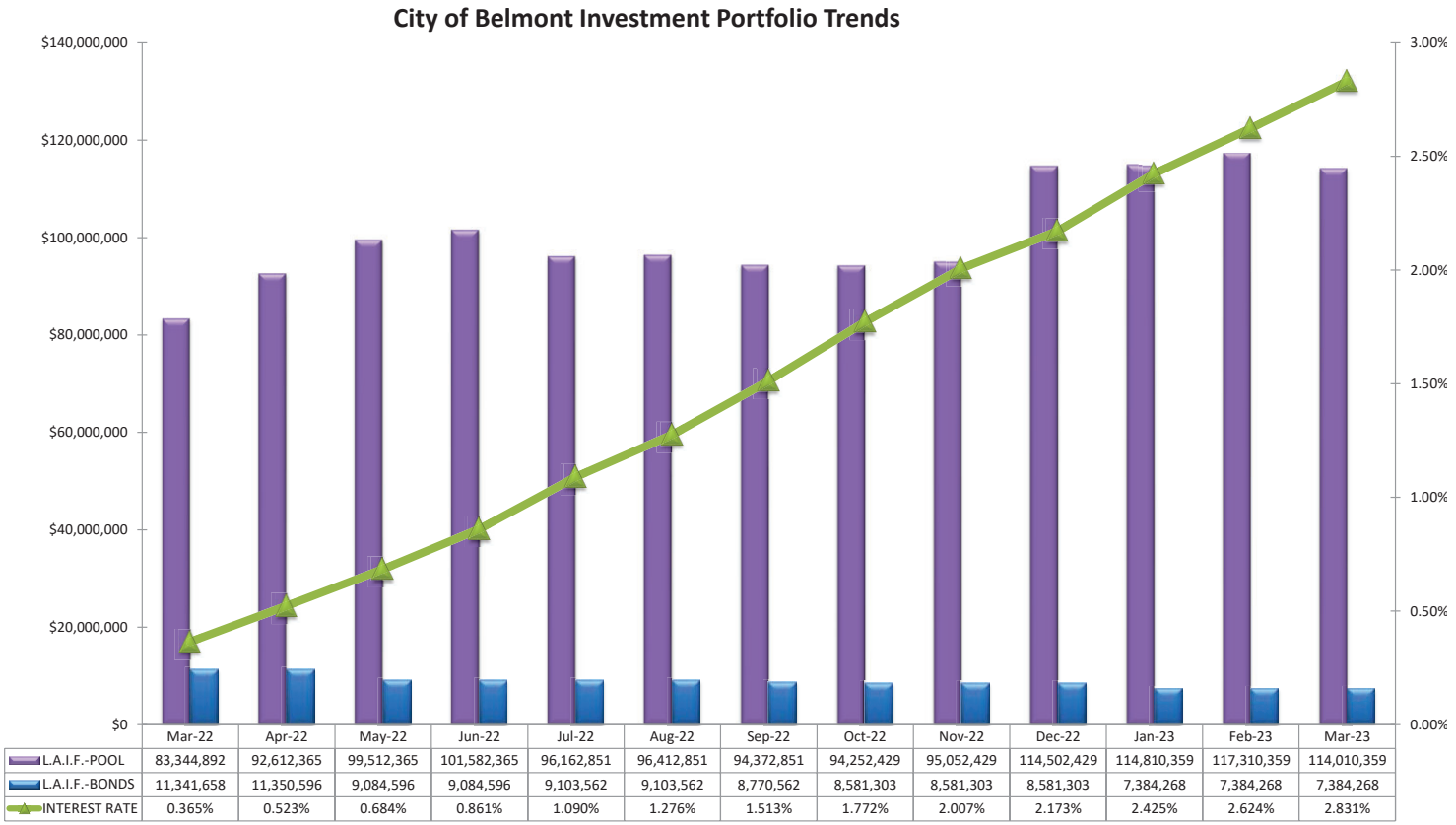
s/b Grace Castaneda

Grace Castaneda
City Treasurer

CITY OF BELMONT
TREASURER'S REPORT
March-23

Investment Detail

Investment Type	Issuer	Maturity Date	Beginning Balance February 28, 2023 Par Amount	Ending Balance March 31, 2023 Current Market Value	Interest	Total	Investment Period	Rate	Pricing Source	Manager
Deposit										
General Account	Wells Fargo		$ 2,798,686.06	$ 2,798,686.06					Bank	Bank
Investments:										
L.A.I.F.-POOL	State of California	Daily	114,010,358.90	112,472,396.67	268,969.44		90 days	2.831%	LAIF	LAIF
L.A.I.F.-BONDS	State of California	Daily	7,384,267.73	7,284,656.39	17,420.72		90 days	2.831%	LAIF	LAIF
Total			**$ 124,193,312.69**	**$ 122,555,739.12**	**$ 286,390.16**					



	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
L.A.I.F.-POOL	83,344,892	92,612,365	99,512,365	101,582,365	96,162,851	96,412,851	94,372,851	94,252,429	95,052,429	114,502,429	114,810,359	117,310,359	114,010,359
L.A.I.F.-BONDS	11,341,658	11,350,596	9,084,596	9,084,596	9,103,562	9,103,562	8,770,562	8,581,303	8,581,303	8,581,303	7,384,268	7,384,268	7,384,268
INTEREST RATE	0.365%	0.523%	0.684%	0.861%	1.090%	1.276%	1.513%	1.772%	2.007%	2.173%	2.425%	2.624%	2.831%

STAFF REPORT

Meeting Date: May 9, 2023

Agency: City of Belmont

Staff Contact: Bozhena Palatnik, Public Works, (650) 595-7463, bpalatnik@belmont.gov

Agenda Title: Rejecting All bids for the 2023 Pavement Project , CCN 2022-613

Agenda Action: Resolution

Recommendation

Adopt a resolution rejecting all bids received for the 2023 Pavement Project, CCN 2022-613, and provide authorization to rebid and award to the lowest responsible bidder.

Strategic Focus Area

Infrastructure and Mobility

Background

The City is responsible for the repair and maintenance of approximately 70 centerline miles (140 travel lane miles) of streets. The City evaluates projects based on the current condition of each street, the proposed treatment, and the available funding, and has implemented best management practices to effectively manage our pavement preservation and improvement program.

In 2022 the City engaged the services of Pavement Engineering, Inc. (PEI) to design the 2023 Pavement Project. The project calls for the reconstruction of the following street segments:

STREET NAME	LIMITS		CURRENT PCI
	From	To	
Arbor Avenue	Notre Dame Avenue	Fairway Drive	15
Hillman Avenue	North Road	Mills Avenue	16
	Mills Avenue	Notre Dame Avenue	38
Lyon Avenue	Mezes Avenue	Alameda De Las Pulgas	15
Middle Road	Notre Dame Avenue	Davey Glen Road	22
	Davey Glen Road	Virginia Avenue	30
	Virginia Avenue	El Camino Real	23
Miller Avenue	San Mateo City Limits	Notre Dame Avenue	13
Oak Knoll Drive	Pine Knoll Drive	Valley View Avenue	41
South Road	College View Way	Holly Road (N)	39
Upper Lock Avenue	Belmont Canyon Road	3242 Upper Lock Road	11
Virginia Avenue	Middle Road	Dead End	13
Len Turner Memorial Vista Point Parking Lot			

The project includes road reconstruction, and other required improvements such as drainage, disabled accessible curb ramps, grade adjustment of manholes and utility boxes, and striping.

On March 14, 2023, the City Council approved the project plans and specifications and authorized advertising and awarding the project for an amount up to the engineer's estimate of $2,571,591 plus 10% construction contingency.

Analysis

On April 19, 2023, City held a bid opening. Only one bid was received by G. Bortolotto & Company, Inc. for $3,449,764.35, 34% above the engineer's estimate for the project.

City staff conducted a thorough bid review following industry standards to justify the award or rejection of the bids and to assure that good competition and the lowest possible cost were received. A proper bid analysis ensures that funds are being used in the most effective manner. Due to receiving only one bid, at significant additional costs, staff is not confident that the bid submitted by the lone bidder will result in the lowest final project cost to the city. Timing relating to a later than optimal bid release likely led to a lack of bidders and contributed to the high cost. Rebidding the project in late 2023, is apt to yield a more competitive bid environment.

Rebidding the project would result in additional time and effort by the City and its consultants to re-advertise and rebid the project; however, any additional cost incurred might be minimal compared to potential cost savings in a more competitive bidding environment. Accordingly, despite the project being delayed one year, staff recommends not proceeding with the current bid. If approved by Council, staff will do detailed outreach with the affected residents to explain the pros (likely cost savings) and cons (project delay) to the affected residents and property owners.

Therefore, in accordance with California Public Contract Code Section 20166, staff recommends rejecting the bid received, and providing for authorization to rebid the project in Fall/Winter 2023 for construction in late Spring 2024. This is due to the fact that the local paving contractors are now fully deployed with the backlog of projects for this paving season, and the City will not likely receive a favorable bid if we readvertised for construction of the project for this summer.

Alternatives

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

Attachments

A. Resolution

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed:	Rejection of bids has no fiscal impact. Funds have been budgeted in the 2023 Pavement Project which can be utilized for any subsequent award of contract through the re-bidding process.

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

RESOLUTION NO. 2023 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT REJECTING ALL BIDS RECEIVED FOR THE 2023 PAVEMENT PROJECT, CITY CONTRACT NUMBER 2022-613, AND PROVIDING AUTHORIZATION TO REBID AND AWARD TO THE LOWEST RESPONSIBLE BIDDER

WHEREAS, on March 14, 2023, the City Council approved the project plans and specifications and authorized advertising and awarding the project for an amount up to the engineer's estimate of $2,571,591 plus 10% construction contingency; and,

WHEREAS, on April 19, 2023, during Bid Opening City received only one bid that was 34% higher than the engineer's estimate; and,

WHEREAS, due to the limited number of bids and significant additional costs, it is in the City's best interest to reject all bids and re-bid the project in late fall of 2023.

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

SECTION 1. Adopt a resolution rejecting all bids received for the 2023 Pavement Project Rejection of All Bids, City Contract Number 2022-613, and provide authorization to rebid and award to the lowest responsible bidder.

* * *

ADOPTED May 9, 2023 by the City of Belmont City Council by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

_____
City Clerk

_____
Mayor

APPROVED AS TO FORM:

_____
City Attorney

STAFF REPORT

Meeting Date:	May 9, 2023
Agency:	City of Belmont
Staff Contact:	Matt Hoang, Public Works, (650)637-2998, MHoang@belmont.gov
Agenda Title:	Contract Award for Demolition of City owned properties located at El Camino Real at Hill Street (APN's 045-163-070, 045-162-070, 045-162-080, 045-162-090), City Contract Number 2023-626
Agenda Action:	Resolution

Recommendation

Adopt a resolution to award the contract to Selway Construction, Inc for $106,390, approving a 15% construction contingency of $15,958.50 for unforeseen conditions for a total amount not to exceed $122,348.50 and authorize the City Manager to execute a contract for the Demolition of City owned properties located at El Camino Real at Hill Street (APN's 045-163-070, 045-162-070, 045-162-080, 045-162-090), City Contract Number 2023-626.

Strategic Focus Area

Economic Development and Housing

Background

On February 14, 2023, Council authorized advertisement for sealed bids approving award of City Contract Number 2023-626, Demolition of City owned properties located at El Camino Real at Hill Street, to the lowest responsible bidder for an amount not to exceed $85,000. The project is funded through the City's Affordable Housing Fund Account/275-5-902-8351.

The City received four bids that were opened on April 19, 2023. All four bids, including additive bid alternate items, exceeded the engineer's estimate and the authorized contract amount. The results were as follows:

Selway Construction, Inc.	$106,390.00
Asbestos Management Group	$109,950.00
Resource Environmental, Inc.	$206,898.00
Central Valley Environmental, Inc.	$277,771.00

Analysis

City staff reviewed each line-item costs of the four bids and has concluded that it is in the best interest of the City to award this contract to the lowest bidder, Selway Construction, Inc. Due to increased material cost and a competitive bidding climate staff does not believe that the City will obtain a lower bid if this job is re-advertised.

Alternatives

1. Take No Action
2. Refer back to staff for more information

Attachments

A. Resolution

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: $122,348.50 ($106,390 contract + $15,958.50 contingency) has been budgeted in the Affordable Housing Fund Account 275-5-902-8351.

Source:	**Purpose:**	**Public Outreach:**
Staff	Discretionary Action	Posting of Agenda

RESOLUTION NO. 2023 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT APPROVING AWARD OF CONTRACT TO SELWAY CONSTRUCTION, INC. FOR $106,390, APPROVING A CONSTRUCTION CONTINGENCY OF $15,958.50 FOR A TOTAL AMOUNT NOT TO EXCEED $122,348.50, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR THE DEMOLITION OF CITY OWNED PROPERTIES LOCATED AT EL CAMINO REAL AT HILL STREET (APN'S 045-163-070, 045-162-070, 045-162-080, 045-162-090), CITY CONTRACT NUMBER 2023-626

WHEREAS, On February 14, 2023, Council authorized advertisement for sealed bids approving award of City Contract Number 2023-626, Demolition of City owned properties located at El Camino Real at Hill Street (APN's 045-163-070, 045-162-070, 045-162-080, 045-162-090), to the lowest bidder for an amount not to exceed $85,000; and,

WHEREAS, the project is funded through City's Affordable Housing Fund Account/275-5-902-8351; and,

WHEREAS, the City received four bids that were opened on April 19, 2023. All four bids exceeded the engineer's estimate and the authorized contract amount; and,

WHEREAS, It is recommended that the City Council award the contract to Selway Construction, Inc. for $106,390, approving a 15% construction contingency of $15,958.50 for unforeseen conditions for a total amount not to exceed of $122,348.50

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

SECTION 1. The City Council a.) approves awarding the contract to Selway Construction, Inc. for a total contract of $106,390, b.) approves a 15% construction contingency of $15,958.50 for unforeseen conditions for a total amount not to exceed $122,348.50 and c.) authorizes the City Manager to execute a contract for Demolition of City owned properties located at El Camino Real at Hill Street (APN's 045-163-070, 045-162-070, 045-162-080, 045-162-090), City Contract Number 2023-626.

* * *

ADOPTED May 9, 2023 by the City of Belmont City Council by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

STAFF REPORT

Meeting Date:	May 9, 2023
Agency:	City of Belmont
Staff Contact:	Tracy Scramaglia, City Engineer, (650) 595-7469, tscramaglia@belmont.gov
Agenda Title:	Firehouse Square Apartments - 1300 El Camino Real
Agenda Action:	Resolution

Recommendation

Adopt a resolution accepting the street improvements for the Firehouse Square Apartments as completed and complying with City approved plans, authorize the release of the subdivision improvement bonds, and accept a maintenance and warranty bond and authorize its release after the required one-year warranty period.

Strategic Focus Area

Infrastructure and Mobility

Background

On October 22, 2019, the City Council adopted Resolution No. 2019-106, approving the tentative map for the Firehouse Square Project. The subdivision project is comprised of two phases: a mixed-use project consisting of 65 affordable rental apartment units, a manager's unit, and 3,748 square feet (SF) of commercial space (Phase 1); and a second for-sale market-rate 15-unit townhome component (Phase 2). The project is in the Belmont Village Specific Plan (BVSP) and subject to its requirements.

On June 23, 2020, the Council adopted a resolution approving a phased Final Subdivision Map, Subdivision Improvement Agreement, and Maintenance Agreement for the development of Phase One by MP Firehouse Square Associates, L.P. (MP).

The Subdivision Improvement Agreement includes bonds to guarantee the completion of all public improvements related to the phase one project including all off-site improvements fronting the MP parcel, joint trench utilities on Civic Lane and sewer connections at El Camino Real/O'Neill Avenue. Other improvements fronting the townhouse project are the responsibility of Belmont Firehouse Square LLC (BFS) to construct, which are currently under construction as part of Phase Two. A separate Improvement Agreement was executed when BFS' Phase Two final map was approved.

MP. has entered into a Maintenance Agreement with the City to maintain improvements along the frontage and within the development. The Agreement provides for the adequate maintenance of the exterior portions of the property visible from the public street. It requires the common areas to be maintained in good condition and repaired in a timely period. Additional features to be privately maintained include but are not limited to, stormwater treatment areas, landscaping, parking areas, lighting, retaining walls, private walkways, building exteriors, street trees, sidewalks, curbs and gutter, and driveways along the property

frontage to ensure that the property remains in clean and superior condition following approved plans, rules and regulations and applicable laws. The development also dedicated public sidewalk easements, public access easements, public utility easements, and a public storm drainage easement to the City when the subdivision map was approved. The easements will allow the installation of the electrical, gas, storm, and other utilities as required related to this development.

Analysis

MP Firehouse Square Associates, L.P. has completed construction of the street improvements and staff requests that the City Council accept the improvements and release the security bonds following the terms of their Subdivision Improvement Agreement for Phase 1. On behalf of the City Engineer, the City's Public Works Inspectors have inspected the improvements and found them to follow the City's approved plans and specifications. Staff recommends that the City Council accept the improvements and release the security bonds. The 10% Maintenance and Warranty bonds will be held by the City and released following the expiration of the one-year warranty period and confirmation by the City Engineer that no claims of defective improvements have been received.

Alternatives

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

Attachments

A. Resolution

Fiscal Impact

☒ No Fiscal Impact

☐ Funding Source Confirmed:

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

RESOLUTION NO. 2023 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT ACCEPTING THE DEVELOPMENT STREET IMPROVEMENTS AS COMPLETED AND COMPLYING WITH CITY APPROVED PLANS, AUTHORIZE THE RELEASE OF SUBDIVISION IMPROVEMENT BOND, AND ACCEPT A MAINTENANCE AND WARRANTY BOND FOR THE FIREHOUSE SQUARE 66 AFFORDABLE RESIDENTIAL APARTMENTS AT 1300 EL CAMINO REAL

WHEREAS, on June 23, 2020, the Council adopted a resolution approving the phased final subdivision map "Firehouse Square Final Map-Phase I", a Subdivision Improvement Agreement for the Phase I map, and Maintenance Agreement for the project know as Firehouse Square consisting of 66 affordable residential apartments at 1300 El Camino Real; and,

WHEREAS, the developer for the affordable housing project is MP Firehouse Square Associates, L.P.; and,

WHEREAS, the developer entered into a Subdivision Improvement Agreement with bonds to guarantee the completion of all public improvements related to Phase I of the project; and,

WHEREAS, the developer has entered into a Maintenance Agreement with the City to maintain the Phase I improvements along the frontage and within the development; and,

WHEREAS, the developer has completed construction of the street improvements and is requesting that the City Council accept the improvements and release the security bonds; and,

WHEREAS, on behalf of the City Engineer, the City's Public Works Inspectors inspected the improvements and found them to follow the City approved plans and specifications.

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

SECTION 1. Accepts the development's street improvements as completed and complying with the City approved plans.

SECTION 2. Authorizes the release of subdivision improvement payment and performance bonds for the improvements required in the Phase I subdivision improvement agreement.

SECTION 3. Accepts a maintenance and warranty bond for the required one-year warranty period.

SECTION 4. The maintenance and warranty bond may be released following expiration of the one-year warranty period, and confirmation by the City Engineer that no claims of defective improvements have been received.

* * *

ADOPTED April 25, 2023 by the City of Belmont City Council by the following vote:

Ayes:
Noes:
Absent:
Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

STAFF REPORT

Meeting Date:	May 9, 2023
Agency:	City of Belmont
Staff Contact:	Tim Murray, Public Works, 650-637-2932, tmurray@belmont.gov
Agenda Title:	Sanitary Sewer Root Abatement Service Agreement
Agenda Action:	Resolution

Recommendation

Adopt a resolution authorizing the City Manager to execute an agreement with Duke's Root Control, Inc., for root foaming of sanitary sewer lines for an amount not to exceed $66,000.

Strategic Focus Area

Infrastructure and Mobility

Background

The City has approximately 430,000 feet of sewer mains. Intrusion of roots into sewers is one of the most destructive problems encountered in a wastewater collection system. Root-related problems include:

- Structural damage caused by tree roots penetrating into sewer mains
- Formation of septic pools behind root masses
- Sewer stoppages and overflows

In urban locations such as the City of Belmont, good sources of nutrients and moisture for tree roots can be scarce, directing root systems toward the collection system pipes where it finds every opportunity to penetrate the pipe system. Even microscopic openings permit hair-like root systems to penetrate the pipe wall damaging the pipe structure and causing maintenance problems such as blockages and overflows.

Root control treatments help to significantly reduce the likelihood of sanitary sewer overflows in the City's sewer system. Root foaming is a standard maintenance method of applying a chemical root control agent to the sewer pipe interior to control growth of roots in sewers. The chemical root foaming agent is approved by the U.S. Environmental Protection Agency for this use and is accepted by the Silicon Valley Clean Water wastewater treatment plant, as it has no ill-effects on water quality or treatment system equipment. The foam is pumped through the sewer main from manhole to manhole to compress it against all pipe surfaces. Roots in the sewer stop growing and eventually die upon contact with the herbicide foam; trees are not otherwise harmed with this method. The treatment generally inhibits re-growth for three to five years.

Analysis

The city annually plans to treat approximately 10% of the sewer mains citywide and has averaged approximately $75,000 in root foaming services for the last three fiscal years. CIP and in house rehab

projects have allowed us to remove several lines from the root foaming lists thus reducing this year's annual cost by over 10%, to $66,000 this year. The Public Works Department has made it a priority to remove certain sections of the system from future root-foaming once confirmed that those sections will or have been repaired by capital improvement projects or in house repairs thus negating the need for root foaming service.

In an ongoing effort to conduct preventative maintenance on the sanitary sewer mains, staff is proposing to engage Duke's Root Foaming (Duke) to treat sewer mains city-wide. Duke will be performing root foaming treatment of a select group of our sanitary sewer main lines with heavy root intrusion. This root foaming treatment will help kill current root growth in the sewer system and prevent future growth for up to three years per Duke's warranty terms. The select group of sewer main lines include 403 feet of 10-inch pipe, 1,025 feet of 8-inch pipe and 37,796 feet of 6-inch pipe. The City has satisfactory experience using Duke on previous contracts and is using a cooperative procurement process described below to contract with Duke for the upcoming preventative maintenance work.

In 2016, the City Council authorized the City to enter a cooperative purchasing contract through HGACBuy in lieu of following the City's competitive procurement process. HGACBuy is a "Government-to-Government" procurement service available nationwide. Using this service makes the governmental procurement process more efficient by establishing competitively priced contracts at larger scales for goods and services and providing the customer service necessary to help its members achieve their procurement goals. All contracts available to members of HGACBuy have been awarded by virtue of a public competitive procurement process compliant with state statutes. All units of local government, including non-profits providing governmental services, are eligible to join HGACBuy provided the governing body (City Council) authorizes the contract.

Alternatives

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

Attachments

A. Resolution.

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: $66,000 is anticipated for root foaming service for the remainder of the current fiscal year and the funding has been allocated in the current year's operating budget in the Sewer Collections Fund (Account Number 501-3-710-8351).

Source:	**Purpose:**	**Public Outreach:**
Staff	Discretionary Action	Posting of Agenda

RESOLUTION NO. 2023 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT AUTHORIZING THE CITY MANAGER TO SIGN A TASK ORDER WITH DUKE'S ROOT CONTROL, INC., FOR ROOT FOAMING OF SANITARY SEWER LINES FOR $73,000

WHEREAS, in 2016, the City Council authorized the City to enter into a cooperative purchasing contract through (Houston-Galveston Area Council Buy) in lieu of following the City's competitive procurement process; and,

WHEREAS, HGACBuy is a "Government-to-Government" procurement service available nationwide, and using this service makes the governmental procurement process more efficient by establishing competitively priced contracts at larger scales for goods and services; and,

WHEREAS, $66,000 is currently budgeted in Fiscal Year 2023 in Account Number 501-3-710-8351/Other Professional Technical.

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

SECTION 1. The City Manager is authorized to negotiate and execute an agreement purchasing sanitary sewer line root foaming service from Duke's Root Control, Inc. for an amount not to exceed $66,000.

* * *

ADOPTED May 9, 2023 by the City of Belmont City Council by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

STAFF REPORT

Meeting Date:	May 9, 2023
Agency:	City of Belmont
Staff Contact:	Carlos de Melo, Community Development Director, cdemelo@belmont.gov
Agenda Title:	Consider amendments to Belmont Zoning Ordinance (BZO) Section 2 (Definitions), Section 5B (Harbor Industrial Area), Section 8 (Off-Street Parking and Loading), and Section 8A (Off-Street Parking and Loading in the Corridor Mixed Use and Regional Commercial Districts) to include a "Research and Development Facilities" definition, parking ratio, and loading space requirements
Agenda Action:	Ordinance

Recommendation

1) Conduct a Public Meeting; 2) Consider Planning Commission recommendations; and 3) Introduce an Ordinance (First Reading) amending Belmont Zoning Ordinance (BZO) Section 2 (Definitions), Section 5B (Harbor Industrial Area), Section 8 (Off-Street Parking and Loading), and Section 8A (Off-Street Parking and Loading in the Corridor Mixed Use and Regional Commercial Districts) to include a "Research and Development Facilities" definition, minimum and maximum parking ratio, and loading space requirements.

Strategic Focus Area

Economic Development and Housing

Background

In the past two years, Belmont has received applications for three research and development projects, and additional applications are expected to be submitted for consideration in the near future. The Bay Area is among the top three markets for research and development in the United States; however, life sciences research and development is a growing sector of the industry. The life sciences industry focuses on biotechnology – the research and development focused on living things, such as plants, animals, and humans.

Research and development uses have operational and functional characteristics that set them apart from typical office, warehousing, and light industrial uses. Below is a summary of these distinct differences:

- Employee density. Research and development facilities typically consist of approximately 20-50% lab use, with the remaining area dedicated to employee seating (offices, cubicles, etc.) and common area (hallways, elevators, lobbies, etc.).

- Customer traffic. Research and development uses do not attract customers to the property as a typical office use, such as medical practices, financial institutions, real estate offices, insurance offices, and other professional services. These uses are more in line with the very low customer generation of a manufacturing or light industrial use.

- Parking demand. With fewer employees and customers than typical offices, research and development uses generate less traffic and require fewer off-street parking spaces than typical office uses. In contrast, these uses require more parking spaces than the typical manufacturing, distribution, or light industrial use.

Belmont's zoning ordinance has been amended in the past to allow for research and development uses with an emphasis on high technology. In 2017, the City adopted the following definition for "Research and Development Laboratory":

"*Establishments with laboratory facilities as distinct for offices, that are primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but excludes uses that in the opinion of the Planning Commission, may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration or the storage of hazardous material or products, or uses which in the opinion of the commission threaten public safety. Typical uses include biotechnology firms and robotics laboratories*."

This current definition is directed more toward light industrial and manufacturing of electronic equipment; however, the research and development industry continues to shift from electronic technology to biotechnology. An amendment to this definition is proposed to capture a broader range of research and development facilities, including life sciences.

Additionally, the City's zoning ordinance does not contain a parking ratio specific to research and development uses. Section 8.4.9 specifies that uses not listed in the schedule of parking requirements are to be assigned the requirements for the most similar listed use or as determined by the Zoning Administrator. In accordance with this section of code, staff currently applies the parking ratio for office uses, which has two ratios based on the underlying zoning designation of a property:

- Office uses in the Regional Commercial and Corridor Mixed Use zoning districts require three (3) spaces for every 1,000 square feet of gross floor area;

- Office uses in all other base zoning districts require one (1) space for every 250 square feet of net floor area; and

Planning Commission Review: At their May 2, 2023 meeting, the Planning Commission conducted a public hearing, considered the proposed zoning text amendments, and recommended Council adoption of the proposed amendments.

Proposed Amendments

In preparation for an increase in life sciences research and development facilities in Belmont, the Community Development Director has initiated a text amendment to the Belmont Zoning Ordinance to amend the definition for Research and Development Laboratories and to create parking standards specific to research and development facilities to align with neighboring cities and industry standards.

City staff proposes the following amendments to the Belmont Zoning Ordinance:

1. Section 2, Definitions. *Amend Section 2.100.1 (Research and Development Laboratory) use classification title and definition.*

   This amendment would change the title of the "Research and Development Laboratory" use classification to "Research and Development Facility". It would also expand research and development uses to include life sciences research and development activities.

   Currently, Research and Development Laboratories are defined as "establishments with laboratory facilities as distinct for offices, that are primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but excludes uses that in the opinion of the Planning Commission, may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration or the storage of hazardous material or products, or uses which in the opinion of the commission threaten public safety. Typical uses include biotechnology firms and robotics laboratories".

   Staff recommends amending the current definition to the following:

   "An office and laboratory facility for scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and/or biotechnology components and products in advance of product manufacturing. It may include assembly of related products from parts produced off site where the manufacturing activity is secondary to the research and development activities. A typical Research and Development facility has 20% to 50% of the floor area dedicated to the laboratory use."

2. Section 5B, Harbor Industrial Area Zoning District. *Amend Sections 5B.1.2(g) and 5B.2.2(e) use classification titles from "Research and Development Laboratory" to "Research and Development Facility".*

   "Research and Development Laboratory" is identified as a permitted use in both Harbor Industrial Area zoning districts (HIA-1 and -2). This amendment reflects the proposed change to the title of the use classification.

3. Section 8, Off-street Parking and Loading. *Amend Section 8.4.9 to insert parking and loading requirements specific to Research and Development Facilities and renumber subsequent subsections. Amend Section 8.5.2 to include loading requirements.*

   This amendment would add a new parking ratio that better aligns with the parking demand and industry standards for research and development facilities. Staff recommends a minimum of 1 space per 600 square feet of net floor area, a maximum of 1 space per 500 square feet of net floor area, and a number of loading spaces based on the square footage of the building.

4. Section 8A, Off-street Parking and Loading in Corridor Mixed Use and Regional Commercial Zoning Districts. *Amend Table 8A.2-1 (Parking Standards) and Table 8A.5-1 (Loading Requirements) to include requirements specific to Research and Development Facilities.*

This amendment would add a new parking ratio that better aligns with the parking demand and industry standards for research and development facilities. Staff recommends a minimum of 1 space per 600 square feet of gross floor area, a maximum of 1 space per 500 square feet of floor area, and a number of loading spaces based on the square footage of the building.

Analysis/Discussion

While the "Office" use classification is the most similar use in the Belmont Zoning Ordinance to the function, operation, and impact of research and development facilities, the adopted parking and loading requirements for "Office" developments exceed the parking needs for research and development facilities. As a result, applicants of new research and development facilities are presented with two options:

1) Construct more parking than is necessary to serve the development; or
2) Request a conditional use permit to provide less parking than required.

Both options conflict with the City's planning policies, discussed later in this report, to provide a balanced and well-managed parking supply that accommodates demand while maximizing efficiency. Additionally, to obtain a conditional use permit for less parking than required by the City's zoning ordinance, an applicant must prepare and implement a Transportation Demand Management (TDM) program. This places an unnecessary burden on applicants for research and development uses that propose to provide a parking supply consistent with the needs of the proposal.

Supporting Research

Staff's research indicates that applying the City's existing office parking ratios results in the requirement to construct and maintain an excessive supply of off-street parking. Staff evaluated the definitions and parking requirements for multiple Bay Area jurisdictions and parking demand studies prepared for similar uses in the Bay Area. These jurisdictions include San Carlos, Redwood City, San Bruno, and Burlingame. While these cities apply a variety of methods for calculating the required parking for research and development facilities, the regulations result in an average parking ratio of approximately 1 space per 500 to 600 square feet.

Staff also reviewed data generated by parking demand management professionals, such as parking demand studies and traffic demand management studies, for research and development facilities in neighboring cities. In our evaluation of this data, staff also considered the study case's proximity to transit and TDM programs.

Justification

This proposal would establish an appropriate parking ratio that supports parking demand, maximizes efficient use of the property, and relieve property owners of the requirement to prepare and implement a TDM program for a development with a sufficient parking supply for the intended use.

The benefits of adopting a parking ratio to align parking requirements with parking demand extend beyond establishing an appropriate baseline for Research and Development Facilities and accommodating industry standards. These benefits implement the City's planning policies related to environmental and smart growth principles.

The Belmont General Plan identifies a limited number of vacant and underutilized properties suitable for meeting the City's housing and economic development needs. With vacant land increasingly in short supply in Belmont, and the ongoing need for increased economic development and housing development to serve the growing community, efficient use of land is a priority.

Aligning the City's parking requirements with the parking demand for Research and Development Facilities will allow for more efficient use of land instead of requiring property owners to install more parking than necessary.

The General Plan also emphasizes the importance of improving energy efficiency in practice and in development. Developed areas often have warmer temperatures than undeveloped areas, a phenomenon known as the urban heat island effect, which contributes to increased energy consumption in urban areas. Parking lots absorb heat throughout the day, so low impact development and reducing the area of surface parking lots can reduce the effects of heat islands.

Belmont Zoning Ordinance Amendment Initiation and Process

Section 16 of the Belmont Zoning Code permits the City Council or the Community Development Director to initiate an amendment of any zoning regulation. In this case, the Community Development Director has initiated the proposed amendments for Research and Development Facilities.

General Plan Goal and Policy Support

Several General Plan goals and policies support the proposed zoning amendment, including:

Goal 2.6 Promote opportunities for continued economic growth and vitality, resulting in wider shopping and dining opportunities for residents, increase local employment opportunities, enhanced attractions for visitors, increased sales tax revenues, and a stronger community image.

Amending the City's zoning ordinance to update the definition for Research and Development-related uses and align the City's parking regulations with the parking and loading needs of these uses will provide clarity and remove regulatory limitations to growing this economic sector and promoting economic vitality.

Goal 2.8 Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integrations with existing uses.

The proposed zoning ordinance amendment would update the City's parking standards so that infill development and redevelopment of property for research and development facilities makes efficient use of the City's limited land supply. The proposed amendments are based on existing data pertaining to Research and Development Facilities to ensure compatibility with adjacent land uses and minimize negative impacts on the City's rights-of-way.

Action 2.8-1a Update development and parking standards and create incentives to facilitate infill development in Belmont.

The proposed zoning ordinance amendment would update the City's parking standards to align with the parking demand associated with Research and Development Facilities to make efficient use of a limited supply of vacant land and properties suitable for infill or redevelopment.

Policy 2.22-1 Promote regional and visitor-serving commercial development and employment opportunities in the focus area East of US 101.

The majority of the vacant and underutilized land zoned for research and development facilities is located East of US 101. The proposal would remove regulatory limitations associated with the development of these properties for economic development and expanding employment opportunities in Belmont.

Policy 2.18-3 Establish and maintain a consistent database of long-range economic data factors and update trend forecasts on an ongoing basis, to enable city policies and strategies to be proactive and timed to market changes.

Based on current and expected applications in Belmont and nearby cities, it is evident that there is currently an increased demand for life science related tenant space. The proposed zoning ordinance amendments will allow the City to respond to and benefit from changing market conditions and economic drivers.

Policy 3.8-3 Ensure that the City's parking requirements result in an efficient supply of parking in appropriate locations.

The proposed zoning ordinance amendment would update the City's parking standards so that development of property for research and development facilities makes efficient use of the City's limited land supply. The proposed amendments are based on existing data pertaining to Research and Development Facilities to ensure compatibility with adjacent land uses and minimize negative impacts on the City's rights-of-way.

Policy 5.9-2 Encourage development projects of all sizes to incorporate site design measures that facilitate groundwater recharge and natural hydrological processes, allowing stormwater to infiltrate the ground on-site and/or be collected for reuse in landscaping and designated to on-site stormwater detention facilities.

While low impact development design measures, such as impervious surface and bioswales, help to facilitate ground water recharge, reducing unnecessary development and impervious surface area is also effective site design measure in allowing stormwater to infiltrate the ground on-site. Aligning the parking requirements with parking demand for research and development facilities results in less disturbed area and greater pervious surface to facilitate natural hydrological processes.

Environmental Review

Staff finds that the proposal qualifies for the "common sense exemption". CEQA Guideline section 15061(b)(3) provides that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

The Project is consistent with the 15061(b)(3) exemption for the following reasons:

- The amendment would not allow for the development of property; instead, the amendment would only have an impact on the environment as a result of the review and approval of a development application, which would be subject to CEQA.

- The amendment is consistent with the land use designations and development densities established by the General Plan and analyzed in the certified General Plan EIR.

With the above criteria and restrictions in mind, staff finds that the project would not have a significant effect on the environment due to the addition of this land use and is exempt from further environmental review per CEQA Guideline 15061(b)(3).

General Plan/Zoning Plan Consistency – Based on the analysis herein, the proposed amendments achieve the objectives of the Zoning Plan and the General Plan for the City. These amendments would implement the Goals and Policies of the General Plan in a more consistent way, and would also result in a Zoning Ordinance that is: 1) More concise and efficient; 2) Responsive to practical Research & Development use regulations/considerations; and 3) More responsive to the needs of the community.

Next Actions

The following meetings and actions must occur before the amendments go into effect:

Airport Land Use Committee Review/Approval: The County Airport Land Use Committee and C/CAG (which serves as the Airport Land Use Commission) must review the proposal before final City Council approval. The review is required because the zoning text amendment would apply to property located within the San Carlos Airport Land Use Compatibility (ALUC) Plan "Area B". The ALUC Plan requires review of any zoning code amendment in this area.

On March 23, 2023, the Airport Land Use Committee voted in support of a determination of compatibility. The full C/CAG Board of Directors considered the Committee's recommendation on April 13, 2023 and approved the proposed ZTA amendments.

City Council Review: As noted earlier, the Planning Commission considered and recommended Council adoption of the amendments at their May 2, 2023 meeting. The City Council will consider the approval of the zoning text amendment and must adopt the ordinance changes over two meetings ("first and second reading"). If the Council does approve the amendment requests, the amendment will go into effect 30-days after the second reading. The balance of the City Council review schedule is as follows:

- **June 13, 2023 City Council -** Anticipated Second Reading of Ordinance and Public Hearing for BZO Amendments.

- **July 13, 2023 –** BZO Amendments Ordinance is effective predicated on Council action on June 13th.

Alternatives

1. Provide feedback as appropriate on the BZO amendments to staff.

Attachments

A. Belmont Zoning Text Amendments (ZTA) Ordinance – **Redline Version** - (BZO) Section 2 (Definitions), Section 5B (Harbor Industrial Area), Section 8 (Off-Street Parking and Loading), and Section 8A (Off-Street Parking and Loading in the Corridor Mixed Use and Regional Commercial Districts).

B. Belmont Zoning Text Amendments (ZTA) Ordinance – **Clean Version** - (BZO) Section 2 (Definitions), Section 5B (Harbor Industrial Area), Section 8 (Off-Street Parking and Loading), and Section 8A (Off-Street Parking and Loading in the Corridor Mixed Use and Regional Commercial Districts)

Fiscal Impact

☒ No Fiscal Impact

☐ Funding Source Confirmed:

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

** E-Notification of agendas; public notice as required for the anticipated June 13, 2023 City Council Public Hearing/Second Reading of Ordinance for this item.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BELMONT AMENDING SECTION 2 (DEFINITIONS), SECTION 5B (HARBOR INDUSTRIAL AREA), SECTION 8 (OFF-STREET PARKING AND LOADING), AND SECTION 8A (OFF-STREET PARKING AND LOADING IN THE CORRIDOR MIXED USE AND REGIONAL COMMERCIAL DISTRICTS) OF THE BELMONT ZONING ORDINANCE TO INCLUDE A "RESEARCH AND DEVELOPMENT FACILITIES" DEFINITION, PARKING RATIO, AND LOADING SPACE REQUIREMENTS

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

SECTION 1. LEGISLATIVE FINDINGS

The City Council finds that the proposed Zoning Text Amendments are consistent with the objectives of the Zoning Plan and the General Plan.

SECTION 2. BZO §2.100.1 AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by modifying Section 2.100.1 to read:

2.100.1 ~~RESEARCH AND DEVELOPMENT LABORATORY. Establishments with laboratory facilities as distinct for offices, that are primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but excludes uses that in the opinion of the Planning Commission, may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration or the storage of hazardous material or products, or uses which in the opinion of the commission threaten public safety. Typical uses include biotechnology firms and robotics laboratories.~~ ***RESEARCH AND DEVELOPMENT FACILITY. An office and laboratory facility for scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and/or biotechnology components and products in advance of product manufacturing. It may include assembly of related products from parts produced off site where the manufacturing activity is secondary to the research and development activities. A typical Research and Development facility has 20% to 50% of the floor area dedicated to the laboratory use.***

SECTION 3. BZO §5B.1.2(G) (HARBOR INDUSTRIAL AREA OR HIA-1 DISTRICT) AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by modifying Harbor Industrial Area or HIA-1 District Section 5B.1 to read:

5B.1 HARBOR INDUSTRIAL AREA 1 OR HIA-1 DISTRICT – The following regulations apply in the Harbor Industrial Area 1 or HIA-1 District.

5B.1.1 PURPOSE – The HIA-1 District is intended as a pre-zoning designation that applies to the unincorporated area within Belmont's Sphere of Influence where high density residential uses as well as light industrial, retail, hotel uses and research and development laboratories will be allowed, consistent with the General Plan, upon annexation to the City. This pre-zoning is adopted under the authority granted to the City by the Government Code and becomes effective at the time of annexation.

5B.1.2 PERMITTED USES – Subject to Section 9.5.6, the following are permitted uses.

(a) Light manufacturing, processing, packaging, treatment or fabrication of goods and merchandise, provided, however, that no use shall be unduly hazardous or injurious to uses in the vicinity by reason of odor, dust, smoke, noise, vibration, electrical or other disturbances and no outdoor facilities and outdoor storage are permitted.

(b) Maintenance and repair services.

(c) Multi-family dwellings.

(d) Nursery and garden center.

(e) Parks and recreational facilities.

(f) Personal services located within a mixed use building with multi-family dwellings.

(g) Research and development ~~laboratories~~ ***facilities.***

(h) Restaurants.

(i) Retail stores engaged in the selling of retail products and services, including but not limited to art, appliance, auto accessories, building materials and supplies, hardware and variety stores, bakeries, dry cleaning for the retail trade only, hair cutting shops, food and drug stores, and tailor shops, but excluding large floor plate retail with over 25,000 square feet of sales area.

(j) Utilities, that are minor in nature and an accessory use intended to serve an existing or planned land use and meet all of the standards of the City Code.

SECTION 4. BZO §5B.2.2(E) (HARBOR INDUSTRIAL AREA OR HIA-2 DISTRICT) AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by modifying Harbor Industrial Area or HIA-2 District Section 5B.2.2 to read:

5B.2.1 PURPOSE – The HIA-2 District is intended as a pre-zoning designation that applies to the unincorporated area within Belmont's Sphere of Influence where light industrial, retail, hotel uses and research and development laboratories will be allowed, including

large floorplate retail uses, consistent with the General Plan, upon annexation to the City. This City of Belmont Zoning Ordinance 5B-4 pre-zoning is adopted under the authority granted to the City by the Government Code and becomes effective at the time of annexation.

5B.2.2 PERMITTED USES – The following uses are permitted.

(a) Business services.

(b) Light manufacturing, processing, packaging, treatment or fabrication of goods and merchandise, provided, however, that no use shall be unduly hazardous or injurious to uses in the vicinity by reason of odor, dust, smoke, noise, vibration, electrical or other disturbances and no outdoor facilities and outdoor storage are permitted.

(c) Maintenance and repair services.

(d) Nursery and garden center.

(e) Research and development ~~laboratories~~ ***facilities.***

(f) Restaurants.

(g) Retail stores engaged in the selling of retail products and services, including but not limited to art, appliance, auto accessories, building materials and supplies, hardware and variety stores, bakeries, dry cleaning for the retail trade only, hair cutting shops, food and drug stores, and large format retail establishments that sell merchandise and bulk goods for individual consumption.

(h) Storage warehouses and facilities for personal storage, including mini-warehouses and mini-storage but excluding outdoor storage.

(i) Utilities, that are minor in nature and an accessory use intended to serve an existing or planned land use and meet all of the standards of the City Code.

SECTION 5. BZO §8.4.9 & 8.4.10 (OFF STREET PARKING AND LOADING) ADDED AND AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding and modifying text in Section 8.4.9 & 8.4.10 (Off Street Parking and Loading) to read:

8.4.9 RESEARCH AND DEVELOPMENT FACILITIES – Minimum of one space for each 600 square feet of gross floor area and a maximum of one space for each 500 square feet of gross floor area.

8.4.9***10*** COMBINED AND OTHER USES - When two or more uses are located on the same site or within the same building, parking spaces shall be required in number equal to the sum of the separate requirements for each such use. For uses not listed heretofore in this schedule of parking

requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Zoning Administrator.

SECTION 6. BZO §8.5.2 (TABLE OF LOADING SPACE REQUIREMENTS) AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by modifying Section 8.5.2 (Table of Loading Space Requirements) to read:

8.5.2 TABLE OF LOADING SPACE REQUIREMENTS - Off-street loading berths shall be provided for the uses listed in the following table on the basis of gross floor area of building or portions thereof devoted to such uses in the amounts shown herein. Off-street loading berths shall be required only when access is available from a public alley, driveway easement or adjacent off-street parking area. No loading berths shall be required when only street access is available.

TABLE OF LOADING SPACE REQUIREMENTS

USE	GROSS FLOOR AREA (IN SQUARE FEET)	SPACES NUMBER
a. Retail Store	5,000 to 12,000 12,000 to 25,000 25,000 to 40,000	1 2 2
b. Office Buildings, & Banks	10,000 to 100,000 Each additional 100,000*	1 1
c. Restaurants and Other On- Site Food or Beverage Sales Outlets	5,000 to 12,000 Each additional 12,000*	1 1
d. Theaters	8,000 to 25,000 Each additional 20,000*	1 1
e. Hotels, Clubs, Lodges, Auditoriums and Places of General Assembly	10,000 to 20,000 20,000 to 100,000 Each additional 10,000*	1 2 1
f. Wholesale Sales Outlets	15,000 to 100,000 Each additional 100,000*	1 1
g. Hospitals, Sanitariums, and Other Institutions	20,000 to 100,000 Each additional 100,000	1 1

h. Funeral Homes	8,000 to 50,000 Each additional 50,000	1 1
i. Research and Development Facilities	***10,000 to 99,999*** ***100,000 to 199,999*** ***200,000 or more***	***1*** ***2*** ***3***

SECTION 7. BZO §8A.2-1 (OFF STREET PARKING AND LOADING IN CORRIDOR MIXED USE AND REGIONAL COMMERCIAL ZONING DISTRICTS) AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding text in Section 8A.2-1 (Off Street Parking and Loading in Corridor Mixed Use and Regional Commercial Zoning Districts) to read:

8A.2 GENERAL REGULATIONS - Parking shall be provided generally as indicated in Table 8A.2-1 and developed and maintained according to the standards of Section 8, Off-Street Parking and Loading, as well as the regulations of this Section 8A. Additional requirements for specialized uses are in Section 8; where these provisions conflict, the requirements of this Section govern within the CMU and RC districts.

• **TABLE 8A.2-1: PARKING STANDARDS**		
• *Land Use (All Districts)*	• *Minimum*	• *Maximum*
Retail	2 spaces minimum per 1000 sq. ft.	4 spaces maximum per 1000 sq. ft.
Office	3 spaces minimum per 1000 sq. ft.	4 spaces maximum per 1000 sq. ft.
Research and Development Facilities	***1 space per 600 sq. ft. of gross floor area***	***1 space per 500 sq. ft. of gross floor area***
Residential	Studios: 0.5 spaces minimum per unit; One Bedroom: 1 per unit; Two Bedroom: 1.5 per unit; Three Bedroom +: 2 per unit	2 spaces per unit + 0.5 spaces per unit for guest parking maximum
Location	Outside of shopping centers, parking areas and structures must be placed behind or beneath buildings.	
Access	There must be clear, well-lit, safe pedestrian walkways between parking areas and structures and the main sidewalks and building entrances.	
Parking Structure Driveway Width	Maximum 24 feet	
Ground Floor Design	Where a parking structure faces onto a street, the ground floor must be treated with elements of interest and made as active as possible.	

SECTION 8. BZO §8A.5-1 (OFF STREET PARKING AND LOADING IN CORRIDOR MIXED USE AND REGIONAL COMMERCIAL ZONING DISTRICTS) AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding text in Section 8A.5-1 (Off Street Parking and Loading in Corridor Mixed Use and Regional Commercial Zoning Districts) to read:

8A.5 LOADING REQUIREMENTS

8A.5.1 NUMBER OF SPACES REQUIRED - The off-street loading requirements are specified in Table 8A.5-1 below.

TABLE 8A.5-1: LOADING REQUIREMENTS		
Use Type	*Number of Spaces*	*Size (See (B) below)*
Residential Use Types		
Multi-Unit		
Less than 50 units	one	
50 to 149 units		small
150 units, or more		small
Commercial and Institutional Use Types		
Offices – All		
Less than 25,000 gross square feet	one	
25,000 to less than 100,000 gross square feet		medium
100,000 or more		medium
Research and Development Facilities		
10,000 to 99,999 gross square feet	***one***	***medium***
100,000 to 199,999 gross square feet	***two***	***medium***
200,000 or more	***three***	***medium***
All Other		
Less than 10,000 gross square feet	one	

10,000 to less than 20,000 gross square feet		medium
20,000 to less than 40,000 gross square feet		medium
40,000 to less than 80,000 gross square feet		large
Each additional 40,000 gross square feet or fraction of one-half or more thereof		large

SECTION 9. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Belmont hereby declares that it would have passed this Ordinance and each section or subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 10. 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 [insert date], 2023 and adopted the ordinance at a regular meeting held on [insert date], 2023 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

_____
City Clerk

_____
Mayor

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BELMONT AMENDING SECTION 2 (DEFINITIONS), SECTION 5B (HARBOR INDUSTRIAL AREA), SECTION 8 (OFF-STREET PARKING AND LOADING), AND SECTION 8A (OFF-STREET PARKING AND LOADING IN THE CORRIDOR MIXED USE AND REGIONAL COMMERCIAL DISTRICTS) OF THE BELMONT ZONING ORDINANCE TO INCLUDE A "RESEARCH AND DEVELOPMENT FACILITIES" DEFINITION, PARKING RATIO, AND LOADING SPACE REQUIREMENTS

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

SECTION 1. LEGISLATIVE FINDINGS

The City Council finds that the proposed Zoning Text Amendments are consistent with the objectives of the Zoning Plan and the General Plan.

SECTION 2. BZO §2.100.1 AMENDED

Belmont Zoning Ordinance (Ordinance 360) Section 2.100.1 is amended to read:

2.100.1 RESEARCH AND DEVELOPMENT FACILITY. An office and laboratory facility for scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and/or biotechnology components and products in advance of product manufacturing. It may include assembly of related products from parts produced off site where the manufacturing activity is secondary to the research and development activities. A typical Research and Development facility has 20% to 50% of the floor area dedicated to the laboratory use.

SECTION 3. BZO §5B.1.2(G) (HARBOR INDUSTRIAL AREA OR HIA-1 DISTRICT) AMENDED

Belmont Zoning Ordinance (Ordinance 360) Section 5B.1.2(G) is amended to read:

5B.1.2 PERMITTED USES – Subject to Section 9.5.6, the following are permitted uses.

(g) Research and development facilities.

SECTION 4. BZO §5B.2.2(E) (HARBOR INDUSTRIAL AREA OR HIA-2 DISTRICT) AMENDED

Belmont Zoning Ordinance (Ordinance 360) Section 5B.2.2(E) is amended to read:

5B.2.2 PERMITTED USES – The following uses are permitted.

(e) Research and development facilities.

SECTION 5. BZO §8.4.9 & 8.4.10 (OFF STREET PARKING AND LOADING) ADDED AND AMENDED

Belmont Zoning Ordinance (Ordinance 360) Sections 8.4.9 & 8.4.10 (Off Street Parking and Loading) are added and amended to read:

8.4.9 RESEARCH AND DEVELOPMENT FACILITIES – Minimum of one space for each 600 square feet of gross floor area and a maximum of one space for each 500 square feet of gross floor area.

8.4.10 COMBINED AND OTHER USES - When two or more uses are located on the same site or within the same building, parking spaces shall be required in number equal to the sum of the separate requirements for each such use. For uses not listed heretofore in this schedule of parking requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Zoning Administrator.

SECTION 6. BZO §8.5.2 (TABLE OF LOADING SPACE REQUIREMENTS) AMENDED

Belmont Zoning Ordinance (Ordinance 360) Section 8.5.2 (Table of Loading Space Requirements) is amended to read:

8.5.2 TABLE OF LOADING SPACE REQUIREMENTS - Off-street loading berths shall be provided for the uses listed in the following table on the basis of gross floor area of building or portions thereof devoted to such uses in the amounts shown herein. Off-street loading berths shall be required only when access is available from a public alley, driveway easement or adjacent off-street parking area. No loading berths shall be required when only street access is available.

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c. Restaurants and Other On- Site Food or Beverage Sales Outlets	5,000 to 12,000 Each additional 12,000*	1 1
d. Theaters	8,000 to 25,000 Each additional 20,000*	1 1

e. Hotels, Clubs, Lodges, Auditoriums and Places of General Assembly	10,000 to 20,000 20,000 to 100,000 Each additional 10,000*	1 2 1
f. Wholesale Sales Outlets	15,000 to 100,000 Each additional 100,000*	1 1
g. Hospitals, Sanitariums, and Other Institutions	20,000 to 100,000 Each additional 100,000	1 1
h. Funeral Homes	8,000 to 50,000 Each additional 50,000	1 1
i. Research and Development Facilities	10,000 to 99,999 100,000 to 199,999 200,000 or more	1 2 3

SECTION 7. BZO §8A.2-1 (OFF STREET PARKING AND LOADING IN CORRIDOR MIXED USE AND REGIONAL COMMERCIAL ZONING DISTRICTS) AMENDED

Belmont Zoning Ordinance (Ordinance 360) Section 8A.2-1 (Off Street Parking and Loading in Corridor Mixed Use and Regional Commercial Zoning Districts) is amended to read:

8A.2 GENERAL REGULATIONS - Parking shall be provided generally as indicated in Table 8A.2-1 and developed and maintained according to the standards of Section 8, Off-Street Parking and Loading, as well as the regulations of this Section 8A. Additional requirements for specialized uses are in Section 8; where these provisions conflict, the requirements of this Section govern within the CMU and RC districts.

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Location	Outside of shopping centers, parking areas and structures must be placed behind or beneath buildings.	
Access	There must be clear, well-lit, safe pedestrian walkways between parking areas and structures and the main sidewalks and building entrances.	

Parking Structure Driveway Width	Maximum 24 feet
Ground Floor Design	Where a parking structure faces onto a street, the ground floor must be treated with elements of interest and made as active as possible.

SECTION 8. BZO §8A.5-1 (OFF STREET PARKING AND LOADING IN CORRIDOR MIXED USE AND REGIONAL COMMERCIAL ZONING DISTRICTS) AMENDED

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8A.5 LOADING REQUIREMENTS

8A.5.1 NUMBER OF SPACES REQUIRED - The off-street loading requirements are specified in Table 8A.5-1 below.

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Residential Use Types		
Multi-Unit		
Less than 50 units	one	
50 to 149 units		small
150 units, or more		small
Commercial and Institutional Use Types		
Offices – All		
Less than 25,000 gross square feet	one	
25,000 to less than 100,000 gross square feet		medium
100,000 or more		medium
Research and Development Facilities		
10,000 to 99,999 gross square feet	one	medium
100,000 to 199,999 gross square feet	two	medium
200,000 or more	three	medium

All Other		
Less than 10,000 gross square feet	one	
10,000 to less than 20,000 gross square feet		medium
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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 [insert date], 2023 and adopted the ordinance at a regular meeting held on [insert date], 2023 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

_____ _____

City Clerk Mayor

APPROVED AS TO FORM:

_____

City Attorney

STAFF REPORT

Meeting Date:	May 9, 2023
Agency:	City of Belmont
Staff Contact:	Selena Lau, Associate Civil Engineer, (650) 226-6901, slau@belmont.gov; Peter Brown, Public Works Director, (650) 595-7459, pbrown@belmont.gov
Agenda Title:	Twin Pines Detention Basin and Creek Restoration Project Updates
Agenda Action:	For Information Only

Recommendation
This is an informational item only; no action is required.

Strategic Focus Area
Infrastructure and Mobility

Background
Belmont Creek originates in Belmont and runs through the unincorporated Harbor Industrial Area (HIA) of San Mateo County along the border of San Carlos before reaching San Francisco Bay. The lower, flatter segment of Belmont Creek that runs through the County unincorporated HIA can experience flooding in heavy rain events as well as siltation from upstream erosion, requiring periodic channel dredging and maintenance.

The Watershed has been studied and analyzed for capacity deficits, sedimentation and erosion processes, and bank stability. Belmont, San Carlos, and San Mateo County have partnered to fund and manage various studies, with the most recent study the "Belmont Creek Watershed Management Plan" which was built upon prior assessments to analyze the hydraulic performance of nine alternatives, including detention basins identified in the County's Stormwater Resource Plan, and prioritized the alternatives by cost, flood protection efficacy, water quality and ecosystem benefits, and feasibility of construction.

Two related projects (The Creek Restoration Project and Stormwater Detention Basin) will address the severe erosion and bank failure along the reach in Twin Pines Park, as well as construction of a sediment capture basin, which further reduces sediment transport downstream.


Field Photo of Belmont Creek

Along with the Belmont Creek restoration within Twin Pines Park, the storm water detention basin project will result in the design of a new storm water capture facility that will attenuate high flows from heavy weather-related storm thereby reducing downstream flooding potential within the HIA (portions of which are subject to future annexation to the City), and San

Carlos portions of the creek. The projects will also improve water quality by providing for trash and debris capture, and trapping sediment in a centralized, maintenance-friendly facility. Detained stormwater will be returned to Belmont Creek after high water levels subside.

Analysis

At its March 8, 2022, City Council approved the funding agreement with partnering jurisdictions (County of San Mateo, and San Carlos) for the Twin Pines Park Projects, an Agreement for engineering design services with Craft Water Engineering for the Twin Pines Park Stormwater Capture (Detention Basin) Project, and an Agreement for engineering design services with Restoration Design Group, Inc. for the Belmont Creek Restoration Project. These two projects, the Detention Basin and Creek Restoration project, are important infrastructure improvements to manage downstream sedimentation, flooding, and provide improved water quality.

The Creek Restoration Project addresses the severe erosion and bank failure along the reach in Twin Pines Park. The Creek Restoration Project will create a more natural stream channel, restore and create natural riparian habitat, remove invasive species of flora, stabilize stream banks through planting, grading and other slope stabilization methods, and expand community connectivity through integration with the recreational facilities of the Park. The proposed detention system would include an inlet diversion structure and pipe, trash capture, hydrodynamic separators, and outlet structure and pipes within Twin Parks parking areas.

In addition to interagency funding partnerships, Belmont PW Department has secured State grants through various opportunities as detailed below with status of each project:

Belmont Creek Restoration Project

Description:

Stabilize the channel with natural materials such as grading and rootwads, remove invasive vegetation and reintroduce native plants, connect to Twin Pines Park Storm Water Capture Project

Work to Date:

Completed: Geotechnical Investigation Report, Geomorphic Assessment, Topographic Survey, Tree Inventory, Concept Design for Phase 1 and Phase 2.
In Progress: Cultural Resources Evaluation, Biological Conditions Assessment, Wetland/Waters of the State Delineations, Phase 1 Schematic Design/30% Design Plans.

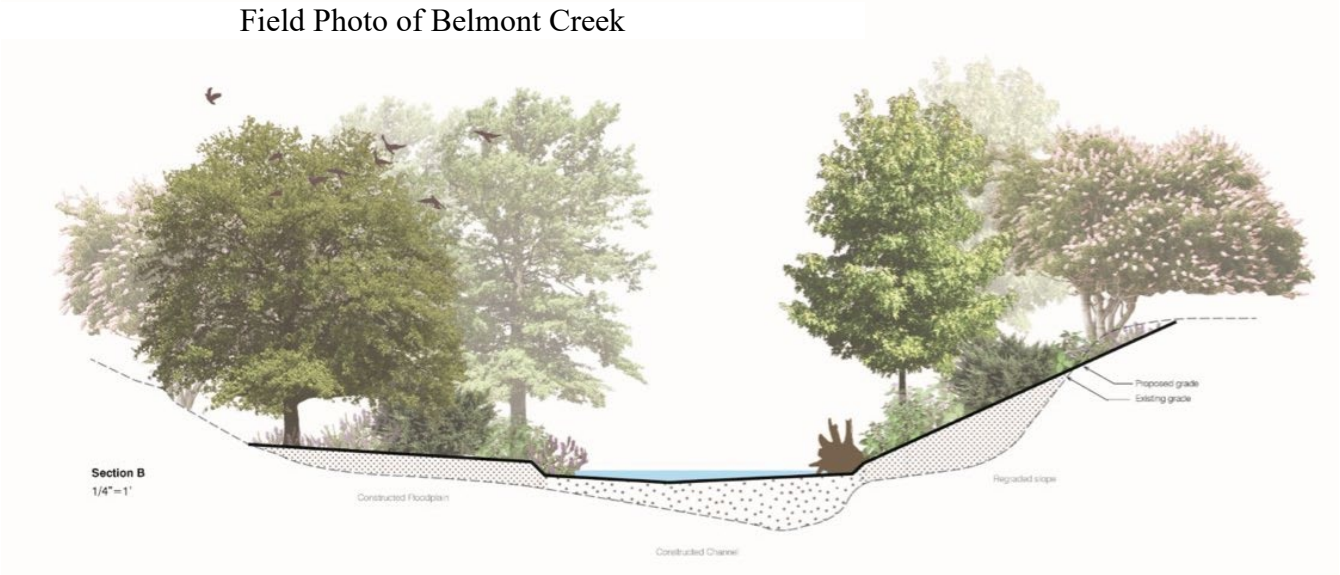
Construction currently planned to begin in Spring of 2025

Funding:

$1,000,000 DWR Urban Streams Restoration Grant
$300,000 match from City of Belmont
$150,000 match each from City of San Carlos & San Mateo County
Total = $1,600,000 (Design and Construction)



Field Photo of Belmont Creek



Creek Restoration Slope Improvements

Twin Pines Park Stormwater Detention Basin Project

Description:

Reduce downstream flooding and improve water quality with a detention basin (two-connected basins at 4 and 5 acre feet) that will decrease heavy storm flow to lower Belmont Creek

Work to Date:

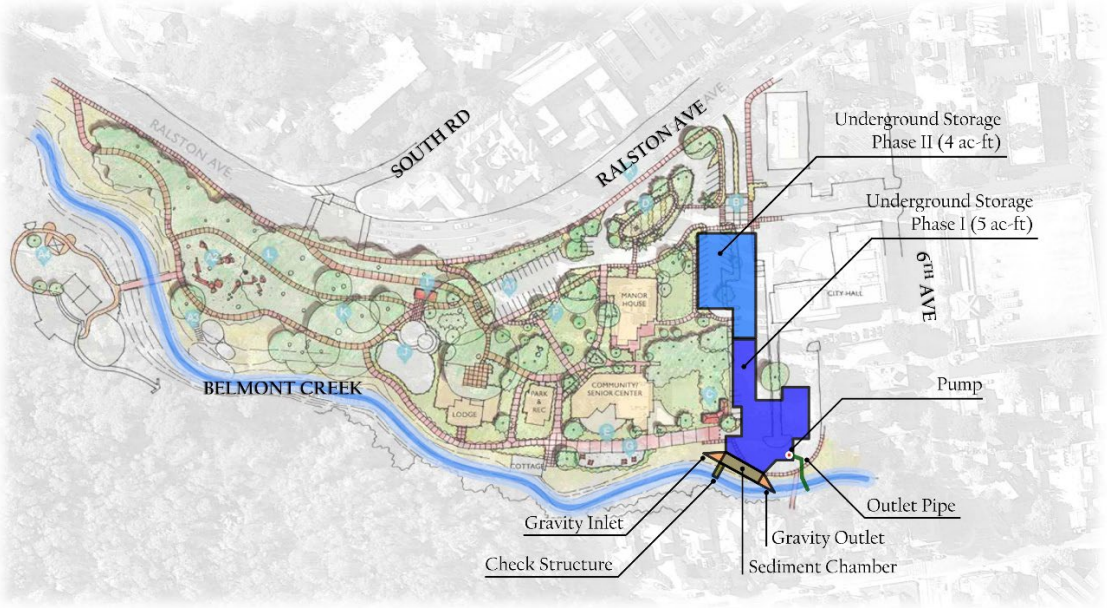
Completed: Hydrology & Hydraulics Report, Geotechnical Investigation Report, Draft Initial Study

In Progress: Cultural Resources Evaluation, CEQA Initial Study, 60% Design Plans

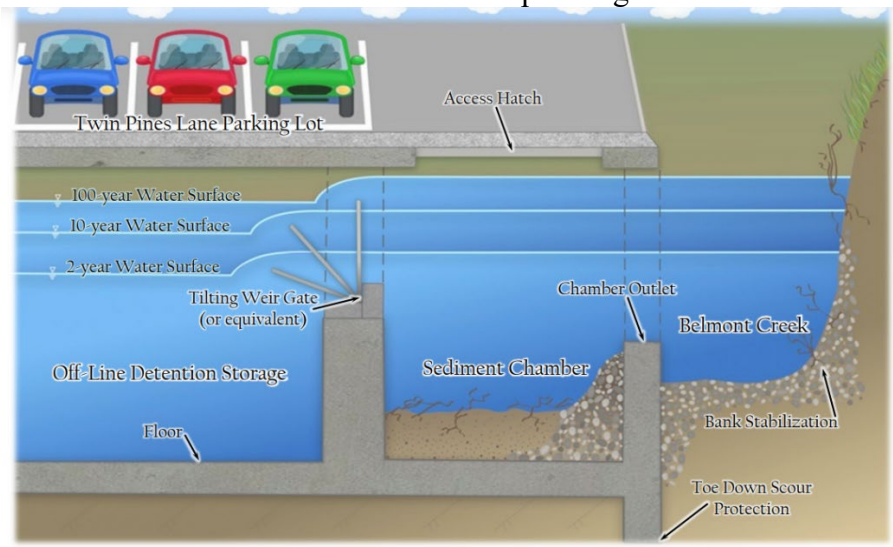
Construction currently planned to begin in 2025

Funding

$913,334 CNRA General Fund Specified Grant (Design)
$5,951,000 CNRA Urban Flood Protection Grant (Construction)
Contract Awards for Twin Pines Park Creek and Detention Basin - Staff Report
$500,000 match each from Cities of Belmont & San Carlos and San Mateo County (Construction)
Total = $8,364,334 (Design and Construction)



Concept Design for Detention Basin



Cross Section

Alternatives

1. None

Attachments

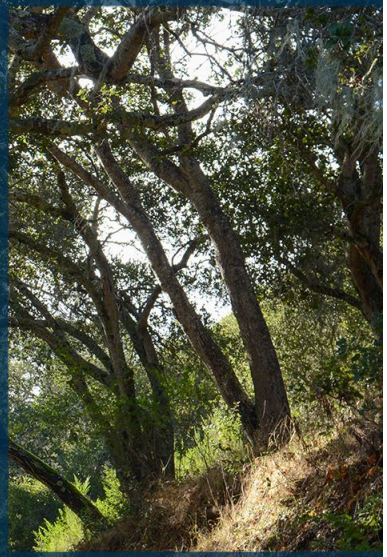
A. "Belmont Creek Restoration and Stormwater Detention Basin Projects" PowerPoint

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: Funding for the Twin Pines Park Storm Water Capture Project and the Belmont Creek Restoration Project have been incorporated into the five-year Capital Improvement Program.

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



CITY OF BELMONT

Belmont Creek Restoration Project

MAY 9, 2023

CITY OF BELMONT PUBLIC WORKS

Creek Restoration Project Goals

- Minimize erosion, downstream siltation, and stabilize the creek banks
- Connect to new detention basin project
- Stabilize the channel with natural materials such as rootwads and grading
- Enhance public access
- Remove invasive vegetation and reintroduce native plants to enhance riparian habitat
- Create a new park trail connecting the Civic Center to a local trail system



Lead Consultant: Restoration Design Group, Inc., Erik Stromberg

Watershed Extent of Belmont Creek



Existing Conditions



















Work to Date

Coordination with Planning Efforts
- Referencing Twin Pines Park Master Plan
- Referencing Belmont Creek Watershed Plan
- Coordinating with Detention Basin Project
- Conducting Public Meetings

Status of Project Assessments
- Geotechnical Report (Complete)
- Cultural Resources (Draft Complete)
- Biological Conditions (Draft Complete)
- Geomorphic (Complete)
- Topographic (Complete)
- Wetland/Waters of the State Delineations (Draft Complete)
- Tree Inventory (Complete)

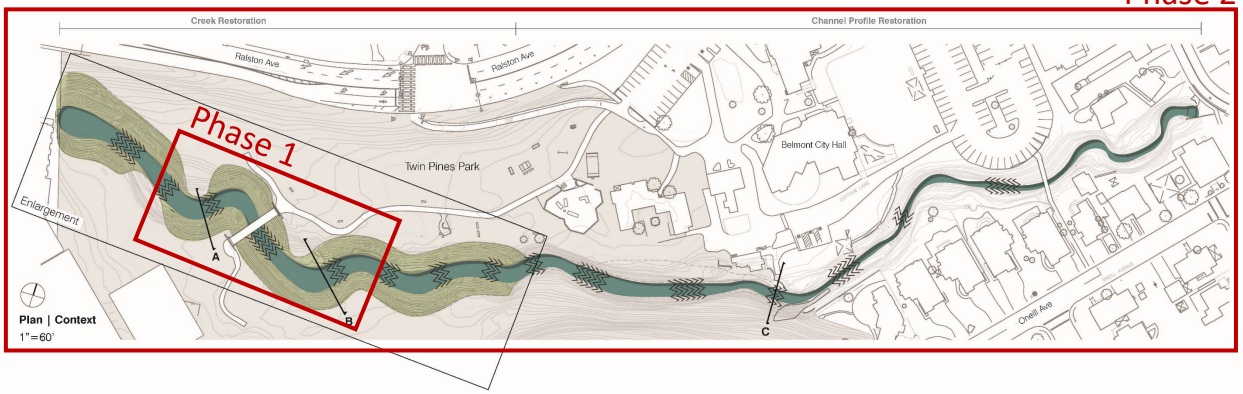
Design Development
- Phase 1 Concept Designs (Complete)
- Phase 2 Concept Design (Complete)
- Phase 1 Schematic Design / 30% Plans (Active)
- Current focus on Upper/Middle reaches

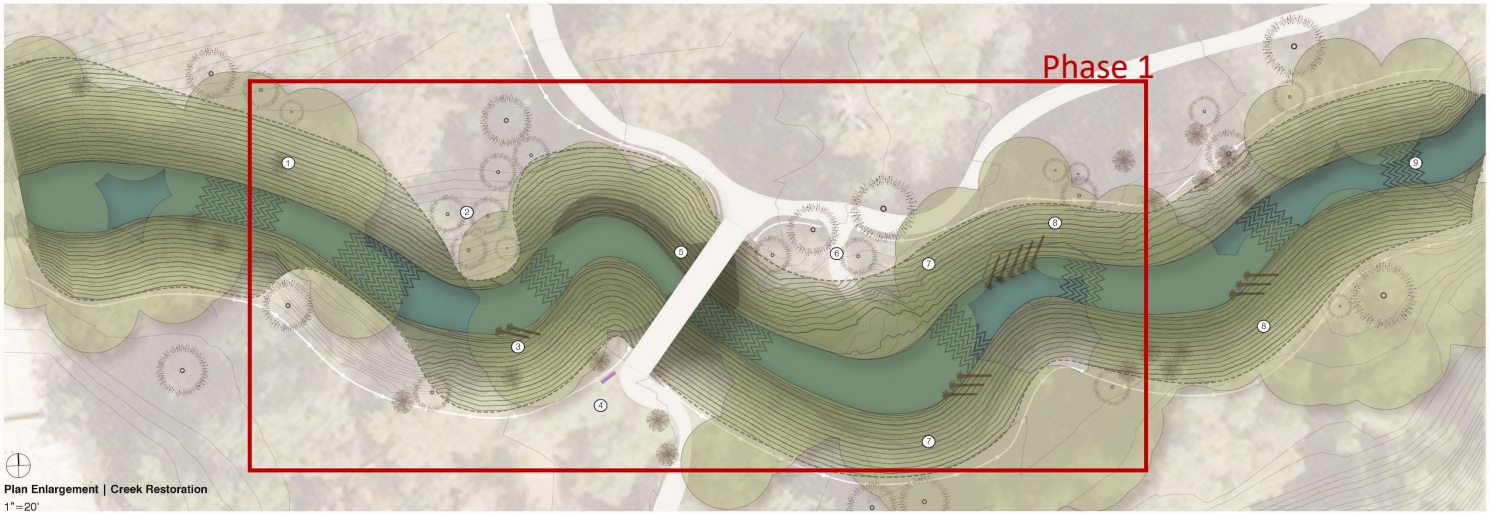


Master Plan

Phase 1 focuses on stepping back bank/slope

Phase 2, if funded, extends slope enhancements and bed improvements





NOTES:

1. Remove eucalyptus
2. Preserve and protect native trees outside the limit of grading
3. Install woody debris to protect slope and provide habitat
4. Install interpretive elements
5. Protect bridge with rock slope protection
6. Improve creek access by regrading a maintenance path
7. Regrade bank slopes
8. Revegetatate banks with native vegetation
9. Construct riffles

CONCEPTUAL PLAN & SECTIONS

27 JANUARY 2023

BELMONT CREEK AT TWIN PINES PARK | City of Belmont, CA

Restoration Design Group, Inc.

Phase 1

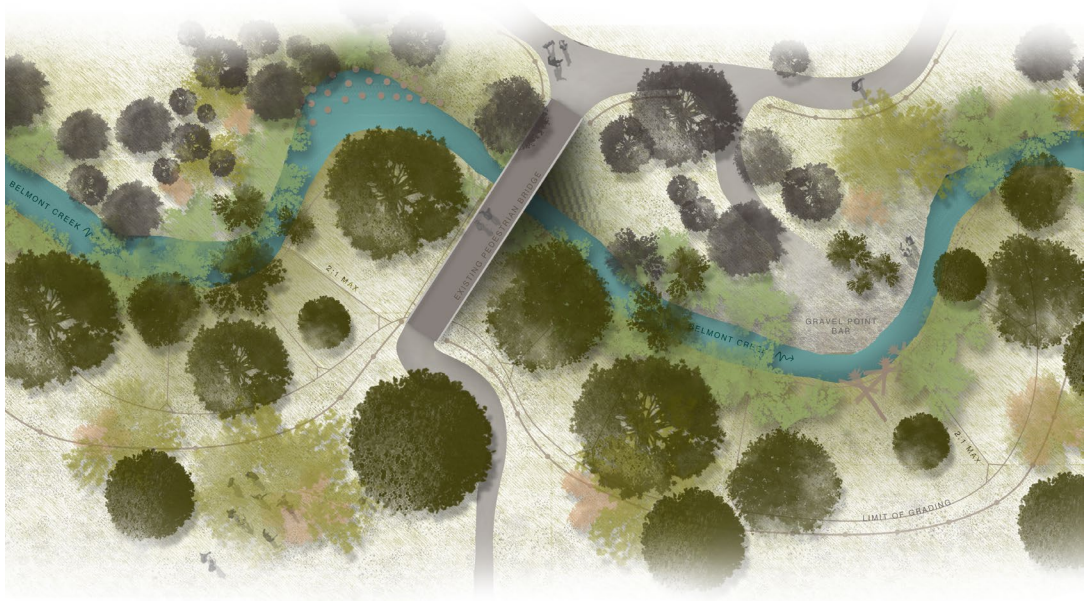
Grant: Urban Stream Restoration Program (USRP)

The City of Belmont has secured the Department of Water Resource's USRP grant funds as provided for by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) and the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for all Act of 2018 (Proposition 68) for the Belmont Creek Stream Restoration project.

i. Grant work to be complete by June 30, 2025 (extensions permitted)

ii. Not to exceed $1,000,000 (plus $600k in matching $$)

iii. Funding match of 20% of the total project cost shared between the City of Belmont ($300k), County of San Mateo, and the City of San Carlos ($150k each)



Phase 1 Concept Plan

Phase 2

Grant: In Progress

The City has identified multiple potential funding sources for Phase 2.

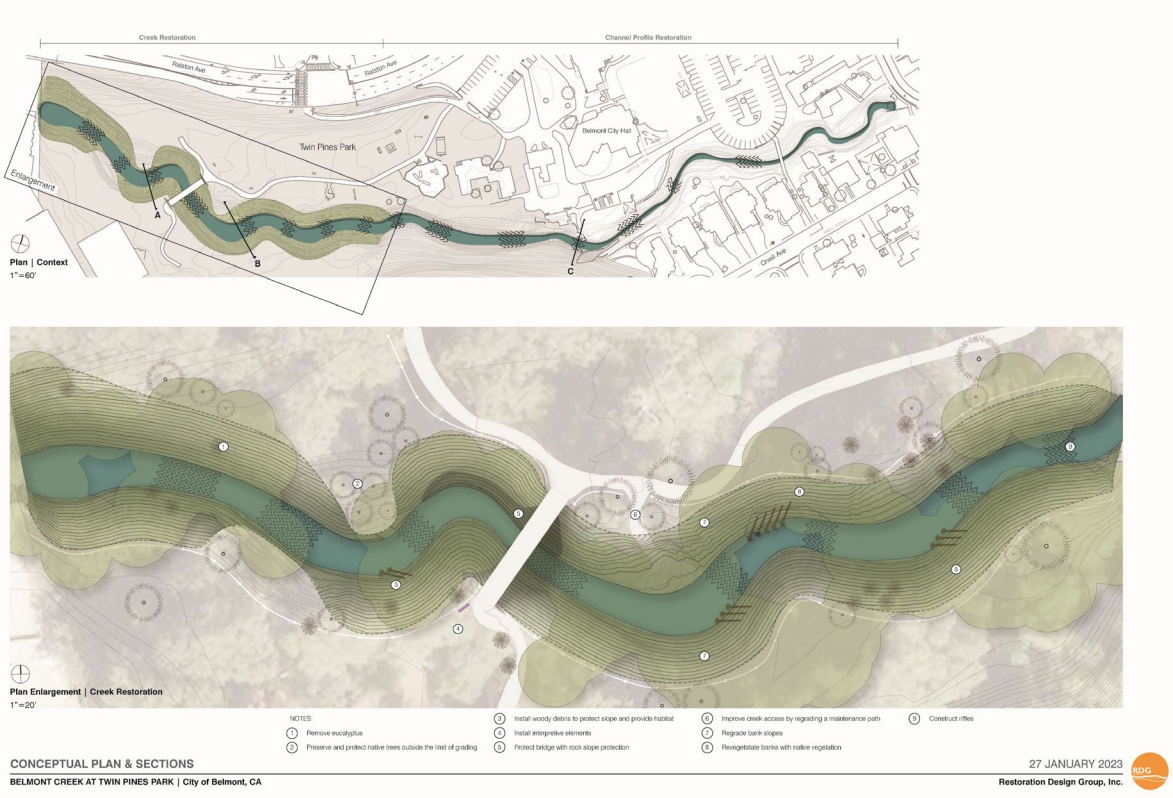
One source is from the California Natural Resources Agency's Urban Greening Grant Program funded by the State's cap and trade auction revenue as administered through the Greenhouse Gas Reduction Fund. In 2021, SB 170 allocated $50 million from the General Fund to the CNRA for its Urban Greening Program.

The Urban Greening Program funds projects that:

i. reduce greenhouse gas emissions;

ii. acquire, create, enhance, or expand community parks and green spaces;

iii. achieve multiple benefits.



Phase 2 Concept Plan

Sources: https://www.adaptationclearinghouse.org/resources/california-eys-urban-greening-program.html; chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://resources.ca.gov/-/media/CNRA-Website/Files/grants/GGRF_UG/GF-Urban-Greening-Program-Guidelines-FINAL.pdf;

Construction and Park Impacts

- Restoration work will occur primarily during the summer and fall when creek flow is lowest.
- Planting and park improvements will occur into the winter and spring of the following year.
- Creek will be temporarily dewatered during the summer.
- Contractor will use portions of the park near the creek for staging. These locations need to be determined.
- During construction portions of the park will be closed to the public, most park activities can continue.

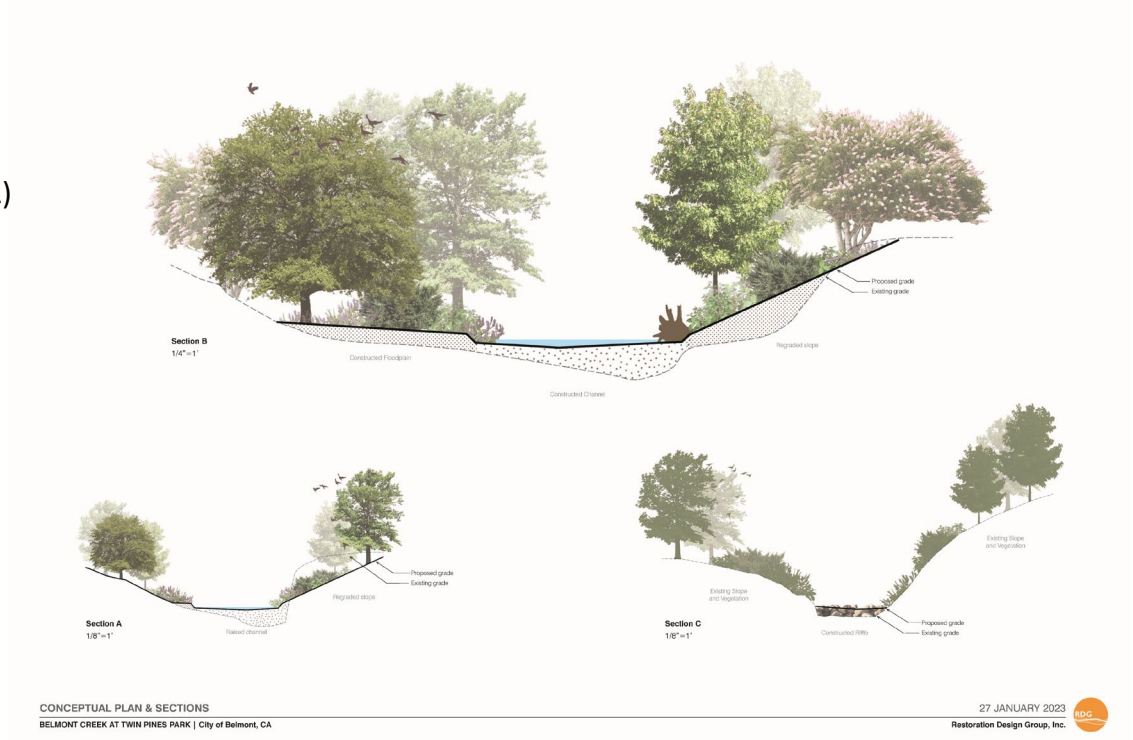


Sausal Creek at Dimond Park, Oakland, California

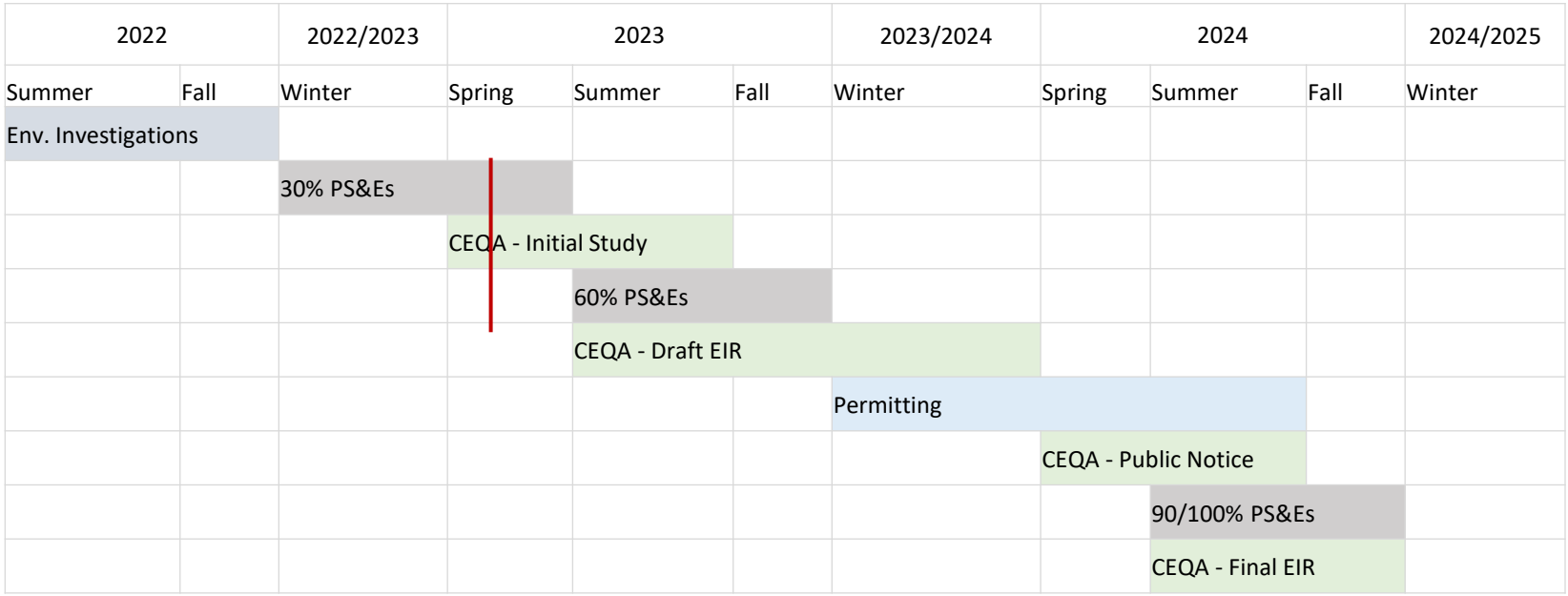
CEQA

Will cover both Phase 1 and Phase 2

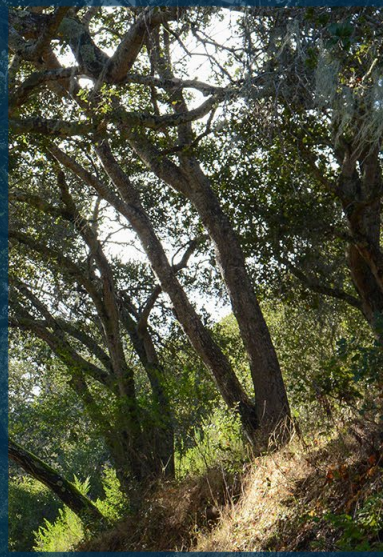
- CEQA can cover larger project than the project that ultimately is implemented
- IS/MND is anticipated but final route (IS/MND vs EIR) will be determined once we know the outcome of cultural field work (summer 2023)
- Boring for cultural exploration to occur in May or June



Schedule



Construction currently planned to begin in Spring of 2025



CITY OF BELMONT

Twin Pines Park Storm Water Detention Basin Project

May 9, 2023

CITY OF BELMONT PUBLIC WORKS

Project Background



- Persistent Downstream Flooding
- 2017 Watershed Management Plan
  - Identified Twin Pines Park as a location
- Project Objectives
  - Reduce downstream flooding by lowering peak flows and detaining runoff volume
  - Reduce sediment load that decreases channel capacity downstream
  - Improve water quality



Source: Belmont Creek Watershed Management Plan

Project Background



- Funding Sources
  - California Natural Resources Agency
    - Design = $913k
    - Construction = $5.95M
    - Local match not required
  - Future Grant Opportunities
    - CalOES ($8 million grant drafted), FEMA, Hazard Mitigation Funds



Work Done to Date



- Hydrology & Hydraulics Analysis
  - 9 ac-ft Storage (Subsurface);

  ~2.93M gallons
- Geotechnical Investigations
  - High groundwater & low infiltration
- Progress to 60% Plans



Proposed Work Extent

2-yr Event – Existing Flooding

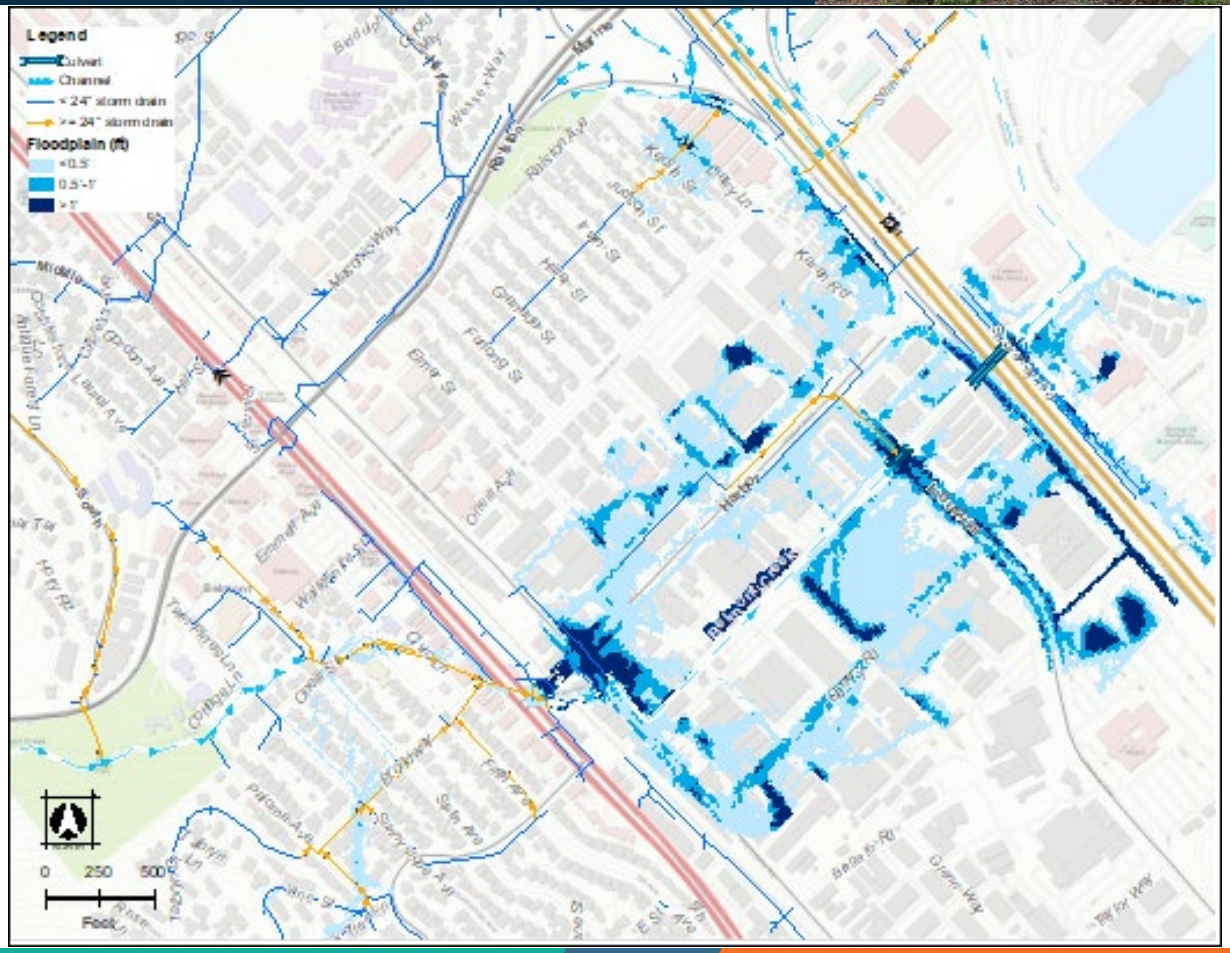


2-yr Event – with Twin Pines Detention Only



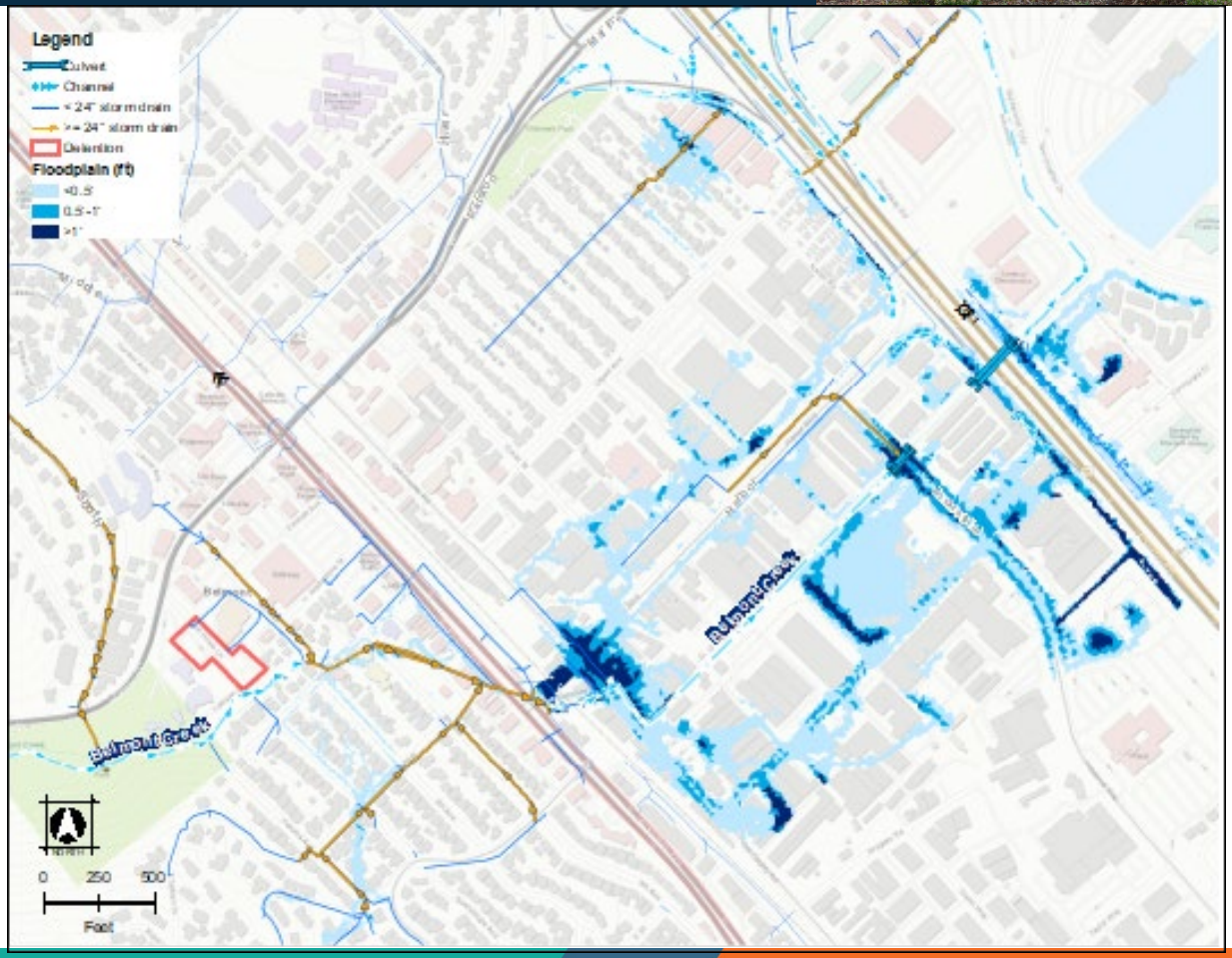
10-yr Event – Existing Flooding





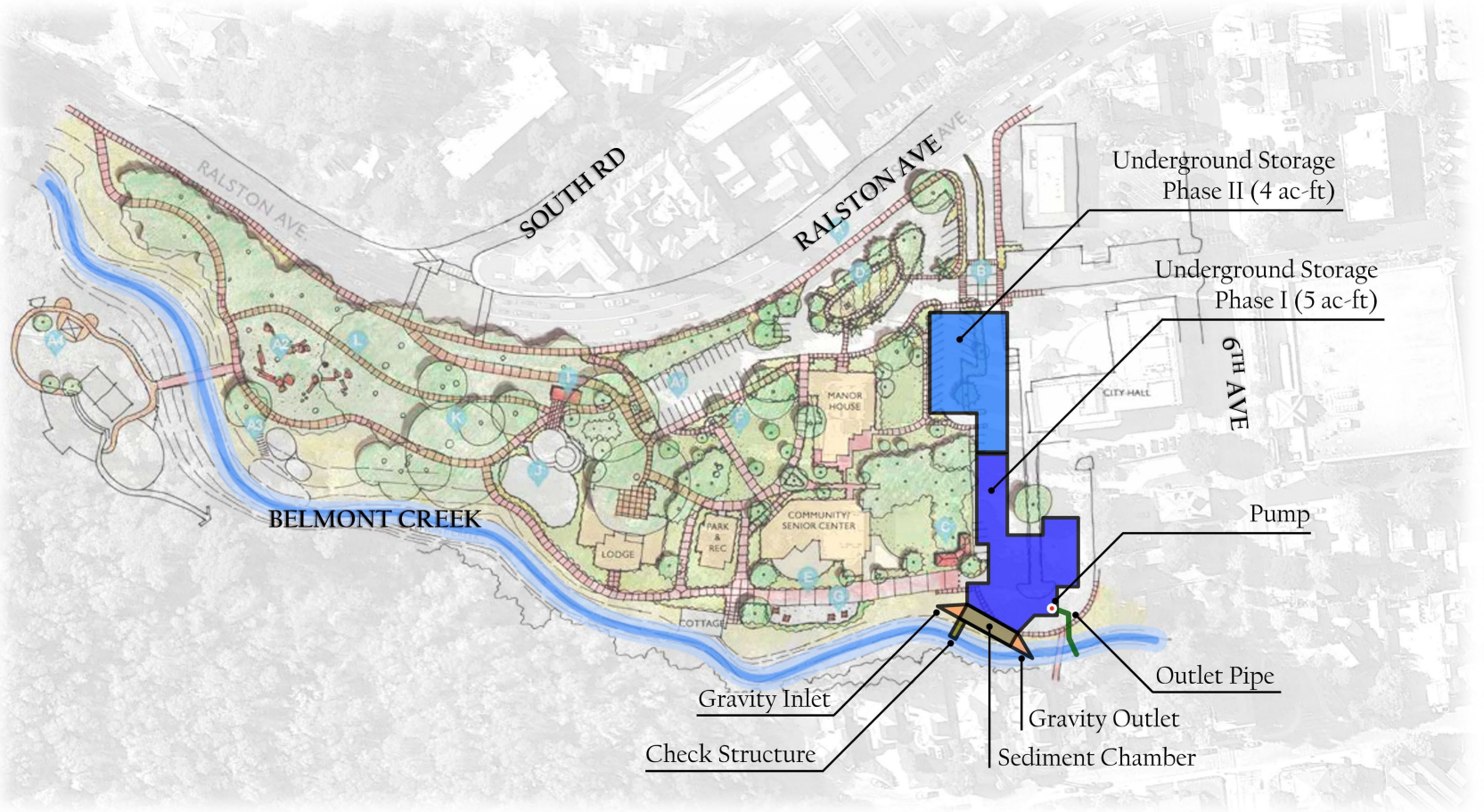
10-yr Event – with Twin Pines Detention Only





Work Done to Date

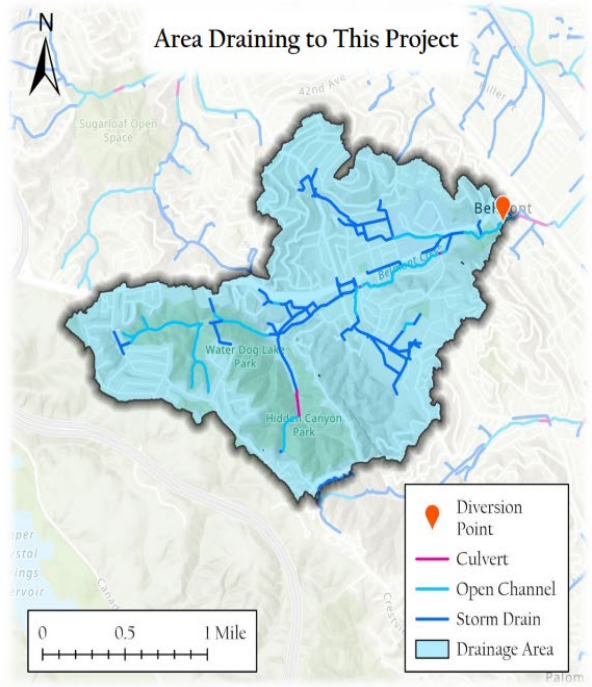




Work Done to Date



- Cultural Resource Inventory
  - Further exploration underway
- CEQA Initial Study
  - Minimal to no impacts for all but cultural
- Outreach Event/Fact Sheet, Posterboard



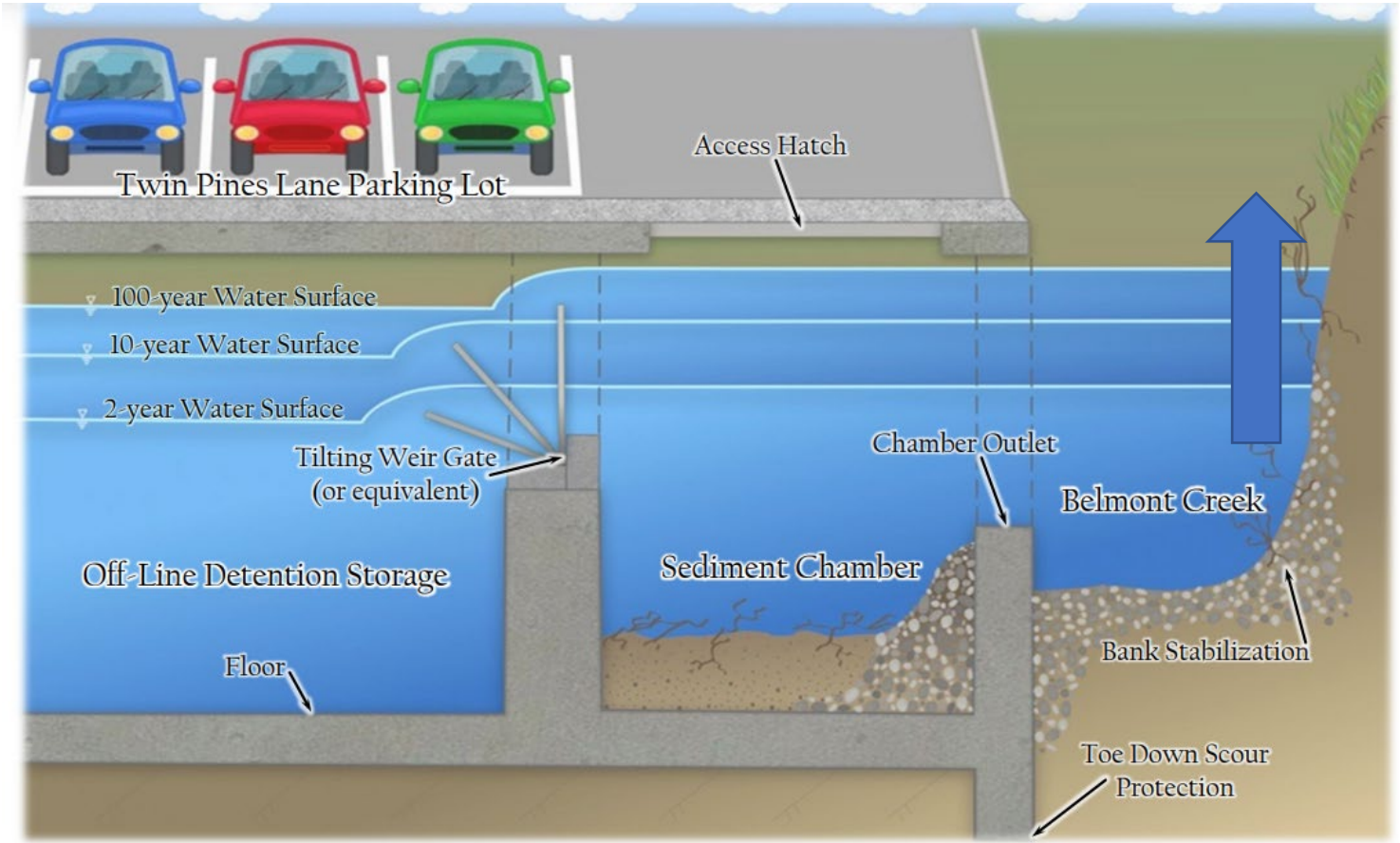
CITY OF BELMONT PUBLIC WORKS

CITY OF BELMONT
TWIN PINES PARK
STORMWATER CAPTURE PROJECT

Purpose	Reduce localized and downstream flooding and improve water quality
Present Phase	Design
Design Completion	July 2023
Anticipated Construction	May 2024 to April 2025, pending funding
Funding	CNRA Design $913k, CNRA Construction $5.95M
Major Design Elements	One underground storage facility, 9.0-acre-foot (2.93M Gallons) total capacity

Work Done to Date





Work Remaining



- Cultural Resource Inventory
  - Exploratory trenching on site
- Finalize Plans, Specifications, and Engineer's Cost Estimate
- Environmental Doc (EIR or MND)
  - Cultural trenching to dictate MND or EIR
- Regulatory Permitting
- Continued Public Outreach



Remaining Schedule



Task Name	Start	Finish
Task 4. Initial Study		
4.1 – Draft Sections	1/2/2023	3/24/2023
4.2 – Final Sections	3/27/2023	6/30/2023
Task 5. Draft EIR		
5.1 – Cultural Resource Evaluation (Field Investigation)	4/1/2023	6/30/2023
5.2 – NOP & Alternative Descriptions	7/3/2023	9/15/2023
5.3 – Administrative Draft EIR	9/18/2023	10/27/2023
5.4 – Screen Check Draft EIR	10/30/2023	12/8/2023
Task 6. CEQA Public Noticing & Participation		
6.1 – Public Review Draft EIR	12/11/2023	3/8/2024
Task 7. Final EIR	3/11/2024	6/7/2024
Task 9. 60% PS&E	1/2/2022	5/12/2023
Task 10. 90% & 100% PS&E		
10.1 – 90% PS&E	5/15/2023	6/23/2023
10.2 – 100% PS&E	6/26/2023	7/21/2023
Task 11. Environmental Regulatory Permit Applications	4/17/2023	5/3/2024
Task 12. Construction Permits & Bid Package	7/24/2023	9/29/2023

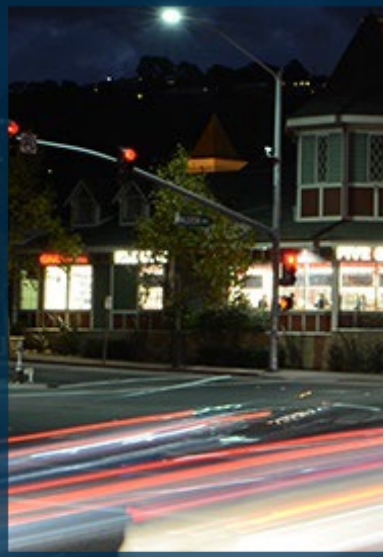
Anticipated Construction Start in 2025

Construction Impacts



- Access During Construction
  - Park Facilities
    - Eastern parking lot closed
    - Eastern pedestrian bridge crossing closed
    - West parking lot accessible through Twin Pines Ln
    - Citizen sandbag station relocation
    - Senior & Community Center and Outdoor stage access from east closed. West access to remain open and available
  - City Hall
    - Parking available from 6th Avenue
    - Temporary relocation of accessible parking stalls
    - Water line relocation. Possible interim shut offs
  - Police Station
    - All access available from 6th Avenue. Gate leading to parking lot to be closed
- Construction Activities
  - Increase in truck traffic on Ralston Avenue
  - Construction noise





Questions



STAFF REPORT

Meeting Date:	May 9, 2023
Agency:	City of Belmont
Staff Contact:	Ken Stenquist, Chief of Police (650) 595-7400
Agenda Title:	Annual Review of The Police Department's Military Equipment Use Policy in Accordance with Assembly Bill 481
Agenda Action:	Resolution

Recommendation

Receive the Police Department's Annual Military Equipment Report; and adopt a resolution renewing the Belmont Police Department's Military Equipment Use Policy.

Strategic Focus Area

Public Safety

Background

Today's police departments must use a wide range of equipment to protect public safety and provide law enforcement in the communities they serve. Much of this equipment is also used by the military.

On September 30, 2021, California Assembly Bill 481 (AB 481) was signed into law. The passing of AB 481 created California Government Code Sections 7070, 7071, and 7072. This requires law enforcement agencies to disclose any "military equipment" it currently possesses and sets the framework for an approval process for future purchases of "military equipment." Government Code §7071(b) requires law enforcement to submit a Military Equipment Use Policy to the city council for approval by ordinance.

The "military equipment" does need to have been acquired from the Department of Defense to be considered "military equipment." Government Code §7070 provides a list of equipment types that are "military equipment" for purposes of the use policy. The Belmont Police Department – Military Equipment Use Policy 710 includes information for any such equipment types that are possessed by the department, or reasonably likely to be deployed in the City of Belmont by its law enforcement partners.

While the police department does not possess any tactical equipment that it has obtained from the military, it does possess some types of equipment that are listed in Government Code Section 7070. In addition, the police department participates in a regional S.W.A.T. team in conjunction with the San Mateo County Sheriff's Office, which possesses and utilizes additional types of equipment.

On April 26th, 2022, the police department presented its Military Equipment Policy 710 Draft to the City Council for review, changes, public comment, and direction. The policy was adapted by ordinance on June 8th, 2022.

AB 481 also requires law enforcement agencies to prepare an annual report containing information for the preceding calendar year. The report summarizes the required information: A description and purpose of the equipment, how it was used, any complaints received; the results of any internal audits, the cost of the equipment, the quantity possessed; and if the agency intends to acquire additional equipment in the next year. The City Council then determines whether to renew authorization of the military equipment use policy by considering certain factors provided by AB 481.

Analysis

In accordance with AB 481, the Military Equipment Annual Report was posted on the police department's website at least 30 days prior to this meeting.

During 2022, the department received no complaints about the use of our military equipment. In addition, there were no violations of policy regarding the deployment of military equipment. The Police Department has not obtained any equipment from federal military surplus programs, known as the 1033 Program, and does not possess any tactical equipment obtained from the military. There is no intent to add any new types of military equipment in the upcoming calendar year.

However, the department does plan on restocking previously approved items which are used in training and in operations. The items utilized in the past year which would require replacement are the light sound diversionary devices ("Flashbangs"), and ammunition expended in training. In addition, the department looks to replace antiquated patrol rifles with the newer versions which possess the same characteristics and nomenclature of the previous approved items. Please refer to Attachment B for cost and other applicable details.

Before being allowed to use any of the department's military equipment, a Belmont Police officer receives significant training in the safe use, handling and deployment of the item, and all actions by police personnel must comply with department policy, state law and constitutional protections regarding search and seizure. Many of the items have specific policies that relate to their deployment, and their use must comply with state and federal law.

The military equipment identified in Belmont Police Department Policy 710 is necessary because there are no reasonable alternatives that can achieve the same objective of officer and community safety. Staff recommend the City Council receive the Police Department's 2022 Military Equipment Report, receive public comment, and adopt the resolution renewing Belmont Police Department Policy 710, Military Equipment. The proposed resolution is attached as Attachment A, the 2022 Military Equipment Report and Policy 710 are attached as Attachment B.

Alternatives

1. Refer to Staff with direction.

Attachments

A. Resolution
B. Belmont Police Department Military Equipment Annual Report and Policy 710

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: Fiscal impacts for qualifying equipment owned/utilized by the Belmont Police Department are summarized under the Military Equipment List that is included in the Belmont Police Department Military Equipment Annual Report and Policy.

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

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT RENEWING THE MILITARY EQUIPMENT POLICY ORDINANCE FOR THE POLICE DEPARTMENT

WHEREAS, on September 30, 2021, California Assembly Bill 481 (AB481) was signed into law, regarding the funding, acquisition, and use of law enforcement equipment by law enforcement agencies; and,

WHEREAS, Government Code Section 7070 adopted by AB 481 requires law enforcement agencies to obtain the City Council's approval by an ordinance adopting a military equipment use policy before taking certain actions relating to the funding, acquisition, or use of military equipment; and,

WHEREAS, the military equipment use policy is incorporated in the Belmont Police Department Policy Manual 710; and,

WHEREAS, Policy 710 is consistent with the definition of a military equipment use policy as provided in Government Code Section 7070 which lists the subjects to be addressed by a military equipment use policy; and,

WHEREAS, the Belmont Police Department posted the annual report on its website on March 28th, 2023 per Government Code Section 7072 and Belmont Police Department Policy 710; and,

WHEREAS, on May 9, 2023 the Belmont Police Department did present the annual report, where public comment, and comments from the City Council were made, and the annual report was discussed; and,

WHEREAS, on May 9, 2023 the City Council reviewed Ordinance No. 2202-1165, Police Department and Acquisition and Use of Military Equipment Pursuant to AB 481 and Government Code Section 7070 approving the Military Equipment Use Policy; and,

WHEREAS, the City Council has accepted the annual report and desires to renew Ordinance No. 2202-1165.

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

SECTION 1. LEGISLATIVE FINDINGS

The City Council reviewed Ordinance 2202-1165 Police Department Acquisition and Use of Military Equipment pursuant to Assembly Bill 481 and Government Code Section 7070 approving the Military Equipment Use Policy, and wishes to renew the ordinance for an additional year, as the Council continues to find the following:

a) The military equipment identified in policy 710 is necessary because there is no reasonable alternative that can achieve the same objective of officer and community member safety.

b) Policy 710 will safeguard the public's welfare, safety, civil rights, and civil liberties.

c) The military equipment identified in Policy 710 is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and community members.

d) The City did not have a military equipment use policy before the adoption of this ordinance, however, all prior military equipment use complied with policies in effect at the time.

SECTION 2. MILITARY USE POLICY ADOPTED

Belmont Police Department Policy 710, attached as Attachment 1, is approved under Government Code Section 7071 as the military equipment use policy for the department.

SECTION 3. ANNUAL REPORT

The Chief of Police is to prepare and timely submit an annual military equipment report to the Council as provided in Government Code Section 7072.

* * *

ADOPTED 5/9/2023 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

Military Equipment

710.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

710.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

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710.2 POLICY

It is the policy of the Belmont Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

710.3 PHILOSOPHY

The acquisition of military equipment and its deployment in our communities may impact the safety and welfare of our community. The community has a right to know about any funding, acquisition or use of military equipment by local government officials, as well as a right to participate in any decision of the government agency to fund, acquire or use such equipment. Decisions regarding whether and how military equipment is funded, acquired or used should give strong consideration to the welfare, safety, civil rights and civil liberties of our community and should be based on meaningful public input.

The Belmont Police Department recognizes the purpose and intent of the legislation governing the funding, acquisition and use of military equipment in our community. As an agency which frequently collaborates with surrounding jurisdictions for both routine and emergency assistance, it is in the interest of transparency and accountability to provide as much information as possible about the equipment in use by those jurisdictions. While the Belmont Police Department does not possess or train in the use of most of the specialized equipment possessed by some other agencies, resources from surrounding agencies may be called upon to assist in various critical incidents in which its use would help ensure a safe resolution.

710.4 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

(a) Acting as liaison to the governing body for matters related to the requirements of this policy.

(b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.

(c) Conducting an inventory of all military equipment at least annually.

(d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Belmont Police Department (Government Code § 7071).

(e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:

1. Publicizing the details of the meeting.
2. Preparing for public questions regarding the department’s funding, acquisition, and use of equipment.

(f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).

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(g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

710.5 MILITARY EQUIPMENT INVENTORY

The following attached document constitutes a list of qualifying equipment for the Department:

See attachment: 710 Military Equipment List 2023.pdf

710.6 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

(a) Requesting military equipment made available pursuant to 10 USC § 2576a.

(b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

(c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.

(e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.

(f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.

(g) Acquiring military equipment through any means not provided above.

710.7 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

The Belmont Police Department frequently collaborates with surrounding jurisdictions for both routine and emergency assistance. In the interest of transparency and accountability the Belmont Police Department has opted to provide as much information as possible about the equipment in use by neighboring jurisdictions in the event the use of equipment which is required by this policy to be reported is necessary within this jurisdiction. While the Belmont Police Department does not possess or train in the use of most of the specialized equipment possessed by other jurisdictions,

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their resources may be called upon to assist in critical incidents and emergencies in which its use would help ensure a safe resolution.

710.8 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

(a) A summary of how the military equipment was used and the purpose of its use.

(b) A summary of any complaints or concerns received concerning the military equipment.

(c) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.

(d) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

(e) The quantity possessed for each type of military equipment.

(f) If the Belmont Police Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(g) Within 30 days of submitting and publicly releasing an annual military equipment report, the Belmont Police Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the Belmont Police Department funding, acquisition, or use of military equipment.

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

710.9 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

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Attachments

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710 Military Equipment List 2023.pdf

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The Belmont Police Department does not possess any tactical equipment that it has obtained from the military, nor does it possess any equipment that was designed for military use.

Nonetheless, California Government Code §7071(b) requires that law enforcement agencies submit a proposed Military Equipment Use Policy to their governing body for approval.

California Government Code §7070 provides a list of equipment types that are considered to be "military equipment" for purposes of this policy requirement, and this Military Equipment Use Policy includes information for any such equipment types that are possessed by the Belmont Police Department, or reasonably likely to be deployed in Belmont by other law enforcement partners.

California Government Code §7070(d) describes a Military Equipment Use Policy as a publicly released, written document that includes, at a minimum, all of the following:

1. A description of each type of Military Equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the Military Equipment.
2. The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of Military Equipment.
3. The fiscal impact of each type of Military Equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
4. The legal and procedural rules that govern each authorized use.
5. The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of Military Equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the Military Equipment use policy.
6. The mechanisms to ensure compliance with the Military Equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
7. For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of Military Equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

California Government Code § 7070(c) defines Military Equipment as any of the following:

1. Unmanned, remotely piloted, powered aerial or ground vehicles.
2. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
3. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
4. Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

5. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
6. Weaponized aircraft, vessels, or vehicles of any kind.
7. Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
8. Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
9. Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
10. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
11. Any firearm or firearm accessory that is designed to launch explosive projectiles.
12. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.
13. Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).
14. The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.
15. Any other equipment as determined by a governing body or a state agency to require additional oversight.
16. Notwithstanding paragraphs (1) through (15), "Military Equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

Pursuant to California Government Code §7070(d)(6), and in accordance with California Government Code §7072, the Belmont Police Department will submit to the Belmont City Council an Annual Military Equipment Report and will make that report publicly available on its internet website. The Annual Military Equipment Report will include the following information for the immediately preceding calendar year for each type of military equipment:

1. A summary of how the military equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the military equipment.
3. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
4. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
5. The quantity possessed for each type of military equipment.
6. If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

The Belmont City Council will use the Annual Military Equipment Report as a mechanism to ensure the Belmont Police Department's compliance with this Military Equipment Use Policy, and to help it

determine whether to approve, revise, or revoke components of the Military Equipment Use Policy for the subsequent year.
Pursuant to California Government Code §7070(d)(7), members of the public may register complaints or concerns or submit questions about the use of each specific type of Military Equipment in this policy by any of the following means:

1. Via email to: police@belmont.gov
2. Via phone call to: 650-595-7430
3. Via mail sent to: Belmont Police Department
   Attn: Military Equipment Use Coordinator
   1 Twin Pines Lane
   Belmont, CA 94002

The Belmont Police Department is committed to responding to complaints, concerns and/or questions received through any of the above methods in a timely manner.

2022 SUMMARY-MILITARY EQUIPMENT REPORT

During 2022, The Belmont Police Department utilized a total of 5 “flash bang” light-sound diversion devices which are identified as Defense Technology 8901SC-destraction device. Four of the “flash bangs” were used as training at a Police Officer Standards and Training (POST) class related to the specific use of this item. The cost for training and transportation for this Diversionary Device Instructor course was approximately $800.00. One of the flash bangs was utilized during a court authorized search warrant related to a high-risk incident. During 2022, no complaints have been received by the Belmont Police Department regarding Military Equipment or its use.

One question was received from a community member about the bomb squad robot listed in our Military Equipment Report, but it was explained that this was owned and operated by the San Mateo County Sheriff’s Office. The 2022 military equipment audit completed by the Belmont Police Department showed no improper use or violations of policy related to military equipment use.

The Belmont Police Department plans to maintain its current supply totals related to this Military Equipment Report for 2023.

The remainder of this document is divided into two sections with an attachment. Section One lists qualifying equipment that is owned and/or utilized by the Belmont Police Department. Section Two lists qualifying equipment that is not owned or regularly utilized by the Belmont Police Department, but which is known to be owned and/or utilized by law enforcement units with which the Belmont Police Department collaborates and/or participates for law enforcement purposes. It should be noted, our neighboring jurisdiction of San Mateo is part of the North Central Regional SWAT Team which owns or utilizes much of the equipment in section two.

The attachment is the list of qualifying equipment owned and operated by the San Mateo County Sheriff’s Department. The Belmont Police Department works closely with the Sheriff’s Office as the contract law enforcement agency for our neighboring jurisdiction of San Carlos. The Belmont Police Department has also been a part of the Sheriff’s Office SWAT team since the early 1990s to provide training and resources for addressing critical incidents and high-risk operations.

Section One: Qualifying Equipment Owned/Utilized by the Belmont Police Department

Equipment Type: Command and Control Vehicles - CA Gov't Code §7070(c)(5)	
Quantity Owned/Sought: 1 – 1997 Ford E350 Mobile Command Vehicle	**Lifespan:** Approximately 20 years
Equipment Capabilities: Provides space for officers, dispatchers and supervisors to manage police incidents and investigations.	
Manufacturer Product Description: Unavailable. The vehicle is a 1997 motorhome/ "toy hauler" which has a converted work area in the front and rear of the vehicle. The vehicle is equipped with police and fire radios as well as communication tools to allow remote computer connection to department resources for use in the field. The vehicle is also equipped with an awning and equipment to allow for incident management inside and outside of the vehicle.	
Purpose/Authorized Uses: To provide a location where dispatchers and/or supervisors can monitor and manage police incidents. Additionally, the vehicle provides communications capabilities, shelter and facilities for extended incidents.	
Fiscal Impacts: This vehicle was purchased used in 2001 is not budgeted for replacement therefore costs are minimal (approximately $1,000 per year). Maintenance is included in the fleet services budget.	
Legal/Procedural Rules Governing Use: Local, state and federal law regarding use of communication equipment and access to law enforcement information.	
Training Required: Internal department training and familiarization with all equipment and setup.	
Other Notes: The vehicle is used to support field incidents both within the City of Belmont and as part of the department's commitment to the San Mateo County Sheriff's Office SWAT and CNU Teams.	

Equipment Type: Semiautomatic Rifles and Ammunition - CA Gov't Code §7070(c)(10)	
Quantity Owned/Sought: 29 - AR-15 rifles owned Ammunition: ~1200 duty; ~4000 training rounds	**Lifespan:** Approximately 15 years
Equipment Capabilities: The Colt AR-15 platform is a semiautomatic rifle capable of firing .223 caliber ammunition. Duty ammunition used is the Speer LE Gold Dot .223 caliber 62 grain round. Training rounds are lower quality rounds that vary dependent on pricing and availability.	
Manufacturer Product Description: This Semi-Automatic Colt Rifle is a throwback to the full size AR-15® which gave birth to the Modern Sporting Rifle. The AR15A4 is defined by its 20" 1:7 Twist Government Profile Chrome Lined Barrel and A2 Fixed Buttstock. The rifle is topped with a Picatinny Flat Top Upper Receiver with Detachable Carry Handle. The Speer LE Gold Dot .223 caliber 62 grain rifle round ammunition is designed to deliver the high-performance today's law enforcement officers demand. Each Gold Dot bonded-core bullet is individually engineered to provide shot-to-shot uniformity and ensure optimum performance when fired through a variety of barriers. The process of joining the jacket and core one molecule at a time eliminates the potential for the leading cause of bullet failure—jacket/core separation. It also ensures impressive weight retention through barriers as tough as auto-glass. Exact tolerances and unprecedented bullet uniformity of jacket thickness give Gold Dot rifle loads outstanding accuracy. In addition, these loads feature flash suppressed propellants and a muzzle velocity of up to 3000 fps.	
Purpose/Authorized Uses: Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to: 1. Situations where the officer reasonably anticipates an armed encounter. 2. When an officer is faced with a situation that may require accurate and effective fire at long range. 3. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower. 4. When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage. 5. When an officer reasonably believes that a suspect may be wearing body armor. 6. When authorized or requested by a supervisor.	
Fiscal Impacts: The original rifles owned by Belmont PD were purchased over 30 years ago. Recent purchases to replace 5 rifles was $1100 per rifle in 2019. The original rifles owned by Belmont PD were purchased over 30 years ago. Recent purchases to replace 5 rifles was $1100 per rifle in 2019. The ongoing cost for ammunition varies dependent on availability and market conditions. It is anticipated that the police department will need to replace between 5 and 10 AR-15 rifles that have exceeded their acceptable service life. Cost to replace an AR-15 is between approximately $1,100 and $1,500 per rifle. All maintenance is conducted by departmental staff. Cost for a case of ammunition is approximately $260 per case of 500 rounds; however the costs for ammunition varies dependent on availability and market conditions. The approximate annual ammunition cost for .223 caliber ammunition is $7,000 to maintain current inventory. All maintenance is conducted by departmental staff.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and Firearms.	

Training Required: Officers must successfully complete initial classroom, practical and range training with a certified department instructor. All officers must meet all department firearms training and qualifications as required by law and policy.
Other Notes: Two of the rifles have been modified for training and do not fire live ammunition. Two of the rifles are short-barreled rifles (SBR) for use by motor officers. These rifles are standard issue service weapons for our officers and therefore exempted from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document in an abundance of caution and in the interest of transparency.

Equipment Type: Rifles and Ammunition - CA Gov't Code §7070(c)(10)	
Quantity Owned/Sought: 3 - Colt M4 rifles owned	**Lifespan:** Approximately 15 years
Equipment Capabilities: The Colt M-4 rifle is capable of firing 5.56mm ammunition	
Manufacturer Product Description: Throughout the world today, the Colt M4's reliability, performance, and accuracy provide joint coalition forces with the confidence required to accomplish any mission. Designed specifically for lightweight mobility, speed of target acquisition, and potent firepower capability - the M4 delivers. The M4 can be comfortably carried, yet be instantly available to provide the level of firepower, dependability and accuracy of a 5.56mm rifle. Proven in military combat operations all over the world, it is in a class by itself as a first-rate combat weapon system. The Colt M4 Carbine serves as the United States Armed Forces' weapon of choice and the weapon of the 21st century warfighter. The Colt M4 is the ONLY 5.56mm carbine in the world today that is manufactured to meet or exceed the stringent performance specifications (MILSPEC) required for acceptance and use by the U.S. Armed Forces.	
Purpose/Authorized Uses: This rifle is authorized for use by a SWAT Operator only and may be deployed in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. While the rifle is capable of firing in three round bursts, that feature is neither trained or used. Examples of some general guidelines for deploying the rifle may include but are not limited to: 1. Situations where the officer reasonably anticipates an armed encounter. 2. When the officer is faced with a situation that may require accurate and effective fire at long range. 3. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower. 4. When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage. 5. When an officer reasonably believes that a suspect may be wearing body armor. 6. When authorized or requested by a supervisor.	
Fiscal Impacts: These rifles were purchased by the Belmont Police Department over two decades ago. The ongoing costs for ammunition will vary dependent on availability and market conditions. All maintenance is conducted by departmental staff.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and Firearms.	
Training Required: In addition to patrol rifle and standard SWAT Operator training, SWAT operators assigned this rifle must successfully complete SWAT training and qualification standards as required by law and policy.	
Other Notes: While the rifle is capable of firing in full auto round bursts, that feature is infrequently trained on or used.	

Equipment Type: Rifles and Ammunition - CA Gov't Code §7070(c)(10)	
Quantity Owned/Sought: 3 – Colt 9mm SMG owned	**Lifespan:** Approximately 15 years
Equipment Capabilities: The Colt 9mm SMG rifle is capable of firing 9mm NATO ammunition	
Manufacturer Product Description: The Colt 9mm Submachine Gun (SMG) is exceptionally well suited for military, paramilitary, and Law Enforcement organizations requiring a lightweight, compact, highly concealable, select fire weapon system for close confrontations. The Colt SMG is constructed with a modular rail system that allows the easy mounting of ancillary devices, fires from a closed bolt, is equipped with a collapsible buttstock, and is easily field stripped without the need of any special tools. The straight-line construction, coupled with the low recoil of 9mm ammunition, provides highly accurate fire with less muzzle climb, especially in full automatic fire. Less recoil also facilitates ease of training and improves accuracy. Finally, operation and training for the Colt 9mm SMG is similar to that for the Colt M16A2/A4 Rifle, Colt M4 Carbine or Colt Commando Carbine, simplifying user training substantially.	
Purpose/Authorized Uses: This rifle is authorized for use by trained personnel only and may be deployed in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the rifle may include but are not limited to: 1. Situations where the officer reasonably anticipates an armed encounter. 2. When the officer is faced with a situation that may require accurate and effective fire at long range. 3. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower. 4. When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage. 5. When an officer reasonably believes that a suspect may be wearing body armor. 6. When authorized or requested by a supervisor.	
Fiscal Impacts: These rifles were purchased by the Belmont Police Department over two decades ago. The ongoing costs for ammunition will vary dependent on availability and market conditions. All maintenance is conducted by departmental staff.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and Firearms.	
Training Required: Officers must successfully complete initial classroom, practical and range training with a certified department instructor. All officers must meet all department firearms training and qualifications as required by law and policy.	
Other Notes: These rifles are not currently issued to staff and are primarily used for training purposes.	

Equipment Type: Specialized Rifle and Ammunition - CA Gov't Code §7070(c)(10)	
Quantity Owned/Sought: 1 – Remington 700 Bolt Action Rifle	**Lifespan:** Approximately 20 years
Equipment Capabilities: The Remington Model 700 Bold Action Rifle is capable of firing .308 caliber ammunition	
Manufacturer Product Description: The Remington Model 700 BDL might be the single most recognized configuration we have ever made. It is a rifle with no equal, and a superior performer in every way. Its accuracy and dependability have become the standard by which all other centerfire rifles are measured and continually fall short. Its strong, smooth action, consistent accuracy, classic beauty and unequaled value have made The Model 700 BDL the hunter's favorite for 40 years. The high-gloss American walnut stock is enhanced by a distinctive black fore-end cap, Monte Carlo comb with raised cheekpiece, and generous cut checkering. Metalwork has our rich, deep bluing for beauty and protection. Features include a hinged magazine floorplate, sling swivel studs, hooded ramp front sight and adjustable rear sight.	
Purpose/Authorized Uses: This rifle is authorized for use by trained personnel only and may be deployed in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the rifle may include but are not limited to: 1. Situations where the officer reasonably anticipates an armed encounter. 2. When the officer is faced with a situation that may require accurate and effective fire at long range. 3. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower. 4. When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage. 5. When an officer reasonably believes that a suspect may be wearing body armor. 6. When authorized or requested by a supervisor.	
Fiscal Impacts: This rifle was purchased by the Belmont Police Department over three decades ago. The ongoing costs for ammunition will vary dependent on availability and market conditions. All maintenance is conducted by departmental staff.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and Firearms.	
Training Required: Officers must successfully complete initial classroom, practical and range training with a certified department instructor. All officers must meet all department firearms training and qualifications as required by law and policy.	
Other Notes: None.	

Equipment Type: "Flashbangs" - CA Gov't Code §7070(c)(12)	
Quantity Owned/Sought: 40 – Defense Technology 8901SC Distraction Device	**Lifespan:** Approximately 5 years
Equipment Capabilities: ATF controlled Class C explosive device which emits a bright light and thunderous noise to distract potentially dangerous individuals.	
Manufacturer Product Description: The Distraction Device® Reload utilizes a standard military-style M201A1 type fuze and produces 175 dB of sound output at 5 feet and 6-8 million candelas for 10 milliseconds. The reload is available with and without a safety clip.	
Purpose/Authorized Uses: The distraction device is intended for use only by tactical units during dynamic entries to enhance officer safety and reduce the risk of hostile engagement.	
Fiscal Impacts: The initial cost of this equipment was approximately $40 per device. Ongoing costs associated with the devices during training and operations is approximately $280 per year.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and SWAT and firearms.	
Training Required: Operators who may deploy the device must receive training from a POST certified trainer on the use, deployment and storage of diversionary devices.	
Other Notes: These devices are only approved to be used by trained SWAT personnel and must have supervisory approval prior to deployment.	

Equipment Type: "Tear Gas" Munitions - CA Gov't Code §7070(c)(12)	
Quantity Owned/Sought: 2 – Defense Technology Han-ball grenade CS	**Lifespan:** Approximately 5 years
Equipment Capabilities: Primarily a crowd control device dispersing CS gas.	
Manufacturer Product Description: The Han-Ball™ CS Grenade is an outdoor use grenade expelling its payload in approximately 15-20 seconds. The rubber ball round has an overall size of 4.8 in. tall, including the fuze head, and 3.1 in. diameter. This launchable grenade holds approximately 1.6 oz. of active agent which is expelled through three ports around the equator of the ball. Due the intense heat generated by this grenade, it should not be used inside a building or near flammable material.	
Purpose/Authorized Uses: The device is intended for crowd control purposes, using CS gas to disperse persons.	
Fiscal Impacts: The initial cost of this is unknown as they date back to the early to late 1990s. There is no intention of purchasing more of these devices.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and SWAT and firearms.	
Training Required: Operators who may deploy the device must receive training from a POST certified trainer on the use, deployment and storage of diversionary devices.	
Other Notes: No department personnel are trained or authorized to utilize these devices.	

Equipment Type: Less Lethal Launchers and Kinetic Energy Munitions - CA Gov't Code §7070(c)(14)	
Quantity Owned/Sought: 1 – Smith & Wesson 37mm Gas Launcher 2 – Defense Technology Stinger 37mm, .32cal rubber ball round 2 – Defense Technology Ferret Liquid Barricade round 2 – Defense Technology Bean Bag round	**Lifespan:** Approximately 20 years
Equipment Capabilities: The 37mm Less Lethal Launcher is capable of firing 37mm Kinetic Energy or Chemical Agent Munitions.	
Manufacturer Product Description: The Smith & Wesson company began production of a new model of 37mm tear gas launcher using the N frame revolver clockwork, coupled with a simple break action barrel. The system was available as a stocked carbine (14-inch barrel). This is probably the finest quality tear gas or flare gun ever made, as the clockwork from the revolvers gives it a great single action and double action trigger pull compared to the typical utilitarian flare gun. A variety of projectiles were made. Production appears to have ceased in 1984, when the Bangor Punta conglomerate was bought out, and Smith & Wesson sold off from it shortly thereafter. The Stinger® 37 mm 32-Caliber Round has an 8 in. long casing and contains approximately 225 32-Caliber rubber balls. It utilizes black powder as the propellant. The round is most widely used as a crowd management tool by Law Enforcement and Corrections. It is generally deployed in low trajectories or skip fired in the general direction of the intended targets. It is suitable for administering a means of pain compliance over close to medium distances and for routing crowds that are mildly resistive. The 37 mm Ferret® Inert Round is a frangible projectile filled with chemical agent. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers the .16 oz. agent payload inside a structure. These munitions are 4.8 in. by 1.5 in. and travels at 650fps within an effective range of 50 yards. The 37 mm Bean Bag Round is a 37 mm 4.8 in. casing contains of one silica sand filled bag and utilizes black powder as the propellant. It is widely used as a crowd management tool when there is a need to target individual instigators. It has also been successfully used as a dynamic, high-energy single subject round for incapacitation or distraction. It is most suitable in moderately close to medium ranges and serves well in correctional facilities where engagements distances are limited.	
Purpose/Authorized Uses: The 37mm Less Lethal gas launcher and Kinetic Energy Munitions are intended for use as a less lethal use of force option.	
Fiscal Impacts: The initial cost of this equipment is unknown as its age predates our records. While the department has a very small inventory or munitions, we do not train or deploy the system and will not be seeking additional munitions.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and Crowd Control.	
Training Required: Officers must complete a POST certified course as well as regular training and qualifications as required by law and policy.	
Other Notes: Only Less Lethal Munitions Instructors are authorized to use this system.	

Equipment Type: Specialty Impact Munitions - CA Gov't Code §7070(c)(14)	
Quantity Owned/Sought: 6 – Defense Technology Stinger Rubber Ball with safety clip	**Lifespan:** Approximately 5 years
Equipment Capabilities: Uses light, sound and kinetic energy projectiles for crowd control	
Manufacturer Product Description: The Stinger® Rubber Ball Grenade is a maximum effect device that delivers three stimuli for psychological and physiological effects: rubber pellets, light, and sound. The Stinger® Rubber Ball Grenade is most widely used as a crowd management tool by Law Enforcement and Corrections. The Stinger® Rubber Ball Grenade has an initial 1.5 second delay that initiates fuze assembly separation, followed by another .5 second delay before the blast which is sufficient to project the rubber balls in a 50-foot radius.	
Purpose/Authorized Uses: The device is intended for use as a crowd control tool.	
Fiscal Impacts: The initial cost of this is unknown as they date back to the early to late 1990s. There is no intention of purchasing more of these devices.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and SWAT and firearms.	
Training Required: Operators who may deploy the device must receive training from a POST certified trainer on the use, deployment and storage of diversionary devices.	
Other Notes: Only Less Lethal Munitions Instructors are authorized to use this system.	

Equipment Type: Less Lethal Launchers and Kinetic Energy Munitions - CA Gov't Code §7070(c)(14)	
Quantity Owned/Sought: 14 – Remington 870 Less Lethal Shotgun	**Lifespan:** Approximately 20 years
Equipment Capabilities: Remington Model 870 12 gauge shotgun modified with high visibility stocks and fore ends, designated to fire less lethal kinetic energy projectiles. The projectile in use by the Belmont Police Department is the Defense Technology Drag Stabilized 12 Gauge Bean Bag round.	
Manufacturer Product Description: The Remington Model 870 is a U.S. made pump-action shotgun. It is widely used by law enforcement as a defensive weapon and by the public for target shooting, hunting and self-defense. The Model 870 features a bottom-loading, side ejecting receiver, tubular magazine under the barrel, dual action bars, internal hammer and a bolt which locks into and extension in the barrel. A pump action is a repeating firearm action that is operated manually by moving a sliding handguard on the gun's fore stock. When shooting, the siding fore end is pulled reward to eject any expended cartridge and to cock the hammer/striker and then pushed forward to load a new cartridge into the chamber. This action is required for each cartridge to be fired. The Model 870 is capable of firing any 12-gauge cartridge; however, the Belmont Police Department maintains 14 Model 870 Shotguns exclusively to fire a Less Lethal Drag Stabilized Bean Bag round. Each of these shotguns has been modified with a high visibility bright orange stock and fore end to signify its use as a less lethal platform. The Defense Technology® Drag Stabilized™ 12-Gauge Round is a translucent 12-Gauge shell loaded with a 40-Gram tear shaped bag made from a cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails and utilizes smokeless powder as the propellant. The 12-Gauge Drag Stabilized Round has secured its place as the Law Enforcement Communities' number one choice for specialty impact munitions. This round has a velocity of 270 fps with a maximum effective range of 75 feet.	
Purpose/Authorized Uses: The Model 870 Less Lethal Shotgun are intended for use as a less lethal use of force option.	
Fiscal Impacts: The initial cost of this equipment was approximately $350 per shotgun when originally purchased in the 1990's. The ongoing costs for munitions will vary and maintenance is conducted by departmental staff.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. Various Belmont Police Department Policies on Use of Force and Crowd Control.	
Training Required: Officers must complete a department certified course by our defensive tactics and range staff as well as regular training and qualifications as required by law and policy.	
Other Notes: Of these shotguns, one has been stripped for parts and one is broken but will be used for parts.	

Section Two: Qualifying Equipment known to be owned and/or utilized by law enforcement units with which the Belmont Police Department collaborates and/or participates for law enforcement purposes.

The following equipment is not owned or maintained by the Belmont Police Department. However, in the interest of transparency and accountability, we are providing as much information on the equipment and tools utilized by our surrounding law enforcement partners in San Mateo County. It is worth noting all of the information listed below is primarily intended for use by SWAT Teams for use during high-risk critical incidents and the most serious emergencies law enforcement many encounter, whether in the City of Belmont or not.

San Mateo County Sheriff's Office SWAT Team and Crisis Negotiations Unit (CNU) is a regional team which includes participation by the Belmont and East Palo Alto Police Departments. The North County Regional SWAT Team (NCR SWAT) includes participation by and equipment from the San Mateo, Foster City, Burlingame, Hillsborough, San Bruno, South San Francisco and Brisbane Police Departments.

Equipment Type: Unmanned, remotely piloted, powered ground vehicles - CA Gov't Code §7070(c)(1)	
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Approximately 15 years
Equipment Capabilities: Vehicles are capable of being remotely navigated to provide scene information and intelligence in the form of video and still images transmitted to first responders.	
Manufacturer Product Description: Unavailable.	
Purpose/Authorized Uses: To enhance the safety of potentially dangerous situations by providing first responders with the ability to capture video and still images of hazardous areas prior to, or in lieu of, sending in personnel.	
Fiscal Impacts: None. Equipment owned, maintained, and operated by another agency.	
Legal/Procedural Rules Governing Use: The use of unmanned, remotely piloted, powered ground vehicles potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to all applicable privacy laws and 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).	
Training Required: The North County Regional SWAT Team provides internal training for staff members prior to allowing them to pilot these vehicles.	
Other Notes: This equipment is owned and operated by NCR SWAT through the San Mateo Police Department. While the Belmont Police Department does not own or operate this equipment, it could be used in Belmont by NCR SWAT if they are deployed to an incident within city limits.	

Equipment Type: Mine Resistant Ambush Protected Vehicles (MRAP) - CA Gov't Code §7070(c)(2)	
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Unknown
Equipment Capabilities: Capable of transporting personnel and equipment while providing them with armored protection from gunfire.	
Manufacturer Product Description: Unavailable.	
Purpose/Authorized Uses: To move personnel and/or resources in support of tactical operations in which there is reason to expect potential armed resistance requiring protection.	
Fiscal Impacts: None. Equipment owned, maintained, and operated by another agency.	
Legal/Procedural Rules Governing Use: The MRAP can be deployed any time tactical operators determine that there is a need to move personnel and/or resources into areas in which they have reason to expect potential armed resistance requiring its protection.	
Training Required: The North County Regional SWAT Team provides internal training for staff members prior to allowing them to drive MRAP vehicles.	
Other Notes: This equipment is owned and operated by NCR SWAT through the San Mateo Police Department. While the Belmont Police Department does not own or operate this equipment, it could be used in Belmont by NCR SWAT if they are deployed to an incident within city limits.	

Equipment Type: Wheeled vehicles that have a breaching apparatus attached - CA Gov't Code §7070(c)(3)	
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Unknown.
Equipment Capabilities: Capable of breaching doors, gates, and other points of entry.	
Manufacturer Product Description: Unavailable.	
Purpose/Authorized Uses: Breaching doors, gates, and other points of entry.	
Fiscal Impacts: None. Equipment owned, maintained, and operated by another agency.	
Legal/Procedural Rules Governing Use: Breaching vehicles can be deployed any time tactical operators determine that it is necessary to complete a lawful breaching. For a breaching to be lawful, it will generally need to be supported by a search or arrest warrant, or exigent circumstances.	
Training Required: The North County Regional SWAT Team provides internal training for staff members prior to allowing them to drive breaching vehicles.	
Other Notes: This equipment is owned and operated by NCR SWAT through the San Mateo Police Department. While the Belmont Police Department does not own or operate this equipment, it could be used in Belmont by NCR SWAT if they are deployed to an incident within city limits.	

Equipment Type: Battering rams, slugs, and breaching apparatus that are explosive in nature - CA Gov't Code §7070(c)(7)	
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Unknown.
Equipment Capabilities: Capable of breaching doors, gates, windows, and other points of entry.	
Manufacturer Product Description: Unavailable.	
Purpose/Authorized Uses: Breaching doors, gates, windows, and other points of entry.	
Fiscal Impacts: None. Equipment owned, maintained, and operated by another agency.	
Legal/Procedural Rules Governing Use: Breaching apparatus that are explosive in nature can be deployed any time tactical operators determine that it is necessary to complete a lawful breaching, and non-explosive breaching methods are not tactically practicable. For a breaching to be lawful, it will generally need to be supported by a search or arrest warrant, or exigent circumstances.	
Training Required: The North County Regional SWAT Team provides internal training for staff members prior to allowing them to use explosive breaching apparatus.	
Other Notes: This equipment is owned and operated by NCR SWAT through the San Mateo Police Department. While the Belmont Police Department does not own or operate this equipment, it could be used in Belmont by NCR SWAT if they are deployed to an incident within city limits.	

Equipment Type: Flashbang grenades, explosive breaching tools, tear gas and pepper balls - CA Gov't Code §7070(c)(12)	
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Unknown.
Equipment Capabilities: Capable of breaching doors, gates, windows, and other points of entry, creating explosive distractions, and/or deploying tear gas or pepper chemical.	
Manufacturer Product Description: Unavailable.	
Purpose/Authorized Uses: breaching doors, gates, windows, and other points of entry, creating explosive distractions, and/or deploying tear gas or pepper chemicals.	
Fiscal Impacts: None. Equipment owned, maintained, and operated by another agency.	
Legal/Procedural Rules Governing Use: Breaching apparatus that are explosive in nature can be deployed any time tactical operators determine that it is necessary to complete a lawful breaching, and non-explosive breaching methods are not tactically practicable. For a breaching to be lawful, it will generally need to be supported by a search or arrest warrant, or exigent circumstances. Tear gas and pepper balls can only be deployed in accordance with all applicable State, Federal and Local laws governing police use of force, crowd control, etc.	
Training Required: The North County Regional SWAT Team provides internal training for staff members prior to allowing them to use any of these items.	
Other Notes: This equipment is owned and operated by NCR SWAT through the San Mateo Police Department. While the Belmont Police Department does not own or operate this equipment, it could be used in Belmont by NCR SWAT if they are deployed to an incident within city limits.	

Equipment Type: Long Range Acoustic Device (LRAD) - CA Gov't Code §7070(c)(13)	
Quantity Owned/Sought: None (outside owned).	**Lifespan:** Unknown.
Equipment Capabilities: LRAD systems are a type of Acoustic Hailing Device (AHD) used to send messages over long distances. LRAD systems produce much higher sound levels (volume) than normal loudspeakers or megaphones. Over shorter distances, LRAD signals are loud enough to cause pain in the ears of people in their path.	
Manufacturer Product Description: LRAD systems are a type of Acoustic Hailing Device (AHD) used to send messages over long distances. LRAD systems produce much higher sound levels (volume) than normal loudspeakers or megaphones. Over shorter distances, LRAD signals are loud enough to cause pain in the ears of people in their path.	
Purpose/Authorized Uses: Can be used to disperse unlawful crowds and/or to disrupt the activities of person(s) who represent an immediate threat to others.	
Fiscal Impacts: None. Equipment owned, maintained, and operated by another agency.	
Legal/Procedural Rules Governing Use: LRADs can only be deployed in accordance with all applicable State, Federal and Local laws governing police use of force, crowd control, etc.	
Training Required: The North County Regional SWAT Team provides internal training for staff members prior to allowing them to use any of these items.	
Other Notes: This equipment is owned and operated by NCR SWAT through the San Mateo Police Department. While the Belmont Police Department does not own or operate this equipment, it could be used in Belmont by NCR SWAT if they are deployed to an incident within city limits.	

Definitive Section:	CA Gov't Code §7070(c)(1)
Equipment Type:	Unmanned, remotely piloted, powered ground vehicles
Common Name:	Bomb Squad Robot
Quantity Owned/Sought: None (outside owned)	**Lifespan:** 15-20 years
Equipment Capabilities: Bomb Squad Robots are capable of being remotely navigated to provide scene information and intelligence in the form of audio/video/data transmitted to operators. Robots are capable of remotely manipulating and examining items. Robots are also capable of remotely deploying disrupting tools.	
Manufacturer Product Description: Remotec Andros F5 – A robotic tracked vehicle, equipped with cameras and microphone. The robot is equipped with an arm capable of manipulating objects. The robot can be configured to carry remote disrupting tools. Qinetic Talon – A robotic tracked vehicle, equipped with chemical, biological, radiological sensors, cameras and microphones. The robot is equipped with an arm capable of manipulating objects. The robot can be configured to carry remote disrupting tools. Qinetic Bobcat – A robotic tracked vehicle, equipped with cameras and microphone. The robot can be equipped with a standard bucket, gripper claw or fork-lift attachment. The robot can be configured to carry remote disrupting tools.	
Purpose/Authorized Uses: To enhance the safety of potentially dangerous situations by providing first responders with the ability to remotely examine suspicious / dangerous items and manipulate or disrupt them prior to, or in lieu of, sending in personnel.	
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial cost of the equipment, licensing, software and training was approximately $750,000. Ongoing cost associated with operations and maintenance is estimated to be approximately $10,000 a year.	
Legal/Procedural Rules Governing Use: The use of unmanned, remotely piloted, powered ground vehicles potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to all applicable privacy laws and 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). San Mateo County Sheriff's Office Policies including: Lexipol 800 – Property and Evidence Lexipol 407 – Response to Bomb Calls	
Training Required: Operators of these robots are all currently certified Hazardous Device Technicians. As such Operators regularly train monthly in the use of the robots.	
Other Notes: None	

Definitive Section:	CA Gov't Code §7070(c)(1)
Equipment Type:	Unmanned, remotely piloted, powered aerial or ground vehicles
Common Name:	Unmanned Aircraft Systems (UAS/Drones)
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Approximately 5 years

Equipment Capabilities: Remotely piloted aerial vehicles capable of providing live and recorded video images captured from aerial positions, including images enhanced by Forward Looking Infrared (FLIR) and optical zoom lenses.

Manufacturer Product Description:
Matrice 300 RTK: The DJI Matrice 300 RTK is a powerful, industrial-grade fight platform with world-class agility and speed, two barometers, and redundant IMUs for maximum reliability, and new smart flight features that make capturing complex shots easy. The aircraft's visual sensors enable enhanced hovering precision even when flying indoors or in environments where GNSS is unavailable. The drone's new airframe design gives it an IP45 Ingress Protection Rating, in accordance with the global IEC 60529 standard. The M300 RTK's mechanical design, along with quick release landing gears and mounted folding arms, makes it easy to transport, store, and prepare for flight. 15km Max Transmission, 55 minutes of flight time, six directional sensing and positioning sensors, hot-swappable battery, -20°C to 50°C operating temperature, with a Zenmuse H20 series camera (200x zoom, 640p thermal camera).

Mavic II Enterprise Dual/Advanced: The DJI Mavic II Enterprise series features omnidirectional Vision Systems and Infrared Sensing Systems and comes with a fully stabilized 3-axis gimbal camera with an equivalent 24-48 mm 2x optical enterprise lens capable of shooting 4k videos and 12 megapixel photos that support up to 6x FHD zoom. DJI signature technologies such as Obstacle Sensing and the Advanced Pilot Assistance System, help you capture complex shots effortlessly. Additional features like the built in AirSense make you aware of your surrounding airspace, and password protection helps you maintain secure access to your aircraft and protect your data. The Mavic II Enterprise also has attachable modular accessories like the M2E spotlight, M2E Beacon, and M2E Speaker that are purpose built for various applications. The Mavic II Enterprise boasts a maximum flight speed of 44.7 mph and a maximum flight time of 31 minutes. Both the Dual and Advanced variants are equipped with thermal cameras, which enable first responders to see thermal gradient on the screen. The Advanced version is equipped with a high-resolution thermal camera (640p), and the Dual is equipped with a low resolution thermal camera (160p).

Purpose/Authorized Uses: UAS/Drones 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. Uses may include but are not limited to:

Search and rescue missions, investigative scenes for video/photograph documentation, Hazardous Materials (hazmat) response, public safety and life preservation missions (i.e., barricaded suspects, hostage situations, active shooters, high-risk tactical operations), disaster response (i.e., flood, earthquake, fire), suspected explosive devices, pursuant to a warrant (search or arrest), special events, outside public agency assists and mutual aid support when the underlying mission meets the uses outlined in agency policy, training flights as required to meet FAA and Sheriff's Office certification standards, searching for wanted suspects, and demonstrations to the public (i.e. flight demonstrations to the public).

Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial costs of equipment, licensing, software and training was approximately
$70,000 which was funded with Equitable Sharing Asset Forfeiture Funds. Ongoing cost associated with UAS operation and maintenance is estimated to be approximately $15,000 per year.

Legal/Procedural Rules Governing Use: Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) Part 107 regulations. All flights conducted in public (other than training and demonstrations) will be reported to the FAA monthly per the requirements of the agency COAs on file. The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and 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.

UAS recordings of the following should be retained for a minimum of two years (Penal Code 832.18):

- Incidents involving use of force by a deputy
- Officer-involved shootings
- Incidents that lead to the detention or arrest of an individual
- Recordings relevant to a formal or informal complaint against a deputy of the San Mateo County Sheriff's Office

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18). All other recordings should be retained for a period consistent with the requirements of the agency's records retention schedule.

All recordings made by members on any office-issued device at any time, and any recording made while acting in an official capacity for this office, regardless of ownership of the device it was made on, shall remain the property of the Sheriff's Office. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

San Mateo County Sheriff's Office Policies including:
Lexipol 347 – Unmanned Aerial System (UAS) Operations

Training Required: Prior to piloting any UAS/Drone staff members shall acquire an FAA Remote Pilot Certificate under the FAA's Small UAS Rule (Part 107). Before a member can be authorized to conduct flight operations as a UAS operator, they must complete at least eight hours of flight training with UAS instructors to show proficiency of the flight training exercise and the airframe. This must be accomplished to show their ability and knowledge of the UAS. To maintain a level of proficiency with the UAS, operators shall be required to attend regular training. Training will be coordinated through the Program Coordinator. All members in the assignment shall maintain proficiency in their piloting skills. Members who do not have any documented training or flight time within a span of six months will need to demonstrate proficiency before being a pilot during a deployment or exercise.

All members will have a training file on record that detail their training history. All deployments or exercises will be documented and count towards a member's training.

Other Notes: None.

Definitive Section:	CA Gov't Code §7070(c)(3)	
Equipment Type:	Wheeled vehicles that have a breaching apparatus attached	
Common Name:	Lenco Bearcat	
Quantity Owned/Sought: None (outside owned)		**Lifespan:** 20+ years.
Equipment Capabilities: To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.		
Manufacturer Product Description: The ARV is designed to provide ballistic protection during tactical events (designed to withstand multiple bullet strikes from small arms fire as well as low level explosions). Equipped with nuclear/radiological detection devices, self-contained breathing apparatus, explosive gas detection devices, and thermal imaging camera. Equipped with emergency lights/siren and a public address system. Common uses for the ARV include citizen and officer rescues, evacuations, and the deployment of officers and chemical agents. The ARV is currently deployed at large events in San Mateo County including parades, and festivals. The ARV is a regional mutual-aid asset that has been requested and deployed to allied agencies in San Mateo County. The ARV responded to high profile events and incidents where local officers were injured/killed in the line of duty.		
Purpose/Authorized Uses: The use of armored vehicle shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training. The driver of the vehicle shall have a valid California driver license.		
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: Initial cost: $300,000.00 Annual maintenance cost of approximately $2,500.		
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. San Mateo County Sheriff's Office Policies including: SMC Sheriff's Office SWAT/CNU Procedures Section : 2-08 (Armored Vehicle (Bear Cat) Operations).		
Training Required: Selected operators will attend a 24 hour POST certified course. SWAT Team members that have attended the POST certified course will instruct SWAT Team member on the operating procedures, mounting and dismounting techniques, firearms deployment procedures, vehicle road operations and ensuring the vehicle is properly serviced and maintained.		
Other Notes: None.		

Definitive Section:	CA Gov't Code §7070(c)(5)	
Equipment Type:	Command and control vehicles	
Common Name:	Mobile Command Vehicle (MCV)	
Quantity Owned/Sought: None (outside owned)		**Lifespan:** 20 years.

Equipment Capabilities:
The MCV serves as a field command post and communications hub during different types of incidents. These include emergencies or natural disasters, community events and trainings where operations are in the field away from the office and normal communications capabilities may be impacted.

Manufacturer Product Description:
The MCV serves as a field command post providing an incident with a dispatch center, satellite & cellular based internet, a wireless hotspot, a high-definition video downlink platform, voice over ip (VOIP) phone lines and office space. The MCV is designed to share it resources with additional vehicles and be use as a communications hub for a Mobile Emergency Operations Center.

Purpose/Authorized Uses:
The use of the Mobile Command Vehicle shall be authorized by the Emergency Services Bureau Sergeant, Emergency Services Bureau Lieutenant, or Homeland Security Captain. Due to the size and complexity of the vehicle, the vehicle is deployed with a Driver & Operator. Both personnel must be familiar with the vehicle and their training must be current.

Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: Initial cost: $875,000 Annual maintenance & service costs of approximately $12,500.

Legal/Procedural Rules Governing Use:
All applicable State, Federal and Local laws governing the operation of the vehicle on the roadways, drivers licensing requirements and official use guidelines must be followed.

The vehicle must be operated in accordance with the County of San Mateo Driving Policy & Safe Driver Program.

Training Required:
The driver must have a California Commercial Class B Driver's License with Air Brake Endorsement and be familiar with the mechanical operation of the vehicle.

The operator must complete a yearly OSHA safety training and vehicle familiarization course. Topics covered in these trainings include pneumatic mast and satellite dish safety, vehicle setup procedures, equipment setup configurations and troubleshooting common issues.

Other Notes: None.

Definitive Section:	CA Gov't Code §7070(c)(8)	
Equipment Type:	Firearms of .50 caliber or greater	
Common Name:	.50 caliber Rifle	
Quantity Owned/Sought: None (outside owned)		**Lifespan:** Indeterminate.

Equipment Capabilities: The Barrett .50 caliber semi-automatic rifle is capable of firing a .50 caliber bullet.

Manufacturer Product Description:
Barret – various models and configurations – all semi-automatic – all chambered in .50cal

1. Hard case storage.
2. Affixed folding sights.
3. Various type and range of magnification scopes.
4. 5 round detachable magazines.

Purpose/Authorized Uses: These rifles are authorized for use by Sniper-trained members of the San Mateo County Sheriff's Office SWAT Team. They are for deployment in circumstances where the personnel can articulate a reasonable expectation that the rifle may be needed. Examples for situations that may require the deployment of these rifles include but are not limited to:

1. Situations where the personnel reasonably anticipate an armed encounter.
2. Situations where a suspect may need to be engaged at extended distances with accurate fire.
3. Situations where a vehicle may need to be disabled, to include from an extended distance.
4. Situations where personnel reasonably expect the need to exceed a suspect's firepower.
5. Situations where the suspect is wearing body armor.
6. Situations where the suspect is in an armored vehicle.
7. Situations where the suspect has taken a hostage(s).
8. Situations where a barricade, armor or similar barrier needs to be penetrated.
9. When authorized or requested by a supervisor.

Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The equipment and ammunition were seized over the course of several investigations. The ongoing cost after all ammunition is expended would be the cost of ammunition. Cleaning and maintenance are conducted by the Sniper Team.

Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing law enforcement use of force. Various San Mateo County Sheriff's Office Polices on the Use of Force and Firearms.

San Mateo County Sheriff's Office Policies including:
Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques
Lexipol Policy 306 – Firearms

Training Required: In addition to patrol rifle and standard SWAT Operator training, SWAT Snipers must successfully complete a CA POST certified sniper course as well as regular SWAT Sniper training and qualifications as required by law and policy. Snipers currently hold training once a month for 6 hours.

Other Notes: None.

Definitive Section:	CA Gov't Code §7070(c)(8)	
Equipment Type:	Firearms of .50 caliber or greater	
Common Name:	.50 caliber Ammunition	
Quantity Owned/Sought: None (outside owned)		**Lifespan:** Indeterminate.

Equipment Capabilities: .50 caliber bullets/projective capable of being fired from associated SWAT .50 cal Barret rifles.

Manufacturer Product Description:
TTI Armory brand ammunition, full metal jacket .50 caliber.

Purpose/Authorized Uses: The ammunition is for SWAT Sniper Team Barrett .50 cal rifles that are authorized for use by Sniper-trained members of the San Mateo County Sheriff's Office SWAT Team. The rifles are for deployment in circumstances where the personnel can articulate a reasonable expectation that the rifle may be needed. The above listed TTI ammunition could be used in the associated Barret rifles for the following situations. Examples of situations that may require the deployment of these rifles and associated ammunition include but are not limited to:

1. Situations where the personnel reasonably anticipate an armed encounter.
2. Situations where a suspect may need to be engaged at extended distances with accurate fire.
3. Situations where a vehicle may need to be disabled, to include from an extended distance.
4. Situations where personnel reasonably expect the need to exceed a suspect's firepower.
5. Situations where the suspect is wearing body armor.
6. Situations where the suspect is in an armored vehicle.
7. Situations where the suspect has taken a hostage(s).
8. Situations where a barricade, armor or similar barrier needs to be penetrated.
9. When authorized or requested by a supervisor.

Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The ammunition was seized over the course of several investigations. The ongoing cost after all ammunition is expended would be the cost of ammunition.

Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing law enforcement use of force. Various San Mateo County Sheriff's Office Polices on the Use of Force and Firearms.

San Mateo County Sheriff's Office Policies including:
Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques
Lexipol Policy 306 – Firearms

Training Required: In addition to patrol rifle and standard SWAT Operator training, SWAT Snipers must successfully complete a CA POST certified sniper course as well as regular SWAT Sniper training and qualifications as required by law and policy. Snipers currently hold training once a month for 6 hours.

Other Notes: None.

Definitive Section:	CA Gov't Code §7070(c)(10)	
Equipment Type:	Projectile launch platforms	
Common Name:	Pepperball Launcher	
Quantity Owned/Sought: None (outside owned)		**Lifespan:** Indeterminate.
Equipment Capabilities: .68 caliber pepper ball round, which essentially projects a plastic round containing non-lethal pepper (PAVA) in a powder form.		
Manufacturer Product Description: The Pepperball VKS Launcher a non-lethal weapon. Kinetic impact is adjustable to between 10-28 Joules, and with VXR projectiles, has effective accurate distance up to 150 feet.		
Purpose/Authorized Uses: The San Mateo County Sheriff's Office permits the use of less lethal munitions to assist with the de-escalation of potentially violent confrontations. Only personnel who have successfully completed training approved by the Range Master in the proper use and deployment of less lethal impact projectiles/Pepperball shall be authorized to use them during actual operations10		
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial cost of this equipment was approximately $8500. The ongoing costs for munitions will vary and maintenance is conducted by departmental staff.		
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. San Mateo County Sheriff's Office Policies including: SMC Sheriff's Office SWAT/CNU Procedures Section : 2-11d (Use of Less Lethal Munitions) Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques Lexipol Policy 306 – Firearms Lexipol Policy 426 – First Amendment Assemblies		
Training Required: Certified instructors shall complete a POST certified Less Lethal Instructor Course. Each team member shall be instructed by the POST certified trainers on the use, deployment, and storage of Pepperball less lethal round.		
Other Notes: None.		

Definitive Section:	CA Gov't Code §7070(c)(12)	
Equipment Type:	Tear Gas	
Common Name:	37mm Tear Gas Munitions	
Quantity Owned/Sought: None (outside owned)		**Lifespan:** Indefinite
Equipment Capabilities: The 37mm Launcher is capable of firing 37mm Liquid Ferret CS Gas round.		
Manufacturer Product Description: **Federal M201-Z Gas Riot Gun (37x122mm):** The Federal M201-Z is an upgrade to the Federal L-5 grenade launcher. It's a simple, single-shot, break-open smoothbore launcher intended to fire non-lethal tear gas grenades. **Defense Technology 37mm Single Shot Launcher**: Manufactured exclusively for Defense Technology, this is a launcher that features a fixed rear stock and an Integrated Front Grip (IFG). The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two point sling attachment. It will fire standard 37mm less lethal ammunition,		
Purpose/Authorized Uses: The 37mm Launchers and Tear Gas Munitions are intended to deliver tear gas through windows, doors, etc. when necessary as a less lethal option to a resistive subject.		
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial cost of this equipment was approximately $3,00. The ongoing costs for munitions will vary and maintenance is conducted by departmental staff.		
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. San Mateo County Sheriff's Office Policies including: SMC Sheriff's Office SWAT/CNU Procedures Section : 2-11c (Use of Chemical Agents) and 2-11d (Use of Less Lethal Munitions) Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques Lexipol Policy 306 – Firearms		
Training Required: Team certified instructors shall complete a POST certified Chemical Agent or Less Lethal Instructor Course.		
Other Notes: None.		

Definitive Section:	CA Gov't Code §7070(c)(12)
Equipment Type:	Flashbang and explosive breaching tools
Common Name:	Diversionary Flashbang Devices
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Approximately 5 yrs.
Equipment Capabilities: ATF-controlled Class-C explosive device that emits a bright light and thunderous noise to distract potentially dangerous individuals.	
Manufacturer Product Description: The CTS 7290 is the standard for diversionary flash-bang devices. The 7290 produces an 175db and 6-8 million candela of light output. The patented design of the 7290, incorporates a porting system that eliminates movement of the body at detonation even if the top or bottom of the device should be in contact with a hard surface. In addition, internal adjustments have greatly reduced smoke output.	
Purpose/Authorized Uses: Flashbangs are used by special tactical units during hostage rescue and high-risk warrants.	
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial costs of equipment is approximately $40 per device which was purchased though the SMSO SWAT Budget. Ongoing cost associated with the CTS diversionary devices during operation and training is estimated to be approximately $2000 per year.	
Legal/Procedural Rules Governing Use: San Mateo County Sheriff's Office Policies including: SMC Sheriff's Office SWAT/CNU Procedures Section : 2-11B (Use of Diversionary Devices) Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques Lexipol Policy 306 – Firearms	
Training Required: Team certified instructors shall complete a POST certified diversionary device instructor course. Each team member shall be instructed by the POST certified trainers on the use, deployment, and storage of diversionary devices.	
Other Notes: None.	

Definitive Section:	CA Gov't Code §7070(c)(12)
Equipment Type:	Tear gas
Common Name:	Tear Gas
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Approximately 5 yrs.
Equipment Capabilities: All three CS gas types can be deployed by ARV gas spike, burn box/tomahawk, 37mm launcher, or hand thrown.	
Manufacturer Product Description: CTS CS Gas - 5230B – Pyrotechnic grenade designed for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire. CTS CS Gas - 5230 – Large diameter burning grenade that discharges a high volume of smoke and chemical agent through multiple emission ports. Specifically for outdoor use and should not be deployed on rooftops, in crawl spaces or indoors due to potential fire hazard. Can be hand thrown or launched. Discharge duration can reach up to 40 seconds. CTS CS Gas - 8230 – The smallest diameter burning grenade that discharges a high volume of smoke and chemical agent through multiple emission ports. Specifically for outdoor use and it should not be deployed on rooftops, in crawl spaces or indoors due to fire producing capability. Can be hand thrown or launched. Defense Tech CS liquid - The Ferret® 37 mm CS Round is a frangible projectile filled with chemical agent. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers the .16 oz. agent payload inside a structure. The munitions is 4.8 in. by 1.5 in. and travels at 650fps within an effective range of 50 yards.	
Purpose/Authorized Uses: Chemical agents may be deployed to incapacitate dangerous or hostile subjects, unruly persons, or to overcome resistance to lawful law enforcement actions. SWAT may tactically deploy chemical agents to induce suspect(s) movement or deny or restrict movement and access to areas	
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial costs of equipment is approximately $40 per device which was purchased though the SMSO SWAT Budget. Ongoing cost associated with the CTS CS Gas devices and Def Tech CS Liquid Ferret rounds during operation and training is estimated to be approximately $3600 per year.	
Legal/Procedural Rules Governing Use: San Mateo County Sheriff's Office Policies including: SMC Sheriff's Office SWAT/CNU Procedures Section : 2-11c (Use of Chemical Agents)Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques Lexipol Policy 306 – Firearms Lexipol Policy 426 – First Amendment Assemblies	
Training Required: Team certified instructors shall complete a POST certified Chemical Agent Instructor Course. Each team member shall be instructed by the POST certified trainers on the use, deployment, and storage of the chemical agents.	
Other Notes: None.	

Definitive Section:	CA Gov't Code §7070(c)(14)
Equipment Type:	Launch platforms and their associated munitions
Common Name:	Bean Bag launcher
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Indefinite.

Equipment Capabilities: 12 Gauge 870 Remington Less Lethal Shot Gun is capable of firing 12 Gauge Drag Stabilized Bean Bag munitions.

Manufacturer Product Description:
Remington Model 870 Shot Gun: The Remington Model 870 is a U.S. made pump-action shotgun. It is widely used by law enforcement as a defensive weapon and by the public for target shooting, hunting and self-defense.

The Model 870 features a bottom-loading, side ejecting receiver, tubular magazine under the barrel, dual action bars, internal hammer, and a bolt which locks into and extension in the barrel. A pump action is a repeating firearm action that is operated manually by moving a sliding handguard on the gun's fore stock. When shooting, the sliding fore end is pulled rearward to eject any expended cartridge and to cock the hammer/striker, and then pushed forward to load a new cartridge into the chamber. This action is required for each cartridge to be fired.

The Model 870 is capable of firing any 12-gauge shotgun cartridge; however, the San Mateo County SWAT Team uses this platform exclusively to fire a Less Lethal Drag Stabilize Bean Bag rounds. The shotgun had been visibly marked with bright orange furniture to commonly signify it has been converted from a lethal platform to a Non-Lethal platform.

Purpose/Authorized Uses: The Remington 870 Shot Gun and its Drag Stabilized Bean Bag Munitions are intended for use as a less lethal use of force option.

The SWAT Team permits the use of less lethal platforms to assist with the de-escalation of potentially violent confrontations. Only personnel who have successfully completed training approved by the SWAT Commander in the proper use and deployment of less lethal impact weapons shall be authorized to use them during actual operations.

Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial cost of this equipment was approximately $1000. The ongoing costs for munitions will vary and maintenance is conducted by departmental staff.

Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force.

San Mateo County Sheriff's Office Policies including:

SMC Sheriff's Office SWAT/CNU Procedures Section: 2-11d (Use of Less Lethal Munitions)
Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques
Lexipol Policy 306 – Firearms
Lexipol Policy 426 – First Amendment Assemblies.

Training Required: Team certified instructors shall complete a POST certified Less Lethal Instructor Course. Each team member shall be instructed by the POST certified trainers on the use, deployment, and storage of the Remington 870 Shot Gun and its munitions.

Other Notes: None.

Definitive Section:	CA Gov't Code §7070(c)(14)	
Equipment Type:	Launch platforms and associated munitions	
Common Name:	Bean Bag munition	
Quantity Owned/Sought: None (outside owned)		**Lifespan:** One use each.
Equipment Capabilities: 12 Gauge Drag Stabilized Bean Bag Round. Velocity of 270 FPS with a maximum effective range of 75 feet.		
Manufacturer Product Description: Defense Technology Model 3027: Drag Stabilized 12 Gauge Bean Bag Round is a translucent 12 Gauge shell loaded with a 40-Gram tear shaped bag made from cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails and utilizes smokeless powder as the propellant.		
Purpose/Authorized Uses: The SWAT Team permits the use of less lethal munitions to assist with the de-escalation of potentially violent confrontations. Only personnel who have successfully completed training approved by the SWAT Commander in the proper use and deployment of less lethal impact projectiles shall be authorized to use them during actual operations.		
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial cost of this equipment was approximately $5 per round totaling $600 for the current inventory. The ongoing costs for munitions will vary and maintenance is conducted by departmental staff.		
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. San Mateo County Sheriff's Office Policies including: SMC Sheriff's Office SWAT/CNU Procedures Section: 2-11d (Use of Less Lethal Munitions) Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques Lexipol Policy 306 – Firearms Lexipol Policy 426 – First Amendment Assemblies		
Training Required: Team certified instructors shall complete a POST certified Less Lethal Instructor Course. Each team member shall be instructed by the POST certified trainers on the use, deployment, and storage of the 12 Gauge Drag Stabilized Bean Bag round.		
Other Notes: None.		

Definitive Section:	CA Gov't Code §7070(c)(14)
Equipment Type:	Projectile launch platforms
Common Name:	40mm Less Lethal Launchers
Quantity Owned/Sought: None (outside owned)	**Lifespan:** Indefinite

Equipment Capabilities: The 40mm Less Lethal Launcher is capable of firing 40mm Kinetic Energy Munitions, which are essentially soft rubber sponge projectiles.

Manufacturer Product Description:

Penn Arms 40MM launcher are manufactured using 4140 hardened steel, 6061-T6 mil-spec anodized aluminum and DuPont super tough glass filled nylon. These launchers are light weight, versatile and used worldwide by police and corrections officers. The 40MM launcher family of products is available in single-shot, spring-advance multi, and pump-advance multi-versions.

Purpose/Authorized Uses: The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less lethal use of force option.

Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial cost of this equipment was approximately $79,621.40. The ongoing costs for munitions will vary and maintenance is conducted by departmental staff.

Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force.

San Mateo County Sheriff's Office Policies including:

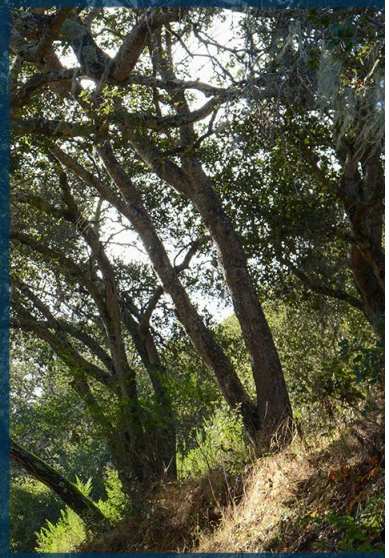
SMC Sheriff's Office SWAT/CNU Procedures Section : 2-11c (Use of Chemical Agents) and 2-11d (Use of Less Lethal Munitions)Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques
Lexipol Policy 306 – Firearms
Lexipol Policy 426 – First Amendment Assemblies

Training Required: Certified instructors shall complete a POST certified Chemical Agent or Less Lethal Instructor Course. Each team member shall be instructed by the POST certified trainers on the use, deployment, and storage of the 40mm launchers.

Other Notes: None.

Definitive Section:	CA Gov't Code §7070(c)(14)
Equipment Type:	Projectile launch platforms
Common Name:	40mm Less Lethal Munitions
Quantity Owned/Sought: None (outside owned)	**Lifespan:** One use each.
Equipment Capabilities: 40mm Kinetic Energy Munitions, which are essentially rubber projectiles.	
Manufacturer Product Description: The CTS The Model 4557 Sponge Baton is a spin-stabilized projectile delivering blunt trauma effect. Although it is extremely accurate and consistent, accuracy is dependent on the launcher, using open sights vs. an improved sight, environmental conditions, and the operator. Effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts	
Purpose/Authorized Uses: The San Mateo County Sheriff's Office permits the use of less lethal munitions to assist with the de-escalation of potentially violent confrontations. Only personnel who have successfully completed training approved by the Range Master in the proper use and deployment of less lethal impact projectiles shall be authorized to use them during actual operations.	
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial cost of this equipment was approximately $20 per round totaling $6,800 for the current inventory. The ongoing costs for munitions will vary and maintenance is conducted by departmental staff.	
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. San Mateo County Sheriff's Office Policies including: SMC Sheriff's Office SWAT/CNU Procedures Section : 2-11d (Use of Less Lethal Munitions) Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques Lexipol Policy 306 – Firearms Lexipol Policy 426 – First Amendment Assemblies	
Training Required: Certified instructors shall complete a POST certified Less Lethal Instructor Course. Each team member shall be instructed by the POST certified trainers on the use, deployment, and storage of the 40mm less lethal round.	
Other Notes: None.	

Definitive Section:	CA Gov't Code §7070(c)(14)	
Equipment Type:	Projectile launch platforms	
Common Name:	CTS Stingball Grenades	
Quantity Owned/Sought: None (outside owned)		**Lifespan:** One use each.
Equipment Capabilities: Multi-effect grenades with a loud blast, bright flash and dispersion of stinging .31 caliber pellets. Can also be configured to dispense an instantaneous cloud of irritant powder.		
Manufacturer Product Description: CSI manufactures a variety of CTS less lethal products which are under pressure, pyrotechnic, incendiary, emit projectiles, generate smoke, or are explosive in nature. When used in accordance with CTS training guidelines and the individual agency's policy, they are intended to cause varying degrees of pain and injury, which are temporary. These products are restricted to law enforcement, corrections, and military personnel and are used to gain compliance, disperse crowds, restore order, or temporarily incapacitate dangerous persons.		
Purpose/Authorized Uses: The San Mateo County Sheriff's Office permits the use of less lethal munitions to assist with the de-escalation of potentially violent confrontations. Only personnel who have successfully completed training approved by the Range Master in the proper use and deployment of the CTS Stingball grenades shall be authorized to use them during actual operations.		
Fiscal Impacts: None, owned by outside agency. Cost to outside Agency: The initial cost of this equipment was approximately $42.01 per round totaling $1,722 for the current inventory. The ongoing costs for munitions will vary and maintenance is conducted by departmental staff.		
Legal/Procedural Rules Governing Use: All applicable State, Federal and Local laws governing police use of force. San Mateo County Sheriff's Office Policies including: SMC Sheriff's Office SWAT/CNU Procedures Section : 2-11d (Use of Less Lethal Munitions) Lexipol Policy 300 - Use of Force, Conducted Energy Device (Taser), Control Devices and Techniques		
Training Required: Certified instructors shall complete a POST certified Less Lethal Instructor Course. Each team member shall be instructed by the POST certified trainers on the use, deployment, and storage of Stingball grenades.		
Other Notes: None.		



CITY OF BELMONT

2023 Military Equipment Annual Update



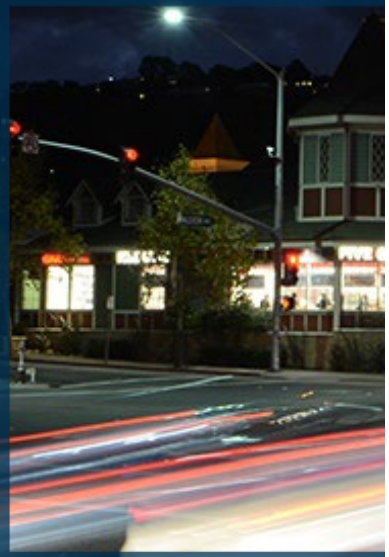
Summary

- Review of AB 481 – Use of Military Equipment
- Belmont Police Department – Military Equipment Policy 710
- AB 481 Annual Reporting Requirements

Annual Reporting



- Summary of how military equipment was used.
- Summary of complaints or concerns received regarding military equipment.
- Results of internal audits, information about violations of military equipment use policy, and actions taken in response.
- Total annual cost for each type of military equipment
- If the police department intends to acquire additional military equipment in the next year, quantity sought for each type.
- Report should be published on the police department website for public review at least 30 days prior to community meeting.



Questions??