

**AGENDA – REGULAR MEETING
BELVEDERE CITY COUNCIL
MARCH 14, 2022, 6:30 P.M.
REMOTE MEETING**

On March 3, 2020 Governor Newsom proclaimed a State of Emergency due to the COVID-19 pandemic that remains in effect. This meeting will be held remotely consistent with Executive Order N-29-20 and Assembly Bill 361, modifying provisions of the Brown Act to allow remote meetings at the current time. Members of the public are encouraged to participate remotely via Zoom or telephone pursuant to the information and link below. Public comment will be accepted during the meeting. The public may also submit comments in advance of the meeting by emailing the City Clerk at: clerk@cityofbelvedere.org. Please write “Public Comment” in the subject line. Comments submitted one hour prior to the commencement of the meeting will be presented to the City Council and included in the public record for the meeting. Those received after this time will be added to the record and shared with City Councilmembers after the meeting.

City of Belvedere is inviting you to a scheduled Zoom meeting.

Topic: Belvedere Regular City Council Meeting

Time: March 14, 2022, 6:30 P.M.

Join Zoom Meeting:

<https://us02web.zoom.us/j/83131579915?pwd=TmhHWXhneFFHWjh0K1VlK1NVdnZQdz09>

Webinar ID: 831 3157 9915

Passcode: 344829

877 853 5247 US Toll-free

888 788 0099 US Toll-free

The City encourages that comments be submitted in advance of the meeting. However, for members of the public using the Zoom video conference function, those who wish to comment on an agenda item should write “I wish to make a public comment” in the chat section of the remote meeting platform or use the raise hand function. At the appropriate time, the city clerk will allow oral public comment through the remote meeting platform. Any member of the public who needs special accommodations to access the public meeting should email the city clerk at clerk@cityofbelvedere.org, who will use her best efforts to provide assistance.

**AGENDA – REGULAR MEETING
BELVEDERE CITY COUNCIL
MARCH 14, 2022, 6:30 P.M.
REMOTE MEETING**

COMMENTS ON AGENDA ITEMS BY MEMBERS OF THE AUDIENCE

The audience will be given an opportunity to speak on each agenda item when it is called. Upon being recognized by the Mayor, please limit your oral statement to no more than three minutes. The Council welcomes comments and questions raised by interested citizens but typically does not respond during the comment period.

6:30 PM CALL TO ORDER

OPEN FORUM

This is an opportunity for any citizen to briefly address the City Council on any matter that does not appear on this agenda. Upon being recognized by the Mayor, please limit your oral statement to no more than three minutes. Matters that appear to warrant a more lengthy presentation or Council consideration may be agendized for further discussion at a later meeting.

REPORTS & PRESENTATIONS

1. City Council reports.
2. City Manager report.
3. Police Chief report.
4. Equity and Inclusion presentation by Dr. Ruben Kalra M.D.

CONSENT CALENDAR

The Consent Calendar consists of items that the City Council considers to be routine or has discussed previously and do not require further discussion. Unless any item is specifically removed by any member of the City Council, staff, or the public, the Consent Calendar will be adopted by one motion. Items removed will be considered in the sequence as they appear below. If any member of the public wishes to have an item removed, please raise your hand when called and indicate the item.

5. Approve minutes of the February 14, 2022, regular meeting.
6. Approve minutes of the February 24, 2022, special meeting.
7. Approve warrants of January and February of 2022.
8. Adopt a Resolution to Continue Remote Public Meetings pursuant to Assembly Bill 361.
9. Adopt a Resolution ratifying Police Department Policy Manual updates.
10. Approve request from The Ranch Joint Recreation to hold a special event at Belvedere Community Park, including the use of amplified sound.

11. Adoption of an Ordinance Repealing Belvedere Municipal Code Chapter 8.08 “Garbage Collection and Disposal” and Replacing it with “Solid Waste Collection and Disposal” in compliance with State law SB 1383.
12. Waive Further Reading and Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only.
(Standard procedural item – no backup information provided).
13. Approve a Resolution of acceptance for a Public Utility Easement for the Golden Gate/Belvedere Undergrounding Utility District.

PUBLIC HEARING

14. Introduction and first reading of an Ordinance Amending Belvedere Municipal Code by adding Chapter 9.80, “Parks and Community Center” regulating the use of Belvedere Parks and Community Center.
Staff Recommendation: Motion: Approve the first reading of the Ordinance.

OTHER SCHEDULED ITEMS

15. Receive Fiscal Year 2021-22 Mid-Year Budget Review through January 31, 2022.
Staff Recommendation: Receive mid-year budget information.
16. Consider recommendation to adjust the Administrative Policy Manual to better define roles and responsibilities of various committees, and adopt the resolutions below:
 - A. A Resolution amending section 6.1 of the Belvedere Administrative Policy Manual to create rules for the establishment of Ad Hoc Committees of the Belvedere City Council, temporary and standing citizen advisory Committees and public Commissions.
 - B. A Resolution renaming and reorganizing the Parks and Open Space Committee and amending Section 6.2 of the Belvedere Administrative Policy Manual to set forth a new charter for the Parks and Open Spaces and Lane Committee.
 - C. A Resolution to amend the Belvedere Administrative Policy Manual to add Section 6.4 setting forth the charter for the Belvedere Historic Preservation Committee.
 - D. A Resolution to amend the Belvedere Administrative Policy Manual to add Section 6.3 setting forth the charter for the Belvedere Traffic Safety and Circulation Committee.
Staff Recommendation: Approve the Resolutions.
17. Consideration of request for funding for a Community Talent Showcase.
Staff Recommendation: Consider the request for funding for the Community Talent Showcase.

ADJOURN

NOTICE: WHERE TO VIEW AGENDA MATERIALS

Staff reports and other materials distributed to the City Council are available for public inspection at the following locations:

- Online at www.cityofbelvedere.org/archive.aspx
- Belvedere City Hall, 450 San Rafael Avenue, Belvedere. *(Materials distributed to the City Council after the Thursday before the meeting are available for public inspection at this location only.)*
- Belvedere-Tiburon Library, 1501 Tiburon Boulevard, Tiburon.

To request automatic mailing of agenda materials, please contact the City Clerk at (415) 435-3838.

NOTICE: AMERICANS WITH DISABILITIES ACT

The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats and special assistance needed to attend or participate in this meeting. Please make your request at the Office of the City Clerk or by calling 415/435-3838. Whenever possible, please make your request four working days in advance.

Posted: 3 10 2022

CONSENT CALENDAR

**BELVEDERE CITY COUNCIL
MARCH 14, 2022**

To: Mayor and City Council

From: Beth Haener, City Clerk

Subject: **Approve minutes of the February 14, 2022 Regular City Council meeting**

Recommended Motion/Item Description

That the City Council approve the minutes as part of the Consent Calendar.

Attachments

Minutes.

**REGULAR MEETING
BELVEDERE CITY COUNCIL
FEBRUARY 14, 2022, 6:30 PM
REMOTE VIA ZOOM**

MINUTES

COUNCIL PRESENT: James Campbell, Nancy Kemnitzer, James Lynch, Steve Block, and Sally Wilkinson

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Craig Middleton, Police Chief Jason Wu, Public Works Director Robert Zadnik, Administrative Services Director Helga Cotter, Planning and Building Director Irene Borba, Senior Planner Rebecca Markwick, City Attorney Amy Ackerman, and City Clerk Beth Haener

These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available: <https://www.cityofbelvedere.org/agendacenter>.

CALL TO ORDER IN REMOTE OPEN SESSION

The meeting was called to order by Mayor Wilkinson at 6:30 PM via remote Zoom meeting. City Clerk Haener read the COVID-19 notice and public participation instructions.

City Manager Middleton took roll call.

OPEN FORUM

Belvedere resident William Rothman shared a newsletter about community issues and requested those interested in receiving the newsletter to contact him.

Seeing no one else wishing to speak, Mayor Wilkinson closed the open forum.

REPORTS & PRESENTATIONS

1. City Council Reports

Councilmember Block reported that the Richardson Bay Regional Authority (RBRA) published an amendment proposed for the transition plan which was originally published in 2020. Councilmember Block stated if Council or public would like to review or comment, please visit the [RBRA](#) website.

2. City Manager Report

City Manager Middleton reported that the City received the Mallard Pointe Project final application and is in the first 30-day period of determining if the application is complete. City staff along with outside agencies are currently reviewing the application. City Manager Middleton stated that the City has until February 25th to let the development team know whether or not the application is complete.

City Manager Middleton announced that the Annual Town Meeting is scheduled for April 25th at 6:00 p.m. and stated he is looking forward to celebrating Belvedere's Citizen of the Year and the Citizen Emeritus.

CONSENT CALENDAR

Belvedere resident William Rothman requested that item 9 be removed for further discussion, and Belvedere resident Jane

Cooper requested that item 8 and item 11 be removed for further discussion.

MOTION: Move to adopt the Consent Calendar, with the exception of items 8, 9, and 11

MOVED: By Campbell, seconded by Lynch. Approval was unanimous

The Consent Calendar consisted of the following Items:

3. **Approve minutes of the January 10, 2022, regular meeting.**
4. **Approve minutes of the January 27, 2022, special meeting.**
5. **Approve warrants of December 2021.**
6. **Accept the Fiscal Year Investment Report for the quarter ending December 31, 2021.**
7. **Adopt Resolution Designating Authorized Users of the City’s Local Agency Investment Fund.**
10. **Adopt a Proclamation honoring Belvedere-Tiburon Library Director Deborah Mazzolini upon Retirement.**
12. **Accept Report to City Council Pursuant to Government Code Section 65858 (d) pertaining to the Urgency Ordinance of the City of Belvedere Amending Title 18 – Subdivisions Establishing Regulations for the Subdivision and Development of Qualified Senate Bill 9 (SB9) Properties and Amending Title 19- Zoning of the Belvedere Municipal Code to Comply with Senate Bill 9 (SB9).**

8. Adopt a Resolution approving a Construction Impact Committee.

Belvedere resident Jane Cooper asked if this committee will be a citizens committee and asked how one applies. Councilmember Block stated because the Construction Impact Committee is a temporary committee, the Mayor will appoint the members.

9. Adopt a Resolution to Continue Remote Public Meetings pursuant to Assembly Bill 361 (Govt. Code sec. 54953(e).)

Belvedere resident William Rothman requested that, during Zoom meetings, the number of people in attendance be stated throughout the meeting and requested that the meeting’s agenda be in view on the screen.

11. Accept Report to City Council Pursuant to Government Code Section 65858 (d) pertaining to the Urgency Ordinance of the City of Belvedere Adopting Title 22 Objective Design and Development Standards (ODDS) For Qualifying Multi-Family and Mixed-Use Projects.

Belvedere resident Jane Cooper requested that the revised Objective Design and Development Standards be posted on the City Website. Planning and Building Director Irene Borba stated that the revised version is on the website, but we will make sure it is more accessible.

MOTION: Move to adopt item 8, item 9, and item 11

MOVED: By Campbell, seconded by Lynch. approval was unanimous

PUBLIC HEARING

13. Introduction and first reading of an Ordinance Repealing Belvedere Municipal Code Chapter 8.08 “Garbage Collection and Disposal” and Replacing with “Solid Waste Collection and Disposal” in compliance with State law SB 1383.

City Manager Middleton introduced Claire Wilson, the Senior Project Analyst for R3 Consulting Group, Inc. Wilson gave a presentation on SB 1383, a State law about organic waste and requiring the collection of it, then took questions from Council.

Mayor Wilkinson called for public comment.

Belvedere resident William Rothman stated there should not be a rate increase for Belvedere because the City is currently doing the steps asked for. Wilson stated that there is no requested rate increase by Mill Valley Refuse at this time.

Belvedere resident Jerry Butler stated that, because the City has recently looked at its long-term agreement with Mill Valley Refuse, if there were a rate increase, would this give the City an opportunity to look for other trash service alternatives with better rates. Wilson stated that if there was rate increase, it would only be related to this law. City Manager Middleton stated that he does not know whether a rate increase related to this law would provide an opportunity to revisit the City's contract with MVRS but indicated that he would look into it.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment and brought it back to Council for further discussion.

Councilmember Kemnitzer stated that the changes in SB1383 are being carefully considered in the City's Climate Action Plan update and stated that since the City already has bundled bin service, there should not be a rate increase. Council discussed and all agreed that there should not be a rate increase for Belvedere because of SB1383.

MOTION: To read the Ordinance by title only
MOVED: By Lynch, seconded by Kemnitzer. approval was unanimous

City Clerk Haener read aloud the full title of the ordinance.

MOTION: Approve the first reading of the ordinance and waive future readings of the ordinance in its entirety
MOVED: By Lynch, seconded by Kemnitzer; approval was unanimous

14. First Public Hearing on Proposing a City Charter for Belvedere and the Content of the Proposed Charter.

City Manager Middleton and City Attorney Ackerman presented that staff report and took questions from Council.

Council discussed in detail the proposed charter, and whether the Council would prefer to bring a broadly worded or narrowly worded charter to the voters.

Mayor Wilkinson called for public comment.

Belvedere resident Jerry Butler asked if the primary reason of Belvedere becoming a charter city is to give the City a way to pass a transfer tax. City Manager Middleton stated that yes, this is what has brought us to this point.

Belvedere resident Steger Johnson stated that a transfer tax puts the entire burden of funding the City's infrastructure projects on those persons who are selling their homes and brought up the option of a parcel tax. Mayor Wilkinson stated that the Belvedere Finance Committee looked at many different options, and in relation to a parcel tax, there are citizens who are on a fixed incomes for whom a parcel tax would be difficult. She indicated that, when you sell property, it is typically a time of high liquidity and a better time to bear the burden of a tax.

Belvedere resident Jane Cooper asked if there was a downside of becoming a charter city. City Attorney Ackerman stated that she does not see a downside. Jane Cooper stated she supports the idea of passing the proposal solely to become a charter city and if the tax can also happen, that would be a bonus.

Belvedere resident Mario Valente asked if it is correct that if there is an intrafamily transfer of real estate, the transfer tax would not be exacted. City Manager Middleton stated yes, that is correct.

Belvedere resident Larry Stoehr stated that Council should be reminded to view this issue from both sides, as Councilmembers and as citizens. He indicated that citizens might not want to give certain powers to the City.

Belvedere resident Mr. Rothman stated his concerns about the Critical Infrastructure Project.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment and brought it back to Council for further discussion.

Council requested a broader explanation of the differences between a charter city and a general law city when this item is brought back to Council.

No action was required for this item.

OTHER SCHEDULED ITEMS

15. Discussion and Possible Action to adopt a Resolution to award contract for construction of the Community Park Playground Project to McNabb Construction and adopt a Resolution to approve an amendment to the Belvedere City budget to fund the Community Park Playground Project.

Councilmember Kemnitzer recused herself as her property is within 500 feet of the item being discussed.

Public works director Robert Zadnik presented the staff report and took questions from Council.

Mayor Wilkinson called for public comment.

Belvedere resident Mario Valente stated his support for the approval of the proposed resolutions, and his daughter Ali Valente also stated her support for the renovation of the Community Park Playground Project.

Belvedere resident William Rothman stated his concern about this project and stated his reasons for opposing the renovation of the Community Park Playground project as designed.

Belvedere resident Steger Johnson stated his support to adopt the proposed resolutions.

City Manager Middleton read a letter from Belvedere resident Petey Stein stating her support for the proposed resolutions.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment and brought it back to Council for further discussion.

MOTION: Approve a resolution to award contract for construction of the Community Park Playground Project to McNabb Construction

MOVED: By Campbell, seconded by Block; approval was unanimous

VOTE: **AYES:** Block, Campbell, Lynch, and Mayor Wilkinson

NOES: None

ABSENT: None

RECUSED: Kemnitzer

MOTION: Approve a resolution to amend the Belvedere City budget to fund the Community Park Playground Project

MOVED: By Campbell, seconded by Block; approval was unanimous

VOTE: **AYES:** Block, Campbell, Lynch, and Mayor Wilkinson

NOES: None

ABSENT: None

RECUSED: Kemnitzer

16. Discussion and Possible Action to approve a Resolution for the Critical Infrastructure Project Contract and Budget amendment.

Director of Public Works Robert Zadnik presented the staff report and took questions from Council.

Mayor Wilkinson called for public comment.

Belvedere Resident William Rothman stated his concerns about the Critical Infrastructure Project.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment and brought it back to Council for further discussion.

MOTION: Approve a resolution authorizing contract amendment with Stetson Engineers, INC

MOVED: By Block, seconded by Lynch; approval was unanimous

MOTION: Approve a resolution authorizing a budget amendment for the Critical Infrastructure project funding

MOVED: By Block, seconded by Lynch; approval was unanimous

ADJOURN

The meeting was adjourned at 8:47 P.M.

THE FOREGOING MINUTES were approved at a regular meeting of the Belvedere City Council on March 14, 2022, by the following vote:

AYES: James Campbell, Nancy Kemnitzer, James Lynch, Steve Block, and Mayor Wilkinson

NOES: None

ABSENT: None

RECUSED: None

Approve: _____
Sally Wilkinson, Mayor

Attest: _____
Beth Haener, City Clerk

CONSENT CALENDAR

**BELVEDERE CITY COUNCIL
MARCH 14, 2022**

To: Mayor and City Council

From: Beth Haener, City Clerk

Subject: **Approve minutes of the February 24, 2022 Special City Council meeting**

Recommended Motion/Item Description

That the City Council approve the minutes as part of the Consent Calendar.

Attachments

Minutes.

**SPECIAL MEETING
BELVEDERE CITY COUNCIL
FEBRUARY 24, 2022, 11:00 AM
REMOTE VIA ZOOM**

MINUTES

COUNCIL PRESENT: James Campbell, Nancy Kemnitzer, Steve Block, and Sally Wilkinson.

COUNCIL ABSENT: James Lynch

STAFF PRESENT: City Manager Craig Middleton, Planning and Building Director Irene Borba, Senior Planner Rebecca Markwick, City Attorney Amy Ackerman, and City Clerk Beth Haener.

These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available: <https://www.cityofbelvedere.org/agendacenter>.

CALL TO ORDER IN REMOTE OPEN SESSION

The meeting was called to order by Mayor Wilkinson at 11:05 AM via remote Zoom meeting.

City Clerk Haener read the COVID-19 notice and public participation instructions.

City Manager Middleton took roll call.

OTHER SCHEDULED ITEMS

1. Adoption of a Resolution Establishing a Committee to Analyze Potential Construction Impacts.

City Manager Middleton presented the staff report. There were no questions from Council or public.

MOTION: Adopt a resolution establishing a temporary committee (6 months) to analyze potential construction impacts and provide recommendations to Council.

MOVED: By Block, seconded by Kemnitzer

VOTE: **AYES:** Block, Campbell, Kemnitzer, and Mayor Wilkinson

NOES: None

ABSENT: Lynch

RECUSED: None

PUBLIC HEARING

2. Adoption of an Ordinance Extending the Urgency Ordinance of the City of Belvedere Adopting Title 22 of the Belvedere Municipal Code Adding Objective Design and Development Standards (ODDS) For Qualifying Multi-Family and Mixed-Use Projects.

Planning and Building Director Borba presented the staff report. There were no questions from Council or public.

MOTION: Adopt an Ordinance to extend an Urgency Ordinance (Ordinance No. 2022-02) which would allow the City additional time to establish regulations on Objective, Design & Development Standards (ODDS), recommends that the Council grant an extension for one year.

MOVED: By Campbell, seconded by Kemnitzer
VOTE: **AYES:** Block, Campbell, Kemnitzer, and Mayor Wilkinson
NOES: None
ABSENT: Lynch
RECUSED: None

3. Adoption of an Ordinance Extending the Urgency Ordinance of the City of Belvedere Amending Belvedere Municipal Code Title 18 -Subdivisions establishing regulations for the subdivision and development of qualified Senate Bill 9 (SB9) properties and amending Title 19 – Zoning to comply with Senate Bill 9.

Planning and Building Director Borba presented the staff report. There were no questions from Council or public.

MOTION: Adopt an Ordinance to extend the City’s SB 9 Urgency Ordinance, Ordinance No. 2022-01, which would allow the City additional time to establish regulations for SB 9 properties/projects.

MOVED: By Campbell, seconded by Block
VOTE: **AYES:** Block, Campbell, Kemnitzer, and Mayor Wilkinson
NOES: None
ABSENT: Lynch
RECUSED: None

ADJOURN

The meeting was adjourned at 11:11 A.M.

THE FOREGOING MINUTES were approved at a regular meeting of the Belvedere City Council on March 14, 2022, by the following vote:

AYES: James Campbell, Nancy Kemnitzer, James Lynch, Steve Block, and Mayor Wilkinson
NOES: None
ABSENT: None
RECUSED: None

Approve: _____
Sally Wilkinson, Mayor

Attest: _____
Beth Haener, City Clerk

CONSENT CALENDAR

**BELVEDERE CITY COUNCIL
MARCH 14, 2022**

To: Mayor and City Council
From: Helga Cotter, Administrative Services Director
Subject: **Approve Warrants of January and February 2022**

Recommended Motion/Item Description

That the City Council approve the January and February 2022 warrants as part of the Consent Calendar.

Attachments

Warrants.

CITY OF BELVEDERE
WARRANTS REPORT
JANUARY 2022
BANK ACCOUNT 1000
OPERATING CHECKING ACCOUNT

| Check Number | Check Date | Vendor # (Name) | Net Amount | Check Description |
|--------------|------------|---|------------|---------------------------|
| 27180 | 1/13/2022 | ALL STAR RENTS | 931.78 | Automatic Generated Check |
| 27181 | 1/13/2022 | AMMI PUBLISHING COMP. INC | 845.00 | Automatic Generated Check |
| 27182 | 1/13/2022 | BENTON TROPHY & AWARDS, I | 134.29 | Automatic Generated Check |
| 27183 | 1/13/2022 | CINTAS CORPORATION #626 | 140.00 | Automatic Generated Check |
| 27184 | 1/13/2022 | CIRA | 26,732.00 | Automatic Generated Check |
| 27185 | 1/13/2022 | CODE SOURCE | 2,240.00 | Automatic Generated Check |
| 27186 | 1/13/2022 | COMPLETE TREE SERVICE & STUMP GRINDING | 3,575.00 | Automatic Generated Check |
| 27187 | 1/13/2022 | COUNTY OF MARIN-MARIN.ORG | 5,638.56 | Automatic Generated Check |
| 27188 | 1/13/2022 | COUNTY OF MARIN | 5,365.10 | Automatic Generated Check |
| 27189 | 1/13/2022 | MARIN COUNTY TAX COLLECTOR | 0.00 | Automatic Generated Check |
| 27190 | 1/13/2022 | DIGITECH REPROGRAPHICS | 1,490.67 | Automatic Generated Check |
| 27191 | 1/13/2022 | EMC PLANNING GROUP INC. | 21,503.29 | Automatic Generated Check |
| 27192 | 1/13/2022 | FLYERS ENERGY, LLC | 915.74 | Automatic Generated Check |
| 27193 | 1/13/2022 | HAMILTON FAMILY TRUST ET AL | 6,440.98 | Automatic Generated Check |
| 27194 | 1/13/2022 | JASON WU | 939.79 | Automatic Generated Check |
| 27195 | 1/13/2022 | MARIN INDEPENDENT JOURNAL | 140.28 | Automatic Generated Check |
| 27196 | 1/13/2022 | MEDICAL CENTER OF MARIN | 158.00 | Automatic Generated Check |
| 27197 | 1/13/2022 | REMY MOOSE MANLEY LLP | 4,864.50 | Automatic Generated Check |
| 27198 | 1/13/2022 | RHAA | 6,870.00 | Automatic Generated Check |
| 27199 | 1/13/2022 | SALLY WILKINSON | 379.80 | Automatic Generated Check |
| 27200 | 1/13/2022 | STERICYCLE INC | 119.03 | Automatic Generated Check |
| 27201 | 1/13/2022 | SWRCB | 7,067.00 | Automatic Generated Check |
| 27202 | 1/13/2022 | TPX COMMUNICATIONS | 891.33 | Automatic Generated Check |
| 27203 | 1/13/2022 | U.S. BANK CORPORATE PAYME | 5,573.83 | Automatic Generated Check |
| 27204 | 1/13/2022 | VERIZON | 86.66 | Automatic Generated Check |
| 27205 | 1/13/2022 | VERIZON | 469.96 | Automatic Generated Check |
| 27206 | 1/13/2022 | VERIZON | 130.86 | Automatic Generated Check |
| 27207 | 1/13/2022 | WELLS FARGO VENDOR FINANCIAL SERVICES LLC | 148.30 | Automatic Generated Check |
| 27209 | 1/25/2022 | ANDREW ROSAS | 2,477.00 | Automatic Generated Check |
| 27228 | 1/27/2022 | ALL STAR RENTS | 17.92 | Automatic Generated Check |
| 27229 | 1/27/2022 | AT&T | 636.10 | Automatic Generated Check |
| 27230 | 1/27/2022 | BLASEN LANDSCAPE ARCHITECTURE | 430.00 | Automatic Generated Check |
| 27231 | 1/27/2022 | BROOKS TREE CARE | 1,700.00 | Automatic Generated Check |
| 27232 | 1/27/2022 | CALIFORNIA BUILDING STAND | 161.18 | Automatic Generated Check |
| 27233 | 1/27/2022 | DEPT. OF CONSERVATION | 469.67 | Automatic Generated Check |
| 27234 | 1/27/2022 | EUREKA VALLEY FLOOR, INC. | 2,288.00 | Automatic Generated Check |
| 27235 | 1/27/2022 | FIELDMAN, ROLAPP & ASSOCIATES | 396.00 | Automatic Generated Check |
| 27236 | 1/27/2022 | FLYERS ENERGY, LLC | 2,283.99 | Automatic Generated Check |
| 27237 | 1/27/2022 | GOLDFARB LIPMAN ATTORNEYS | 2,686.00 | Automatic Generated Check |
| 27238 | 1/27/2022 | MARIN MUNICIPAL WATER DIS | 1,366.55 | Automatic Generated Check |
| 27239 | 1/27/2022 | MEYERS NAVE | 1,584.00 | Automatic Generated Check |
| 27240 | 1/27/2022 | MOE ENGINEERING, INC. | 4,332.50 | Automatic Generated Check |
| 27241 | 1/27/2022 | PG&E CFM/PPC DEPARTMENT | 2,273.87 | Automatic Generated Check |
| 27242 | 1/27/2022 | RHAA | 4,215.00 | Automatic Generated Check |
| 27243 | 1/27/2022 | SALLY WILKINSON | 379.80 | Automatic Generated Check |
| 27244 | 1/27/2022 | U.S. BANK CORPORATE PAYME | 1,912.06 | Automatic Generated Check |
| 27245 | 1/27/2022 | WAGWORKS INC. | 100.00 | Automatic Generated Check |
| A-1000 | 1/5/2022 | AFLAC INSURANCE CO | 153.87 | Electronic Payment |
| A-1001 | 1/11/2022 | PG&E | 3,425.78 | Electronic Payment |
| A-1002 | 1/7/2022 | EFTPS | 4,673.39 | Electronic Payment |
| A-1003 | 1/7/2022 | EFTPS | 3,587.74 | Electronic Payment |
| A-1004 | 1/7/2022 | CA EDD | 1,225.57 | Electronic Payment |
| A-1005 | 1/7/2022 | LINCOLN LTD | 714.30 | Electronic Payment |
| A-1006 | 1/7/2022 | RELIANT STANDARD LIFE/ADD | 363.92 | Electronic Payment |
| A-1007 | 1/7/2022 | EFTPS | 341.48 | Electronic Payment |
| A-1008 | 1/7/2022 | CALPERS | 194.87 | Electronic Payment |
| A-1009 | 1/7/2022 | CA EDD | 61.75 | Electronic Payment |
| A-1010 | 1/10/2022 | CALPERS | 5,909.20 | Electronic Payment |
| A-1011 | 1/10/2022 | CALPERS | 3,822.45 | Electronic Payment |
| A-1012 | 1/10/2022 | CALPERS | 2,953.10 | Electronic Payment |
| A-1013 | 1/10/2022 | CALPERS | 2,075.53 | Electronic Payment |
| A-1014 | 1/10/2022 | CA EDD | 976.35 | Electronic Payment |
| A-1015 | 1/10/2022 | CALPERS | 721.29 | Electronic Payment |
| A-1016 | 1/11/2022 | DELTA DENTAL | 2,659.56 | Electronic Payment |
| A-1017 | 1/14/2022 | EFTPS | 13,894.26 | Electronic Payment |
| A-1018 | 1/14/2022 | WAGWORKS INC. | 287.96 | Electronic Payment |
| A-1019 | 1/18/2022 | CA EDD | 4,622.67 | Electronic Payment |
| A-1020 | 1/18/2022 | WESTAMERICA BANK | 352.08 | Electronic Payment |
| A-1021 | 1/18/2022 | PACE SUPPLY | 320.00 | Electronic Payment |
| A-1022 | 1/18/2022 | CA EDD | 146.38 | Electronic Payment |
| A-1024 | 1/19/2022 | CALPERS | 6,197.01 | Electronic Payment |

CITY OF BELVEDERE
WARRANTS REPORT
JANUARY 2022
BANK ACCOUNT 1000
OPERATING CHECKING ACCOUNT

| Check Number | Check Date | Vendor # (Name) | Net Amount | Check Description |
|------------------------------------|------------|--------------------------------|------------|--------------------|
| A-1025 | 1/19/2022 | CALPERS | 6,096.60 | Electronic Payment |
| A-1026 | 1/19/2022 | CALPERS | 3,058.29 | Electronic Payment |
| A-1027 | 1/19/2022 | CALPERS | 1,618.55 | Electronic Payment |
| A-1028 | 1/19/2022 | WAGEWORKS INC. | 468.46 | Electronic Payment |
| A-1029 | 1/20/2022 | CONNECT YOUR CARE | 7.40 | Electronic Payment |
| A-1030 | 1/24/2022 | AT&T | 194.72 | Electronic Payment |
| A-1031 | 1/25/2022 | AT&T | 64.20 | Electronic Payment |
| A-1032 | 1/26/2022 | WAGEWORKS INC. | 20.00 | Electronic Payment |
| A-1033 | 1/27/2022 | CALPERS | 33,327.00 | Electronic Payment |
| A-1034 | 1/27/2022 | EFTPS | 15,438.16 | Electronic Payment |
| A-1035 | 1/27/2022 | CA EDD | 5,019.80 | Electronic Payment |
| A-1036 | 1/27/2022 | DELTA DENTAL | 2,659.56 | Electronic Payment |
| A-1037 | 1/28/2022 | CALPERS | 16,784.60 | Electronic Payment |
| A-1038 | 1/28/2022 | LINCOLN LTD | 505.98 | Electronic Payment |
| A-1039 | 1/28/2022 | RELiant STANDARD LIFE/ADD | 291.51 | Electronic Payment |
| A-1040 | 1/28/2022 | PITNEY BOWES | 171.34 | Electronic Payment |
| A-1041 | 1/28/2022 | AFLAC INSURANCE CO | 38.86 | Electronic Payment |
| A-2023 | 1/18/2022 | COMCAST | 48.80 | Electronic Payment |
| A-999 | 1/3/2022 | GLOBAL PAYMENTS | 335.55 | Electronic Payment |
| AP121322-01 | 1/13/2022 | ANDREW ROSAS | 2,442.00 | Electronic Payment |
| AP121322-02 | 1/13/2022 | ARBORSCIENCE | 1,200.00 | Electronic Payment |
| AP121322-03 | 1/13/2022 | ATLAS BUSINESS SOLUTIONS, | 300.00 | Electronic Payment |
| AP121322-04 | 1/13/2022 | CARBONITE INC. | 817.66 | Electronic Payment |
| AP121322-05 | 1/13/2022 | CRAIGMIDDLETON | 555.06 | Electronic Payment |
| AP121322-06 | 1/13/2022 | GOV TEMP USA - VOID | 0.00 | Electronic Payment |
| AP121322-07 | 1/13/2022 | GOV TEMP USA - VOID | 0.00 | Electronic Payment |
| AP121322-08 | 1/13/2022 | GOV TEMP USA - VOID | 0.00 | Electronic Payment |
| AP121322-09 | 1/13/2022 | GOV TEMP USA - VOID | 0.00 | Electronic Payment |
| AP121322-10 | 1/13/2022 | GOV TEMP USA - VOID | 0.00 | Electronic Payment |
| AP121322-11 | 1/13/2022 | GOV TEMP USA - VOID | 0.00 | Electronic Payment |
| AP121322-12 | 1/13/2022 | HADLEY GENERAL CONTRACTORS INC | 2,837.63 | Electronic Payment |
| AP121322-13 | 1/13/2022 | MARIN IT, INC. | 559.50 | Electronic Payment |
| AP121322-14 | 1/13/2022 | MAZE & ASSOCIATES | 958.00 | Electronic Payment |
| AP121322-15 | 1/13/2022 | PORAC RETIREE MEDICAL TRU | 2,250.00 | Electronic Payment |
| AP121322-16 | 1/13/2022 | SPTJ CONSULTING | 3,655.50 | Electronic Payment |
| AP121322-17 | 1/13/2022 | SPTJ CONSULTING | 6,150.00 | Electronic Payment |
| AP121322-18 | 1/13/2022 | SPTJ CONSULTING | 12,088.82 | Electronic Payment |
| AP121322-19 | 1/13/2022 | TIBURON FIRE PROTECTION | 154,351.00 | Electronic Payment |
| AP012722-01 | 1/27/2022 | ALHAMBRA & SIERRA SPRINGS | 150.29 | Electronic Payment |
| AP012722-02 | 1/27/2022 | ALHAMBRA & SIERRA SPRINGS | 72.10 | Electronic Payment |
| AP012722-03 | 1/27/2022 | BELVEDERE-TIBURON LIBRARY | 91,545.62 | Electronic Payment |
| AP012722-04 | 1/27/2022 | CARBONITE INC. | 817.66 | Electronic Payment |
| AP012722-05 | 1/27/2022 | DC ELECTRIC GROUP, INC. | 315.70 | Electronic Payment |
| AP012722-06 | 1/27/2022 | DC ELECTRIC GROUP, INC. | 315.70 | Electronic Payment |
| AP012722-07 | 1/27/2022 | FORSTER & KROEGER LANDSCA | 4,800.00 | Electronic Payment |
| AP012722-08 | 1/27/2022 | GOV TEMP USA | 874.65 | Electronic Payment |
| AP012722-09 | 1/27/2022 | GOV TEMP USA | 2,160.90 | Electronic Payment |
| AP012722-10 | 1/27/2022 | GOV TEMP USA | 3,858.75 | Electronic Payment |
| AP012722-11 | 1/27/2022 | GOV TEMP USA | 4,974.90 | Electronic Payment |
| AP012722-12 | 1/27/2022 | GOV TEMP USA | 3,696.00 | Electronic Payment |
| AP012722-13 | 1/27/2022 | GOV TEMP USA | 3,141.60 | Electronic Payment |
| AP012722-14 | 1/27/2022 | GOV TEMP USA | 5,074.65 | Electronic Payment |
| AP012722-15 | 1/27/2022 | GOV TEMP USA | 3,719.10 | Electronic Payment |
| AP012722-16 | 1/27/2022 | JESUS ARGUELLES | 541.38 | Electronic Payment |
| AP012722-17 | 1/27/2022 | JESUS ARGUELLES | 1,476.54 | Electronic Payment |
| AP012722-18 | 1/27/2022 | MARIN IT, INC. | 93.75 | Electronic Payment |
| AP012722-19 | 1/27/2022 | PARS | 600.00 | Electronic Payment |
| AP012722-20 | 1/27/2022 | TIBURON FIRE PROTECTION | 154,351.00 | Electronic Payment |
| AP012722-21 | 1/27/2022 | TREEMASTERS | 681.00 | Electronic Payment |
| AP012722-22 | 1/27/2022 | TREEMASTERS | 9,800.00 | Electronic Payment |
| Total for Bank Account 1000 -----> | | | 760,557.74 | |

CITY OF BELVEDERE
WARRANTS REPORT
JANUARY 2022
BANK ACCOUNT 1010
PAYROLL CHECKING ACCOUNT

| Check Number | Check Date | Vendor # (Name) | Net Amount | Check Description |
|--------------|------------|-----------------|------------|--------------------|
| 126 | 1/5/2022 | DIRECT DEPOSIT | 2,581.53 | Electronic Payment |
| 127 | 1/7/2022 | DIRECT DEPOSIT | 35,650.69 | Electronic Payment |
| 128 | 1/13/2022 | DIRECT DEPOSIT | 59,845.96 | Electronic Payment |
| 129 | 1/27/2022 | DIRECT DEPOSIT | 64,520.42 | Electronic Payment |
| PR010522-01 | 1/5/2022 | ICMA-RC | 886.15 | Electronic Payment |
| PR010722-01 | 1/7/2022 | ICMA-RC | 5,088.81 | Electronic Payment |
| PR010722-02 | 1/7/2022 | ICMA-RC | 77.31 | Electronic Payment |
| PR010722-03 | 1/7/2022 | ICMA-RC | 4,018.26 | Electronic Payment |
| PR011322-01 | 1/13/2022 | BPOA | 73.84 | Electronic Payment |
| PR011322-02 | 1/13/2022 | ICMA-RC | 4,502.87 | Electronic Payment |
| PR011322-03 | 1/13/2022 | Garnishment | 692.31 | Electronic Payment |
| PR012722-01 | 1/27/2022 | BPOA | 73.84 | Electronic Payment |
| PR012722-02 | 1/27/2022 | ICMA-RC | 4,502.87 | Electronic Payment |
| PR012722-03 | 1/27/2022 | Garnishment | 692.31 | Electronic Payment |

Total for Bank Account 1010 -----> 183,207.17

Grand Total of all Bank Accounts -----> 943,764.91

CITY OF BELVEDERE
WARRANTS REPORT
FEBRUARY 2022
BANK ACCOUNT 1000
OPERATING CHECKING ACCOUNT

| Check Number | Check Date | Vendor # (Name) | Net Amount | Check Description |
|--------------|------------|---------------------------------------|------------|---------------------------|
| 27276 | 2/8/2022 | ACCELINSIGHT ASSOCIATES | 160.00 | Automatic Generated Check |
| 27277 | 2/8/2022 | AMY O SKEWES-COX | 6,735.00 | Automatic Generated Check |
| 27278 | 2/8/2022 | AT&T MOBILITY | 216.15 | Automatic Generated Check |
| 27279 | 2/8/2022 | CINTAS CORPORATION #626 | 358.93 | Automatic Generated Check |
| 27280 | 2/8/2022 | CODE SOURCE | 1,340.00 | Automatic Generated Check |
| 27281 | 2/8/2022 | DEPT. OF JUSTICE | 51.00 | Automatic Generated Check |
| 27282 | 2/8/2022 | DIGITECH REPROGRAPHICS | 1,123.96 | Automatic Generated Check |
| 27283 | 2/8/2022 | EMC PLANNING GROUP INC. | 17,408.04 | Automatic Generated Check |
| 27284 | 2/8/2022 | ENGINEERING SOLUTIONS SERVICES | 8,285.00 | Automatic Generated Check |
| 27285 | 2/8/2022 | FORTICON INC | 6,262.08 | Automatic Generated Check |
| 27286 | 2/8/2022 | GOODMAN BUILDING SUPPLY | 71.41 | Automatic Generated Check |
| 27287 | 2/8/2022 | KYOCERA DOCUMENT SOLUTIONS NO. CAL | 44.36 | Automatic Generated Check |
| 27288 | 2/8/2022 | LEAGUE OF CALIF CITIES | 350.00 | Automatic Generated Check |
| 27289 | 2/8/2022 | MARIN CO TAX COLLECTOR | 347.00 | Automatic Generated Check |
| 27290 | 2/8/2022 | MARIN COUNTY POLICE CHIEF | 300.00 | Automatic Generated Check |
| 27291 | 2/8/2022 | MARIN COUNTY SHERIFF'S OF | 35,707.75 | Automatic Generated Check |
| 27292 | 2/8/2022 | MARIN GENERAL SERVICES AU | 11,942.50 | Automatic Generated Check |
| 27293 | 2/8/2022 | PAUL M COHEN | 2,000.00 | Automatic Generated Check |
| 27294 | 2/8/2022 | RICHARDSON'S BAY REGIONAL AGENCY | 67,409.00 | Automatic Generated Check |
| 27295 | 2/8/2022 | REMY MOOSE MANLEY LLP | 4,867.70 | Automatic Generated Check |
| 27296 | 2/8/2022 | SIEMENS MOBILITY INC. | 160.00 | Automatic Generated Check |
| 27297 | 2/8/2022 | STETSON ENGINEERS, INC. | 13,167.50 | Automatic Generated Check |
| 27298 | 2/8/2022 | SUSAN S. IMEL INTERIOR DE | 160.00 | Automatic Generated Check |
| 27299 | 2/8/2022 | TPX COMMUNICATIONS | 891.46 | Automatic Generated Check |
| 27300 | 2/8/2022 | U.S. BANK CORPORATE PAYME | 7,861.38 | Automatic Generated Check |
| 27301 | 2/8/2022 | VERIZON | 86.60 | Automatic Generated Check |
| 27302 | 2/8/2022 | VERIZON | 469.60 | Automatic Generated Check |
| 27303 | 2/8/2022 | VERIZON | 129.49 | Automatic Generated Check |
| 27304 | 2/8/2022 | WELLS FARGO CLEARING SERVICES LLC | 148.30 | Automatic Generated Check |
| 27305 | 2/16/2022 | WESTERN STATES TOOL AND SUPPLY | 10,120.59 | Automatic Generated Check |
| 27306 | 2/24/2022 | ALLEN GLAESSNER HAZELWOOD & WERTH LLP | 585.00 | Automatic Generated Check |
| 27307 | 2/24/2022 | BLASEN LANDSCAPE ARCHITECTURE | 1,045.00 | Automatic Generated Check |
| 27308 | 2/24/2022 | CIRA | 886.00 | Automatic Generated Check |
| 27309 | 2/24/2022 | COOL THE EARTH INC. | 2,248.00 | Automatic Generated Check |
| 27310 | 2/24/2022 | EMC PLANNING GROUP INC. | 937.97 | Automatic Generated Check |
| 27311 | 2/24/2022 | FIELDMAN, ROLAPP & ASSOCIATES | 817.50 | Automatic Generated Check |
| 27312 | 2/24/2022 | FLYERS ENERGY, LLC | 990.58 | Automatic Generated Check |
| 27313 | 2/24/2022 | HORIZON | 966.29 | Automatic Generated Check |
| 27314 | 2/24/2022 | ILS ASSOCIATES, INC. | 512.00 | Automatic Generated Check |
| 27315 | 2/24/2022 | KAREN GANN, INTERIOR DESIGN | 160.00 | Automatic Generated Check |
| 27316 | 2/24/2022 | LEAGUE OF CALIF CITIES | 1,521.00 | Automatic Generated Check |
| 27317 | 2/24/2022 | PARTNERS CONTRACTING INC | 1,450.00 | Automatic Generated Check |
| 27318 | 2/24/2022 | REMY MOOSE MANLEY LLP | 293.70 | Automatic Generated Check |
| 27319 | 2/24/2022 | SAN FRANCISCO YACHT CLUB | 32.00 | Automatic Generated Check |
| 27320 | 2/24/2022 | STETSON ENGINEERS, INC. | 53,773.25 | Automatic Generated Check |
| 27321 | 2/24/2022 | THE ED JONES COMPANY | 180.08 | Automatic Generated Check |
| 27322 | 2/24/2022 | WAGeworks INC. | 100.00 | Automatic Generated Check |
| AP020822-01 | 2/8/2022 | ALLSEP PLANNING | 1,665.00 | Electronic Payment |
| AP020822-02 | 2/8/2022 | ARBORSCIENCE | 1,200.00 | Electronic Payment |
| AP020822-03 | 2/8/2022 | BAY ALARM COMPANY | 350.73 | Electronic Payment |
| AP020822-04 | 2/8/2022 | BELVEDERE-TIBURON LIBRARY | 11,267.14 | Electronic Payment |
| AP020822-05 | 2/8/2022 | CAPITAL ONE PUBLIC FUNDING, LLC | 126,195.75 | Electronic Payment |
| AP020822-06 | 2/8/2022 | EDMUND H. SAN DIEGO | 614.88 | Electronic Payment |
| AP020822-07 | 2/8/2022 | FORSTER & KROEGER LANDSCA | 8,640.00 | Electronic Payment |
| AP020822-08 | 2/8/2022 | GOV TEMP USA | 3,919.65 | Electronic Payment |
| AP020822-09 | 2/8/2022 | GOV TEMP USA | 4,068.75 | Electronic Payment |

CITY OF BELVEDERE
WARRANTS REPORT
FEBRUARY 2022
BANK ACCOUNT 1000
OPERATING CHECKING ACCOUNT

| Check Number | Check Date | Vendor # (Name) | Net Amount | Check Description |
|--------------|------------|--|------------|--------------------|
| AP020822-10 | 2/8/2022 | JESUS ARGUELLES | 639.81 | Electronic Payment |
| AP020822-11 | 2/8/2022 | JESUS ARGUELLES | 1,312.48 | Electronic Payment |
| AP020822-12 | 2/8/2022 | MARIN IT, INC. | 559.50 | Electronic Payment |
| AP020822-13 | 2/8/2022 | MARIN IT, INC. | 559.50 | Electronic Payment |
| AP020822-14 | 2/8/2022 | MARY NEILAN | 614.88 | Electronic Payment |
| AP020822-15 | 2/8/2022 | MEYERS NAVE | 2,970.00 | Electronic Payment |
| AP020822-16 | 2/8/2022 | OBERKAMPER & ASSOCIATES CIVIL ENGINEERS INC. | 2,665.00 | Electronic Payment |
| AP020822-17 | 2/8/2022 | U.S. BANK OPERATIONS CENT | 51,974.86 | Electronic Payment |
| AP020822-18 | 2/8/2022 | U.S. BANK OPERATIONS CENT | 130,733.24 | Electronic Payment |
| AP020822-19 | 2/8/2022 | U.S. BANK OPERATIONS CENT | 11,617.36 | Electronic Payment |
| AP020822-20 | 2/8/2022 | WILLDAN FINANCIAL SERVICE | 950.00 | Electronic Payment |
| AP022422-01 | 2/24/2022 | BASELINE ENVIRONMENTAL CONSULTING | 1,156.25 | Electronic Payment |
| AP022422-02 | 2/24/2022 | CHARGEPOINT, INC. | 751.81 | Electronic Payment |
| AP022422-03 | 2/24/2022 | DIEGO TRUCK REPAIR | 4,088.78 | Electronic Payment |
| AP022422-04 | 2/24/2022 | EDMUND H. SAN DIEGO | 614.88 | Electronic Payment |
| AP022422-05 | 2/24/2022 | GENARO MUNIZ | 23.78 | Electronic Payment |
| AP022422-06 | 2/24/2022 | GOV TEMP USA | 3,228.75 | Electronic Payment |
| AP022422-07 | 2/24/2022 | MARIN IT, INC. | 31.25 | Electronic Payment |
| AP022422-08 | 2/24/2022 | MARY NEILAN | 614.88 | Electronic Payment |
| AP022422-09 | 2/24/2022 | PARS | 600.00 | Electronic Payment |
| AP022422-10 | 2/24/2022 | RENNE PUBLIC LAW GROUP, LLP | 14,987.89 | Electronic Payment |
| AP022422-11 | 2/24/2022 | SPTJ CONSULTING | 6,075.00 | Electronic Payment |
| AP022422-12 | 2/24/2022 | SPTJ CONSULTING | 3,077.50 | Electronic Payment |
| AP022422-13 | 2/24/2022 | TIBURON FIRE PROTECTION | 154,351.00 | Electronic Payment |
| A-1042 | 2/1/2022 | U.S. BANK COPIER | 1,912.06 | Electronic Payment |
| A-1043 | 2/1/2022 | U.S. BANK COPIER | 993.93 | Electronic Payment |
| A-1044 | 2/2/2022 | GLOBAL PAYMENTS | 558.70 | Electronic Payment |
| A-1045 | 2/2/2022 | TAKE CARE/WAGE WORKS | 35.00 | Electronic Payment |
| A-1046 | 2/28/2022 | PG&E | 3,385.17 | Electronic Payment |
| A-1047 | 2/10/2022 | EFTPS | 14,259.25 | Electronic Payment |
| A-1048 | 2/10/2022 | CA EDD | 4,674.59 | Electronic Payment |
| A-1049 | 2/11/2022 | CALPERS | 16,720.29 | Electronic Payment |
| A-1050 | 2/11/2022 | CALPERS | 1,246.62 | Electronic Payment |
| A-1051 | 2/11/2022 | CALPERS | 1,593.55 | Electronic Payment |
| A-1052 | 2/15/2022 | WESTAMERICA BANK | 449.97 | Electronic Payment |
| A-1053 | 2/18/2022 | COMCAST | 48.85 | Electronic Payment |
| A-1054 | 2/22/2022 | AT&T | 194.72 | Electronic Payment |
| A-1055 | 2/28/2022 | CONNECT YOUR CARE | 7.40 | Electronic Payment |
| A-1056 | 2/24/2022 | CALPERS | 27,541.63 | Electronic Payment |
| A-1057 | 2/24/2022 | EFTPS | 13,491.47 | Electronic Payment |
| A-1058 | 2/24/2022 | CA EDD | 4,345.85 | Electronic Payment |
| A-1059 | 2/24/2022 | DELTA DENTAL | 2,002.92 | Electronic Payment |
| A-1060 | 2/25/2022 | CALPERS | 16,720.29 | Electronic Payment |
| A-1061 | 2/24/2022 | RELIANT STANDARD LIFE/ADD | 321.87 | Electronic Payment |
| A-1062 | 2/24/2022 | LINCOLN LTD | 610.14 | Electronic Payment |
| A-1063 | 2/28/2022 | AT&T | 64.20 | Electronic Payment |
| A-1064 | 2/28/2022 | AFLAC INSURANCE CO | 38.86 | Electronic Payment |
| A-1065 | 2/9/2022 | WESTAMERICA BANK | 350.00 | Electronic Payment |

Total for Bank Account 1000 ----->

928,360.80

CITY OF BELVEDERE
WARRANTS REPORT
FEBRUARY 2022
BANK ACCOUNT 1010
PAYROLL CHECKING ACCOUNT

| Check Number | Check Date | Vendor # (Name) | Net Amount | Check Description |
|--------------|------------|-----------------|---------------|--------------------|
| 130 | 2/8/2022 | DIRECT DEPOSIT | 64,660.56 | Electronic Payment |
| 131 | 2/22/2022 | DIRECT DEPOSIT | 60,922.06 | Electronic Payment |
| PR021022-01 | 2/8/2022 | BPOA | 73.84 | Electronic Payment |
| PR021022-02 | 2/8/2022 | ICMA-RC | 4,902.87 | Electronic Payment |
| PR021022-03 | 2/8/2022 | GARNISHMENT | 692.31 | Electronic Payment |
| PR022422-01 | 2/22/2022 | BPOA | 73.84 | Electronic Payment |
| PR022422-02 | 2/22/2022 | ICMA-RC | 4,902.87 | Electronic Payment |
| PR022422-03 | 2/22/2022 | GARNISHMENT | <u>692.31</u> | Electronic Payment |

Total for Bank Account 1010 ----->

136,920.66

Grand Total of all Bank Accounts ----->

1,065,281.46

To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Craig Middleton, City Manager

Subject: A Resolution Authorizing the Continuation of Remote Public Meetings pursuant to Assembly Bill 361

RECOMMENDATION

That the City Council adopt a Resolution authorizing the continued use of remote meetings pursuant to Assembly Bill 361 and give direction to staff as necessary.

BACKGROUND

At its October 11, 2021 regular meeting, the City Council adopted Resolution 2021-41 authorizing the continuation of virtual public city meetings during the continuing state of emergency relating to the COVID-19 pandemic for the 30-day period beginning October 11, 2021, and making the required findings pursuant to AB 361. Subsequently, at the November 8, 2021, November 29, 2021, January 10, 2022, and February 14, 2022 meetings, the City Council adopted Resolutions 2021-44, 2021-45, 2022-03, and 2022-06 allowing meetings to be held via teleconference.

In order to continue to hold remote meetings, the City Council must continue to declare every 30 days that (i) the state of emergency continues to be in place; and (ii) State or local officials continue to impose or recommend measures to promote social distancing; or (iii) as a result of the declared emergency, meeting in-person would result in an imminent risk to the health or safety of attendees.

The attached resolution makes the findings to confirm the conditions still exist to allow the continuation of virtual public meetings pursuant to AB 361 for the City Council and on behalf all lower legislative bodies in the City.

The attached resolution anticipates and authorizes remote meetings including hybrid meetings held both via teleconference and in-person. This resolution will allow members of the public to safely observe and participate in local government teleconference meetings during the continued pandemic.

ENVIRONMENTAL DETERMINATION

A meeting format determination under AB 361 is not a “project” under the California Environmental Quality Act, because it does not involve an activity that has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Pub. Res. Code § 21065).

CORRESPONDENCE

As of the writing of this report, no correspondence has been received regarding this agenda item.

RECOMMENDED ACTION

That the City Council adopt the Resolution authorizing the continued use of remote meetings pursuant to Assembly Bill 361 and give direction to staff as necessary.

ATTACHMENT

1. Resolution.

CITY OF BELVEDERE

RESOLUTION NO. 2022-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
AUTHORIZING THE CONTINUATION OF VIRTUAL PUBLIC CITY MEETINGS
DURING THE CONTINUING STATE OF EMERGENCY RELATING TO THE COVID-
19 PANDEMIC PURSUANT TO ASSEMBLY BILL 361**

WHEREAS, on March 4, 2020 Governor Newsom declared a State of Emergency pursuant to Government Code section 8625 due to the COVID-19 pandemic, which State of Emergency remains in effect; and

WHEREAS, State Executive Orders N-25-20 and N-29-20, suspended certain provisions of the Brown Act (Gov. Code, §§ 54950 *et seq.*) to allow public meetings to be held virtually without opening a physical space to the public, which provisions expired September 30, 2021; and

WHEREAS, effective September 16, 2021, Assembly Bill 361 allows local agencies to continue to hold remote public meetings through December 31, 2023 when there is a State-declared emergency, and when state or local officials have imposed or recommended measures to promote social distancing or as a result of the declared emergency, meeting in-person would result in an imminent risk to the health or safety of attendees; and

WHEREAS, the Government Code section 8625 State of Emergency remains in effect; and

WHEREAS, state and local officials continue to impose and recommend measures to promote social distancing due to the continued rates of transmission of the COVID-19 virus and variants as follows:

- a. The Marin County Public Health Department continues to recommend the use of masking indoors.
- b. On September 22, 2021, the Marin County Director of Health and Human Services, Benita McLarin, issued a letter recommended continued social distancing for governmental meetings, including the use of video and teleconference meetings.

WHEREAS, public meetings involve many people in shared indoor spaces, in close proximity for hours, and City meetings rooms have limited mechanical and natural ventilation, creating a health risk for members of the public at this time; and

WHEREAS, as a result of the continuing declared emergency, public meetings in-person would result in an imminent risk to the health or safety of attendees.

WHEREAS, a meeting format determination under AB 361 is not a “project” under the California Environmental Quality Act, because it does not involve an activity that has the potential to cause

a direct or reasonably foreseeable indirect physical change in the environment. (Pub. Res. Code § 21065.)

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Belvedere based on the findings set forth above and incorporated herein, that public meetings of the City's legislative bodies shall be held using remote technology in compliance with the requirements of Government Code section 54953(e) and all other applicable laws for thirty (30) days following the date of adoption of this Resolution.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Belvedere on March 14, 2022, by the following vote:

AYES: James Campbell, Nancy Kemnitzer, James Lynch , Steve Block, and Mayor Wilkinson
NOES: None
ABSENT: None
ABSTAIN: None

APPROVED: _____
Sally Wilkinson, Mayor

ATTEST: _____
Beth Haener, City Clerk

To: Mayor and City Council
From: Jason Wu, Chief of Police
Subject: **Update: Policy 432 – Automated License Plate Readers (ALPRs)**

Recommended Motion/Item Description

Adopt the resolution accepting the recent update(s) to the Belvedere Police Department Policy Manual.

Background

In light of recent challenges to laws governing the use of APLR data, I am recommending changes to the policy to guarantee that data will not be shared with out of state agencies.

In addition to the amendments proposed here, I include for your information a memo from the Police Chief to departmental staff outlining ALPR procedures that was issued on February 22, 2022.

Finally, the department has added a section on ALPR to the Police Department section of the Belvedere City website to give the public easy access to the policy and directives relating to use and handling of ALPR information.

Fiscal Impact

There is no fiscal impact associated with the incorporation of these changes to the Police Policy Manual.

Recommendation

Staff recommends that the City Council adopt the attached Resolution

Attachments

Att A: Resolution ratifying changes to the Belvedere Police Manual
Att B: Policy Changes – Markup version
Att C: Departmental Memo 2.22.22

CITY OF BELVEDERE

RESOLUTION NO. 2022-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
RATIFYING POLICE DEPARTMENT POLICY MANUAL UPDATES**

WHEREAS, Administrative Policy Manual section 20.7.1 provides that Police Policy Manual updates shall be reported to the City Council by the Chief of Police on a quarterly basis and submitted for Council ratification; and

WHEREAS, the Chief of Police recommends that the Police Policy regarding the use of Automated License Plate Readers be amended; and

WHEREAS, at its regularly scheduled meeting on March 14, 2022, the Chief of Police presented the Police Department’s Quarterly Update to the City Council, which included changes and updates to the Police Policy Manual; and

WHEREAS, the City Council desires to ratify said Police Policy Manual updates; and

WHEREAS, the Police Policy Manual updates herein are not a “project” under the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvedere that Section 432 of the Belvedere Police Policy Manual is replaced with a revised Section 432 as set forth in “Exhibit A.”

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on March 14, 2022, by the following vote:

AYES: Steve Block, James Lynch, Nancy Kemnitzer, James Campbell, and Mayor
Wilkinson

NOES: None

ABSENT: None

RECUSED: None

APPROVED: _____
Sally Wilkinson, Mayor

ATTEST: _____
Beth Haener, City Clerk

Automated License Plate Readers (ALPRs)

432.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

432.2 POLICY

The policy of the Belvedere Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this Department. Because such data may contain confidential information, it is not open to public review.

432.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Belvedere Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

The Chief of Police will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data. All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Administrative Sergeant.

432.3.1 ALPR ADMINISTRATOR

The Chief of Police shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

Belvedere Police Department

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Automated License Plate Readers (ALPRs)

432.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR. ALPR inquiries shall be held to the same California Law Enforcement Telecommunications System (CLETS) standards of "need to know, right to know."
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.
- (g) When a member of the Department is placed on administrative leave or extended injury leave, their access to the ALPR system will be suspended until their return.
- (h) BPD will not share ALPR data with Out-of-State or Federal agencies (Civil Code 1798.90.5(f)).

432.5 DATA COLLECTION AND RETENTION

The Administrative Sergeant is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6), but no longer than two years, and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

432.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The data captured by the ALPR cameras are stored at a secured off-site facility within the United States that is maintained by Vigilant Solutions which meet all Federal Bureau of Investigation

Belvedere Police Department

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Automated License Plate Readers (ALPRs)

evidentiary standards. The data is accessible only to law enforcement via a secure cloud based online database named LEARN (Law Enforcement Archival Reporting Network). The Belvedere Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a monthly basis by the Administrative Sergeant.

For security or data breaches, see the Records Release and Maintenance Policy.

432.7 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
 - 1. The name of the agency.
 - 2. The name of the person requesting.
 - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Administration Chief or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

432.8 TRAINING

The Training Sergeant should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

Automated License Plate Readers (ALPRs)

431.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage, and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

431.2 POLICY

The policy of the Belvedere Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this Department. Because such data may contain confidential information, it is not open to public review.

431.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Belvedere Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates, and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction, and stolen property recovery.

~~The Administration Chief~~ Chief of Police will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data. All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the ~~Administration Chief~~ Administrative Sergeant. ~~The Administration Chief will assign members under his/her command to administer the day to day operation of the ALPR equipment and data.~~

431.3.1 ALPR ADMINISTRATOR

The ~~Administration Chief~~ Chief of Police shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.

- (e) The title and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

431.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR. ALPR inquiries shall be held to the same California Law Enforcement Telecommunications System (CLETS) standards of "need to know, right to know."
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.
- (g) When a member of the Department is placed on administrative leave or extended injury leave, their access to the ALPR system will be suspended until their return.
- (h) BPD will not share ALPR data with Out-of-State or Federal agencies (Civil Code § 1798.90.5(f)).

431.5 DATA COLLECTION AND RETENTION

The ~~Administration Chief~~Administrative Sergeant is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. ~~Data will be transferred from vehicles to the designated storage in accordance with department procedures.~~

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6), but no longer than two years, and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

431.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The data captured by the ALPR cameras are stored at a secured off-site facility within the United States that is maintained by Vigilant Solutions which meet all Federal Bureau of Investigation evidentiary standards. The data is accessible only to law enforcement via a secure cloud based online database named LEARN (Law Enforcement Archival Reporting Network). The Belvedere Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53)

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a regular-monthly basis by the Administrative Sergeant.

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For security or data breaches, see the Records Release and Maintenance Policy.

431.7 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
 1. The name of the agency.
 2. The name of the person requesting.
 3. The intended purpose of obtaining the information.

(b) The request is reviewed by the Administration Chief or the authorized designee and approved before the request is fulfilled.

(c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

431.8 TRAINING

-The ~~Chief or his designee~~ Training Sergeant should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).




BELVEDERE POLICE DEPARTMENT

450 SAN RAFAEL AVENUE
BELVEDERE, CA 94920
(415) 435-3266

Feb 22, 2022

Memorandum

To: All Department Sworn Members

From: Jason Wu, Chief of Police 

Subject: Automated License Plate Readers (ALPRs)

This memo serves to further clarify the guidelines and procedures, set forth under Section 432.3.1 of BPD Policy 432 (ALPRs), to comply with the requirements of Civil Code § 1798.90.53 et seq. This includes, but is not limited to (Civil Code § 1998.90.51; Civil Code § 1798.90.53):

- (a) Only sworn members of the department, who have completed the department-approved training, are authorized to access and use the ALPR system or to collect ALPR information.
- (b) The Training Sergeant will ensure that sworn personnel successfully complete department-approved training prior to use of the ALPR system.
- (c) To ensure the security of the information and compliance with applicable privacy laws, all sworn personnel shall comply with the following guidelines:
 - a. No APLR operator may access department, state, or federal data unless otherwise authorized to do so.
 - b. The Administrative Sergeant should review, monthly, ALPR system audit reports generated by Vigilant Solutions and maintain audit reports per the Department's Records Maintenance and Release Policy.
- (d) The Department will observe the following safeguards regarding access to and use of stored ALPR data:

- a. All data will be closely safeguarded and protected by both procedural and technological means. The data captured by the ALPR cameras are stored at a secured off-site facility within the United States that is maintained by Vigilant Solutions which meet all Federal Bureau of Investigation evidentiary standards.
 - b. The data is accessible only to sworn personnel of this Department via a secured cloud-based online database named LEARN (Law Enforcement Archival Reporting Network) that complies with Civil Code § 1798.90.52.
 - c. Data will not be stored for more than 730 Days.
- (e) The Administrative Sergeant (Sgt. Tom Sabido) will maintain oversight of ALPR operations.
- (f) The Administrative Sergeant will work with the Custodian of Records to ensure compliance with the Department's Records Maintenance and Release policy (Policy #803) regarding the retention and destruction of ALPD data.
- (g) Policies and procedures related to Automated License Plate Readers (ALPRs) will be conspicuously posted on the Department's website.

To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Craig Middleton, City Manager

Subject: Request from The Ranch to hold a special event at Belvedere Community Park, including the use of amplified sound

Recommended Motion/Item Description

Approve request for use of amplified music during the Spring Carnival and Egg Hunt event.

Background

This item is a request from The Ranch to hold a special event at Community Park on March 27, 2022, from 10:00 AM – 1:00 PM. According to the submitted special event permit application, The Ranch intends to use amplified sound during the event at the Community Park basketball courts. Amplified music is not permitted per Restriction #2 listed on the first page of the special event permit application (Attachment 1). Staff requests direction from the City Council as to whether the use of amplified music for this public event would be acceptable. The remaining details of the event, such as parking, road closures, and cleanup, can be addressed at the staff level to ensure minimal impact to neighboring residents.

A courtesy notice about the proposed use of amplified sound during the special event was mailed to residents who live 300 feet from Community Park. Residents were invited to comment on the proposed event and raise any concerns they may have. As of the publication of this report, no comments have been received.

Recommendation

Approve request for use of amplified music during the Spring Carnival and Egg Hunt event.

Attachments

- Special event permit application

City of Belvedere

450 San Rafael Avenue • Belvedere, California 94920

Phone 435-3838 Fax 435-0430

www.cityofbelvedere.org

SPECIAL EVENT PERMIT

The purpose of the Special Event Permit is to ensure that groups and individuals planning an event that will be held on or pass through public land or streets have public liability insurance and any other permits and licenses that may be required.

This permit does not serve as a reservation for use of Belvedere's Community Park. Groups and individuals may use Community Park on a first come, first served basis provided the park is not in use for City of Belvedere or Recreation Department sponsored events and camps.

Location: Community Park: 450 San Rafael Avenue and Community Road (adjacent to Belvedere City Hall) or any other specified public area that may be requested.

Hours: The City of Belvedere park facilities are open daily to the general public from sunrise to sunset.

WHO MUST APPLY

- 1) Any group or individual organizing an event that is **open to the public** that will be held on or pass through public land or streets. Types of events may include but are not limited to fairs, house tours, block parties, and parades. An encroachment permit may be required if streets or areas are to be encroached upon.
- 2) Any group or individual organizing an event regardless of whether it is public or private where **equipment will be used or services will be rendered** on public land. Equipment and services to be used may include but are not limited to tents, pony rides, educational animal programs, music, food carts, barbeques, or other forms of entertainment.

RESTRICTIONS

- 1) Public land and parks cannot be used for private gain.
- 2) Bounce machines, generators and amplified music are not permitted.
- 3) Pony rides on turf areas are not allowed.



INSURANCE REQUIREMENT

Special Event Permit applicants agree to provide public liability insurance in the amount of \$500,000, with the City of Belvedere and its agents named as additional insured to protect the applicant and government entity from loss, claim, liabilities, or damages and/or injuries to property or persons attending the event. Proof of insurance must be submitted in order for the Special Event permit to be issued.

How to obtain proof of insurance –

Contacting your homeowner's insurance and requesting an "additional insured special event endorsement" may meet this requirement.

A certificate showing only that you have homeowner's insurance is not sufficient.

VENDORS

Vendors who provide services at events (entertainers, caterers, etc.) must possess a City of Belvedere Business License. Refer vendors to the City of Belvedere at 435-3838 if they do not have a business license.

USE OF BELVEDERE COMMUNITY PARK

BBQ's: When barbecuing at the park, the used coals must be completely extinguished and then removed entirely from the park, to be disposed of in a manner that ensures the safety of the area. Charcoal is not to be disposed of in the park's trash containers or in the City dumpster.

Pets/Animals: Currently there is no leash law for the Park. However, pets must be under the immediate control of their owners at all times. Owners are responsible for cleaning up after their animals. Any animal included in activities, i.e., a pony, must be cleaned up after.

City of Belvedere Special Event Permit Application Process

For questions pertaining to the permit process, contact the City of Belvedere at 435-3838.

- 1) Fax or mail your completed form to:

City of Belvedere –Attention Public Works
 450 San Rafael Avenue
 Belvedere CA 94920
 Fax: (415) 435-0430
- 2) The Public Works Superintendent reviews the permit.
- 3) The Public Works Superintendent issues an encroachment permit, if required.
- 4) It is confirmed that vendors/service providers (if any) have a City of Belvedere Business License.
- 5) The applicant secures special event insurance.

Note: If insurance is to be purchased through Belvedere Tiburon Recreation, ^{Joint Recreation Committee, The Ranch} contact Jessica Hotchkiss at The Ranch Offices, 600 Ned's Way Tiburon (435-4355)

OR

Proof of acceptable private policy insurance is submitted by the applicant.

- 6) Public Works Superintendent issues Special Event Permit.

*event time: 10am-1pm

Date of Event: 3/27/22 Time: Start 8am (setup) End 2pm
 Address of Event: 450 San Rafael Ave.
 Type of Event: Spring Carnival & Egg Hunt
 Name of Individual or Sponsoring Organization: The Ranch
 Address: 600 Ned's Way
 City: Tiburon Zip: 94920
 Home Phone: _____ Work Phone: 415-435-4355
 Fax Number: _____ E-Mail: director@theranchtoday.org
 Number of people anticipated: Minimum 300 Maximum 600

Please answer the following questions relating to your event:

Are you representing a non-profit organization? Yes No
 If so, what is the non-profit number? 94-2790210
 Is the event open to the public or private? Public Private
 Will admission be charged or fees be collected in advance? Yes No
 Will alcoholic beverages be served? Yes No
 Will alcoholic beverages be sold? Yes No
 Is so, please provide the ABC permit # n/a

Please describe your plan for the following: (Attach separate sheets if necessary)

Equipment (including BBQ's, tables, chairs):

tables, chairs and tents in COB parking lot and basketball court

Parking:

around park

Street Blockage or Closure:

n/a

Clean-up:

Done by The Ranch staff

Recycling (Required by the City of Belvedere):

First Aid:

will have on site.

List Vendors / Service Providers – Name, Address, Phone, and current year Belvedere Business License Number (required):

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

*will have amplified music at the event.

INDEMNIFICATION

Permittee shall indemnify, release, defend and hold harmless the City, its officers, agents, employees and volunteers against any and all claims, demands, suits, losses, liabilities or expenses of any kind, including attorney's fees and administrative costs to the extent caused, arising out of or resulting in any way, or in part, from the negligent acts or omissions or willful misconduct of Permittee, its officers, agents, employees, or contractors, in connection with the Permittee's duties or obligations under this Permit, or the Permittee's use of the City's property or right-of-way, excluding any such liability caused by the sole active negligence or willful misconduct by the City. This indemnification shall survive any termination of this Permit. Permittee shall defend, indemnify, release and hold harmless the City, its officers, agents, employees, and volunteers, from any loss, liability or damage arising from any claim, action or proceeding seeking to attack, set aside, void or annul the City's approval of the Permittee's use of the City's property or right- of-way pursuant to this permit.

MANDATORY ARBITRATION OF CLAIMS AGAINST CITY

It is hereby expressly understood that any claim asserted against the City by the undersigned participant, either on behalf of him/herself or on behalf of another person, on account of bodily injury, mental disturbance, death or property damage, sustained as a result of, or for any reason connected with the use of the City property, facilities, or programs pursuant to this rental contract will be determined by submission to arbitration as provided by California law, and not by a lawsuit or resort to court proceedings. **The City and the undersigned by execution of this contract are giving up their constitutional right to have any dispute decided in a court of law before a jury and instead are accepting the use of arbitration.**

Applicant's Printed Name & Signature Jessica Hotchkiss
Date 2/4/22

For office use only:

Approval Process

| | |
|----------------------------------|-------------------------------|
| Date Application Received _____ | Date Insurance Verified _____ |
| Encroachment Permit Issued _____ | Date _____ |
| Police Notified _____ | Date _____ |

APPROVED BY DPW _____
Signature Date

To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Amy Ackerman, City Attorney

Subject: Adoption of an Ordinance Repealing Belvedere Municipal Code Chapter 8.08 “Garbage Collection and Disposal” and Replacing with “Solid Waste Collection and Disposal” in compliance with State law SB 1383.

Recommended Motion/Item Description

That the City Council adopt the ordinance as part of the Consent Calendar.

Background

This Ordinance was introduced at the February 14, 2022 regular City Council meeting. The first reading was approved unanimously. It is being presented tonight for final adoption.

Attachment

Ordinance.

CITY OF BELVEDERE

ORDINANCE NO. 2022-03

**AN ORDINANCE OF THE CITY OF BELVEDERE REPEALING CHAPTER 8.08
“GARBAGE COLLECTION AND DISPOSAL” AND REPLACING WITH CHAPTER
8.08 “SOLID WASTE COLLECTION AND DISPOSAL” OF
TITLE 8 “HEALTH AND SAFETY”**

WHEREAS, the City of Belvedere (the “City”) is a municipal corporation duly organized under the California constitution and State law; and

WHEREAS, State recycling law, Assembly Bill 939 of 1989 and the California Integrated Waste Management Act of 1989 (California Public Resources Code section 40000, et seq., as amended, supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and recycle (including composting) Solid Waste generated in their cities to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment; and

WHEREAS, Assembly Bill 341 of 2011 places requirements on businesses and multi-family property owners that generate a specified threshold amount of Solid Waste to arrange for recycling services and requires the City to implement a mandatory commercial recycling program; and

WHEREAS, Assembly Bill 1826 of 2014 requires businesses and multi-family property owners that generate a specified threshold amount of Solid Waste to arrange for recycling services for that waste, requires the City to implement a recycling program to divert organic waste from businesses subject to the law, and requires the City to implement a mandatory commercial organics recycling program; and

WHEREAS, Senate Bill 1383 (“SB 1383”), the “Short-lived Climate Pollutant Reduction Act of 2016”, requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The regulations place requirements on multiple entities including cities, residential households commercial businesses and business owners, commercial edible food generators, haulers, self-haulers, food recovery organizations, and food services to support achievement of statewide organic waste disposal and reduction targets; and

WHEREAS, SB 1383 regulations require the City to adopt and enforce an ordinance or other enforceable mechanism to implement relevant provisions of SB 1383 regulations; and

WHEREAS, this Ordinance implements and is in compliance with the requirements of AB 341, AB 1826, and SB 1383 regulations and requirements; and

WHEREAS, this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with

certainty that the Ordinance will not have a significant adverse effect on the physical environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELVEDERE DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings. The Ordinance furthers the public health, safety, and welfare and the above recitals are true and correct and are incorporated as findings herein.

SECTION 2. Amendment. Belvedere Municipal Code Chapter 8.08 “Garbage Collection and Disposal” is hereby repealed and replaced with “Solid Waste Storage, Collection and Disposal” as follows:

8.08.010 Definitions. For purposes of this Chapter, the following definitions apply:

A. “Act” means the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), as amended, including but not limited to, the Jobs and Recycling Act of 2011 (AB 341), SB 1016 adopted 2008, the Mandatory Commercial Organics Recycling Act of 2014 (1826), and the Short-lived Climate Pollutants Bill of 2016 (SB 1383), and applicable implementing regulations from the California Department of Resources Recycling and Recovery (“CalRecycle”); and

B. “Blue Container” has the same meaning as in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and Collection of Blue Container Organic Waste, which is Solid Waste that is Collected in a Blue Container that is part of a three-Container Organic Waste Collection service that prohibits the placement of Organic Waste in the Blue Container as specified in 14 CCR Section 18984.1.

C. “CCR” means the State of California Code of Regulations. CCR references in this Chapter are preceded with a number that refers to the relevant Title of the CCR (e.g., “14 CCR” refers to Title 14 of CCR.

D. “Collect” or “Collection” means the process whereby Solid Waste is removed from the place of generation for transportation to a Solid Waste Facility or other recovery activity.

E. “Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, a multi-family residential dwelling, or as otherwise defined in 14 CCR 18982(a)(6). A multi-family residential dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of this Chapter.

F. “Commercial Edible Food Generator” means a tier one or a tier two commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73 and (74). Food recovery organizations and food recovery services are not Commercial Edible Food Generators.

G. “Community Composting” means any means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).

H. “Compost” shall have the same meaning as in 14 CCR Section 17896.2(a)(4), which stated, as of the effective date of this Chapter, that “Compost” means the product resulting from the controlled biological decomposition of organic Solid Wastes that are Source Separated from the municipal Solid Waste stream, or which are separated at a centralized facility.

I. “Compostable Plastics” or “Compostable Plastic” means plastic materials that meet the ASTM D6400 standard for compostability, or as otherwise described in 14 CCR Section 18984.1(a)(1)(A) or 18984.2(a)(1)(C).

J. “Container Contamination” or “Contaminated Container” means a Container, regardless of color, that contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR Section 18982(a)(55).

K. “Construction and Demolition Debris” or “C&D” means used and discarded materials resulting from construction, renovation, remodeling, repair demolition, excavation, or construction clean-up operations.

L. “Container” means any bin, box, cart, or similar vessel used for the purposes of holding Solid Waste for Collection.

M. “Debris Box” means any ten (10) to forth (40) cubic yard Container or any compactor provided by a Solid Waste Generator placed in the public right-of-way, on City property, private property, or elsewhere in the City’s service area, which is procured by a Solid Waste Generator for its use in the Collection of its Solid Waste. Debris Boxes are serviced by means of lifting the entire Container, including contents, onto a designated Collection vehicle.

N. “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this Chapter or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this Chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

O. “Enforcement Action” means an action of the City, or an enforcement agency delegated by the City, to address non-compliance with this Chapter including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.

P. “Excluded Waste” means hazardous substance, Hazardous Waste, infectious waste, designated waste, volatile, corrosive, medical waste, infectious, regulated radioactive waste, and toxic substances or material that facility operator(s), which receive materials from the

City and its generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, State, or Federal law, regulation, or ordinance, including: land use restrictions or conditions, waste that cannot be disposed of in Class III landfills or accepted at the facility by permit conditions, waste that would reasonably present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose the City, or its designee, to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in single-family or multifamily Solid Waste after implementation of programs for the safe Collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the California Public Resources Code.

Q. “Food Distributor” means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).

R. “Food Facility” has the same meaning as in Section 113789 of the Health and Safety Code.

S. “Food Recovery” means actions to Collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).

T. “Food Recovery Organization” means an entity that engages in the Collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- (1) A food bank as defined in Section 113783 of the Health and Safety Code;
- (2) A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; or
- (3) A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

A Food Recovery Organization is not a Commercial Edible Food Generator for the purposes of this Chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

U. “Food Recovery Service” means a person or entity that Collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this Chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

V. “Food Waste” means food scraps and trimmings from food preparation, storage, production, or similar activity, including but not limited to, meat, fish, and dairy waste, fruit and vegetable waste, grain waste, and acceptable food packaging items such as pizza boxes, paper towels, and food contaminated paper products.

W. “Food Service Provider” means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

X. “Garbage” means all non-recyclable waste, debris, or refuse, not including any type of hazardous materials or Excluded Waste.

Y. “Gray Container” has the same meaning as in 14 CCR Section 18982.2(a)(28) and shall be used for the purpose of storage and Collection of Gray Container Waste, which is Solid Waste that is Collected in a Gray Container that is part of a three-Container Organic Waste Collection service that prohibits the placement of Organic Waste in the Gray Container as specified in 14 CCR Sections 18984.1(a) and (b), or as otherwise defined in 14 CCR Section 17402(a)(6.5).

Z. “Green Container” has the same meaning as in 14 CCR Section 18982.2(a)(29) and shall be used for the purpose of storage and Collection of separated Green Container Organic Waste.

AA. “Hauler Route” means the designated itinerary or sequence of stops for each segment of the City’s Collection service area, or as otherwise defined in 14 CCR Section 18982(a)(31.5).

BB. “Hazardous Waste” means any waste materials or mixture of wastes defined as such pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901 et seq., the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. sections 9601 et seq., and the California Health and Safety Code sections 25110.02, 25115 or 25117, all implementing regulations, and any successor statutes, or as defined by the Environmental Protection Agency, the California Environmental Protection Agency, and/or the California Integrated Waste Management Board, or similar State or Federal agency. Where there is a conflict in the definitions by two or more agencies having jurisdiction, the term shall be construed to have the broader definition. “Hazardous Waste” or does not mean or include household Hazardous Waste.

CC. “High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average Mixed Waste organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste received from the “Mixed waste organic Collection stream” as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).

DD. "Household Hazardous Waste" means materials that the authorized Collector may designate from time to time as eligible for curbside pick-up but inappropriate for Collection with regular pick-up and that are commonly generated by residential customers. Examples include, without limitation, consumer electronic waste, including computers, monitors, printers and cell phones, latex paint, used motor oil, oil filters, common household batteries (but not car batteries), fluorescent lightbulbs under four feet in length, and nonempty aerosol cans.

EE. "Inspection" means a site visit where a jurisdiction or its designee or designated entity, reviews records, Containers, and an entity's Collection, handling, recycling, or disposal of Solid Waste or edible food handling to determine if the entity is complying with requirements set forth in this Chapter, or as otherwise defined in 14 CCR Section 18982(a)(35).

GG. "MWELO" refers to the Model Water Efficient Landscape Ordinance (MWELO), 23 CCR, Division 2, Chapter 2.7.

HH. "Multifamily Dwelling" means dwellings that include five (5) or more individual living units that receive and pay authorized Collector's invoices as a single-Collective bill.

II. "Non-Organic Recyclables" means non-putrescible and non-hazardous recyclable wastes including but not limited to bottles, cans, metals, plastics and glass, or as otherwise defined in 14 CCR Section 18982(a)(43).

JJ. "Organic Waste" means Solid Wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).

KK. "Organic Waste Generator" means a person or entity that is responsible for the initial creation of Organic Waste, or as otherwise defined in 14 CCR Section 18982(a)(48).

LL. "Prohibited Container Contaminants" means (1) discarded materials placed in the designated recyclables Container that are not identified as acceptable Source Separated recyclables for the City's designated recyclables Collection Container; (2) discarded materials placed in the designated organic materials Collection Container that are not identified as acceptable Source Separated organic materials for the City's designated organic materials Collection Container; and (3) discarded materials placed in the garbage Container that are acceptable Source Separated recyclables and/or Source Separated organic materials to be placed in City's designated organic materials Collection Container and/or designated recyclables Collection Container and, and (4) exempt waste placed in any Container.

MM. "Recovered Organic Waste Products" means products made from California, landfill-diverted recovered Organic Waste processed in a permitted or otherwise authorized facility, or as otherwise defined in 14 CCR Section 18982(a)(60).

NN. "Recovery" means any activity or process described in 14 CCR Section 18983.1(b), or as otherwise defined in 14 CCR Section 18982(a)(49).

OO. "Recycled-Content Paper" means paper products and printing and writing paper that consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise defined in 14 CCR Section 18982(a)(61).

PP. “Remote Monitoring” means the use of the internet of things (IoT) and/or wireless electronic devices to visualize the contents of Blue Containers, Green Containers, and Grey Containers for purposes of identifying the quantity of materials in Containers (level of fill) and/or presence of Prohibited Container Contaminants.

QQ. “Recyclable Materials, Source Separated” means materials that are separated to be processed into a form suitable for reuse, and designated to be separated for the waste stream for purposes of recycling, which designation shall be made the City and the authorized Collector, consistent with materials designated by State law.

RR. “SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.

SS. “SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this Chapter, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.

TT. “Self-Hauler” means a person, who hauls Solid Waste, Organic Waste or recyclable material he or she has generated to another person. Self-hauler also includes a person who back-hauls waste, or as otherwise defined in 14 CCR Section 18982(a)(66). Back-haul means generating and transporting Organic Waste to a destination owned and operated by the generator using the generator’s own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

UU. “Single-Family” means of, from, or pertaining to any residential premises with fewer than five (5) units.

VV. "Solid Waste" has the same meaning as defined in Public Resources Code Section 40191, which defines Solid Waste as all putrescible and nonputrescible solid and semisolid Wastes, including garbage, recyclable materials, organic materials, demolition and construction wastes, bulky waste, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid Wastes, and other discarded solid and semisolid Wastes with the exception that Solid Waste does not include any of the following wastes: (1) Hazardous Waste, as defined in the Public Resources Code Section 40141, (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code) and (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the Public Resources Code. Recyclable materials and organic materials are a part of Solid Waste. “Solid Waste Collection service” means Collection of Solid Waste originating in the City, by a persons, firms or corporations, and doing so under a contract or franchise agreement with the City.

WW. “Source Separated” means materials, including commingled recyclable materials, that have been separated or kept separate from the Solid Waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products, which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4). For the purposes of the Chapter, Source Separated shall include separation of materials by the generator, property owner, property owner’s employee, property manager, or property manager’s employee into different Containers for the purpose of Collection.

XX. “Tier One Commercial Edible Food Generator” means a commercial edible food generator that is one of the following as defined in 14 CCR Section 18982(a):

- (1) Supermarkets with gross annual sales of \$2,000,000 or more
- (2) Grocery store with a total facility size equal to or greater than 10,000 square feet.
- (3) Food service provider, which means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.
- (4) Wholesale food vendor, which means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.
- (5) Food distributor, which means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

YY. “Tier Two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

- (1) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- (2) Hotel with an on-site food facility and 200 or more rooms.
- (3) Health facility with an on-site food facility and 100 or more beds.
- (4) Large venue, which means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this Chapter and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this Chapter and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

- (5) Large event, which means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.
- (6) A State of California agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
- (7) A local education agency facility with an on-site food facility. Local education agency means a school district, charter school, or county office of education that is not subject to the control of City or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).

8.08.020 Purpose. The purpose of this Chapter is to prevent actual or public health hazards and nuisances by the regulation of the accumulation, Collection, and disposal of Solid Waste and the licensing of persons and entities engaged therein, and to comply with the Act as defined in this Chapter.

8.08.030 Disposal of Solid Waste—Generally. It is unlawful for any person to keep, deposit, bury, or dispose of any Solid Waste in or upon any private property, public street, alley, sidewalk, gutter, park, upon the banks of any stream, creek, or other body of water in the City, or in or upon any of the waters thereof, except as provided in this Chapter. Every person having the obligation of the disposal of Solid Waste as provided in this Chapter shall dispose of the same only through the authorized Collector or as may be expressly permitted by this Chapter.

8.08.040 Duty to Subscribe to Collection Service. Every tenant, lessee, or occupant of any premises, including, but not limited to any dwelling, ark, barge, or watercraft, and the keeper, operator, or manager of any hotel, restaurant, yacht club, yacht harbor, or other building or place where meals are furnished, within the City shall subscribe to the City authorized Collector for at least once each week service, and shall pay the Collector for said Collection service at the monthly rates provided therefore.

8.08.050 Requirements for Single-Family Organic Waste Generator. Except those that meet the Self-Hauler requirements in this Chapter, Single-Family Organic Waste Generators shall:

A. Subscribe to City's Organic Waste Collection services for all Organic Waste. The City shall have the right to review the number and size of a generator's Containers to evaluate adequacy of capacity provided for each type of Collection service for proper separation of materials and containment of materials; and, Single-Family generators shall adjust its service level for its Collection services as requested by the City.

B. Participate in the City's Organic Waste Collection service by placing designated material in designated Containers as required, and shall not place unauthorized materials in Collection Containers. Generators shall place Source Separated Green Container Organic Waste in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container.

8.08.060 Requirements for Commercial Organic Waste Generator, Including Multi-Family.
Generators that are Commercial Generators which pursuant to SB 1383 includes Multi-Family Dwellings shall:

A. Subscribe to the City's Organic Waste Collection services for all Organic Waste as described below, except those that meet the Self-Hauler requirements of this Chapter. The City shall have the right to review the number and size of a generator's Containers and frequency of Collection to evaluate adequacy of capacity provided for each type of Collection service for proper separation of materials and containment of materials; and, Commercial Businesses shall adjust their service level for their Collection services as requested by the City.

B. Participate in the City's Organic Waste Collection service by placing designated material in designated Containers as required, and shall not place unauthorized materials in Collection Containers. Generators shall place Source Separated Green Container Organic Waste in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container.

C. Supply and allow access to an adequate number, size, and location of Containers with sufficient labels or colors in compliance with the Act for employees, contractors, tenants, residents, and customers, consistent with the applicable color-coded Collection service.

D. Excluding Multi-Family Dwellings, provide Containers for the Collection of Source Separated materials in all indoor and outdoor areas where disposal Containers are provided for customers, for materials generated by that business. Such Containers do not need to be provided in restrooms. If a Commercial Business does not generate any of the materials that would be Collected in one type of Container, then the business does not have to provide that particular Container in all areas where disposal Containers are provided for customers. Pursuant to 14 CCR Section 18984.9(b), the Containers provided by the business shall have either:

(1) A body or lid that conforms with the Container colors provided through the Collection service provided by the City. A Commercial Generator is not required to replace functional Containers, including Containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those Containers, or prior to January 1, 2036, whichever comes first.

(2) Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that Container, or Containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the Container. Pursuant 14 CCR Section 18984.8, the Container labeling requirements are required on new Containers commencing January 1, 2022.

E. Multi-Family Residential Dwellings are not required to comply with Container placement requirements or labeling requirement pursuant to 14 CCR Section 18984.9(b).

F. To the extent practical through education, training, Inspection, and/or other measures, excluding Multi-Family Dwellings, prohibit employees from placing materials in a Container not designated for those materials.

G. Excluding Multi-Family Dwellings, periodically inspect Containers for contamination and inform employees if Containers are contaminated and of the requirements to keep contaminants out of those Containers pursuant to 14 CCR Section 18984.9(b)(3).

H. Annually provide information to employees, contractors, tenants, and customers about Organic Waste Recovery requirements and about proper sorting of Organic Waste and Recyclable materials.

I. Provide education information before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements regarding Source Separated materials and appropriate Container sorting, and the location of Containers and the rules governing their use at each property.

J. Provide or arrange access for the City or designee their properties during all Inspections conducted in accordance with this Chapter to confirm compliance with the requirements of this Chapter.

K. If implemented, accommodate and cooperate with the City's Remote Monitoring program for Inspection of the contents of Containers for Prohibited Container Contaminants, to evaluate generator's compliance with this Chapter.

L. Notwithstanding the above, and in accordance with the SB 1383 Regulations, the City is not required to replace functional Containers, including Containers purchased prior to January 1, 2022, that do not comply with the color requirements of this Chapter and the Regulations, prior to the end of the useful life of those Containers, or prior to January 1, 2036, whichever comes first. Labels will be placed on the Containers indicating the primary materials accepted and the primary materials prohibited in the Containers. Until SB 1383 compliant colored Containers are provided, Commercial businesses shall comply with the Container label requirements.

M. Nothing in this Section prohibits a generator from preventing or reducing waste generation, managing Organic Waste on site, or using a Community Composting site pursuant to 14 CCR Section 18984.9(c).

N. Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators shall comply with Food Recovery requirements of this Chapter. Full-service restaurants which are not under Tier Two Commercial Edible Food Generators are exempt from the Recycling requirements of this Section if the full-service restaurant, on or before July 1, 2020, provides its employees a commercial Solid Waste recycling bin or Container to Collect material purchased on the premises and implements a program to Collect recyclable commercial Solid Waste.

8.08.060. Waivers.

A. Pursuant to 14 CCR Section 18984.11, the City may grant waivers to Commercial Businesses for physical space limitations and/or de minimis volumes. Commercial Businesses seeking a waiver shall submit their requests in a form specified by the City Manager or his/her designee. After reviewing the waiver request, and after an on-site review, if applicable, the City Manager or his/her designee may either approve or deny the following waiver requests.

(1) De Minimis Waivers: The City may waive a Commercial Business' obligation to comply with some or all the requirements of Section 8.08.050 if the Commercial Business meets the following requirements:

(i) Submit an application specifying the type of waiver requested and provide documentation as described below.

(ii) Provide documentation that either:

(a) The Commercial Business' total Solid Waste Collection service is two cubic yards or more per week and Organic Waste subject to Collection in a Blue Container or Green Container comprises less than 20 gallons per week per applicable Container of the business' total waste; or,

(b) The Commercial Business' total Solid Waste Collection service is less than two cubic yards per week and Organic Waste subject to Collection in a Blue Container or Green Container comprises less than 10 gallons per week per applicable Container of the business' total waste; and

(c) Notifies the City if circumstances change such that Commercial Business's Organic Waste exceeds the threshold required for waiver, in which case waiver will be rescinded; and

(d) Notifies the City if circumstances change such that Commercial Business's Organic Waste exceeds the threshold required for waiver, in which case waiver will be rescinded; and

(2) Physical Space Waivers: The City may, at its discretion, waive a Commercial Business' or property owner's obligations (including Multi-Family Dwellings) to comply with some or all of the recyclable materials and/or Organic Waste Collection service requirements if the City has evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lack adequate space for the Collection Containers required for compliance with the Organic Waste Collection requirements of this Chapter.

A Commercial Business or property owner may request a physical space waiver through the following process:

(i) Submit an application form specifying the type(s) of Collection services for which they are requesting a compliance waiver.

(ii) Provide documentation that the premises lack adequate space for Blue Containers and/or Green Containers, including documentation from its hauler, licensed architect, or licensed engineer.

(iii) Provide written verification to the City that it is still eligible for physical space waiver every five years, if the City has approved application for a physical space waiver.

(3) Collection Frequency Waivers: the City, at its discretion and in accordance with 14 CCR Section 18984.11(a)(3), may allow the owner or tenant of any residence, premises, business establishment or industry that subscribes to the City's Organic Waste Collection service to arrange for the Collection of their Containers once every fourteen (14) days, rather than once per week.

8.08.070. Requirements for Commercial Edible Food Generators.

A. Tier One Commercial Edible Food Generators must comply with the requirements of this Section 7 commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR section 18991.3.

B. Large venue or large event operators, as defined in Section 8.08.010(YY), not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the large venue or large event to comply with the requirements of this Section, commencing January 1, 2024.

C. Commercial Edible Food Generators shall comply with the following requirements:

(1) Arrange to recover the maximum amount of Edible Food that would otherwise be disposed.

(2) Contract with, or enter into a written agreement with Food Recovery Organizations or Food Recovery Services for:

(i) the Collection of Edible Food for Food Recovery; or,

(ii) acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.

(3) Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.

(4) Allow the City's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR section 18991.4.

(5) Keep records that include the following information, or as otherwise specified in 14 CCR section 18991.4:

(i) A list of each Food Recovery Service or Food Recovery Organization that Collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR section 18991.3(b);

(ii) A copy of all contracts or written agreements established under 14 CCR section 18991.3(b); and

(iii) A record of the following information for each of those Food Recovery Services or Food Recovery Organizations: The name, address and contact information of the Food Recovery Service or Food Recovery Organization; the types of food that will be Collected for the by or self-hauled to the Food Recovery Service or Food Recovery Organization; the established frequency that food will be Collected or self-hauled; and the quantity of food, measured in pounds, recovered per month, Collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

D. Nothing in this Chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Health and Safety Code section 114079, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

8.08.080. Food Recovery Organization and Food Recovery Service Requirements.

A. Food Recovery Services Collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1).

(1) The name, address, and contact information for each Commercial Edible Food Generator from which the service Collects Edible Food;

(2) The quantity in pounds of Edible Food Collected from each Commercial Edible Food Generator per month;

(3) The quantity in pounds of Edible Food transported to each Food Recovery Organization per month; and

(4) The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.

B. Food Recovery Organizations Collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):

(1) The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food;

(2) The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month; and

(3) The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.

C. Commencing January 1, 2022, Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR Section 18991.3(b) shall report to the City the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b), as applicable.

D. Food Recovery Capacity Planning.

(1) Food Recovery Services and Food Recovery Organizations. In order to support Edible Food Recovery capacity planning assessments or other studies conducted by the City that provides Solid Waste Collection services, or its designated entity, Food Recovery Services and Food Recovery Organizations operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the City and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the City shall respond to such request for information within sixty (60) days, unless a shorter timeframe is otherwise specified by the City.

(2) Commencing no later than January 1, 2022, Food Recovery Services and Organization shall provide a quarterly report to the City which includes the information required in 14 CCR Section 18991.5 “Food Recovery Services and Organizations.”

8.08.090. Requirements for Haulers.

A. Requirements for Haulers

(1) Exclusive franchised haulers shall provide residential, Commercial, or industrial Organic Waste Collection services to generators within the City's boundaries shall meet the following requirements and standards as a condition of approval of a contract, agreement, or other authorization with the City to Collect Organic Waste:

(i) Through written notice to the City annually on or before January 1, 2022, identify the facilities to which they will transport Organic Waste including the facilities for Source Separated Recyclable Materials and Source Separated Green Container Organic Waste, as applicable.

(ii) Transport Source Separated Recyclable Materials and Source Separated Green Container Organic Waste to a facility, operation, activity, or property that recovers Organic Waste, as defined in 14 CCR, Division 7, Chapter 12, Article 2.

(iii) Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1 and the City's Municipal Code.

(2) The authorized hauler shall comply with education, equipment, signage, Container labelling, Container color, contamination monitoring, reporting, and other requirements contained within its franchise agreement, as may be amended from time to time.

(3) Notwithstanding any the foregoing, nothing in this Chapter shall restrict or otherwise prohibit the authorized Self-Hauler from meeting its compliance requirements by any alternative methods or procedures, provided it complies with SB 1383, the SB 1383 Regulations, and/or any other applicable law, as may be amended from time to time.

B. Requirements for Facility Operators and Community Composting Operations.

(1) Owners of facilities, operations, and activities that recover Organic Waste, including, but not limited to, compost facilities, in-vessel digestion facilities, and publicly-owned treatment works shall, upon the City request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the City shall respond within sixty (60) days.

(2) Community Composting operators, upon City request, shall provide information to the City to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the City shall respond within sixty (60) days.

8.08.100 Self-Hauler Requirements.

A. Self-Haulers shall Source Separate all recyclable materials and Organic Waste (materials that the City otherwise requires generators to separate for Collection in the City's

organics and recycling Collection program) generated on-site from Solid Waste in a manner consistent with 14 CCR Sections 18984.1 and 18984.2, or shall haul Organic Waste to a High Diversion Organic Waste Processing Facility as specified in 14 CCR Section 18984.3.

B. Self-Haulers shall haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Green Container Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste. Alternatively, Self-Haulers may haul Organic Waste to a High Diversion Organic Waste Processing Facility.

C. Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall keep a record of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste; this record shall be subject to Inspection by the City. The records shall include the following information:

- (1) Delivery receipts and weight tickets from the entity accepting the waste.
- (2) The amount of material in cubic yards or tons transported by the generator to each entity.
- (3) If the material is transported to an entity that does not have scales on-site, or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste.

D. Self-Haulers that are Commercial Businesses (including Multi-Family Self-Haulers) shall provide information Collected above to the City or designee if requested.

8.08.110 Compliance with CALGreen Recycling Requirement.

A. Persons applying for a permit from the City for new construction and building additions and alternations shall comply with the requirements of this Section and all required components of the California Green Building Standards Code, 24 CCR, Part 11, known as CALGreen, as amended, if its project is covered by the scope of CALGreen. If the requirements of CALGreen are more stringent than the requirements of this Section, the CALGreen requirements shall apply. Project applicants shall refer to the City's building and/or planning Code for complete CALGreen requirements.

B. For projects covered by CALGreen or more stringent requirements of the City as applicable, the applicants must, as a condition of the City's permit approval, comply with the following:

- (1) Where five (5) or more Multi-Family Dwelling units are constructed on a building site, provide readily accessible areas that serve occupants of all buildings on the site and are identified for the storage and Collection of materials, consistent with the Collection program offered by the City, or comply with provision of adequate space for recycling for Multi-Family

and Commercial premises pursuant to California Green Building Standards Code, 24 CCR, Part 11 sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 as amended, provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.

(2) New Commercial construction or additions resulting in more than 30% of the floor area shall provide readily accessible areas identified for the storage and Collection of Blue Container and Green Container materials, consistent with the three-Container Collection program offered by the City, or shall comply with provision of adequate space for recycling for Multi-Family and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended, provided that amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.

(3) Comply with CALGreen requirements and applicable law related to management of C&D, including diversion of Organic Waste in C&D from disposal. Comply with City's C&D ordinance, and all written and published City policies and/or administrative guidelines regarding the Collection, recycling, diversion, tracking, and/or reporting of C&D.

8.08.120. Placeholder For Future Item.

8.08.130. Inspections.

A. The City Manager and his/her designee are authorized to conduct Inspections and investigations, at random or otherwise, of any Collection Container, Collection vehicle loads, or transfer, processing, or disposal facility for materials Collected from generators, or Source Separated materials to confirm compliance with this Chapter by Organic Waste Generators, Commercial Businesses (including Multi-Family Dwellings), property owners, Commercial Edible Food Generators, Haulers, Self-Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section alone does not allow the City to enter the interior of a private residential property for Inspection.

B. Any person subject to this Chapter shall provide or arrange for access during all Inspections (with the exception of a private residential dwelling unit) and shall cooperate with the City or designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper placement of materials in Containers, Inspection of edible food recovery activities, review of required records, or other verification or Inspection to confirm compliance with any other requirement of this chapter. Failure to provide or arrange for: (i) access to the premises; (ii) installation and operation of remote monitoring equipment, if such a program is adopted; or (iii) access to records for any Inspection or investigation is a violation of this Chapter and may result in penalties.

C. Any records obtained by the City during its Inspections, remote monitoring (if adopted), and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code section 6250 *et seq.*

D. The City, authorized Collector or designee shall accept written complaints from persons regarding an entity that may be potentially non-compliant with SB 1383 Regulations, including receipt of anonymous complaints. The City shall administratively develop a system to accept anonymous complaints and require that all complaints be made in writing with the information specified in the SB 1383 regulations.

8.08.140 Enforcement.

A. The City Manager shall make such rules and interpretation of the terms of this Chapter not inconsistent with the provisions of this Chapter as may be necessary and reasonable. The enforcement official for this chapter shall be the City Manager or his/her designee, designated entity, legal counsel, or combination thereof.

B. Violation of any provision of this Chapter shall constitute grounds for issuance of a notice of violation and assessment of a fine by the City's code enforcement officer or his/her designee. Enforcement Actions under this Chapter are subject to the issuance of an administrative citation and assessment of a fine. The City's procedures on imposition of administrative fines, Chapter 1.15, are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this Chapter and any rule or regulation adopted pursuant to this Chapter, except as otherwise indicated.

C. The City may also use all other remedies allowed by law including Municipal Code Chapter 1.14 "Administrative Remedies for Code Violations", Chapter 8.12 "Nuisance Abatement", and/or any successor or future related Municipal Code section, and also including civil action or prosecution as a misdemeanor or infraction. The City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations, fines, and costs including attorneys' fees. The City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of City staff and resources. A violation of any provision of this Chapter shall constitute an infraction and a public nuisance. Remedies are cumulative and non-exclusive. Each separate day or any portion thereof on which a violation occurs shall be deemed to constitute a separate punishable offense.

8.08.150 City Contracts for Collection Services. The City Council may, with or without having invited bids therefore, enter into a contract with any responsible person or entity to be the authorized Collector under this Chapter. The term of such contract, rates of Collection and other provisions of such contract shall be as provided by resolution of the City Council. Where such a contract has been entered into between the City and a contractor for the Collection, removal and disposal of Solid Waste, and such contractor shall have satisfactorily performed such contract, the City Council without inviting bids or proposals therefore and without giving notice of its intention to do so, may, either prior to or after the expiration of such contract, extend or renew the same for such a period and on such terms and conditions as the City Council shall provide by resolution.

8.08.160 Duty of Collector—Regulation and Supervision of Collection. The authorized Collector shall provide Solid Waste Collection services to all customers situated within the City, provided that payment for service is made. The City Council may establish standard regulations for the methods of Collection of Solid Waste service charges, including the enforcement thereof. The City Manager or his/her designee shall supervise the Collection services by the authorized Collector.

8.08.170 Responsibility and liability of Collector—Liability Insurance Required. The authorized Collector shall be considered as and shall be an independent contractor and shall be responsible to the City for the result of the work to be done, but shall act under Collector's own directions as to the manner of performing this work. Collector shall keep itself and its employees insured against all liability under state workers' compensation and employee liability insurance, commercial general liability, compensation and safety laws, and against public liability and property damage (including such liability for use or operation of motor vehicles used in the performance of work hereunder). Such public liability insurance shall be in a form and manner, and to the extent satisfactory to the City.

8.08.180 Performance Bond. Prior to execution of any contract authorizing any person or entity to act as the authorized Collector under this Chapter, said person or entity shall file with the City a bond for the faithful performance of the contract in an amount reasonably determined by the City Manager.

8.08.190 Exclusive Rights of the Collector.

A. An award of a contract under this Chapter shall confer upon the person or entity to whom the contract is awarded the exclusive right to serve as the authorized Collector under this Chapter during the terms of the contract, to Collect, transport, and dispose of Solid Waste, subject only to such exceptions as are specifically set forth in this Chapter, or the City's contract with the authorized Collector. All provisions of this Chapter applicable to the authorized Collector shall constitute and be part of any contract awarded hereunder.

B. Nothing in this Chapter shall preclude an occupant, renter, or owner of property in the City to regularly dispose of their Solid Waste either personally or through the uncompensated services or another, in either case, at a county-operated disposal facility.

C. No person or entity, other than the Collector or persons authorized under Subsection B of this Section, shall remove paper, glass, cardboard, plastic, used motor oil, ferrous metal, aluminum, or other recyclable materials which have been Source Separated from Solid Waste materials and placed at a designated Collection location for residential curbside Collection for the purposes of Collection and recycling.

8.08.170 Rates and Charges. The authorized Collector shall charge every customer at rates established pursuant to the contract between the City and the authorized Collector. Such rates shall be subject to changes in accordance with said contract. The authorized Collector shall use reasonable efforts to set rates so as to fairly distribute the costs of Solid Waste Collection service between users thereof according to the extent of their usage.

8.08.180 Establishment of Routes and Times for Collection.

A. Consistent with the terms and provisions of the contract between the City and the Collector, the Collector shall establish routes, days, and hours for Collection of Solid Waste and may change the same from time to time. Prior to any change in said routes, days, and hours, the same shall be approved by the City Manager and filed with the City.

B. The City may direct the authorized Collector to restrict Collection hours during peak commute hours. When the City is conducting road overlay or slurry projects, the City reserves the right to temporarily redirect or restrict authorized Collector from Collection in affected areas or temporarily change the Collection hours if needed. The hours of Collection may be extended due to extraordinary circumstances or conditions upon the request of Collector with prior written consent from the City.

8.08.190 Emergency removal of Solid Waste. Nothing in this Chapter shall be deemed to prohibit the City from removing and hauling any waste considered by the City Manager or his/her designee to undermine the health, safety, or welfare of the public, or constituting a public emergency.

8.08.200 Transportation of Solid Waste in City.

A. No Solid Waste shall be removed and carried on and along the streets and alleys of the City, unless the same is carried, conveyed, or hauled in conveyances so constructed as to be dustproof, and so arranged as not to permit dust or other matter to sift through or fall upon the streets and alleys. The contents of such conveyances shall be further protected with appropriate covers so as to prevent the same from being blown upon the streets, alleys, and adjacent lands.

B. No wet Garbage shall be removed and carried on or along any street or alley of the City, unless the same is transported in watertight Containers with proper covers so that the garbage shall not be offensive, and every such Container shall be kept clean and such Garbage shall be so loaded that none of it shall fall, drip, or spill to or on the ground, sidewalk, or pavement.

C. Every truck used in the Collection or removal of Solid Waste shall be kept well painted and clean inside and out and the name of the contract agent and the truck number shall be prominently displayed on each truck.

8.08.210 Receptacle Location. Except as expressly provided by this Section, no Container other than those owned or rented by the City, shall be placed or kept in or on any public street, sidewalk, footpath, or in any public place whatsoever, but rather shall be maintained on the premises in a location and manner so as not to be visible from the public street. Notwithstanding the foregoing, Containers may be placed on the public street the days(s) and in the locations designated by the authorized Collector for removal and emptying of said receptacles, but shall be removed within twenty-four (24) hours of the day of Collection.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or effective. To this end the provisions of this Ordinance are declared to be severable.

SECTION 4. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage. Within fifteen (15) days following its passage, a summary of the Ordinance shall be published with the names of those City Council members voting for and against the Ordinance and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance along with the names of the members voting for and against the Ordinance.

INTRODUCED AT A PUBLIC HEARING on February 14, 2022, and adopted at a regular meeting of the Belvedere City Council on March 14, 2022, by the following vote:

AYES: Block, Campbell, Lynch, Kemnitzer, and Mayor Wilkinson

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED: _____
Sally Wilkinson, Mayor

ATTEST: _____
Beth Haener, City Clerk

To: Mayor and City Council

From: Robert Zadnik, Director of Public Works

Subject: **Approve resolution of acceptance for a Public Utility Easement for the Golden Gate/Belvedere Underground Utility District**

Recommended Motion/Item Description

That the City Council approve the resolution of acceptance for an underground utility easement from the private land owners of 339 Golden Gate Avenue as part of the Consent Calendar.

Discussion

For installation and maintenance of conduits, wires and equipment necessary to support underground utility conversion, the Belvedere City Council directed the City Manager to negotiate a nonexclusive public utility easement with the private property owners of 339 Golden Gate Avenue.

On March 8th, 2022, the underground utility easement agreement was finalized with approval from PG&E.

In order to record the easement, the City is required to approve a resolution formally accepting the easement pursuant to Government Code section 27281 to be filed with the Marin County Recorder's office.

Recommended Action

That the City Council approve the resolution of acceptance for an underground utility easement from the the private land owners of 339 Golden Gate Avenue as part of the Consent Calendar.

Attachments

- Proposed Resolution of Acceptance and direction to execute Certificate of Acceptance for filing with the County of Marin Recorder's Office

CITY OF BELVEDERE

RESOLUTION NO. 2022-13

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
ACCEPTING AN EASEMENT FOR UNDERGROUND UTILITY PURPOSES FOR A PORTION
OF PROPERTY LOCATED AT 339 GOLDEN GATE AVENUE, BELVEDERE, CALIFORNIA,
AND DIRECTING EXECUTION OF CERTIFICATE OF ACCEPTANCE**

WHEREAS, David Falherty and Julie Flaherty, collectively referred to as the (the “Granteor”) are the property owners of that certain real property identified as APN 060-202-04 and located at 339 Golden Gate Avenue in Belvedere, California (the “Property”); and

WHEREAS, on March 8th, 2022, the City of Belvedere (the “City”) and the Grantor entered into an Underground Utility Easement Agreement (the “Easement”), whereby the Grantor granted the City underground easement rights to a certain portion of the Property, as attached in Exhibit “A” hereto; and

WHEREAS, Government Code section 27281 requires that the City execute and file with the Marin County Recorder’s Office a Certificate of Acceptance for the Easement; and

WHEREAS, the City Council desires to accept the Easement Grant as set forth in Exhibit “A” for purposes of underground utilities, as more particularly described in the Easement; and

WHEREAS, the City Council finds that acceptance and use of the Easement is categorically exempt from the California Environmental Quality Act (“CEQA”) under CEQA Guideline section 15061(b)(3) (common sense exemption), because it can be seen with certainty that there is no possibility that the Easement could have a significant environmental effect.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belvedere that:

1. The City hereby accepts the Easement Grant as set forth in Exhibit “A” hereto and incorporated herein, for purposes of underground utilities as more particularly described in the Easement; and
2. The City Manager is hereby authorized and directed to execute a Certificate of Acceptance for the Easement pursuant to Government Code section 27281; and
3. The City Clerk shall cause this Resolution of Acceptance, the Certificate of Acceptance, and the Easement to be recorded with the Marin County Recorder’s Office.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on March 14, 2022, by the following vote:

AYES: Block, Campbell, Kemnitzer, and Mayor Wilksinson

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED: _____
Sally Wilkinson, Mayor

ATTEST: _____
Beth Haener, City Clerk

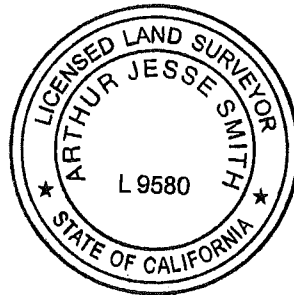
Exhibit "A"
Legal Description
Public Utility Easement

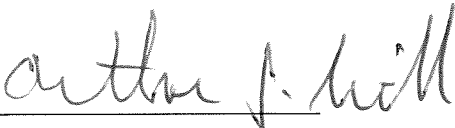
All that certain real property situate in the County of Marin, State of California, being shown on that certain Record of Survey of the Lands of Golden Gate LLC filed for record December 29, 2017 in Book 2017 of Maps at Page 125, Marin County Records, more particularly described as follows:

BEGINNING at the Westerly corner of Lands of Golden Gate Belvedere, LLC as described in Book 2017 of Maps at Page 125, Marin County Records, said corner being marked by a nail and brass tag stamped "LS 7623"; thence running along the Northwesterly line of said map on a course North 51°15'49" East, 5.11 feet;
thence South 26°47'00" East, 82.04 feet;
thence South 39°41'00" East, 72.78 feet;
thence South 76°17'00" East, 5.00 feet;
thence South 13°43'00" West, 5.00 feet;
thence North 76°17'00" West, 6.65 feet;
thence North 39°41'00" West, 75.00 feet;
thence North 26°47'00" West, 81.55 feet to the **POINT OF BEGINNING.**

APN 060-202-04

Prepared by:
ILS Associates, Inc.



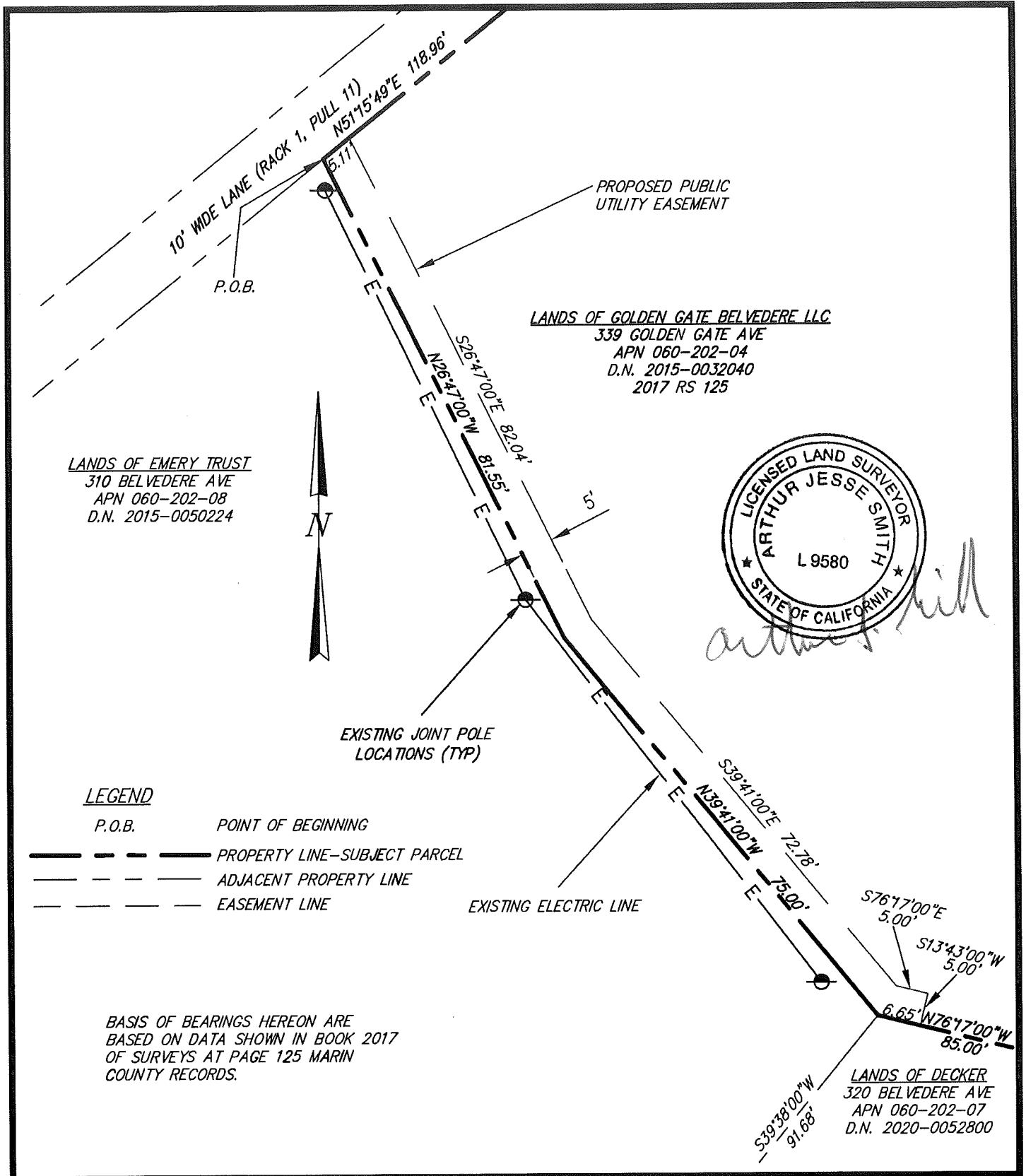

Arthur Jesse Smith, CA PLS 9580



ILS ASSOCIATES, INC.®
 Civil Engineering & Land Surveying
 79 Galli Drive, Suite A
 Novato, Ca 94949-5717
 (415)883-9200 FAX (415)883-2763

JOB: 5' 339 GOLDEN GATE P.U.E.
 JOB NO.: 9153 SHEET NO.: 1 OF 1
 DRAWN BY: JPG DATE: MARCH 8, 2022
 SCALE: 1" = 20'

EXHIBIT "A"



To: Mayor and City Council
From: Craig Middleton, City Manager
Subject: Protection of Parks/Park Usage

Recommendations

1. Motion to Waive Further Reading and Authorize Introduction and Adoption of Ordinances by Title Only. (This motion will be on the Consent Calendar.) The City Clerk will read aloud the full title of the Ordinance when calling the item.
2. Motion to approve the first reading of the Ordinance and waive future readings of the Ordinance in its entirety.

Background

Most cities and towns specify in their municipal codes certain requirements for use of public parks. The purpose is to protect parks to ensure they are accessible to the community for public use and to ensure that public assets are safeguarded. Belvedere is lacking any such protections in its municipal code. The proposed ordinance would add a chapter to the municipal code that details what is allowable in Belvedere's parks.

The Council previously considered an ordinance that would prohibit commercial activity in public parks. In reviewing that draft ordinance to address a concern raised at the Council meeting, staff and the counsel determined that, to protect the City's parks and in keeping with the approach used in other jurisdictions, a broader park usage ordinance should be drafted to clarify appropriate uses of the park and community center. The draft ordinance is attached.

Fiscal Impact

There is no anticipated fiscal impact associated with the draft ordinance.

Attachment

Draft Parks Ordinance

CITY OF BELVEDERE

ORDINANCE NO. 2022-XX

AN ORDINANCE OF THE CITY OF BELVEDERE AMENDING TITLE 9 OF THE BELVEDERE MUNICIPAL CODE BY ADDING CHAPTER 9.80, “PARKS AND COMMUNITY CENTER,” REGULATING THE USE OF BELVEDERE PARKS AND COMMUNITY CENTER.

WHEREAS, Article 11, Section 7 grants to the City of Belvedere the authority to make all local, police, sanitary, and other ordinances and regulations not in conflict with general laws;

WHEREAS, the City of Belvedere operates public parks, including the Community Park adjacent to City Hall, and the Tom Price, Centennial, and Land Company Parks and the Community Center for use of the community;

WHEREAS, at its meeting on February 14, 2022, the Council approved the City’s expenditure of a mix of public funds and private donations of over \$400,000.00 to refurbish the Community Park playground;

WHEREAS, the City seeks to maintain its parks, playground, and community center in a clean and readily accessible condition for the use by its residents;

WHEREAS, the City has historically had a policy to not issue permits for use of its parks but instead to allow use of the parks on a first, come first, served basis and for programing by the City of Belvedere or recreation department sponsored events and camps;

WHEREAS, on November 8, 2021, the City Council approved a first reading of an ordinance banning commercial activity in its parks;

WEREAS, on December 13, 2021, the City Council declined to adopt the ordinance banning commercial activity in its parks;

WHEREAS, the City Council desires to adopt an ordinance more broadly regulating activity in the parks and community center in order to maintain them in a clean and accessible condition for use by its residents;

WHEREAS, on March 14, 2022, the City Council held a duly noticed public hearing to consider the Ordinance Amendment; and

WHEREAS, the Ordinance Amendment is not a “project” under the California Environmental Quality Act, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment (Pub. Res. Code § 21065).

SECTION 1. Findings. The Ordinance Amendment furthers the public health, safety, and welfare and the above recitals are true and correct and are incorporated as findings herein.

SECTION 2. Amendment. Belvedere Municipal Code Chapter 9.80 “Parks and Community Center” is hereby added to Title 9 “Public Peace, Morals, and Welfare” as follows:

Title 9 Chapter 9.80 Parks and Community Center

9.80.010. Scope.

The provisions of this chapter shall apply to all Belvedere Parks on public property: the Community Park adjacent to City Hall, the Tom Price Park, the Centennial Park, and the Land Company Park and the Belvedere Community Center.

9.80.020. Hours of Operation.

(a) Park Hours. The parks shall be open for public use from sunrise to sunset. No person shall enter or remain in any park outside of the hours open to the public.

(2) The City Manager or his or her designee may set different hours for park use in a permit.

(b) Community Center Hours.

(1) Except as provided in section 9.80.020(b)(2), the Community Center is open for public use from one hour before sunrise until one hour after sunset. No person shall enter or remain in any park outside of the hours open to the public.

(2) The City Manager or his or her designee may set different hours for the Community Center in a permit.

(c) The City reserves the right to close the parks and community center to the public for the purpose of protecting the environmental quality of the area, during periods of extreme fire hazard, or other such conditions deemed hazardous to persons or property.

9.80.030. Prohibited Activities.

It is unlawful for any person to do any of the following in City parks or the Community Center:

(a) Amplified Sound. Use amplified sound, without a valid permit issued by the City Manager or her or her designee.

(b) Destruction of property. Willfully mark, deface, disfigure, injure, displace or remove any railing, bench, paving, paving material, water line, signs, notices, or placards (whether temporary or permanent), monuments, stakes, posts, or other boundary markers, wall or rock border, structures, equipment, facilities or public property of any kind.

(c) Damage or Remove Natural Resources. Damage, cut, carve, burn, or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant or remove sand, soil, rock, stones, trees, shrubs, or plants;

(d) Dumping. Dump, deposit, or leave any bottles, broken glass, paper, boxes, cans, garden trimmings, rubbish, waste or garbage, or other trash except those items which are incidental to the use of park facilities which items must be deposited in the receptacles provided. Where refuse receptacles are not provided or are full, the person responsible for the presence of refuse shall move such refuse from the park or building and properly dispose of it elsewhere.

(e) Erection of Structures. Construct or erect any building of whatever kind, whether permanent or temporary in character, any tent, fly or windbreak, or bounce machines, or run or string any rope, cord, or wire into, upon, or across, any public property without an encroachment permit;

(f) Fires and Barbeques. Kindle or maintain in any park, for any purpose, any fire except for a fire maintained in a portable barbecue grill. No person may dispose of any used coals in the park, park receptacles or the City dumpster.

(g) Loitering. Sleep or protractedly lounge on seats, benches, sidewalks, curbs, planters, walls or other areas in such a manner as will interfere with the rights of others to use the areas for which they were intended.

(h) Personal Services. No person shall use any of the facilities or areas of any park for the purpose of providing athletic instruction or training for compensation.

(i) Posting of Signs. Post or affix to any tree, shrub, plant, fence, building, monument, wall, post, vehicle or other physical object in any park any written or printed material, including, but not limited to, signs, notices, handbills, circulars and pamphlets. Any person who has scheduled an event in any park pursuant to a permit from the City may erect or post signs on the day that the event is scheduled to occur giving directions to such event, provided that such person receives prior approval from the City.

(J) Selling and Vending. Selling or offering for sale any service, merchandise, article, or anything whatever, nor station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing, in any park, or the community center except by permit issued by the City Manager and subject to all other provisions of this code. Any vendor must possess a valid Belvedere City Business License.

9.80.050. Enforcement.

The provisions of this chapter may be enforced by any code enforcement official as defined in section 1.15.020 of this Code.

9.80.060. - Violation—Penalty.

Any person violating section sections 9. 0.020 and 9.80.030 shall be guilty of an infraction and subject to administrative citation pursuant to Chapter 1.15 of this Code.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance. The City Council hereby

declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or effective. To this end the provisions of this Ordinance are declared to be severable.

SECTION 4. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage. Within fifteen (15) days following its passage, a summary of the Ordinance shall be published with the names of those City Council members voting for and against the Ordinance and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance along with the names of the members voting for and against the Ordinance.

INTRODUCED AT A PUBLIC HEARING at a regular meeting of the Belvedere City Council on March 14, 2021 and adopted at a regular meeting of the Belvedere City Council on April 21, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____

Sally Wilkinson, Mayor

ATTEST: _____

Beth Haener, City Clerk

To: Mayor and City Council

From: Helga Cotter, Administrative Services Director

Subject: Fiscal Year 2021-22 Mid-Year Budget Review Through January 31, 2022

Recommended Motion/Item Description

Receive mid-year budget information.

Background

The Fiscal Year 2021-22 Budget was adopted by the City Council on June 14, 2021 and revised on October 11, 2021. An important accountability feature of the budget process is the presentation of a mid-year budget review, focusing primarily on the General Fund. This report provides an opportunity for the Council to review the City's financial status and enhances the fiscal accountability and transparency.

Beginning Fund Balance July 1, 2021

The adopted budget assumed a beginning balance in the General Fund of \$4.19 million. The actual fund balance on June 30, 2021, was \$4.41 million, an increase of \$.22 million. This increase in budgeted fund balance is partially attributable to slightly higher than anticipated revenues, as actual revenues exceeded conservative projections.

Pension and OPEB-Related Liabilities

When considering the finances of the City, it is important to keep in mind the entire fiscal health of the City, which includes its liabilities. The City's only significant liabilities are related to pensions and other post-employment benefits (OPEB). Currently, the City's total unfunded pension liability with CalPERS as of the last valuation was \$2.2 million. The City's liability for OPEB is also a sizeable figure at \$1.3 million, and the liability for the City's supplemental plan is \$.20 million. Altogether (including debt financing), the City's liabilities on June 30, 2021 were approximately \$5.8 million (Table 1), which is significant for a municipality with an annual operating and capital budget of \$8.3 million.

Due to the large pension liability, and based on the Finance Committee's research and recommendations at the April 12, 2021 Council meeting, the Council authorized the establishment of a Section 115 Trust for pension-related funding purposes through the California Employers' Pension Prefunding Trust Program (CEPPT). The goal is full funding based on an established strategy to plan for and fund the City's pension costs.

In April 2021, the City began seeding its Section 115 Trust with \$1.5 million on a dollar-average basis over a 15-month period. In addition, \$.30 million per year will also be allocated to the Section 115 Trust fund beginning FY2021-22 for the next five years, or until the next pension funding review by the Finance Committee, whichever is sooner. The total contributions to the Section 115 Trust as of January 31, 2022, were \$1.32 million which includes interest earned through the 4th quarter 2021.

Table 1: Summary of Pension and OPEB Liability

City of Belvedere
Summary of Pension and OPEB Liability
as of June 30, 2021
In Millions

| Description of Liability | Valuation Date | Amount |
|-------------------------------------|----------------|---------------|
| Pension-related Debt Restructuring | 6/30/2021 | \$ 2.2 |
| CalPERS Pension as reported by PERS | 6/30/2020 | 2.2 |
| Adjustment to CalPERS Pension* | 6/30/2021 | (0.1) |
| PARS Defined Benefit | 6/30/2021 | 0.1 |
| OPEB Health Benefit | 6/30/2020 | 1.3 |
| Total Liability | | \$ 5.8 |

* Adjustment includes the impact of the City's internal 6.0% discount rate adoption, plus the anticipated impact of the 21.3% investment rate of return reported by CalPERS at 6/30/21.

Financial Analysis Summary – Current Year Actuals to Date

Revenues

General Fund revenues through the January 31, 2022, are \$4.79 million, which is 63% of the General Fund budgeted revenues of \$7.62 million. Revenue received from Other Agencies is higher due receipt of \$.25 million from the Federal American Rescue Plan (ARPA) funds to help mitigate the negative economic impacts from the COVID-19 pandemic. These funds were not incorporated as part of the budget since the guidance and rules were not yet fully developed at the time. The ARPA funds were identified for funding of qualified expenditures at the November 8, 2021 Council meeting (Table 2).

Property taxes are on track to meet projections. Real property transfer taxes have already exceeded current year projections and prior year collections. This reflects real property turnover in the City that will have a positive impact on baseline parcel tax values next year.

Most over-the-counter revenues (such as business licenses, construction permits, planning fees and road impact fees) are slightly lower compared to the prior year period, while planning fees are higher than the prior year to date, but are on track to meet conservative budgeted projections. (Table 3)

Table 2: City-Wide Revenues by Category

City of Belvedere
Statement of Revenues by Category
From 7/1/2021 - 1/31/22

| REVENUES | Total Budget - Revised | Current Period | Percent Budget Received | Prior Year Current Period Actual |
|-----------------------------|------------------------|------------------|-------------------------|----------------------------------|
| General Fund | | | | |
| Property Taxes | 6,272,254 | 3,678,701 | 59% | 3,480,071 |
| Local Non-Property Taxes | 318,879 | 146,891 | 46% | 111,353 |
| Licenses and Permits | 469,935 | 307,869 | 66% | 278,510 |
| Fines and Forfeitures | 1,057 | 1,063 | 101% | 867 |
| Investment and Property | 70,171 | 41,385 | 59% | 62,477 |
| Revenue/Other Agencies | 172,485 | 377,187 | 219% | 171,901 |
| Service Charges | 278,117 | 214,601 | 77% | 172,644 |
| Miscellaneous Other Revenue | 37,000 | 20,861 | 56% | 27,151 |
| Total General Fund | 7,619,898 | 4,788,558 | 63% | 4,304,974 |
| Fire Fund | 997,888 | 547,637 | 55% | 521,404 |
| Capital Improvement Fund | 463,000 | 376,199 | 81% | 149,988 |
| Equipment Replacement Fund | 1,000 | - | 0% | 10,807 |
| Total REVENUES | 9,081,786 | 5,712,394 | 63% | 4,987,173 |

Table 3: Permit Summary Reports

City of Belvedere
Permit Summary Report
Total Permits Issued

| | 7/1/2020 to 1/31/2021 | | 7/1/2021 to 1/31/2022 | |
|------------------------|-----------------------|-------------------|-----------------------|-------------------|
| | Count | Fees Paid | Count | Fees Paid |
| Building | | | | |
| Commercial | 1 | \$ 397 | 2 | \$ 34,927 |
| Residential | 226 | \$ 530,962 | 156 | \$ 491,473 |
| Planning | | | | |
| Other than Plan Checks | 212 | \$ 52,167 | 185 | \$ 130,915 |
| Public Works | | | | |
| Encroachment | 389 | \$ 38,686 | 401 | \$ 37,281 |
| Road Closure | 80 | \$ 15,822 | 41 | \$ 10,374 |
| TOTAL* | 908 | \$ 638,035 | 785 | \$ 704,970 |

* These totals represent total fees collected by permit type, which are spread out among financial statement categories of Licenses & Permits, Service Charges and Capital Improvement revenue.

Operating Expenditures

General Fund expenditures as of January 31, 2022, are \$3.59 million, which is 59% of the General Fund expenditure budget of \$6.12 million. (Table 4) The City's four main departments – Administration, Planning & Building, Police and Public Works – have expended about 59% of the annual budget overall, which is slightly above the 58% but is in line for this point in the fiscal year. The Community Center has used about 17% of their \$.06 million budget and the Non-Departmental has used 103% of their \$.57 million budget which is primarily due to the one-time, \$.15 million, contribution toward the library expansion which was incurred at the beginning of the fiscal year.

Table 4: General Fund Expenditures by Department

City of Belvedere
Statement of General Fund Expenditures by Department
From 7/1/2021 to 1/31/2022

| EXPENDITURES | Total Budget - Revised | Current Period | Remaining Balance | Percent Budget Used |
|--|---------------------------|-------------------|----------------------|---------------------------|
| General Fund | | | | |
| Administration | 1,055,484 | 691,153 | 364,331 | 65% |
| Planning & Building | 1,410,330 | 674,820 | 735,510 | 48% |
| Police | 1,706,704 | 944,557 | 762,147 | 55% |
| Public Works | 1,307,467 | 669,426 | 638,041 | 51% |
| Community Center | 63,450 | 10,678 | 52,772 | 17% |
| Non-Departmental | 577,499 | 595,829 | (18,330) | 103% |
| Total General Fund Expenditures | 6,120,934 | 3,586,463 | 2,534,471 | 59% |

Capital Expenditures

Capital Fund expenditures are \$.65 million, which is 30% of the annual Capital Fund expenditure budget (as amended) of \$2.19 million. (Table 5) Capital spending tends to be light in the first part of the year and heavy in the second part, with most large projects implemented in the Spring. Capital project sheets for all projects that are active or completed in this fiscal year can be found in Attachment 1.

Table 5: Capital Fund Expenditures by Category

City of Belvedere
Statement of Capital Fund Expenditures by Category
From 7/1/2021 to 1/31/22

| EXPENDITURES | Total Budget - Revised | Current Period | Remaining Balance | Percent Budget Used |
|---------------------------------------|------------------------|----------------|-------------------|---------------------|
| Capital Improvement Fund | | | | |
| Streets | 649,622 | 424,818 | 224,804 | 65% |
| Infrastructure | 579,602 | 145,882 | 433,720 | 25% |
| Lanes | 156,996 | 1,713 | 155,283 | 1% |
| Parks and Open Space | 176,670 | 13,355 | 163,315 | 8% |
| Community Buildings | 352,864 | 41,328 | 311,536 | 12% |
| Miscellaneous Other | 131,747 | 10,797 | 120,950 | 8% |
| Utility Undergrounding Districts | 143,490 | 14,616 | 128,874 | 10% |
| Total Capital Improvement Fund | 2,190,991 | 652,509 | 1,538,482 | 30% |

City-Wide Revenues and Expenditures/

In summary, revenues and expenditures are tracking closely to the budgeted amounts, and a significant variance between budgeted and actual revenues and expenditures is not anticipated (Table 6).

Table 6: *City-Wide Revenues and Expenditures*

| City of Belvedere | | | |
|--|------------------------------|-------------------|---------------------------------|
| Statement of Revenues and Expenditures | | | |
| From 7/1/2021 to 1/31/2022 | | | |
| | Total Budget - Revised | Current Period | Percent Budget Rec'd/Used |
| REVENUES | | | |
| General Fund | 7,619,898 | 4,788,558 | 63% |
| Fire Fund | 997,888 | 547,637 | 55% |
| Capital Improvement Fund | 463,000 | 376,199 | 81% |
| Equipment Replacement Fund | 1,000 | 0 | 0% |
| Total REVENUES | 9,081,786 | 5,712,394 | 63% |
| EXPENDITURES | | | |
| General Fund | 6,120,935 | 3,586,463 | 59% |
| Capital Improvement Funds | 2,190,991 | 652,509 | 30% |
| Fire Fund | 1,852,454 | 1,237,247 | 67% |
| Debt Service | 249,602 | 249,853 | 100% |
| Insurance Reserve Fund | 0 | 0 | 0% |
| Equipment Replacement Fund | 80,000 | 2,454 | 3% |
| Total EXPENDITURES | 10,493,982 | 5,728,526 | 55% |

General Fund Summary

The FY2021-22 adopted budget anticipated that expenditures and transfers out would exceed revenues by \$.68 million, resulting in a General Fund balance of \$3.51 million. However, this deficit is offset by the positive carryover in fund balance from the prior fiscal year of \$.22 million for a revised projected General Fund balance of \$3.73 million. At their December 13, 2021 meeting, the Council adopted an amendment to the Administrative Policy Manual (APM) Policy 2.2, Fund Balances and Reserve Policies, to modify the general fund reserve policy to be calculated based on forecasted expenditures rather than current year expenditures. In the table below, under the new policy, the reserve would be based on the FY2022-23 projected expenditures. The revised projected General Fund balance of \$3.73 million continues to meet the Council's established reserve policy of 50% of operating expenditures. (Table 7)

Table 7: General Fund Summary

**City of Belvedere
General Fund Summary**

| | Original Budget | Change | Revised Budget |
|--|---------------------|----------------|------------------|
| Beginning Balance 7/1/21 | 4,197,815 | 221,173 | 4,418,988 |
| Revenue | 7,619,898 | | 7,619,898 |
| Expenditures | (5,820,935) | (300,000) | (6,120,934) |
| Transfers | (2,481,862) | 300,000 | (2,181,862) |
| Surplus/(Deficit) | (682,898) | | (682,898) |
| Estimated Ending Balance 6/30/22 | 3,514,916 | | 3,736,090 |
| Reserve Calculations: | Prior Policy | | |
| General Fund Expenses + Fire Transfer + Debt Service | 6,925,104 | | 7,225,103 |
| General Fund Reserve Policy 50% | 3,462,552 | | 3,612,552 |
| Projected General Fund Balance 6/30/22 | 3,514,916 | | 3,736,090 |
| Over (Under) Policy in Dollars | 52,364 | | 123,539 |
| Over (Under) Policy as percentage | 51% | | 52% |
| Reserve Calculations: | New Policy | | |
| FY22/23 Projected General Fund Expenses + Fire Transfer + Debt Service | 7,135,700 | | 7,135,700 |
| General Fund Reserve Policy 50% | 3,567,850 | | 3,567,850 |
| Projected General Fund Balance 6/30/22 | 3,514,916 | | 3,736,090 |
| Over (Under) Policy in Dollars | (52,934) | | 168,240 |
| Over (Under) Policy as percentage | 49% | | 52% |

Fiscal Impact

There is no fiscal impact associated with this report.

Recommended Motion/Item Description

Receive mid-year budget information.

Attachments

Capital Improvement Project Summary Sheets

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: STREETS
Project: Spot Surface Repairs (Annually)
Description: Ongoing pavement repairs necessary to keep the roadways free of potholes and ensure that road surface conditions remain at the high level expected by the community. Needs are determined by analysis during the Pavement Management Program Survey.
% Budget Used: 59%
Status: Spot paving work is completed on an as-needed basis and generally retained for emergency or urgent pavement restoration needs that arise throughout the year.

Projected Timing:

Start Date: Sep-20
End Date (Estimated): Jan-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 40,000 | \$ 12,879 | \$ 52,879 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 40,000 | \$ 12,879 | \$ 52,879 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-------------------------|---------------------|---------------------|--------------------|
| Road Impact Fees | \$ 52,879 | \$ 31,334 | \$ 21,545 |
| Total | \$ 52,879 | \$ 31,334 | \$ 21,545 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: STREETS
Project: Paving (Annually)
Description: Fees collected from Road Impact are used to repair large areas of distressed asphalt and maintain Belvedere roads. Crack sealing, traffic marking, roadway shoulder berms, slurry seal and other road stabilization projects fall under this program.

% Budget Used: 66%

Status:

Staff developed plans and specification and publicly bid the 2020 Pavement Rehab Project in in April. Fortunately, bids were returned below the engineer's estimate allowing additional work to be completed. City Council authorized the contract and work was completed in September of 2021. An additional project utilizing remaining funds is currently being developed.

Projected Timing:

Start Date: Aug-20
End Date (Estimated): Jun-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 304,250 | \$ 292,493 | \$ 596,743 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 304,250 | \$ 292,493 | \$ 596,743 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-------------------------|---------------------|---------------------|--------------------|
| Road Impact Fees | \$ 510,978 | \$ 336,932 | \$ 174,046 |
| Gas Tax | \$ 85,765 | \$ 56,552 | \$ 29,213 |
| Total | \$ 596,743 | \$ 393,484 | \$ 203,259 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: INFRASTRUCTURE
Project: Guardrail Installation & Repairs
Description: Wooden gaurdrails are common in Beledere hillsides and help to protect private property from vehicular damage.

% Budget Used: 0%
Status: For the current budget cycle, funds will be used to reconstruct damaged guardrails.

Projected Timing:

Start Date: N/A
End Date (Estimated): N/A

| Total Budgeted Cost: | <u>Original</u> | <u>Revisions</u> | <u>Total</u> |
|-----------------------------|------------------|------------------|------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 15,000 | \$ - | \$ 15,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 15,000 | \$ - | \$ 15,000 |

Expenditures by Funding

| Source: | <u>Total Budget</u> | <u>FY22 Actuals</u> | <u>Remaining**</u> |
|-----------------------|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 15,000 | \$ - | \$ 15,000 |
| Total | \$ 15,000 | \$ - | \$ 15,000 |

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: INFRASTRUCTURE
Project: Emergency Drainage Repairs (Annually)
Description: This line item is a requirement for the City's annual storm drain discharge permit through the State of California. Funds are earmarked for repair of storm drain system failures that are detected during yearly preventative maintenance activities.

% Budget Used: 0%
Status: Funds will be utilized as-needed.

| | | |
|------------------------------|-----------------|------------------------|
| Projected Timing: | <u>Beach Rd</u> | <u>Future Projects</u> |
| Start Date: | Aug-20 | TBD |
| End Date (Estimated): | Completed | TBD |

| Total Budgeted Cost: | <u>Original</u> | <u>Revisions</u> | <u>Total</u> |
|---------------------------------|-----------------|------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 10,000 | \$ - | \$ 10,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 10,000 | \$ - | \$ 10,000 |

Expenditures by Funding

| Source: | <u>Total Budget</u> | <u>FY22 Actuals</u> | <u>Remaining**</u> |
|-------------------------------|---------------------|---------------------|--------------------|
| General Fund transfer: | \$ 10,000 | \$ - | \$ 10,000 |
| Total | \$ 10,000 | \$ - | \$ 10,000 |

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: INFRASTRUCTURE
Project: Lagoon Road
Description: In previous rainy seasons, residents on Lagoon Road encountered flooding on their properties due to capacity issues with the current channel and pipe system. This project aims to implement a drainage improvement solution in conjunction with the Town of Tiburon.
% Budget Used: 3%
Status: Design alternatives are being studied. City Council authorized staff to perform a hydraulic study of the overflow stormwater near Lagoon Road. This work is being coordinated with nearby pedestrian improvements for a combined pedestrian and drainage project. Parisi and Associates will return to the Traffic Safety this Spring with a recommended alternative proposal.

Projected Timing:

Start Date: Nov-20
End Date (Estimated): Jun-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ 137,891 | \$ 137,891 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 137,891 | \$ 137,891 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-------------------------------|---------------------|---------------------|--------------------|
| General Fund Transfer: | \$ 137,891 | \$ 3,998 | \$ 133,893 |
| Total | \$ 137,891 | \$ 3,998 | \$ 133,893 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: INFRASTRUCTURE
Project: Levee Evaluation
Description: This is a multi-year project using carryforward funds that were unspent in the prior budget cycle along with new budget funds, to fortify the levees for seismic events, along with other resiliency projects. This project is partially funded with Department of Water Resources grant funds.

% Budget Used: 34%
Status: City Council and the Committee approved a preferred alternative design in December. Feasibility level design work has is near completion and the CEQA process has begun. Final design will be presented to Council in Novmeber and December.

Projected Timing:

Start Date: Jul-20
End Date (Estimated): Nov-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ 175,000 | \$ 241,711 | \$ 416,711 |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ - | \$ - |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 175,000 | \$ 241,711 | \$ 416,711 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-------------------------------|---------------------|---------------------|--------------------|
| DWR Grant | \$ 229,191 | \$ 78,036 | \$ 151,155 |
| General Fund Transfer: | \$ 187,520 | \$ 63,848 | \$ 123,672 |
| Total | \$ 416,711 | \$ 141,884 | \$ 274,827 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: LANES
Project: Lane Maintenance, Repairs, Design & Engineering
Description: Replace and repair smaller segments of existing lanes, such as hand rails and spot repairs. Fund surveys and geotechnical reports.
% Budget Used: 1%
Status: Remaining funds will be split between handrail repairs and other lane maintenance items.

Projected Timing:

Start Date: Jan-19
End Date (Estimated): Jun-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ 20,000 | \$ - | \$ 20,000 |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 5,000 | \$ 86,996 | \$ 91,996 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 25,000 | \$ 86,996 | \$ 111,996 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-----------------------------------|---------------------|---------------------|--------------------|
| Measure AA Transportation: | \$ 50,872 | \$ 1,475 | \$ 49,397 |
| General Fund Transfer: | \$ 61,124 | \$ - | \$ 61,124 |
| Total | \$ 111,996 | \$ 1,475 | \$ 110,521 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: LANES
Project: Park Lane Stair and Seating Area
Description: The existing wooden stairs at the base of Park Lane are deteriorated and over 30 years old. This project will cover replacement of the wooden stairway and proposed nearby seating area.

% Budget Used: 1%
Status: An architect has been retained to assist the POSC and staff in developing project plans. A construction schedule is dependent on review and approval by the POSC and Planning Commission.

Projected Timing:

Start Date: Oct-21
End Date (Estimated): Apr-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ 2,000 | \$ 2,000 |
| Engineering & Admin: | Staff | \$ - | \$ - |
| Construction: | \$ - | \$ 18,000 | \$ 18,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 20,000 | \$ 20,000 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-----------------------------------|---------------------|---------------------|--------------------|
| Measure AA Transportation: | \$ 20,000 | \$ 238 | \$ 19,762 |
| Total | \$ 20,000 | \$ 238 | \$ 19,762 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: LANES
Project: Hawthorn Lane Stair and Seating Area
Description: The project location is also known as Centennial Park. A segment of wooden stairs has deteriorated and requires replacement.

% Budget Used: 0%
Status: An architect has been retained to assist the POSC and staff in developing project plans. A construction schedule is dependent on review and approval by the POSC and Planning Commission.

Projected Timing:
Start Date: Oct-21
End Date (Estimated): Apr-22

| Total Budgeted Cost: | <u>Original</u> | <u>Revisions</u> | <u>Total</u> |
|-----------------------------|------------------|------------------|------------------|
| Planning & Design: | \$ 5,000 | \$ - | \$ 5,000 |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 20,000 | \$ - | \$ 20,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 25,000 | \$ - | \$ 25,000 |

Expenditures by Funding

| Source: | <u>Total Budget</u> | <u>FY22 Actuals</u> | <u>Remaining**</u> |
|----------------------------|---------------------|---------------------|--------------------|
| Measure AA Transportation: | \$ 25,000 | \$ - | \$ 25,000 |
| Total | \$ 25,000 | \$ - | \$ 25,000 |

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: PARKS AND OPEN SPACE
Project: Playground Renovation
Description: The Community Park Playground remodel project has been undertaken by the POSC. Plans have been developed by a project architect and will be publically bid. The primary source of construction funds are through private donations. The city has funded the design and plan development process.

% Budget Used: 10%
Status: Bid package (PSE) was generated by the architect. The project has been bid and awarded to the lowest responsible and responsive bidder. The project is anticipated to begin at the end

Projected Timing:

Start Date: Jan-21
End Date (Estimated): May-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ 43,670 | \$ 43,670 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 43,670 | \$ 43,670 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|------------------------------|---------------------|---------------------|--------------------|
| General Fund Transfer | \$ 43,670 | \$ 4,355 | \$ 39,315 |
| | | | \$ - |
| Total | \$ 43,670 | \$ 4,355 | \$ 39,315 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: PARKS AND OPEN SPACE
Project: San Rafael Ave Seawall Landscape Mulch
Description: Mulch is a landscape amenity that reduces weed growth and improves the aesthetic look of the seawall.

% Budget Used: 100%

Status: At June 30, 2021 this project had just begun. Mulch was applied to the San Rafael Ave seawall in July and August of 2021 (FY22).

Projected Timing:

Start Date: Jul-21

End Date (Estimated): Aug-21

| Total Budgeted Cost: | <u>Original</u> | <u>Revisions*</u> | <u>Total</u> |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ 9,000 | \$ 9,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 9,000 | \$ 9,000 |

Expenditures by Funding

| Source: | <u>Total Budget</u> | <u>FY22 Actuals</u> | <u>Remaining**</u> |
|------------------------------|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 9,000 | \$ 9,000 | \$ - |
| Total | \$ 9,000 | \$ 9,000 | \$ - |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: PARKS AND OPEN SPACE
Project: Refurbish Steel Railings
Description: Decorative steel guardrails exist in limited areas in Belvedere and require ongoing paint, welding and rust-repair maintenance.

% Budget Used: 0%
Status: For the current budget cycle, funds have been transferred to another project.

Projected Timing:
Start Date:
End Date (Estimated):

| Total Budgeted Cost: | <u>Original</u> | <u>Revisions</u> | <u>Total</u> |
|-----------------------------|------------------|------------------|------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 20,000 | \$ - | \$ 20,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 20,000 | \$ - | \$ 20,000 |

| Expenditures by Funding | | | |
|--------------------------------|---------------------|---------------------|--------------------|
| Source: | <u>Total Budget</u> | <u>FY22 Actuals</u> | <u>Remaining**</u> |
| General Fund Transfer | \$ 20,000 | \$ - | \$ 20,000 |
| Total | \$ 20,000 | \$ - | \$ 20,000 |

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: PARKS AND OPEN SPACE
Project: Beach Road Park
Description: Designs for the Critical Infrastructure Project include a linear park feature on Beach Road.

% Budget Used: 0%
Status: Awaiting construction phase for larger project.

Projected Timing:
Start Date:
End Date (Estimated):

| Total Budgeted Cost: | Original | Revisions | Total |
|-----------------------------|------------------|------------------|------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 85,000 | \$ - | \$ 85,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 85,000 | \$ - | \$ 85,000 |

| Expenditures by Funding Source: | Total Budget | FY22 Actuals | Remaining** |
|--|---------------------|---------------------|--------------------|
| Prop 68 Grant | \$ 67,952 | \$ - | \$ 67,952 |
| General Fund Transfer | \$ 17,048 | \$ - | \$ 17,048 |
| Total | \$ 85,000 | \$ - | \$ 85,000 |

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: PARKS AND OPEN SPACE
Project: Community Park Water Well
Description: The City leases a private water well on Laurel Ave to supply irrigation to Community Park. Over the past few years, that well site's production has diminished, despite frequent cleaning and maintenance. This budget will be used to explore and permit another well site closer to the Park that is on City Property. Additional funds will be needed to construct the well.

% Budget Used: 0%
Status: This work has been prioritized and will be initiated in the spring or as staff time permits.

Projected Timing:

Start Date: Mar-22
End Date (Estimated): Jun-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ 15,000 | \$ 15,000 |
| Engineering & Admin: | \$ - | \$ 4,000 | \$ 4,000 |
| Construction: | \$ - | \$ - | \$ - |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 19,000 | \$ 19,000 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|------------------------------|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 19,000 | \$ - | \$ 19,000 |
| Total | \$ 19,000 | \$ - | \$ 19,000 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: COMMUNITY BUILDINGS
Project: EV Charging Station at City Hall
Description: Existing charging stations at City Hall are utilized frequently by the public. With two all-electric vehicles in the City Fleet, dedicated staff chargers are necessary to ensure their availability of use.

% Budget Used: 6%
Status: Initial layout and design are completed. TAM grants have been secured and PG&E has the project in their engineering queue. The City Engineer has developed the bid documents and is awaiting approval via the city's building permit application process.

Projected Timing:

Start Date: Dec-21
End Date (Estimated): May-22

| Total Budgeted Cost: | <u>Original</u> | <u>Revisions*</u> | <u>Total</u> |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ 2,348 | \$ 2,348 |
| Engineering & Admin: | \$ - | \$ 10,000 | \$ 10,000 |
| Construction: | \$ - | \$ 93,000 | \$ 93,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 105,348 | \$ 105,348 |

Expenditures by Funding

| Source: | <u>Total Budget</u> | <u>FY22 Actuals</u> | <u>Remaining**</u> |
|------------------------------|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 105,348 | \$ 6,658 | \$ 98,690 |
| Total | \$ 105,348 | \$ 6,658 | \$ 98,690 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: COMMUNITY BUILDINGS
Project: City Hall Foundation Drainage Repairs
Description: Water intrusion into the Police offices continues to be an ongoing problem, despite weatherproofing efforts over the last 15 years. This line item will capture and redirect water from the earthen hillside between San Rafael Ave and the concrete stairway above those offices.

% Budget Used: 0%
Status: Given the close proximity, work will be performed in tandem with the Electric Vehicle charging project at City Hall.

Projected Timing:

Start Date: Dec-21
End Date (Estimated): May-22

| Total Budgeted Cost: | <u>Original</u> | <u>Revisions*</u> | <u>Total</u> |
|-----------------------------|-----------------|-------------------|------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ 25,000 | \$ 25,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 25,000 | \$ 25,000 |

Expenditures by Funding

| Source: | <u>Total Budget</u> | <u>FY22 Actuals</u> | <u>Remaining**</u> |
|-----------------------|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 25,000 | \$ - | \$ 25,000 |
| Total | \$ 25,000 | \$ - | \$ 25,000 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: COMMUNITY BUILDINGS
Project: Solar Electric and EV Charging Stations - Corp Yard
Description: Belvedere's Sustainability Plan identifies opportunities for solar production on City Buildings. The Corp Yard roof is a good candidate for a solar system. Solar panels will also power nearby EV Charging stations the public and staff.

% Budget Used: 8%
Status: Initial layout and design are completed. At the request of City Council, staff is researching funding options for a battery backup system to add to the project goals.

Projected Timing:

Start Date: Jun-21
End Date (Estimated): Jun-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ 120,556 | \$ 120,556 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 120,556 | \$ 120,556 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|------------------------------|---------------------|---------------------|--------------------|
| Prop 68 Grant | \$ 96,445 | \$ 8,070 | \$ 88,375 |
| General Fund transfer | \$ 24,111 | \$ 2,018 | \$ 22,093 |
| Total | \$ 120,556 | \$ 10,088 | \$ 110,468 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: COMMUNITY BUILDINGS
Project: Paint City Hall
Description: While funds permit, this work allows for refreshing of paint and specialty paint to the City Hall an Community Center building.

% Budget Used: 0%
Status: Remaining funds will be transferred to other priority Capital projects.

Projected Timing:
Start Date: Mar-22
End Date (Estimated): Jun-22

| Total Budgeted Cost: | <u>Original</u> | <u>Revisions</u> | <u>Total</u> |
|-----------------------------|------------------|------------------|------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 10,000 | \$ - | \$ 10,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 10,000 | \$ - | \$ 10,000 |

| Expenditures by Funding Source: | <u>Total Budget</u> | <u>FY22 Actuals</u> | <u>Remaining**</u> |
|--|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 10,000 | \$ - | \$ 10,000 |
| Total | \$ 10,000 | \$ - | \$ 10,000 |

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: COMMUNITY BUILDINGS
Project: Misc. Exterior Painting-Corp Yard Building
Description: This funds allows for routine painting and weatherproofing of the City's Corporation Yard on Lagoon Road.

% Budget Used: 80%
Status: This work has been completed. Remaining funds have been transferred to other priority Capital projects.

Projected Timing:
Start Date: Mar-22
End Date (Estimated): Jun-22

| Total Budgeted Cost: | Original | Revisions | Total |
|-----------------------------|------------------|------------------|------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 12,000 | \$ - | \$ 12,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 12,000 | \$ - | \$ 12,000 |

| Expenditures by Funding Source: | Total Budget | FY22 Actuals | Remaining** |
|--|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 12,000 | \$ 9,600 | \$ 2,400 |
| Total | \$ 12,000 | \$ 9,600 | \$ 2,400 |

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: COMMUNITY BUILDINGS
Project: Refurbish Council Chamber Audience Chairs
Description: The Council Chamber audience chairs are showing excessive fading and sun damage and to be reupholstered.

% Budget Used: 0%
Status: There is a shortage of fabric material in the market for COVID-related reasons, which has hindered progress on this project. Staff will resume work in the Spring.

Projected Timing:

Start Date: Mar-22
End Date (Estimated): Jun-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|-----------------------------|-----------------|-------------------|------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ 13,000 | \$ 13,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 13,000 | \$ 13,000 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-----------------------|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 13,000 | \$ - | \$ 13,000 |
| Total | \$ 13,000 | \$ - | \$ 13,000 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: COMMUNITY BUILDINGS
Project: City Hall Renovations
Description: Upgrades to City Hall that will enhance public access to and use of City Hall facilities, as well as improving functionality for City Hall staff. CARES Act funds were utilized to construct separate working areas for staff in response to COVID concerns.

% Budget Used: 22%
Status: Some light interior construction with efforts focused on optimization of office space and work-area organization has ended. The front counter area has been modified to allow for wheelchair access from the elevator to the Council Chamber. Touch-up paint work and other minor carpentry work is near completion. \$40,000 will be transferred to other priority CIP projects.

Projected Timing:

Start Date: Dec-20
End Date (Estimated): Dec-21

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 12,000 | \$ 54,960 | \$ 66,960 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 12,000 | \$ 54,960 | \$ 66,960 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-------------------------------|---------------------|---------------------|--------------------|
| General Fund Transfer: | \$ 66,960 | \$ 14,982 | \$ 51,978 |
| Total | \$ 66,960 | \$ 14,982 | \$ 51,978 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: MISCELLANEOUS
Project: Miscellaneous Maintenance & Improvements (ongoing)
Description: Funding for minor drainage, park, landscape, building, lane, retaining wall and miscellaneous other projects.
% Budget Used: 24%
Status: Funds are utilized on an as-needed basis for unforeseen construction projects that arise during the fiscal year.

Projected Timing:

Start Date: Jul 2020
End Date (Estimated): Completed

| Total Budgeted Cost: | Original | Revisions* | Total |
|-----------------------------|-----------------|-------------------|------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ 30,000 | \$ 30,000 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 30,000 | \$ 30,000 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|------------------------|---------------------|---------------------|--------------------|
| General Fund Transfer: | \$ 30,000 | \$ 7,297 | \$ 22,703 |
| Total | \$ 30,000 | \$ 7,297 | \$ 22,703 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: MISCELLANEOUS
Project: Sidewalk Repair
Description: Maintenance of sidewalk improvements; majority of costs are passed through to property owners once work is completed. Budgeted amounts represent the City's share of these costs.

% Budget Used: 9%

Status: This is an ongoing annual project. Van Midde Concrete was hired through a competitive bid process to repair private and city-maintained sidewalks throughout Belvedere. The first phase of work for 2021, focusing on Cove, Lagoon, and West Shore has been completed. The next phase will begin in March.

Projected Timing:

Start Date: Oct-20
End Date (Estimated): Apr-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ 22,500 | \$ 15,453 | \$ 37,953 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ 22,500 | \$ 15,453 | \$ 37,953 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-------------------------------|---------------------|---------------------|--------------------|
| General Fund Transfer: | \$ 37,953 | \$ 3,500 | \$ 34,453 |
| Total | \$ 37,953 | \$ 3,500 | \$ 34,453 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: MISCELLANEOUS
Project: San Rafael Ave and City Hall Safety Improvements
Description: Identify multi-modal safety improvement opportunities for the frontage of City Hall and San Rafael Ave at Lagoon Road. This line item will fund design work for both locations.

% Budget Used: 0%
Status: Initial designs presented to Traffic Safety Committee. City Council will review alternative plans in Spring 2022.

Projected Timing:

Start Date: Jan-21
End Date (Estimated): Jun-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ 40,629 | \$ 40,629 |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ - | \$ - |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 40,629 | \$ 40,629 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|------------------------------|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 40,629 | \$ - | \$ 40,629 |
| Total | \$ 40,629 | \$ - | \$ 40,629 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: MISCELLANEOUS
Project: Evacuation Assessment & Radio Purchase
Description: To better prepare the City for fire and other natural disasters, an assessment will be performed of current evacuation strengths and vulnerabilities. This project will also fund the purchase of new 2 way radios for the Block Captain Program.

% Budget Used: 0%

Status: This is a prior-year carryover project. In the previous cycle, new two-way radios and repeater equipment were purchased. Radio frequency licensing was obtained through the FCC. Zone Haven has been acquired and staff anticipate a community-facing training event in the near future. Depending on Zone-Haven capabilities, a separate evacuation assessment may not be necessary. Funds are being retained for this purpose.

Projected Timing:

Start Date: Oct-20
End Date (Estimated): May-22

| Total Budgeted Cost: | Original | Revisions* | Total |
|---------------------------------|-----------------|-------------------|--------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ - | \$ - |
| Equipment: | \$ - | \$ 23,165 | \$ 23,165 |
| Total: | \$ - | \$ 23,165 | \$ 23,165 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-------------------------------|---------------------|---------------------|--------------------|
| General Fund Transfer: | \$ 23,165 | \$ - | \$ 23,165 |
| Total | \$ 23,165 | \$ - | \$ 23,165 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

City of Belvedere
Capital Improvement Projects
Fiscal Year 2021-22
As of January 31, 2022

Category: UTILITY UNDERGROUNDING
Project: City expenditures towards undergrounding projects
Description: Additional uncategorized Utility Undergrounding work is anticipated as projects conclude. These expenses are unforeseen and not covered under property owner assessments.

% Budget Used: 10%
Status: Remaining funds will be retained until final close out of the Golden Gate/Belvedere Utility Undergrounding District Project.

Projected Timing:

Start Date: Jan-20
End Date (Estimated): Apr-21

| Total Budgeted Cost: | Original | Revisions* | Total |
|-----------------------------|-----------------|-------------------|-------------------|
| Planning & Design: | \$ - | \$ - | \$ - |
| Engineering & Admin: | \$ - | \$ - | \$ - |
| Construction: | \$ - | \$ 143,490 | \$ 143,490 |
| Equipment: | \$ - | \$ - | \$ - |
| Total: | \$ - | \$ 143,490 | \$ 143,490 |

Expenditures by Funding

| Source: | Total Budget | FY22 Actuals | Remaining** |
|-----------------------|---------------------|---------------------|--------------------|
| General Fund transfer | \$ 143,490 | \$ 14,616 | \$ 128,874 |
| Total | \$ 143,490 | \$ 14,616 | \$ 128,874 |

* Budget revision was to roll forward prior year unspent funds.

** Remaining funds will roll forward to next fiscal year.

To: Mayor and City Council
From: Craig Middleton, City Manager
Subject: **Committee Reorganization**

Recommended Motion/Item Description

- Consider recommendations from the Ad Hoc Committee relating to adjustments to the Administrative Policy Manual to better define roles and responsibilities of various committees.
- Consider attached resolutions and committee charters and adopt them, as appropriate.

Background

Belvedere is fortunate to have so many volunteers who serve the City and benefit the community. Many of these volunteers serve on committees of various kinds. To ensure that volunteers' time is spent most effectively and that committees are focused on providing the most useful service to the City Council, it is appropriate from time to time to consider the roles and operations of each committee, and to make adjustments as necessary.

To this end, the Mayor appointed an ad hoc committee of two Councilmembers for the purpose of reviewing Belvedere's various committees. The ad hoc group has recommended that each committee be provided a charter that describes its roles and operations, and that each charter be incorporated into the City's Administrative Policy Manual. As to the Planning Commission and Disaster Council, both of which are established in the City's Municipal Code, changes to the Code may also be required.

Draft resolutions and charters for several committees are included in the packet for tonight's meeting. Remaining committees and commissions will be agendaized for Council consideration at a subsequent meeting of the Council in late March or April.

Recommendations for consideration at tonight's meeting include the following committees:

- Parks, Open Spaces & Lanes
- Historic Preservation
- Traffic Safety and Circulation

A draft amendment to the Administrative Policy Manual that details committee types and their relationship to the City Council is also included in this packet for consideration by the Council.

The Planning Commission, Finance Committee, Disaster Council and Block Captain Committee will be agendaized for Council consideration on March 22 or April 21.

Fiscal Impact

There is no anticipated fiscal impact associated with the committee adjustments that have been recommended by the ad hoc committee.

Attachments:

- A: Draft Resolution to Create Rules for the Establishment of Committees and Commissions
- B: Draft Resolution: Parks, Open Spaces and Lanes Committee
- C: Draft Resolution: Historic Preservation Committee
- D: Draft Resolution: Traffic Safety and Circulation Committee

**CITY OF BELVEDERE
RESOLUTION NO. 2022 -XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
AMENDING SECTION 6.1 OF THE BELVEDERE ADMINISTRATIVE POLICY
MANUAL TO CREATE RULES FOR THE ESTABLISHMENT OF *AD HOC*
COMMITTEES OF THE BELVEDERE CITY COUNCIL, TEMPORARY AND
STANDING CITIZEN ADVISORY COMMITTEES AND PUBLIC COMMISSIONS**

WHEREAS, the Mayor of the City of Belvedere has appointed an *ad hoc* committee of the Belvedere City Council (the “*Ad Hoc* Committee”) to engage in a review of the laws and regulations of the City of Belvedere pertaining to the establishment and operation of Belvedere’s Committees and Commissions; and

WHEREAS, the *Ad Hoc* Committee has completed such review and conducted interviews with the Chair of each existing Belvedere Committee or Commission; and

WHEREAS, the *Ad Hoc* Committee recommends the City of Belvedere amend the Belvedere Administrative Policy Manual (the “APM”) to articulate a set of regulations for the establishment and functioning of *ad hoc* committees of the Belvedere City Council, of Belvedere citizen advisory committees and of Belvedere’s public commissions; and

WHEREAS, the Belvedere City Council accepts the *Ad Hoc* Committee’s recommendation and finds it is in the best interest of the City of Belvedere to implement it;

NOW, THEREFORE, BE IT RESOLVED that the Belvedere City Council and the City of Belvedere hereby amend the APM to delete section 6.1 in its entirety and replace it with the rules for establishing and governing *ad hoc* committees of the Belvedere City Council, citizens committees and public commissions contained in Exhibit A annexed hereto.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on March 14, 2022, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

APPROVED: _____

Sally Wilkinson, Mayor

ATTEST: _____

Beth Haener, City Clerk

EXHIBIT A

RULES FOR THE CREATION AND FUNCTIONING OF *AD HOC* COMMITTEES OF THE BELVEDERE CITY COUNCIL, OF BELVEDERE CITIZEN ADVISORY COMMITTEES AND OF BELVEDERE PUBLIC COMMISSIONS

6.1.1 *AD HOC* COMMITTEES OF CITY COUNCIL

Upon the consensus or resolution of the Belvedere City Council, the Mayor may appoint an *ad hoc* committee of the Belvedere City Council to study an issue properly before the Belvedere City Council or the Belvedere City staff and to report back to the Belvedere City Council and/or the Belvedere City staff with the ad hoc committee's findings and, if warranted, make recommendations to the Belvedere City Council and/or the Belvedere City staff to take one or more of the following actions (a) in the case of the Belvedere City Council, to amend Belvedere's Municipal Code, (b) in the case of the Belvedere City Council, to amend Belvedere's Administrative Policy Manual, (c) in the case of the Belvedere City Council, to form a Temporary or Standing Citizens' Advisory Committee or a Public Commission, (d) in the case of the Belvedere City Council, to accept reports by consultants and experts, (e) in the case of the Belvedere City Council, to give an explicit direction to the Belvedere City staff calling for the enforcement of existing ordinances or regulations, and (f) in the case of Belvedere City staff to take actions with regard to human resources and other operational or legal issues. An *ad hoc* committee of the Belvedere City Council shall consist solely of two members of the Belvedere City Council and shall be formed for a limited period of time and for a limited of purpose.

6.1.2 TEMPORARY CITIZENS' ADVISORY COMMITTEES

Upon resolution of the Belvedere City Council, a Temporary Citizens' Advisory Committee (also, herein, a "TCAC") may be appointed by the Mayor in order to study issues properly before the Belvedere City Council and to report back to the Belvedere City Council with the TCAC's findings and, if warranted, make recommendations for one or more of the following actions by the Belvedere City Council: (a) the amendment of Belvedere's Municipal Code, (b) the amendment of Belvedere's Administrative Policy Manual, (c) the making of appropriations reflecting the TCAC's sense of public priorities with respect to Belvedere's fiscal budget, (d) the acceptance or rejection of reports by outside consultants or experts, (e) the formation of a Standing Citizen's Advisory Committee or Public Commission, and (f) an explicit direction to the Belvedere City staff calling for the enforcement of existing ordinances or regulations. The TCAC shall ordinarily be drawn from citizens of Belvedere but may, in special circumstances, include citizens of other areas with specialized knowledge that would be essential to the TCAC's deliberations. In the event that the TCAC includes citizens from outside of Belvedere, the charter for

such committee shall provide that no motion shall carry without the vote of a majority of Belvedere citizens. Members of the Belvedere City staff may be included as *ex officio* members of the TCAC. The Mayor shall appoint the Chair and Vice-Chair of the TCAC. The City Manager may appoint a member of Belvedere City staff sitting *ex officio* as the Secretary or Secretary *pro tem* of the TCAC. A TCAC shall meet for a limited period of time not to exceed a single year unless expressly extended by a resolution of the Belvedere City Council. A TCAC shall include at least one, but not more than two, members of the Belvedere City Council whose purpose on such committee shall be to help guide the committee's deliberations.

6.1.3 STANDING CITIZENS' ADVISORY COMMITTEES

Belvedere City Council may appoint a Standing Citizens' Advisory Committee (also, herein, a "SCAC") through open interviews of Belvedere citizens in order to study issues properly before the Belvedere City Council and to report back to the Belvedere City Council, another governing body subsidiary to the Belvedere City Council (a "Subsidiary Body"), or the Belvedere City staff with the SCAC's findings and, if warranted, to make recommendations for one or more of the following actions by the Belvedere City Council, the Subsidiary Body, or Belvedere City staff: (a) in the case of the Belvedere City Council, the amendment of Belvedere's Municipal Code, (b) in the case of the Belvedere City Council, the amendment of Belvedere's Administrative Policy Manual, (c) in the case of the Belvedere City Council, the making of appropriations reflecting the SCAC's sense of public priorities with respect to Belvedere's fiscal budget, (d) in the case of the Belvedere City Council, the acceptance or rejection of reports by outside consultants or experts, (e) in the case of the Belvedere City Council, the formation of a Public Commission, (f) in the case of the Belvedere City Council, an explicit direction to the Belvedere City staff calling for the enforcement of existing ordinances or regulations, (g) in the case of a Subsidiary Body, the taking of actions by the Subsidiary Body related to land use entitlements or other matters before the Subsidiary Body, and (h) in the case of the Belvedere City staff, such recommendations as may be authorized by the SCAC's charter and requested by the Belvedere City staff. The SCAC may include members of the Belvedere City staff as *ex officio* members. The Chair and Vice-Chair of the SCAC may be appointed by either by the Mayor or by a majority of SCAC's members as specified in the SCAC's charter. The City Manager may appoint a member of the Belvedere City Staff sitting *ex officio* as Secretary or Secretary *pro tem* of the SCAC. An SCAC shall remain extant until it is dissolved by the Belvedere City Council. A SCAC shall include at least one, but not more than two, members of the Belvedere City Council whose purpose on such committee shall be to help guide the Committee's deliberations.

6.1.4 PUBLIC COMMISSIONS

The Belvedere City Council may establish a Public Commission by ordinance to undertake such responsibilities as the Belvedere City Council may properly delegate under the Constitution and laws of the State of California. If permitted by the laws of the State of California, members of the Belvedere City staff may be included in Public Commission as non-voting *ex officio* members. The Chair, Vice Chair and Secretary of Public Commission may be appointed by either by the Mayor or by a majority of the Public Commission's members as specified in the Public Commission's establishing ordinance. A Public Commission shall remain extant for the period specified in its establishing ordinance. A Public Commission may be established without the inclusion of members of the Belvedere City Council. The Belvedere City Council may provide for additional governing regulations for the Public Commission consistent with the Public Commission's establishing ordinance and the Constitution and laws of the State of California. The aforesaid regulations shall be incorporated into the Belvedere Administrative Policy Manual.

6.1.5 Recruitment; Notice of Openings

Open positions for membership in Temporary Citizens' Advisory Committees, Standing Citizen Advisory Committees and Public Commissions shall be publicized in such a manner as to comply with California Government Code §54972 – 54974. In addition, any opening for new a seat on a TCAC, SCAC or Public Commission that arises subsequent to the publication of the list set required under Government Code Section 54972 shall be publicized in the manner set forth in Government Code §54974.

6.1.6 TEMPORARY CITIZENS' ADVISORY COMMITTEES AND STANDING COMMITTEES: CHARTERS REQUIRED

No TCAC or SCAC shall be formed without the promulgation of a charter by the Belvedere City Council and, in the case of a SCAC, such charter shall be incorporated into the Belvedere City Administrative Policy Manual. In either case, the charter shall include the following provisions and such provisions **shall** be consistent with the other regulations of this Administrative Policy Manual:

1. The official committee name;
2. Whether a Temporary Citizens' Advisory Committee or a Standing Citizens' Advisory Committee;
3. The Committee's specific and limited purposes;
4. The Committee's period of operation, if a TCAC;
5. The Committee's composition;

6. The period of office for Committee members if an SCAC;
7. The officers of the Committee and, if an SCAC, their period of office;
8. The governing procedures for the Committee;
9. Any special voting and quorum requirements;
10. The timing and frequency of the Committee's regular meetings as well as the circumstances under which Belvedere City staff or the Committee's Chair may call special meetings;
11. The date of the Committee's final report, if a TCAC, or the frequency and timing of periodic and episodic reports, if an SCAC;
12. A statement limiting the Committee's scope of action and prohibiting *ultra vires* activity;
13. The provision for notice to and consultation with the Mayor prior to setting up *ad hoc* sub-committees of the Committee.
14. A statement providing notice of the Committee's status as a public governing body subject to the open meeting requirements of the Brown Act.

CITY OF BELVEDERE
RESOLUTION NO. 2022 -XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE

**RENAMING AND REORGANIZING THE PARKS AND OPEN SPACES COMMITTEE AND
AMENDING SECTION 6.2 OF THE BELVEDERE ADMINISTRATIVE POLICY MANUAL TO
SET FORTH A NEW CHARTER FOR THE PARKS OPEN SPACES AND LANES
COMMITTEE**

WHEREAS, the Mayor of the City of Belvedere has appointed an *ad hoc* committee of the Belvedere City Council (the “*Ad Hoc* Committee”) to engage in a review of the laws and regulations of the City of Belvedere pertaining to the establishment and operation of Belvedere’s Committees and Commissions; and

WHEREAS, the *Ad Hoc* Committee has completed such review and conducted interviews with the Chair of each existing Belvedere Committee or Commission; and

WHEREAS, the *Ad Hoc* Committee recommends the change of the Parks and Open Spaces Committee to the Parks, Open Spaces and Lanes Committee to better reflect that committee’s mission to protect Belvedere’s historic lanes, and

WHEREAS, the *Ad Hoc* Committee recommends the amendment of Section 6.2 of the Belvedere Administrative Policy Manual (the “APM”) to provide a new charter for the Parks Open Spaces and Lanes Committee in order to provide for more effective governance of the City of Belvedere; and

WHEREAS, the *Ad Hoc* Committee recommends the reorganization of the Parks Open Spaces and Lanes Committee to reduce its number to five; and

WHEREAS, the Belvedere City Council accepts the *Ad Hoc* Committee’s recommendation and finds it is in the best interest of the City of Belvedere implement it;

NOW, THEREFORE, BE IT RESOLVED that the Belvedere City Council and the City of Belvedere hereby rename the Parks and Open Spaces Committee as the Parks, Open Spaces and Lanes Committee;

AND, that the Belvedere City Council and the City of Belvedere hereby delete Section 6.2 of the Belvedere Administrative Policy Manual in its entirety and replace it with the charter set forth in Exhibit A annexed hereto;

AND, that the City Council of the City of Belvedere hereby direct the Committee to reorganize pursuant to the aforesaid charter.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on March 14, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____

Sally Wilkinson, Mayor

ATTEST: _____

Beth Haener, City Clerk

EXHIBIT A

CHARTER OF OPERATIONS FOR THE BELVEDERE PARKS, OPEN SPACES AND LANES COMMITTEE

6.2.1 Purpose

The Parks, Open Spaces and Lanes (the “Committee”) is established to study and provide community input into measures to protect Belvedere’s Parks, Open Spaces and Lanes and to develop Belvedere’s Parks, Open Spaces and Lanes in a manner consistent with Belvedere’s General Plan and the best interests of the citizens of Belvedere. For purposes of this Charter, the term “Parks, Open Spaces and Lanes” shall include the following lands held by the City of Belvedere:

Parks & Facilities

- Belvedere Way Park
- Centennial Park
- Community Park
- Land Company Park
- Oak Mini Park
- Tom Price Park
- China Cabin

City Lanes

- Lower Cedar
- Upper Cedar
- Albert’s Alley
- Lower Hawthorne
- Upper Hawthorne
- Lower McLean
- Upper McLean
- Pagoda
- Pomander Walk
- Lower Woodwardia
- Middle Woodwardia
- Upper Woodwardia
- Lower Woodland
- Upper Woodland

- Transpac
- Cliff
- Park
- Corinthian
- Holly
- Golden Gate
- Harry B. Allen Stairs
- Unnamed Lanes (8)

Recreation and Open Space Zoned Areas of Interest

- Five Corners
- Golden Gate Cul-de-sac
- Gateway and Seawall Path
- Fern and Madrona
- Lagoon and Tiburon Blvd
- Mallard Road Terminus
- Sailing Society
- Wildlife Bird Sanctuary
- Artist's View
- W. Allen Bench

See [Reference Map](#) for location details.

6.2.2. Duties In furtherance of this mission, the Committee shall carry out the following duties only:

- (1) Provide a set of recommendations to staff and Belvedere City Council each year prioritizing measures to improve or protect Belvedere's Parks, Open Spaces and Lanes during each of the subsequent 5 fiscal years;
- (2) Provide a report to the Belvedere City staff and to Belvedere City Council regarding the status of measures taken to address the priorities adopted by the Belvedere City Council for Belvedere's Parks, Open Spaces and Lanes during the preceding fiscal year;
- (3) Provide recommendations to the Belvedere Planning Commission with respect to any proposed project directly effecting Belvedere's Parks, Open Spaces and Lanes;

- (4) Undertake such additional studies and reporting as the Belvedere City Council or the Belvedere City staff may request from time to time regarding measures to improve or protect Belvedere's Parks, Open Spaces and Lanes.

6.2.3 Reporting

The Committee shall report its annual recommendation on priorities for measures to improve or protect Belvedere's Parks, Open Spaces and Lanes not later than December 31 of each year.

The Committee shall make its annual report on the status and progress of the City's measures to protect and improve Belvedere's Parks, Opens Spaces and Lanes not later than August 30 of each year.

The Committee shall provide any comment described in Section 6.3.3 of the Belvedere Administrative Policy Manual relating to an application for entitlement affecting Belvedere's Parks, Open Spaces and Lanes to the Belvedere Planning Commission not later than 72 hours before the Planning Commission hearing at which such objection shall be heard;

The Committee shall make such additional reports as requested from time to time by the Belvedere City staff and the Belvedere City Council on a schedule that shall be specified together with such requests.

6.2.4 Duration:

The Committee shall be a Standing Committee and shall continue in operation until such time as this charter is revoked by the Belvedere City Council.

6.2.5 Meetings

The Committee shall meet four times each year during the third week of each fiscal quarter and at such additional times as requested by the Belvedere City Council and Belvedere City staff. A special meeting may be called by the Chair of the Committee upon receipt of notice that an entitlement has been requested relating that has a significant impact on Belvedere's Parks, Open Spaces and Lanes.

6.2.6 Members; Term of Office

Non-Voting Council Liaisons:

The Committee shall have one Belvedere City Council liaison and one Council liaison alternate both of whom shall be charged with guiding the committee's deliberations.

Public Members:

The Council shall appoint five members from the public who shall have a demonstrated interest in the City's Parks and Open Spaces (the "Public Members"). Public members shall be appointed for a term of four years. The Belvedere City Council shall appoint members to the committee on a staggered basis so that not more than three committee members' terms expire in any given year. Preference for appointments shall generally be given to Master Gardeners, parents with young children, and volunteers from community environmental organizations such as Broom Busters and the Richardson Bay Audubon Society. Public Members may be removed from the Committee by the Belvedere City Council.

Non-voting Ex-Officio:

The Belvedere City Manager

The Belvedere City Director of Public Works

6.2.7 Procedure:

The Committee shall follow Rosenberg's Rules of Order except as modified by this charter.

6.2.8 Reorganization: The Committee shall reorganize under this charter at the next meeting contemplated by this Charter and shall include only such existing members of the Belvedere Parks and Open Space Committee who have the longest time remaining in their respective terms of office. The reorganized committee shall elect new officers at its next meeting. Notwithstanding Section 6.2.7 of this Charter, the Committee may elect its existing officers to a new term.

6.2.9 Quorum:

A quorum shall require a majority of the Public Members.

6.2.10 Officers:

The Committee shall elect Public Members as a Chair and a Vice-chair and such officers shall serve for a term of one year. Public Members may serve for more than one term of office provided that no two such terms may be consecutive. The Belvedere City Manager shall appoint a Secretary to serve on an Ex-Officio basis.

6.2.11 Subcommittees:

The Chair of the Committee shall be empowered to appoint, upon prior notice to and consultation with the Mayor, *ad hoc* sub-committees to assist in the Committee's deliberations.

6.2.12 No Implied Authority

The duties and authorities set forth in this Charter imply no additional authorities or duties. Any independent unauthorized actions including but not limited to contracting with third parties and undertaking public opinion polls are *ultra vires*, expressly forbidden by the Belvedere City Council.

6.2.13 Brown Act Committee

The Committee is subject to the open meeting requirements of the Brown Act (Govt. Code sec. 54950).

**CITY OF BELVEDERE
RESOLUTION NO. 2022 -XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
TO AMEND THE BELVEDERE ADMINISTRATIVE POLICY MANUAL TO ADD
SECTION 6.4 SETTING FORTH THE CHARTER FOR THE BELVEDERE HISTORIC
PRESERVATION COMMITTEE**

WHEREAS, the Mayor of the City of Belvedere has appointed an *ad hoc* committee of the Belvedere City Council (the “*Ad Hoc* Committee”) to engage in a review of the laws and regulations of the City of Belvedere pertaining to the establishment and operation of Belvedere’s Committees and Commissions; and

WHEREAS, the *Ad Hoc* Committee has completed such review and conducted interviews with the Chair of each existing Belvedere Committee or Commission; and

WHEREAS, the *Ad Hoc* Committee recommends the amendment of the Belvedere Administrative Policy Manual (the “APM”) to add a new Section 6.4 containing a charter for the Historic Preservation Committee in order to provide for the more effective governance of the City of Belvedere; and

WHEREAS, the Belvedere City Council accepts the *Ad Hoc* Committee’s recommendation and finds it is in the best interest of the City of Belvedere implement it;

NOW, THEREFORE, BE IT RESOLVED; that the Belvedere City Council and the City of Belvedere hereby add Section 6.4 to the APM and therein set forth the charter contained in Exhibit A annexed hereto.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on March 14, 2022, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

APPROVED: _____

Sally Wilkinson, Mayor

ATTEST: _____

Beth Haener, City Clerk

EXHIBIT A

CHARTER OF OPERATIONS FOR THE BELVEDERE HISTORIC PRESERVATION COMMITTEE

6.4.1 Purpose

The Belvedere Historic Preservation Committee (the “Committee”) is established to study and provide community input into measures necessary to preserve the historical heritage of Belvedere homes through advising the City on applications for the historic designation of Belvedere properties and homes and any applications for such homes and properties under the Mills Act .

6.4.2 Duties

In furtherance of this mission, the Committee shall carry out the following duties only:

- (1) At the request of the Belvedere City staff, review, deliberate and make recommendations to the Belvedere City staff on any application for the historic designation of Belvedere properties and homes and any applications made for such homes and properties under the Mills Act; and
- (2) Undertake such additional studies and reporting as the Belvedere City Council or the Belvedere City staff may request from time to time to protect Belvedere’s historic properties and homes.

6.4.3 Reporting

The Committee shall report its recommendation on any historic designation application or Mills Act application at such times as may be requested by City staff;

The Committee shall make such additional reports as requested from time to time by the Belvedere City staff or the Belvedere City Council on a schedule that shall be specified together with such requests.

6.4.4 Duration:

The Committee shall be a Standing Committee and shall continue in operation until such time as this Charter is revoked by Council.

6.4.5 Meetings

The Committee shall meet four times each year during the first week of each fiscal quarter and at such additional times as requested by the Belvedere City Council and the Belvedere City staff.

6.4.6 Members; Term of Office

Non-Voting Council Liaisons:

The Committee shall have one Council liaison and one liaison alternate, both of whom shall be charged with guiding the committee's deliberations. Council liaisons shall remain in office until the next reorganization of the Belvedere City Council.

Public Members:

The Belvedere City Council shall appoint five members from the public (the "Public Members"), who shall have a demonstrated interest in historical preservation. Public Members shall have a term in office of four years. The Belvedere City Council shall appoint members to the committee on a staggered basis so that not more than three committee members terms expire in any given year. Committee members may be removed by a resolution of Council.

Non-voting Ex-Officio:

The City Manager

The Director of Planning

6.4.7 Procedure:

The Committee shall follow Rosenberg's Rules of Order except as modified by this charter.

6.4.8 No Reorganization: The Committee shall consist of the existing members of the Belvedere Historical Preservation Committee and its existing officers who shall each continue in their existing terms of office until such terms expire.

6.4.9 Quorum:

A quorum shall require a majority of the Public Members.

6.4.10 Officers:

The Committee shall elect Public Members as a Chair and a Vice-chair and each shall serve for a term of one year. Any Public Member may serve more than a single term as Chair or Vice-Chair but no two such terms may be consecutive.

6.4.11 Subcommittees:

The Chair of the Committee shall be empowered to appoint, upon prior notice to and consultation with the Mayor, *ad hoc* sub-committees to assist in the Committee's deliberations.

6.4.12 No Implied Authority

The duties and authorities set forth in this Charter imply no additional authorities or duties. Any independent unauthorized actions including but not limited to contracting with third parties and undertaking public opinion polls are *ultra vires*, expressly forbidden by Belvedere City Council.

6.4.13 Brown Act Committee

The Committee is subject to the open meeting requirements of the Brown Act (Govt. Code sec. 54950).

**CITY OF BELVEDERE
RESOLUTION NO. 2022 -XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
TO AMEND THE BELVEDERE ADMINISTRATIVE POLICY MANUAL TO ADD SECTION
6.3 SETTING FORTH THE CHARTER FOR THE BELVEDERE TRAFFIC SAFETY AND
CIRCULATION COMMITTEE**

WHEREAS, the Mayor of the City of Belvedere has appointed an *ad hoc* committee of the Belvedere City Council (the “*Ad Hoc* Committee”) to engage in a review of the laws and regulations of the City of Belvedere pertaining to the establishment and operation of Belvedere’s Committees and Commissions; and

WHEREAS, the *Ad Hoc* Committee has completed such review and conducted interviews with the Chair of each existing Belvedere Committee or Commission; and

WHEREAS, the *Ad Hoc* Committee recommends the amendment of the Belvedere Administrative Policy Manual (the “APM”) to add a new Section 6.3 containing a charter for the Traffic Safety and Circulation Committee in order to provide for more effective governance of the City of Belvedere; and

WHEREAS, the Belvedere City Council accepts the *Ad Hoc* Committee’s recommendation and finds it is in the best interest of the City of Belvedere to implement it.

NOW, THEREFORE, BE IT RESOLVED; that the Belvedere City Council and the City of Belvedere hereby add Section 6.3 to the APM and therein set forth the charter contained in Exhibit A annexed hereto.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Belvedere on March 14, 2022, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

APPROVED: _____

Sally Wilkinson, Mayor

ATTEST: _____

Beth Haener, City Clerk

EXHIBIT A

Charter of Operations for Traffic and Safety Standing Citizen Committee

6.3.1 Purpose

The Traffic Safety and Circulation Committee (the “Committee”) is established to study and provide community input into hazards and disruptions to life related to traffic and safety in the City of Belvedere to the Belvedere City Council and Belvedere City staff.

6.3.2 Duties

In furtherance of this mission, the Committee shall carry out the following duties only:

- (1) Hold a public meeting once each fiscal year to collect, discuss and report to the city matters of citizen concern regarding traffic safety and circulation in the City of Belvedere;
- (2) Hold a public meeting once each year to receive progress reports provided by staff of the City of Belvedere regarding matters related to traffic safety and circulation in the City of Belvedere;
- (3) Undertake such additional studies and provide such additional reports as the staff of the City the Belvedere or the Belvedere City Council may request from time to time relating to traffic safety and circulation in the City of Belvedere.

6.3.3 Reporting

The Committee shall take public comment, undertake deliberations and report its recommendations for measures to improve traffic safety and circulation not later than December 31 of each year.

The Committee shall hear the report of Belvedere City staff on the status of measures taken to address matters related to traffic safety and circulation and report its findings to the Belvedere City Council not later than August 31 of each year.

The Committee shall make such additional reports as requested from time to time by the Belvedere City staff and the Belvedere City Council on a schedule that shall be specified together with such requests.

6.3.4 Duration:

The Committee shall be a Standing Committee and shall continue in operation until such time as this charter is revoked by Council.

6.3.5 Meetings

The Committee shall meet twice each year on a schedule set by its chair between July 1 and December 31 and at such additional times as requested by the Belvedere City Council and the Belvedere City staff.

6.3.6 Members; Terms of Office

Non-Voting Council Liaisons:

The Committee shall have one Belvedere City Council liaison and one Belvedere City Council liaison alternate who shall be charged with guiding the committee's deliberations. Belvedere City Council liaisons shall be appointed or reappointed by the Mayor at each reorganization of the Belvedere City Council or sooner in event of a vacancy.

Public Members:

The Belvedere City Council shall appoint five members from the public (the “Public Members”) who shall have a demonstrated interest in the City’s Traffic Safety and Circulation. The term of office for Public Members shall be four years. The Belvedere City Council shall appoint members to the committee on a staggered basis so that not more than three committee members’ terms expire in any given year. Public Members may be removed from the Committee by the Belvedere City Council.

Non-voting Ex Officio:

The City Manager and the Director of Public Works shall be non-voting ex officio members of the committee.

6.3.7 Procedure:

The Committee shall follow Rosenberg’s Rules of Order except as modified by this charter.

6.3.8 No Reorganization: Upon promulgation of this charter, the Committee shall consist of the existing members of the Belvedere Traffic and Safety Committee and its existing officers who shall each continue in their existing terms of office until such terms expire.

6.3.9 Quorum:

A quorum shall require a majority of the Public Members.

6.3.10 Officers:

The Committee shall elect a Public Member as a Chair and a Vice-chair and such officers shall serve for a term of one year. A Public Member may serve for more than one term as Chair or Vice-chair but no two such terms may be consecutive. The City Manager shall appoint a Secretary to serve on an Ex-Officio basis.

6.3.11 Subcommittees:

The Chair of the Committee shall be empowered to appoint, upon prior notice to and consultation with the Mayor, *ad hoc* sub-committees to assist in the Committee's deliberations.

6.3.12 No Implied Authority

The duties and authorities set forth in this Charter imply no additional authorities or duties. Any independent unauthorized actions including but not limited to contracting with third parties and undertaking public opinion polls are *ultra vires*, expressly forbidden by Belvedere City Council.

6.3.13 Brown Act Committee

The Belvedere Traffic and Safety Committee is subject to the open meeting requirements of the Brown Act (Govt. Code sec. 54950).

To: Mayor and City Council

From: Beth Haener, City Clerk
Reviewed by: Craig Middleton, City Manager

Subject: Community Talent Showcase funding request

Recommended Motion/Item Description

Consider the request from Belvedere resident and Citizen of the Year Adam Gavzer to hold a community talent showcase at Belvedere Community Park on September 3, 2022. Consider providing up to \$6,500 to fund the event. It is expected that this amount would be defrayed by private donations and that only a portion of the requested funding would be needed.

Background

Mr. Gavzer’s concept is to create a show with an overarching theme extolling the virtues of life in Belvedere, with the framework combining historic data with current issues.

Mr. Gavzer has indicated that he will post casting notices locally seeking a variety of talent for the Belvedere Community Talent Showcase, and will hold auditions on several nights and afternoons at the Founders Room/Council Chambers to create the cast.

The event will take place at the Belvedere Community Park on September 3, 2022, at 7:30pm and run approximately to 9:00pm.

Fiscal Impact

Budget: the bulk of the expenses are related the production company:

| | |
|--------------------------|--------------|
| Staging | \$1000 |
| Sound Reinforcement | \$2275 |
| Transportation | \$250 |
| Loading Crew & engineers | \$1770 |
| Lighting | \$750 |
| Production Support | \$250 |
| Total Production | <hr/> \$6295 |

| | |
|---------------|---------------|
| Miscellaneous | \$205 |
| Total Budget | <u>\$6500</u> |

Recommended Motion

Approve the request from Citizen of the Year Adam Gavzer to hold a Belvedere Community Talent Showcase event on September 3, 2022 in Community Park; and commit up to \$6,500 from the City's General Fund to support this effort, with the understanding that the organizers will solicit donations that will be used to support the event and reduce City costs.

Attachment: Proposal: "Love Letters from Belvedere"

Love Letters to Belvedere

A Community Talent Showcase

My concept is to create a show with an overarching theme extolling the virtues of life in Belvedere.

I will create a framework combining historic data with current issues. Much of the content of the show will depend on the talent that the residents bring to the table.

I will post casting notices locally seeking all sorts of talent for the Belvedere Community Talent Showcase. I'll hold auditions several nights and afternoons at the Founders Room/Council Chambers to create our cast.

I am also in contact with community leaders in Marin City to explore ways that they may be involved in telling our story.

I plan to work with the cast to rehearse their individual (or smaller group) parts and create several ensemble group pieces where more people can work together to further the story.

Auditions will begin in June and be held several times. This will allow me time to evaluate the cast members and their specific talents. Then I will work to create the show utilizing their talents and weaving them into the overarching theme.

I'm planning to present this show in Belvedere Community Park in the same location that the Concerts use. It will take place September 3rd, 2022. We will start at 7:30pm and run to approximately 9:00pm.

I have chosen this date for several reasons:

- 1) The September date allows for sunset earlier in the evening, providing a "night-time" show without extending too late into the night.
- 2) The final concert of the Belvedere Concerts in the Park season is September 4th. This provides a higher potential audience turnout since residents may opt to stay in town for the two events.
- 3) The production company that Concerts works with will be providing our staging, lighting, sound system and production support.
- 4) There are potential cost savings by using the same production company as Concerts. The stage will remain overnight after the Talent Show to be used the next day for Concerts.
- 5) Should we decide to add a Volunteer Appreciation element to the event, it can happen around 5-6pm and add to the overall festive feel of the weekend.

Budget:

There are bound to be unknown costs as I dive into this project, but I believe this to be an accurate estimate. I plan to primarily use volunteers to handle stage management, lighting operators, etc, in order to keep costs down.

The bulk of the expenses are related the production company:

| | |
|---------------------|--------|
| Staging | \$1000 |
| Sound Reinforcement | \$2275 |

| | |
|--------------------------|--------|
| Transportation | \$250 |
| Loading Crew & engineers | \$1770 |
| Lighting | \$750 |
| Production Support | \$250 |
| | _____ |
| Total Production | \$6295 |
| | |
| Miscellaneous | \$205 |
| | _____ |
| Total Budget | \$6500 |

Funding Sources:

City of Belvedere-
Full funding guarantee should no other sources be available.

Belvedere Community Foundation,
Grant Application Submitted 2/25/22 for \$5000

Private Donations-
This will be an ongoing effort and may end up covering possible overages as the creative juices start to flow.

I see this event as an excellent opportunity to provide the community with a fun way to gather at an outdoor venue with some local entertainment. My goal is to gather a lot of talented people that want to take part. I also see this as a way to build a bridge between our community and that of Marin City with a creative endeavor.

My specific request at this time is:

1. Approval for use of the park on September 3rd, 2022, possibly to include the closure of Community Road.
2. Funding not to exceed \$6,500 as a contingency against no other funding sources materializing.