

**REGULAR MEETING  
BELVEDERE CITY COUNCIL  
NOVEMBER 8, 2021, 6:30 PM  
REMOTE VIA ZOOM**

**MINUTES**

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**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, Administrative Services Director 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 6:33 PM via remote Zoom meeting. Mayor Campbell read the COVID-19 notice and public participation instructions.

City Manager Middleton took roll call.

**OPEN FORUM**

City Clerk Haener read a late correspondence letter written by Belvedere resident Marcia McGovern for the record.

Belvedere resident William Rothman stated his concern about the Critical Infrastructure Project and how the City is looking into funding the project.

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

**REPORTS & PRESENTATIONS**

**Item 1. City Council Reports**

Councilmember Block reported that the Richardson's Bay Regional Agency's (RBRA) harbormaster recently stepped down and an interim executive director, Steve McGrath, has been appointed. Councilmember Block stated that it is anticipated the agency will go back to in-person meetings soon and urged Belvedere to consider hosting a meeting in the new year.

Mayor Campbell announced that Administrative Services Director Amber Johnson and City Attorney Emily Longfellow have both been offered other opportunities that will take them away from Belvedere. Mayor Campbell expressed thanks and appreciation on behalf of Council for their excellent guidance and service to the City.

**Item 2. City Manager Report**

City Manager Middleton reported that Dr. Willis, the County's Public Health Officer, disclosed that as of late last week there were no people with COVID-19 in any hospital in Marin County.

City Manager Middleton reported that the City decided to bifurcate the undergrounding project at Golden Gate Avenue so as to move it along more quickly, and that Pacific Gas and Electric (PG&E) is expected start the work later this month. Middleton also reported that the construction for the Community playground is out to bid, and the City is planning to open bids in mid-December.

City Manager Middleton announced that the City is pleased that associate engineer Chris Barry has returned to work after a long illness.

Mayor Campbell called for public comment and, seeing none, closed the public forum.

**Item 3. Presentation on Countywide Fair Housing Initiatives from Jillian Zeiger, Planner, Housing and Federal Grants Division, County of Marin.**

Jillian Zeiger, a senior planner at the County of Marin’s housing and federal grants division, introduced Liz Darby, the social equity programs and policies manager at the Community Development Agency, who gave a presentation on Countywide fair housing initiatives and on the Marin County Restrictive Covenant Project. Liz Darby and Jillian Zeiger took questions from Council.

Mayor Campbell called for public comment.

Belvedere resident William Rothman asked the presenters if they had received complaints of prejudice from any of the protected groups who may have sought housing in Belvedere. Liz Darby stated that they have received complaints not only in reference to housing but also complaints of not feeling welcomed in Belvedere and in other Marin communities as well.

Seeing no one else wishing to speak, Mayor Campbell closed the open forum and thanked Liz Darby and Jillian Zeiger for their presentation.

**CONSENT CALENDAR**

Council member Block requested that Item 11 be removed for further discussion, and Councilmember Kemnitzer requested that Item 7 be removed for further discussion.

**MOTION:** Move to adopt the Consent Calendar, with the exception of Item 7 and Item 11.  
**MOVED:** By Wilkinson, seconded by Block. Approval was unanimous of the following items:

4. **Approve minutes of the October 11, 2021, regular meeting.**
5. **Approve warrants of October 2021.**
6. **Investment Report for the quarter-ending September 30, 2021.**
8. **American Rescue Plan Act (ARPA) Programmatic Spending Plan.**
9. **Adopt a Resolution Authorizing Grant Applications for the Proposition 68 Parks Per Capita Program**
10. **Adoption of an Ordinance amending Title 19, Zoning, Chapters 19.08 “Definitions” and 19.79 “Accessory Dwelling Units and Junior Accessory Dwelling Units in compliance with State law and as recommended for adoption by the Planning Commission.**

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**7. Report on Analysis of Fees Collected Under New Fee Structure.**

Councilmember Kemnitzer asked staff to clarify the new process that has been put in place under the new fee structure. Administrative Services Director Amber Johnson stated that the City has developed processes and procedures whereby staff monitors each new project and tracks staff and contractors’ time. Administrative Services Director Johnson stated it has been a joint effort with the Planning and Building Departments.

**MOTION:** To approve the report on analysis of fees collected under new fee structure  
**MOVED:** By Kemnitzer, seconded by Wilkinson; approval was unanimous.

**11. Adopt a Resolution to Continue Remote Public Meetings pursuant to Assembly Bill 361.**

Councilmember Block stated his belief that it is important to approve this as a separate item.

Mayor Campbell called for public comment.

Belvedere resident William Rothman stated his support for continuing remote public meetings.

Seeing no one else wishing to speak, Mayor Campbell closed the public forum.

**MOTION:** Move to Adopt a Resolution to Continue Remote Public Meetings pursuant to Assembly Bill 361.  
**Moved:** By Block, seconded by Wilkinson. Approval was unanimous.

### **PUBLIC HEARING ITEMS**

#### **12. Introduction and first reading of an Ordinance Amendment to Belvedere Municipal Code Title 5 “Business Taxes, Licenses and Regulations” adding Chapter 5.17 “Prohibition of Commercial Activities in City Parks.”**

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

Mayor Campbell called for public comment and, seeing none, closed the public forum.

**MOTION:** To approve the first reading the ordinance by title only.  
**Moved:** By Wilkinson, seconded by Lynch; approval was unanimous.

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

**MOTION:** To waive future readings of the ordinance in its entirety.  
**Moved:** By Lynch, seconded by Wilkinson; approval was unanimous.

### **OTHER SCHEDULED ITEMS**

#### **11. Consideration of Construction Plan for the Corporation Yard Solar and Electric Vehicle Charging Project.**

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

Mayor Campbell called for public comment and, seeing none, closed the public forum and brought it back to Council for discussion.

Councilmember Lynch requested further figures for a power purchasing agreement (PPA) to include batteries. Councilmember Wilkinson stated that she does not advocate for solar power by itself but sees the benefit of solar with the use of batteries for the purpose of reducing greenhouse gases. Councilmember Wilkinson stated that the City should partner with Marin Clean Energy on this matter. Councilmember Block had concerns about Marin Clean Energy having access to the batteries and requested that staff look into whether a mechanism could be put in place, if the batteries were to be shared, to protect the City in the event of a forecasted emergency. Councilmember Kemnitzer stated that she would like more information on the life of a battery and requested better figures related to shared costs if the City were to work with Marin Clean Energy.


There was no action needed for this item.

### **ADJOURN**

The meeting was adjourned at 7:59 P.M.

**THE FOREGOING MINUTES** were approved at a regular meeting of the Belvedere City Council on December 13, 2021, 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