

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



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CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, January 25, 2022

7:00 PM

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

TELECONFERENCE PARTICIPANTS

Councilmembers will participate by teleconference under Government Code Section 54953(e), and City Council Resolution 2022-001. All votes shall be by roll call.

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 City Council Chambers and address the council from the chambers. Social distancing must be practiced, and seating will be limited.

PUBLIC COMMENT:

To maximize time for live public comment, we encourage members of the public to provide comments by joining the City Council 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 Mayor.

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 Designating February 2022 as Black History Month**
- B. Proclamation Designating January 2022 as National Slavery and Human Trafficking Prevention Month**
- C. San Mateo County Public Library Annual Report**

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. Annual Investment Policy

Recommendation: Receive the City of Belmont Investment Policy as submitted by the Finance Director/City Treasurer

Attachment(s):

[Annual Investment Policy - Staff Report](#)

[Annual Investment Policy - Investment Policy](#)

B. FY 2023 Budget Calendar

Recommendation: Motion to approve FY 2023 Budget Calendar

Attachment(s):

[FY23 Budget Calendar - Staff Report](#)

[FY23 Budget Calendar - Budget Calendar](#)

C. Grant Application for Funding from California Department of Forestry and Fire Protection to Support Hazardous Fuel Reduction in Waterdog Lake Open Space and San Juan Canyon

Recommendation: Adopt a Resolution authorizing the City Manager to submit an application for up to \$325,000 to the California's Department of Forestry and Fire Protection (CAL FIRE) California Climate Investment Fire Prevention Grant Program to fund fuel reduction in Waterdog Lake Open Space and San Juan Canyon

Attachment(s):

[Staff Report](#)

[Resolution](#)

D. 2020 Street Reconstruction Project, CCN 202-588, Notice of Completion

Recommendation: Adopt a resolution accepting work and authorizing the issuance of a Notice of Completion for the 2020 Street Reconstruction Project, City Contract Number 2020-588, for a final contract cost of \$1,989,209.

Attachment(s):

E. Application Submittal to CalRecycle for Payment Programs and Related Authorizations

Recommendation: Adopt a resolution approving application submittal for payment programs and related authorizations on behalf of the City of Belmont to the California Department of Resource Recycling and Recovery (CalRecycle).

Attachment(s):

[Authorizing Submittal to CalRecycle applications -Staff Report](#)
[Authorizing Submittal to CalRecycle applications - Resolution](#)

8. PUBLIC HEARINGS

A. Second Public Hearing for Transition from At-Large Elections to By District Elections to By District Elections for Council Seats and At-Large Mayor

(Presentation and Public Hearing will begin at 7:30 pm)

Recommendation: Receive a presentation from the City's Consultant Districting Partners on a range of topics to facilitate a process of public education and involvement in a transparent and fair districting process.

Attachment(s):

[Second Public Hearing- Transition to District Elections - Staff Report](#)
[City of Belmont Districting Process Presentation](#)

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.

10. BRIEF VERBAL REPORTS FROM MEMBERS AND STAFF

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

B. Verbal report from City Manager

11. MATTERS OF INTEREST/CLARIFICATION

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

A. Council Intergovernmental Assignments

Recommendation: Review updated assignments and provide staff with further direction where necessary.

Attachment(s):

[Council IGR Assignments 2022.pdf](#)

12. ADJOURNMENT

If you need assistance to participate in this meeting, please contact the City Clerk at (650) 595-7413. The speech and hearing-impaired may call (650) 637-2999 for TDD services. 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.



STAFF REPORT

Meeting Date: January 25, 2022
Agency: City of Belmont
Staff Contact: Grace Castaneda, Finance Director, gcastaneda@belmont.gov
Agenda Title: Annual Investment Policy
Agenda Action: Motion

Recommendation

Receive the City of Belmont Investment Policy as submitted by the Finance Director/City Treasurer.

Strategic Focus Area

Not Applicable

Background

In past years, the State of California Government Code Section 53646 required the Treasurer to render to the Council, at a public meeting, an annual investment policy. Although Council's approval is no longer required by statute, the City, consistent with best practice, annually reviews and accepts its Investment Policy to provide transparency and disclosure.

Analysis

The Investment Policy, as recommended, affirms the Finance Director's/City Treasurer's fiduciary responsibility to safeguard public assets. The policy places a high priority on insuring safety of principal first and foremost, and then ensuring that the liquidity needs for payment of City obligations are met, prior to considering yield on investments.

Alternatives

1. With direction, refer the presented Investment Policy back to the Finance Director/City Treasurer.

Attachments

- A. Investment Policy

Fiscal Impact

- ☒ No Fiscal Impact
☐ Funding Source Confirmed:

Source:

Staff

Purpose:

Discretionary Action

Public Outreach:

Posting of Agenda

CITY OF BELMONT INVESTMENT POLICY

TO: Belmont City Council
Belmont City Manager

FROM: Grace Castaneda, Finance Director/City Treasurer

RE: Annual Investment Policy

DATE: January 25, 2022

1.0 Policy:

It is the policy of the City of Belmont to invest public funds in a manner which will maximize security, followed by meeting the daily cash flow demands of the entity and then provide the highest investment return consistent with, and conforming to, all state and local statutes governing the investment of public funds.

2.0 Scope:

This investment policy applies to all investments as defined by the State of California Government Code accounted for in the City of Belmont's Comprehensive Annual Financial Report.

3.0 Prudence:

Investments shall be made with judgment and care--under circumstances then prevailing--which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

3.1 The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4.0 Objectives:

The primary objectives, in priority order, of the City of Belmont's investment activities shall be:

- 4.1 **Safety:** Safety of principal is the foremost objective of the investment program. Investments of the City of Belmont shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, **diversification** is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio. Funds invested with the California Local Agency Investment Fund administered by the California State Treasurer meet this requirement for diversification.
- 4.2 **Liquidity:** The City of Belmont's investment portfolio will remain sufficiently liquid to enable the City of Belmont to meet all operating requirements as reasonably anticipated.
- 4.3 **Return on Investments:** The City of Belmont's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the City of Belmont's investment risk constraints and the cash flow characteristics of the portfolio.

5.0 Delegation of Authority:

No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Finance Director/City Treasurer. The Finance Director/City Treasurer shall be responsible for all investment transactions undertaken and shall establish a system of internal controls to regulate the activities of authorized personnel.

6.0 Ethics and Conflicts of Interest:

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the Belmont City Clerk any material financial interests in financial institutions that conduct business within this jurisdiction.

7.0 Reporting:

The Finance Director/City Treasurer shall provide to the City Council monthly investment reports which provide a clear picture of the status of the current investment portfolio.

Schedules in the monthly report should include the following:

- A listing of individual securities held at the end of the reporting period by authorized investment category.
- Final maturity of all investments listed.
- Coupon, discount or earnings rate.
- Par value and market value.

8.0 Investment Policy Adoption:

The City of Belmont's investment policy shall be accepted by the City Council. The policy shall be reviewed annually and any modifications made thereto must be approved by the City Council.



STAFF REPORT

Meeting Date: January 25, 2022
Agency: City of Belmont
Staff Contact: Grace Castaneda, Finance Director, gcastaneda@belmont.gov
Agenda Title: FY 2023 Budget Calendar
Agenda Action: Motion

Recommendation

Adopt motion approving FY 2023 Budget Calendar.

Strategic Focus Area

Fiscal and Organizational Sustainability

Background

As part of the annual budget development process, the City Council adopts a budget calendar establishing dates leading to review and approval of the annual budget.

Analysis

The FY 2023 Budget Calendar calls for a series of work sessions ultimately resulting in adoption of the budget on June 14th. Additional key dates are highlighted in the attached calendar and may be subject to change.

Alternatives

1. Take no action.

Attachments

- A. Proposed FY 2023 Budget Calendar

Fiscal Impact

- ☒ No Fiscal Impact
☐ Funding Source Confirmed:

Source:

Staff

Purpose:

Discretionary Action

Public Outreach:

Posting of Agenda

City of Belmont FY 2023 Budget Calendar

Day	Date	Event	Responsibility	✓
Tuesday	1/25/22	Adopt motion approving Budget Calendar	Finance	✓
Tuesday	2/8/22	FY 2022 Mid-Year Review and Adoption	Finance & All Departments	✓
TBD	TBD	Council Priority Workshop - FY 2023 Strategic Planning & Financial Forecast - Priorities and policy considerations	All Departments & Finance	✓
Monday	3/7/22	- Issue budget priorities, detail budget instructions and forms to departments. - Distribute personnel allocations and revenue forms to departments	Finance	
Wednesday	3/30/22	Submit personnel allocations, proposed initiatives, departmental operating and capital requests and revenue estimates to Finance	All Departments	
Monday-Friday	4/11/22-4/15/22	Budget conferences with departments	City Manager, Finance & All Departments	
Monday	4/18/22	Begin compilation of FY 2023 Budget and preparation of budget message	City Manager, Finance	
Friday	5/20/22	Distribute proposed FY 2023 Budget	Finance	
Tuesday	5/24/22	- Introduction of the proposed FY 2023 Budget and department presentations - Set public hearing on adopting the FY 2023 Budget and setting non-Prop. 218 fees and charges – June 14, 2022	All Departments	✓
TBD	6/X/22	Audit Committee reviews proposed FY 2023 Budget	City Manager, Finance	✓
Tuesday	6/14/22	- Recommendation from Audit Committee - Adopt FY 2023 Budget - Public Hearing - City Council and Fire Board - Adopt resolutions implementing FY 2023 Budget	City Manager, Finance	✓

(✓) Check denotes Council or Council Standing Committee Action



STAFF REPORT

Meeting Date: January 25, 2022

Agency: City of Belmont

Staff Contact: Brigitte Shearer, Parks & Recreation Director; (650) 595-7488;
bshearer@belmont.gov

Agenda Title: Grant Application for Funding from California Department of Forestry and Fire Protection to Support Hazardous Fuel Reduction in Waterdog Lake Open Space and San Juan Canyon

Agenda Action: Resolution

Recommendation

Adopt a Resolution authorizing the City Manager to submit an application for up to \$325,000 to the California's Department of Forestry and Fire Protection (CAL FIRE) California Climate Investment Fire Prevention Grant Program to fund fuel reduction in Waterdog Lake Open Space and San Juan Canyon.

Strategic Focus Area

Quality of Life

Background

The Governor of the State of California in cooperation with the California State Legislature has enacted State of California Climate Investment (CCI), which provides funds to the State of California and its political subdivisions for fire prevention programs. The California Department of Forestry and Fire Protection (CAL FIRE) has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by local agencies, non-profit organizations, and others under the program. The resulting competitive CCI Fire Prevention Grant Program has been allocated a budget of \$120 million for Fiscal Year 2021-2022 for agencies pursuing projects addressing fuel reduction, wildfire prevention planning, and wildfire prevention education.

The City of Belmont currently maintains approximately 300 acres of open space at Waterdog Lake and San Juan Canyon which would benefit from Grant-related activities, specifically hazardous fuel reduction. Much of the open space's perimeter consists of heavy vegetation on steep slopes abutting human development and creating a high wildfire risk threatening persons and property. To mitigate this risk, City staff have continually worked alongside CAL FIRE to establish and maintain defensible space where possible with available resources.

Analysis

Securing a California Climate Investment Fire Prevention Grant (Grant) would allow the City to outsource additional, critical hazardous fuel reduction at Waterdog Lake Open Space and San Juan Canyon. The California Department of Forestry and Fire Protection (CAL FIRE) has designated the Western Hills including Waterdog Lake as a "Very High Fire Hazard Severity Zone" and San Juan Canyon as a "High Fire Hazard Severity Zone." In addition, the City's 2035 General Plan includes a Key Strategy of



managing wildfire risk where feasible and fuel reduction is a key component of the City's Hazard Mitigation Plan.

Fuel reduction efforts simultaneously reduce the likelihood of a fire starting, reduce the speed of fire spread, and reduce the intensity of any fire that does start. They also reduce carbon emissions caused by wildfire, support wildfire evacuation by protecting egress routes, and enhance wildfire survivability by improving access for emergency personnel.

Hazardous fuel reduction additionally supports the State of California Climate Investment's (CCI) goal of reducing wildfire emissions through the following objectives.

- Reduce GHG emissions from wildfire and prevent the need for cleanup and rebuilding of communities following destructive wildfire events
- Provide fire personnel with more opportunities to access the fire perimeter to extinguish fires more quickly, thereby reducing GHG emissions
- Encourage projects that result in smaller scale fires to reduce carbon emissions and reduce the carbon impact
- Improve health and resilience of treated areas for increased carbon sequestration
- Improve public awareness and reduce human caused wildfire ignitions
- Promote orderly growth and development through land use planning which helps to reduce GHG emissions

By securing Grant funds, the City could expand upon existing fuel reduction efforts by outsourcing additional work. In-kind support may also be provided by City staff. Fuel reduction efforts would be prioritized based on vegetation management guidelines identified in the impending Open Space Management Plan.

Proposed Project, Cost, & Requirements

City staff propose applying for up to \$325,000 under this competitive Grant to expand hazardous fuel reduction efforts over the next 3+ years. Grant awards will be announced in June 2022 and projects must be completed by March 15, 2026. While there is no net budget impact, funds would need to be expended from the General Fund prior to reimbursement by the State of California.

There are also several applicable requirements under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA); therefore, projects would require guidance and consultation from Arborists or Registered Professional Foresters (RPFs) to ensure that any environmental impact was appropriately addressed.

In order to proceed with the Grant application process, a Council resolution is required.



Alternatives

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

Attachments

- A. Resolution

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: If awarded, the Grant award funding and corresponding expenditures will be incorporated into the annual budget during the budget development process. Grant expenditures will be expended from the General Fund prior to reimbursement by the State of California.

Source:

Staff

Purpose:

Discretionary Action

Public Outreach:

Posting of Agenda

RESOLUTION NO. 2022 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR UP TO \$325,000 TO CALIFORNIA’S DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE) CALIFORNIA CLIMATE INVESTMENT FIRE PREVENTION GRANT PROGRAM TO FUND FUEL REDUCTION IN WATERDOG LAKE OPEN SPACE AND SAN JUAN CANYON

WHEREAS, the Governor of the State of California in cooperation with the California State Legislature has enacted State of California Climate Investment, which provides funds to the State of California and its political subdivisions for fire prevention programs; and,

WHEREAS, the California Department of Forestry and Fire Protection (CAL FIRE) has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by local agencies, non-profit organizations, and others under the program; and,

WHEREAS, the City of Belmont will enter into an agreement with the State of California to carry out fuel reduction in Waterdog Lake Open Space and San Juan Canyon.

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

SECTION 1. Approve the filing of an application for "California Climate Investment Fire Prevention Grant Program"; and,

SECTION 2. Certifies that said applicant has or will have sufficient funds to operate and maintain the projects; and,

SECTION 3. Certifies that funds under the jurisdiction of the City of Belmont are available to begin the projects; and,

SECTION 4. Certifies that said applicant will expend grant funds prior to the grant deadline of March 15, 2026.

SECTION 5. Appoints City Manager or a designee, to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

* * *

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

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney



STAFF REPORT

Meeting Date: January 25, 2022
Agency: City of Belmont
Staff Contact: Bozhena Palatnik, Public Works, (650) 595-7463, bpalatnik@belmont.gov
Agenda Title: 2020 Street Reconstruction Project, CCN 2020-588, Notice of Completion
Agenda Action: Resolution

Recommendation

Adopt a resolution accepting work and authorizing the issuance of a Notice of Completion for the 2020 Street Reconstruction Project, City Contract Number 2020-588, for a final contract cost of \$1,989,209.

Strategic Focus Area

Infrastructure and Mobility

Background

On April 28, 2020, the City Council approved the project plans and specification and authorized advertising and awarding the 2020 Street Reconstruction Project for an amount up to the engineer's estimate of \$2,125,000. The work included road reconstruction (which brings PCI up to 100), minor drainage improvements, curb ramp installation, adjustment to grade of manholes and utility boxes, and striping on the following street segments:

STREET	From:	To:	2020 PCI
Beresford Avenue	Hillcrest Drive	Lower Lock Avenue	23
Biddulph Way	Hiller Street	Nesbit School	22
Buena Vista Avenue	Monserat Avenue	Cipriani Boulevard (South)	14
Pine Knoll Drive	Hillman Avenue	S end	43
Robin Whipple Way	W End	Belburn Drive	25
Sussex Court	Hiller Street	S End	13
Terrace Drive	Hillman Avenue	Mezes Avenue	29
Valerga Drive	Alameda de las Pulgas	S End	10
Villa Avenue	Ralston Avenue	Belburn Drive	31
Wessex Way	Hiller Street	N End	15
Wessex Way	Granada Street	S End	18
Wooster Avenue	Cipriani Blvd.	San Mateo City Limit	36

On June 24, 2020, City received only two bids for the construction of the project, and both were significantly above the engineer's estimate (\$2,673,237 and \$3,138,332.)

On July 14, 2020, staff asked Council to reject all bids per Public Contract Code Section 22038 (a), redesigned the project, and advertised it again.



On February 10, 2021, staff conducted a successful bid opening with low bid received at \$2,079,018.80.

Analysis

The construction started on May 10, 2021 and was completed ahead of schedule and 9.5% below budget on October 1, 2021. During construction there were numerous unforeseen conditions that were hindering the construction, but by partnership between staff, construction management consultant, and contractor, the project was completed below the approved budget as staff and contractors were nimble in solving utility conflicts and reconstruction depths in the field.

The project is now complete to the satisfaction of the City in accordance with the construction plans and specifications. The total cost of construction is \$1,989,209, which is within the approved budget.

The City is retaining 5% from the contractor to ensure that all subcontractors and suppliers are paid. If there are no claims filed within 35 days of recording the Notice of Completion, final payment will be released to the contractor.

Alternatives

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

Attachments

- A. Resolution

Fiscal Impact

- ☐ No Fiscal Impact

- ☒ Funding Source Confirmed:

The following expenditures took place during project construction: \$494,194 from RMRA Account 232-3-730-3109-9030, \$4,985 from Infrastructure Account 310-3-760-3220-9030, and \$1,500,000 from Measure I Account 102-3-730-3104-9030. The unspent balance from Infrastructure Account will be returned to fund balance and available for future infrastructure investments.

Source:

Staff

Purpose:

Statutory/Contractual Requirement

Public Outreach:

Posting of Agenda

RESOLUTION NO. 2022 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT ACCEPTING WORK AND AUTHORIZING THE ISSUANCE OF A NOTICE OF COMPLETION FOR THE 2020 STREET RECONSTRUCTION PROJECT, CITY CONTRACT NUMBER 2020-588, FOR A FINAL CONTRACT COST OF \$1,989,209.

WHEREAS, on April 28, 2020, the City Council approved the project plans and specification and authorized advertising and awarding the 2020 Street Reconstruction Project for an amount up to the engineer's estimate of \$2,125,000; and,

WHEREAS, on June 24, 2020, City received only 2 bids for the construction of the project, and both were significantly above the engineer's estimate (\$2,673,237 and \$3,138,332); and,

WHEREAS, on July 14, 2020, staff asked Council to reject all bids per Public Contract Code Section 22038 (a), redesigned the project, and advertised it again; and,

WHEREAS, on February 10, 2021, staff conducted a successful bid opening with low bid received at \$2,079,018.80; and,

WHEREAS, the construction started on May 10, 2021, and was completed on October 1, 2021, ahead of schedule and below budget; and,

WHEREAS, the final project cost is \$1,989,209.

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

SECTION 1. Accepts the work as complete.

SECTION 2. Authorizes the City Clerk to issue the Notice of Completion to O'Grady Paving, Inc.

SECTION 3. Authorizes the City Clerk to file Notice of Completion with the San Mateo County Clerk-Record's office for the 2020 Street Reconstruction Project, CCN 2020-588.

* * *

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

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney



STAFF REPORT

Meeting Date: January 25, 2022
Agency: City of Belmont
Staff Contact: Diane Lynn, Public Works Department, (650) 595-7467, dlynn@belmont.gov
Agenda Title: Application Submittal to CalRecycle for Payment Programs and Related Authorizations
Agenda Action: Resolution

Recommendation

Adopt a resolution approving application submittal for payment programs and related authorizations on behalf of the City of Belmont to the California Department of Resource Recycling and Recovery (CalRecycle).

Strategic Focus Area

Fiscal and Organizational Sustainability

Background

Pursuant to the Public Resources Code sections 48000 et seq., and 14581, the Department of Resources Recycling and Recovery (CalRecycle) established various payment programs to make payments to qualifying jurisdictions in furtherance of this authority. CalRecycle is required to establish procedures governing the administration of the grant or payment program.

CalRecycle's payment programs provide opportunities implemented by cities and counties that will assist in reaching and maintaining goals to reduce, reuse and recycle. This will also assist in meeting the City's Municipal Regional Permit (MRP) requirements.

CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

Analysis

The CalRecycle Payment Programs are funding sources for the City to apply for funds that can be used toward environmental activities that lead to a healthy and safe environment. The City received funds from CalRecycle Payment Programs (Payment Program) in previous years for litter reduction, recycling efforts, reusable goods, and other activities that promote awareness and change.

CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

Alternatives

1. Take no action



2. Refer to staff for further information

Attachments

A. Resolution

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed:

The City will receive funds from the CalRecycle Payment Programs to utilize for litter reduction, recycling efforts, reusable goods, and other activities that promote awareness and change. Activities on funding and the utilization of funding will be incorporated into the budget during the annual budget development process.

Source:

Staff

Purpose:

Discretionary Action

Public Outreach:

Posting of Agenda

RESOLUTION NO. 2022 –

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANT AND PAYMENT PROGRAMS FOR WHICH THE CITY OF BELMONT IS ELIGIBLE

WHEREAS, pursuant to Public Resources Code sections 48000 et seq., 14581, and 42023.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and,

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and,

WHEREAS, CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

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

SECTION 1. The City Manager is authorized to submit applications to CalRecycle for any and all payment programs offered; and,

SECTION 2. The City Manager is authorized to execute all documents necessary to implement and secure payment to CalRecycle; and,

SECTION 3. This authorization is effective until rescinded by the Signature Authority or this governing body.

* * *

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

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney



STAFF REPORT

Meeting Date: January 25, 2022
Agency: City of Belmont
Staff Contact: Jozi Plut, City Clerk/Communications Coordinator, jplut@belmont.gov, 650-595-7414.
Agenda Title: Second Public Hearing for Transition from At-Large Elections to By District Elections for Council Seats and At Large Mayor
Agenda Action: For Information Only

Recommendation

Receive a presentation from the City's Consultant Districting Partners on a range of topics to facilitate a process of public education and involvement in a transparent and fair districting process.

Strategic Focus Area

Fiscal and Organizational Sustainability

Background

On July 30, 2021, the City received a letter from Kevin Shenkman, of the law firm Shenkman & Hughes, alleging that the City's at-large election system violated the California Voting Rights Act of 2001 (CVRA) on behalf of Southwest Voter Registration Education Project alleging violation of California Voting Rights Act demanding the city change to its at-large method of electing councilmembers.

The CVRA was adopted in 2002 and is based upon the Federal Voting Rights Act of 1965 ("FVRA") with some important differences that make at-large election systems much more susceptible to legal challenge. For a plaintiff to be successful in a claim of violation under the FVRA relating to at-large elections, the plaintiff must show that: 1) a minority group is sufficiently large and geographically compact to form a majority of the eligible voters in a single-member district; 2) there is racially-polarized voting; and 3) there is "white bloc voting" (the term used by the courts reviewing such cases) sufficient usually to prevent minority voters from electing candidates of their choice. If a plaintiff proves these three elements, then the federal court will consider whether, under the "totality of circumstances," the votes of minority voters are diluted by the at-large election system.

The CVRA removes two of these factors. It eliminates what is known as the "geographically compact" FVRA precondition (e.g., can a majority-minority district be drawn) as well as the "totality of the circumstances" or "reasonableness" test. Because the CVRA eliminates some of the elements that a plaintiff must prove, a lawsuit brought under the CVRA is substantially more difficult to defend than a claim under the FVRA. As a result of the lower threshold for proving a claim under the CVRA, many jurisdictions have voluntarily switched to district based election systems instead of facing litigation.

An "at-large" system of elections is subject to legal challenge under the CVRA if that method of election impairs the ability of a protected class to elect candidates of its choice or its ability to influence the



outcome of the election, as a result of the dilution or the abridgment of the rights of the voters who are members of the protected class. The threshold of proof to establish a violation is low and does not require discriminatory intent.

Many dozens of cities and other public agencies in California have been sued under the CVRA. Prevailing CVRA plaintiffs are guaranteed to recover their attorneys' fees and costs. With the exception of one case still in litigation, all public entities that have tried to contest the conversion to elections by district have either lost or have agreed to make the transition. In either instance, these jurisdictions have paid at least a portion of the plaintiff's attorney's fees and costs. Further, those cities that have litigated CVRA cases have paid millions of dollars in fees and were still forced to transition to by-district elections.

The Council met in closed session on October 26, 2021, to consider the litigation threat and held a public study session on November 2, 2021, to consider transitioning to district-based elections and whether to directly elect the mayor at-large. The Council concurred to transition to district elections with four districts and an at-large Mayor. At a regular Council meeting on November 9, 2021, the Council adopted Resolution 2021-096 outlining the city's intent to change the City's system of election for the City Council from an at-large system to a district-based system by adoption of an ordinance. The district-based elections system will be in use in the City's General Municipal Election for City Councilmembers beginning in November 2022.

The City Council authorized the City Manager to retain legal, demographic, and communication services to assist the City in its transition to a district-based elections system for the election of City Council members. The City Manager retained the services of Hanson Bridgett LLP, who retained Redistricting Partners to assist the City in its transition to district-based elections by providing a detailed analysis of the City's current demographics and other information or data necessary to prepare a draft map or maps that divide(s) the City into voting districts in a manner consistent with the intent and purpose of the CVRA, the Federal Voting Rights Act, and all other federal and state laws

Analysis

The Council received a Pre-Map Presentation made by City Consultant Districting Partners on January 11, 2021. Since then, Staff continues working on creating educational material for the Belmont Community about the transition to district elections. Staff will focus on getting members of the public to fill out Community of Interest worksheets.

A Community of Interest, as defined by Article 21 Section 2d(4) of the California Constitution, is a group of people that: share common social or economic interests, live in a geographically definable area, and should be included within a single district for purposes of effective and fair representation in future City Council elections.

There are some Communities of Interest that are legally recognized "protected classes," in that they have rights through State or Federal civil rights or voting rights law. Some examples of protected classes in districting include Latinx, Asian, or Black individuals.

There are other potential Communities of Interest that can also be considered in districting, such as: senior citizens, people who live in a particular neighborhood, people who share concerns such as parents with young children, bicycle enthusiasts, renters, and homeowners. However, Communities of Interest do not



include relationships with political parties, incumbents, or political candidates.

Staff created a Community of Interest Form to assist with drawing district lines. Found on the Districting website [District Elections | City of Belmont](#)

Next Steps:

Staff will continue to focus on outreach to the Belmont Community, creating tools and opportunities for the public to provide input including but not limited with the following resources

- Hold Community Workshop on February 19, 2022 on map input
- Continue updating the dedicated districting website page
- E-notification using a dedicated Districting GovDelivery notification tool
- A Citywide mailer announcing upcoming events and meetings
- Partnership with the Belmont Parks and Recreation for opportunities to distribute information at events where feasible due to current social gathering constraints.
- Collaborating with the Chamber of Commerce and Belmont Library
- Creating Pop-up information booths
- Social Media posts on the various Belmont social platforms
- Raising a banner across Ralston Avenue

To receive additional information about by-district elections, or to ask questions, interested persons may contact City Clerk Jozi Plut at cclerk@belmont.gov.

Alternatives

1. Provide Staff with direction

Attachments

- A. Districting Partners PPT Presentation

Fiscal Impact

☐ No Fiscal Impact

☒ Funding Source Confirmed: City Council approved appropriation of \$180,000 at its October 26, 2021 meeting that is to be incorporated as part of the mid-year review for costs associated with this process.

Source:

Staff

Purpose:

Discretionary Action

Public Outreach:

Posting of Agenda



YOUR VOICE **YOUR BELMONT**

Help Us Draw Belmont's Future

Districting Process

January 25, 2022

Agenda

Things we will cover:

- The Process
 - What is Districting
 - What is Sequencing
- How the public can participate in the process
 - Community outreach
 - Map drawing tools
 - Public Hearing Schedule

What is Districting

Definition

Districting is the initial process of creating election district boundaries.

- These boundaries do not determine:
 - How the city decides to govern. The city can still work to achieve goals that benefit the city as a whole rather than the interests of any single district.
 - How services or relationships between the city and the public are managed.

What is Districting

Definition

Districting is the initial process of creating election district boundaries.

- These boundaries do determine:
 - Eligibility to run for office – must live within boundaries to qualify for election.
 - Who votes in the election – only voters within the zone vote for their board member.

What is Districting

- Redistricting is the process of adjusting district lines every 10 years after the release of the US Census. The best known examples are Congress and the legislature.
- Within the US, redistricting has become an extremely politicized process and been the subject of more high-profile Supreme Court decisions than any other part of our elections system.

What is Sequencing

Definition

It is the process of selecting when districts will be up for election.

- City Council races are staggered
 - TBD districts will be up for election in Nov. 2022
 - TBD districts will be up for election in Nov. 2024
- Does not apply to the Mayor
- City Council shall give special consideration to the purposes of the California Voting Rights Act of 2001 (Protecting the ability of a protected class to elect candidates of its choice)

Traditional Districting Principles

Drawing New City Council Lines for Fair Representation

There are a number of criteria that have been used nationally and upheld by courts.

- Relatively equal size - people, not citizens
- Contiguous – districts should not hop/jump
- Maintain “*communities of interest*”
- Follow city/county/local government lines
- Keep districts compact – appearance/function

Communities of Interest

Bringing like people together for representation

- Communities of interest are the building blocks of districts.
- A community of interest includes ethnic and language minorities and other groups.
 - Subjective
 - Open-ended to be as inclusive as possible
- Communities covered by the Voting Rights Act
 - Latinos
 - Asians
 - African Americans

While communities of interest may include race, it cannot be the predominant factor in drawing district boundaries.

What is NOT a Community of Interest

Preventing a Districting from becoming a Gerrymander

The Fair Maps Act explicitly prohibits these groups from being considered as communities of interest

- Political party affiliation
- Incumbents
- Political candidates

It also is hard, in redistricting to truly utilize:

- *Groups of similarly minded people who do not share a similar geographic location or are citywide.*

Communities of Interest

Three Critical Questions in Defining YOUR Community

- Does the community have a shared culture, characteristics or bond?
- Is the community geographic in nature? Is the community able to be mapped?
- Describe the community's relationship with the jurisdiction and how it is affected by the policy decisions made by the elected officials.

Community of Interest Forms

Submitting Your COI Form

- Input can be provided in public hearings or using our “Community of Interest Survey Form” on the City website.



Map Submissions

- Online Map Submissions will be available in the coming month.
- Two types of expected input:
 - Community of Interest Maps
 - District Plans Based on 2020 Data



You draw the lines.

Next Steps

City of Belmont Districting Schedule

- | | |
|---------------------------|-----------------------------------|
| • January 11, 2022 | Public Hearing on Districting |
| • January 25, 2022 | Public Hearing on Process |
| • February 8, 2022 | Draft Map Presentation |
| • February 19, 2022 | Outreach Presentation |
| • February 22, 2022 | Second Draft Map Presentation |
| • March 8, 2022 | Final Vote & Reading of Ordinance |

City of Belmont Districting

Website:

<https://www.belmont.gov/our-city/city-government/district-elections-2>

Email:

publiccomment@belmont.gov

Telephone:

(650) 595-7414

The screenshot shows the City of Belmont website. The header includes the city logo and navigation links: SERVICES, OUR CITY, DEPARTMENTS, RESIDENTS, and I WANT TO... A search icon is also present. The left sidebar contains a menu with categories like City News, Meetings, Agendas & Minutes, City Projects, City Government, City Council, Commissions, Committees & Boards, District Elections (highlighted), Election Information, City Code, City News, City Calendar/Events, Community Partners, About Belmont, Frequently Asked Questions, Getting Around, City Maps, and Government Transparency. The main content area is titled 'District Elections' and features a sub-header 'Transition from At-Large Elections to by District Elections'. Below this is a graphic with the text 'YOUR VOICE YOUR BELMONT' and 'Help Us Draw Belmont's Future'. The graphic shows a map of Belmont with two location pins. The text below the graphic states: 'The City of Belmont will transition from at-large elections to district elections by November of 2022. This process will require participation from the public to create election districts that are balanced in size and protect the interest of the communities within those districts. U.S. Census Bureau Data from 2020, the most recent census, will be used during this process to ensure equal representation by each elected official. The change will bring the city into compliance with the California Voting Rights Act with the creation of four election districts, and a directly elected Mayor-at-Large.'





YOUR VOICE **YOUR BELMONT**

Help Us Draw Belmont's Future

THANK YOU!

COUNCIL COMMITTEE AND INTERGOVERNMENTAL ASSIGNMENTS-2020

Committee	Delegate/Rep	Alternates	Schedule	Contact
2+2 Committee with Mid-Peninsula Water District	Stone Hurt	n/a	As Needed	Public Works Director
2+2+2 Committee Discuss issues that affect the Elementary School	Stone Mates	n/a	As Needed	City Manager
Audit Subcommittee	Vice Mayor Hurt		Quarterly	Finance Director
Barrett Community Center Committee	Lieberman Mates	n/a	As Needed	City Manager/P&R Director
Belmont-SC Fire Dept JPA	Lieberman	Stone	As Needed	City Manager
(C/CAG) City/County Association of Governments Boards Congestion Management Agency	Hurt	Mates	Monthly 2nd Thursday, 7:00 p.m..	650-599-1406
City Selection Subcommittee	Mayor Vice Mayor		As Needed	
Cross Country Course Subcommittee	Hurt Stone	n/a	As Needed	City Manager/P&R Director
Economic Development Subcommittee	Lieberman Mates	n/a	As Needed	City Manager
Four Corners Ad Hoc Committee Addressing traffic/circulation at Alameda/San Carlos	Stone Lieberman	n/a	As Needed	City Manager
Liaison Senior Citizen Advisory Committee	Stone	Hurt	Odd Months 4th Tuesday, 3:00 P.M.	Parks and Rec
Liaison to Belmont Chamber of Commerce	Stone Mates		3rd Thurs, noon, Motel 6	Mary Morrissey-Parden
Notre Dame de Namur University Advisory Board	Hurt	Mates	As Needed	City Manager

Placemaking Subcommittee	Hurt Mates	n/a	As Needed	Com Dev
Public Safety Committee	Vice Mayor McCune	Hurt	As Needed	City Manager/Police Chief
Short-Term Rentals	Stone Lieberman	n/a	As Needed	City Attorney
Silicon Valley Clean Water JPA for Waste Treatment	Lieberman	Hurt	Monthly, 3rd Monday, 8:00 a.m.	650-591-7121
Stanford AdHoc Committee	Mayor	Hurt		
Youth Advisory Committee	Stone McCune	n/a	As Needed	Parks and Rec
Joint Powers Authorities/Intergovernmental Agencies				
San Mateo County Pre-Hospital Emergency Services JPA	Lieberman	Stone	Quarterly	City Manager
Peninsula Traffic Congestion Relief Alliance Traffic issues	Hurt	Stone	Even months 3rd Thursday, 8 am	
ABAG General Assembly Representative Regional planning agency for land use, housing, environmental quality, and economic development	Mayor	Vice Mayor	April, November General Assembly Meetings	
Peninsula Division, League of CA Cities State and local legislative issues (All Councilmembers invited)	Mayor	Vice Mayor	Quarterly dinner meetings	League of CA Cities
San Mateo County Mosquito and Vector Control District Independent Special District, keeps database on mosquito sources	Citizen Representative: Wade Leschyn Term expires 12/22	n/a	Monthly 2nd Tuesday, 7:30 pm	650-344-8592
San Mateo County Library JPA Policy direction, oversee budget, services & library programs	Stone	Mates	Quarterly plus one 2nd Monday, 8:00 A.M.	Ann-Marie Despaine, Library Director
SFO Roundtable Issues include Noise, Runway Configurations	McCune	Hurt	1st Wednesday of Month 6 x yr, 7:00 p.m.	James Casteñeda (650) 363-1853

San Mateo County Emergency Service Council Disaster Preparedness	Hurt	McCune	Quarterly 3rd Thursday, 5:30 p.m., Courthouse	Lt. Craig Denton (650) 599-1295 Kathleen Pape (650) 363-4790
San Mateo County Council of Cities/City Selection Committee Guest Speakers, current issues (All Councilmembers invited)	Mayor	Vice Mayor	Monthly-Dinner meeting 4th Friday, 6:00 p.m.	<u>Sukhmani Purewal (650) 363-1802</u> spurewal@smcgov.org
Regional Housing Needs Policy Committee	Stone	Hurt	As Needed	Carlos de Melo Sandy Wong, C/CAG
Housing and Regional Trust (HEART) Member Agency Committee	Mates	Stone	2-3 annually, 3rd Wed, 7:30 a.m.	HEART Exec Director, (650) 204-5640
Grand Boulevard	Mates	Vacant	2-3 times annually	Carlos de Melo
Cal Mod (Caltrain Modernization) (LMPG)	McCune	Hurt	Last Thurs of Month 6-8 pm	(650) 508-6493
SBWMA (South Bay Waste Management Authority – “Rethink Waste”)	McCune	Stone	4th Thursdays, 2:00 p.m., San Carlos	Rethink Waste (650)802-3510
Peninsula Clean Energy (PCE)	Mates	Stone	4th Thursdays 6:30 p.m.	City Manager
Home For All Initiative	Mates	Stone	As Needed	City Manager
San Mateo Consolidated Fire Department	Lieberman	Stone	Quarterly	City Manager
THESE APPOINTMENTS ARE MADE BY THE CITY SELECTION COMMITTEE (Council of Cities):				
Association of Bay Area Governments Regional planning agency for land use, housing, environmental quality, and economic development	Local Agency Formation Commission (LAFCO) Authority over all reorganizations & boundary changes within County		Bay Area Air Quality Management District Works to reduce air contaminants within the District	

Metropolitan Transportation Commission (MTC) Reviews applications for state & federal transportation funds, maintains regional transportation plan for Bay Area	California Identification System (Cal-ID) Determine the placement of Random Access Network equipment within the County	Peninsula Corridor Joint Powers Board (Caltrain) Set policy for operation of Peninsula Commute Service
Community Development Committee Reviews the needs & priorities for Community Development Block Grant funds received by the County	Supplemental Law Enforcement Oversight Committee Review Supplemental Law Enforcement Service Fund expenditures	Domestic Violence Council Evaluate efforts to reduce domestic violence, raise public awareness and collect statistics
San Mateo County Transit District (Samtrans) Set District Policies	San Mateo County Transportation Authority (SAMTAC) Implement Measure A	HEART (Housing Endowment and Regional Trust) Board
THESE APPOINTMENTS ARE MADE THROUGH C/CAG:☐		
2020 Peninsula Gateway Corridor Technical Advisory Committee Policy Advisory Committee	Airport Land Use Committee (ALUC)	Bicycle and Pedestrian Advisory Committee (BPAC)
Congestion Management Program and Environmental Quality Committee (CMEQ) addresses environmental issues	Congestion Management Program Technical Advisory Committee (TAC)	Legislative Committee
National Pollutant Discharge Elimination Technical Advisory Committee (NPDES)	Integrated Waste management (SWAC)	Utilities Sustainability Task Force (USTF)