

**REGULAR MEETING  
BELVEDERE CITY COUNCIL  
JUNE 14, 2021, 6:30 PM  
REMOTE VIA ZOOM  
MINUTES**

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

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Craig Middleton, Police Chief Jason Wu, Public Works Director Robert Zadnik, Senior Planner Rebecca Markwick, Administrative Services Manager Amber Johnson, Planning and Building Director Irene Borba, City Attorney Emily Longfellow, 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 Campbell at 6:30 PM via remote Zoom meeting. COVID-19 disclaimer was read.

**OPEN FORUM**

Belvedere resident Dr. William Rothman commented on a Public Records Act request he placed with the City and also stated his concerns about materials that will be used in the Community Park playground remodel.

Belvedere Resident Jill Barnett requested Item number 4 on the Consent Calendar be pulled for further discussion.

**REPORTS & PRESENTATIONS**

**Item 1. City Council Reports**

Vice Mayor Wilkinson reported that the Finance Task Force will not be making any recommendations on post-employment benefits at this point and will review the situation again in a couple of years. Vice Mayor Wilkinson also reported on the Yellow Bus Challenge and stated that school bus passes are currently available for the next school year until July 15<sup>th</sup>.

Mayor Campbell reported that Belvedere is turning 125 this year, and a citywide celebration is being planned. Mayor Campbell asked residents to please keep September 4<sup>th</sup> open to help celebrate Belvedere's birthday. Mayor Campbell also reported that he received a donation for the playground renovations from the Perlmutter, McNeal, and Valente children, who held a lemonade sale that raised \$110.00.

**Item 2. City Manager Report**

City Manager Middleton reported that California will reopen June 15<sup>th</sup> after over a year and a half of various states of closure. City Manager Middleton thanked Belvedere residents for meeting the pandemic regulations with grace and thanked the employees of the City for a job well done. Middleton also stated that an edit will be made to the May 10, 2021 minutes, as there was an administrative error on a vote tally.

**CONSENT CALENDAR**

Mayor Campbell removed Item 4 from the Consent Calendar for further discussion.

**MOTION:** Move to adopt the Consent Calendar, with the exception of Item 4.

**MOVED:** By Kemnitzer, seconded by Lynch; approval was unanimous.

The Consent Calendar consisted of the following Items:

3. **Approve minutes of the May 10th, 2021, regular meeting.**
  4. **Approve warrants of May 2021.**
  5. **Adopt the resolution establishing the Gann (Proposition 4) appropriations limit for Fiscal Year 2021/2022.**
  7. **Adopt a resolution to amend the City of Belvedere Administrative Policy Manual to incorporate revised Personnel Policies.**
  8. **Adopt a resolution to amend the City of Belvedere Administrative Policy Manual to incorporate revision to Procurement Policy.**
  9. **Adopt resolution to amend the City of Belvedere Administrative Policy Manual, Part 15, Planning Department Policies, Policy 15.6 regarding Appropriate Colors and Materials and adding Policy 16, Rear Yard Setbacks in the R-1L (Lagoon Zoning).**
  10. **Award of Contract for the 2021 Pavement Maintenance Project.**
  11. **Adopt resolution to authorize City Manager to grant a utility easement to Marin Municipal Water District for the purposes of fire safety and supply.**
  12. **Approve recommendation from the Historic Preservation Committee for the City to enter into a Mills Act Agreement for the property at 308 Golden Gate Avenue. The Mills Act is a tax abatement program for the purposes of historic preservation. CEQA status: categorically exempt pursuant to Section 15331.**
  13. **Adopt resolution Accepting the Designation of the City of Belvedere to Represent the City of Mill Valley on the Board of Directors of Marin Clean Energy and to Vote on Its Behalf and Designating Councilmember Sally Wilkinson as the Representative.**
  14. **Reappoint Jean Bordon and Kathy Pearson to the Parks and Open Space Committee.**
  15. **Adopt resolution to amend the City of Belvedere Administrative Policy Manual to include a Flag Policy, and adopt resolution authorizing the display of Rainbow Pride Flag for Remainder of June 2021.**
- 
6. **Resolution authorizing the City Manager to file an appeal on behalf of the City of Belvedere pursuant to Government Code Section 65584.5 to modify its Draft Regional Housing Needs Allocation (RHNA) for the City of Belvedere as determined by Association of Bay Area Governments & Metropolitan Transportation Commission (ABAG/MTC).**

Planning and Building Director Borba presented the staff report and took questions from Council. Mayor Campbell called for public comment.

Belvedere Resident Jill Barnett asked how many housing units the City would be requesting in the appeal, how the City will keep the public informed, and also requested information on Accessory Dwelling Units (ADUs) with regard to this issue. Planning and Building Director Borba stated that she will meet with a consultant this week to determine what level of reduction in unit count could reasonably be justified. Director Borba stated that the City is creating a webpage on the City's website that will keep the public informed. City Attorney Longfellow stated that ADUs do count toward Regional Housing Needs Allocation (RHNA) numbers; she added that it is unclear as to which income level an ADU would be classified.

Mayor Campbell closed the public comment time and brought the discussion back to Council.

**MOTION:** To adopt a resolution authorizing the City Manager to file an appeal on behalf of the City of Belvedere with the Association of Bay Area Governments & Metropolitan Transportation Commission (ABAG/MTC) appealing Belvedere's Draft Regional Housing Needs Allocation.

**MOVED:** By Block, seconded by Kemnitzer; approval was unanimous.

#### **PUBLIC HEARING**

16. **Consider resolution approving the City of Belvedere Annual Operating and Capital Budget for Fiscal Year 2021-2022 and the Five-Year Capital Plan.**

City Manager Middleton and Administrative Services Manager Johnson presented the staff report and took questions from Council. Councilmember Lynch requested an edit in the staff report. There were no comments from the public.

**MOTION:** To adopt the resolution appropriating funds for the 2021-2022 Fiscal Year, including Councilmember Lynch’s edit.

**MOVED:** By Lynch, seconded by Wilkinson; approval was unanimous

**17. Adopt resolution levying previously-approved special tax for Fire and Emergency Medical Services and fixing the rates thereof for the fiscal year 2021/2022.**

Administrative Services Manager Johnson presented the staff report. There were no questions from Council and no public comment.

**MOTION:** Adopt resolution levying previously-approved special tax for Fire and Emergency Medical Services and fixing the rates thereof for the fiscal year 2021/2022.

**MOVED:** By Block, seconded by Wilkinson; approval was unanimous.

**18. Consider resolution updating the City’s Master Schedule of Fees, Charges, and Application Fees. Changes include decrease in overhead rate used in certain Planning Fee calculations, and addition of the City Attorney’s time and materials to certain Planning Fees.**

Administrative Services Manager Johnson presented the staff report. There were no questions from Council and no public comment.

**MOTION:** Adopt the resolution approving changes to the City’s Master Schedule of Fees, Charges and Application Fees

**MOVED:** By Kemnitzer, seconded by Lynch; approval was unanimous.

**19. Consider recommendations by the Belvedere Historic Preservation Committee and the Planning Commission to designate 428 Golden Gate Avenue, Belvedere a local historic property.**

Senior Planner Markwick presented the staff report. There were no questions from Council and no public comment.

**MOTION:** Adopt the resolution approving the designation of the property at 428 Golden Gate Avenue as a City of Belvedere Historic Property

**MOVED:** By Block, seconded by Kemnitzer; approved.

**VOTE:**

- AYES:** Block, Kemnitzer, Wilkinson, and Mayor Campbell
- NOES:** None
- ABSENT:** None
- RECUSED:** Lynch

**20. Consider recommendations by the Belvedere Historic Preservation Committee and the Planning Commission to designate 304 Golden Gate Avenue, Belvedere a local historic property.**

Senior Planner Markwick presented the staff report. There were no questions from Council and no public comment.

**MOTION:** Adopt the resolution approving the designation of the property at 304 Golden Gate Avenue as a City of Belvedere Historic Property.

**MOVED:** By Lynch, seconded by Wilkinson; approval was unanimous.

**21. Consideration of Collection Rate Application submitted by Mill Valley Refuse Service, Inc. (MVRS) for the collection of trash, recycling, and compostable materials, and possible adoption of Resolution authorizing increased collection rate.**

City Manager Middleton presented the staff report. Jim Iavarone of Mill Valley Refuse Service and Garth Shultz from R3 Consulting were both present and took questions from Council. There was no comment from the public.

**MOTION:** Adopt the draft resolution approving solid waste collection rates for the 2021/2022 rate year.  
**MOVED:** By Wilkinson, seconded by Lynch; approval was unanimous.

**Other Scheduled Items**

**22. Adoption of resolution for the period July 1, 2021, through June 30, 2023, establishing salaries and benefits for Miscellaneous (non-represented) employees of the City of Belvedere.**

City Manager Middleton presented the staff report and took questions from Council. There were no comments from the public.

**MOTION:** Adopt the resolution for the period July 1, 2021, through June 30, 2023, establishing salaries and benefits for Miscellaneous (non-represented) employees of the City of Belvedere.

**MOVED:** By Block, seconded by Wilkinson; approved.

**VOTE:**

**AYES:** Block, Lynch, Wilkinson, and Mayor Campbell  
**NOES:** None  
**ABSENT:** Kemnitzer  
**RECUSED:** None

**23. Consider the Belvedere-Tiburon Joint Recreation Committee’s (“The Ranch”) request for a financial contribution due to COVID-related hardships.**

City Manager Middleton presented the staff report, and Ranch Director Jessica Hotchkiss was present for questions. There were no questions from Council. Mayor Campbell called for public comment.

Melissa Feder, a Belvedere representative serving on the Ranch Board of Directors, stated her support for the request for a financial contribution due to COVID-related hardships.

Mayor Campbell closed the public comment time and brought it back to Council for discussion.

**MOTION:** Approve the Belvedere-Tiburon Joint Recreation Committee’s (“The Ranch”) request for a financial contribution due to COVID-related hardships.

**MOVED:** By Lynch, seconded by Wilkinson; approved.

**VOTE:**

**AYES:** Block, Lynch, Wilkinson, and Mayor Campbell  
**NOES:** None  
**ABSENT:** Kemnitzer  
**RECUSED:** None

**24. Consideration of request for funding from the Belvedere Concerts-in-the-Park Committee.**

City Manager Middleton presented the staff report. Peyton Stein from the Concerts in the Park Committee was present for questions. There were no questions from Council and no public comment.

**MOTION:** Approve the of request for funding from the Belvedere Concerts-in-the-Park Committee.

**MOVED:** By Lynch, seconded by Wilkinson; approved.

**VOTE:**

**AYES:** Block, Lynch, Wilkinson, and Mayor Campbell  
**NOES:** None  
**ABSENT:** Kemnitzer

**RECUSED:** None

**ADJOURN**

The meeting was adjourned at 7:42 P.M.


**THE FOREGOING MINUTES** were approved at a regular meeting of the Belvedere City Council on July 12, 2021, by the following vote:

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

**NOES:** None

**ABSENT:** None

**RECUSED:** None

Approve:   
James Campbell, Mayor

Attest:   
Beth Haener, City Clerk