City of Belvedere
City Council Meeting
Consent Calendar
Monday May 13, 2024

To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Robert Zadnik, City Manager

Subject: **Item No. 8.F. – Approve the Minutes for the April 8, 2024 City Council Regular Meeting.**

Recommended Motion/Item Description

That the City Council approve the regular City Council meeting minutes of April 8, 2024, as part of the consent calendar.

Attachments

- Draft Minutes

City of Belvedere
City Council Meeting – Regular Draft Meeting Minutes
Monday, April 08, 2024 – 6:30 PM

City Council Chambers City Hall· 450 San Rafael Avenue, Belvedere CA· Phone 415.435.3838
City of Belvedere Internet Address: https: www.cityofbelvedere.org

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1. CALL TO ORDER

The Regular Meeting of the Belvedere City Council was convened at 6:30 p.m. in the City Council Chambers by Mayor Peter Mark.

2. ROLL CALL

PRESENT: Councilmembers Sally Wilkinson, Nancy Kemnitzer, Vice Mayor Jane Cooper, Mayor Peter Mark

ABSENT: Councilmember Jim Lynch

STAFF PRESENT: City Manager Robert Zadnik, Attorney Amy Ackerman, Administrative Services Director Helga Cotter, Planning and Building Director Rebecca Markwick, Building Official Brian Van Son, Associate Planner Samie Malakiman, and City Clerk Beth Haener

3. REPORTS AND PRESENTATIONS

3.A. City Council Reports

City Councilmembers reported on attendance at intergovernmental agency meetings, and updates since the last meeting.

Mayor Mark called for public comment and, seeing none, closed public comment.

3.B. City Manager Report

City Manager Robert Zadnik provided updates to City Council.

Mayor Mark called for public comment and, seeing none, closed public comment.

3.C. Presentation from Larry Binkley, Member of the Marin County Commission on Aging

Larry Binkley, Member of the Marin County Commission on Aging, presented a report on the commission, and took questions from Council.

Mayor Mark called for public comment, and seeing none, closed public comment.

3.D. Presentation from Peyton Stein, Member of the Concerts in the Park Committee,

Peyton Stein, Member of the Concerts in the Park Committee, presented a report requesting funds for the 27th annual Concerts-in-the-Park, and took questions from Council.

Mayor Mark called for public comment, and seeing none, closed public comment.

3.E. Presentation from Adam Gavzer, Chair of the Belvedere Block Captains

Adam Gavzer, Chair of the Belvedere Block Captains, presented a report requesting funds for a community barbecue, picnic and emergency preparedness day, and took questions from Council.

Mayor Mark called for public comment, and seeing none, closed public comment.

4. DECLARE ELECTION RESULTS

4.A Adoption of a Resolution Reciting the Facts of the Primary Election Held on March 5, 2024 and Declaring the Results of Measure C (Fire and Emergency Medical Services Appropriations Limit Adjustment)

City Clerk Beth Haener presented the item and took questions from Council.

Mayor Mark called for public comment, and seeing none, closed public comment.

MOTION: **A motion was made by Councilmember Kemnitzer, seconded by Councilmember Wilkinson, to adopt a resolution reciting the facts of the Presidential Primary Election held on March 5, 2024, and declare the results of Measure C.**

Aye: 4 **Cooper, Kemnitzer, Wilkinson, Mayor Mark**
Nay: **None**
Absent: **Lynch**
Abstain: **None**

5. CONSENT CALENDAR

A motion was made by Councilmember Kemnitzer, seconded by Councilmember Wilkinson, to approve the consent calendar. The motion was carried by the following vote.

Aye: 4 **Cooper, Kemnitzer, Wilkinson, Mayor Mark**
Nay: **None**
Absent: **Lynch**
Abstain: **None**

5.A. Motion to Approve the Warrants for February 2024

ACTION: **Item Approved.**

5.B. Motion to Approve the request from the Concerts-in-the-Park Committee for $5,000 to fund the 27th annual Concerts-in-the-Park

ACTION: **Item Approved.**

5.C. Motion to Approve the Cost to Provide Fire Protection and Emergency Services in Fiscal Year 2024-25 will exceed $450,000

ACTION: Item Approved.

5.D. Motion to Approve Resolution 2024-12 Allocating Road Repair and Accountability Act (SB 1) Funds Estimated at $54,333 in the FY2024-25 Capital Improvement Plan Budget

ACTION: Item Approved.

5.E. Motion to Approve the Minutes of the March 11, 2024 Regular City Council Meeting

ACTION: Item Approved.

Aye: 3 Cooper, Wilkinson, Mayor Mark
Nay: None
Absent: Lynch
Abstain: Kemnitzer

5.F. Motion to Approve the request from Adam Gavzer for $1,500 to fund a Community BBQ, Picnic and Emergency Preparedness Day

ACTION: Item Approved.

6. PUBLIC HEARINGS

6.A. Introduction & First Reading of an Ordinance of the City of Belvedere to Discontinue the Mills Act Program (Deleting Belvedere Municipal Code Section 21.20.120)

Planning and Building Director Rebecca Markwick presented the item and took questions from Council.

Mayor Mark opened the public hearing and called for public comment. Public comment was made by the following: Suzanne Du Molin.

MOTION: A motion was made by Councilmember Wilkinson, seconded by Councilmember Kemnitzer, to approve the first reading of the ordinance

Aye: 4 Cooper, Kemnitzer, Wilkinson, Mayor Mark.
Nay: None
Absent: Lynch
Abstain: None

6.B. Introduction & First Reading of an Ordinance of the City of Belvedere to Amend the Construction Time Limit Ordinance to Require Reactivation of Building Permits for Projects that Exceed their Time Limits (Amending Belvedere Municipal Code Sections 16.04.030 and 20.04.035), and Adoption of Corresponding Amendments to the City's Administrative Policy Manual (Policy 14.4)

Building Official Brian Van Son presented the item and took questions from Council.

Mayor Mark opened the public hearing and called for public comment. Public comment was made by the following: Ken Johnson and Pat Carapiet.

MOTION: **A motion was made by Councilmember Kemnitzer, seconded by Councilmember Wilkinson, to approve the first reading of the ordinance with requested amendments, and defer the proposed administrative policy manual changes until the next regular City Council meeting**

Aye: 4 **Cooper, Kemnitzer, Wilkinson, Mayor Mark.**

Nay: **None**
Absent: **Lynch**
Abstain: **None**

7. OTHER SCHEDULED ITEMS

7.A. Discussion and Possible Action Concerning a Funding Request (up to $125,000) for Martha Property

Administrative Services Director Helga Cotter introduced the item. Erica Williams, Senior Project Manager and Bay Area Program Director of the Trust for Public Land, and Jerry Riessen of the Tiburon Open Space, gave a presentation and took questions from Council.

Mayor Mark called for public comment. Public Comment was made by the following: Ken Johnson and George Landau.

MOTION: **A motion was made by Councilmember Cooper, seconded by Councilmember Kemnitzer, to approve a contribution of the amount of $125K, based on the Finance Committee's recommendation to be included in the FY2024, to go towards the purchase of the Martha Property**

Aye: 4 **Cooper, Kemnitzer, Wilkinson, Mayor Mark.**

Nay: **None**
Absent: **Lynch**
Abstain: **None**

7.B. Discussion and Possible Action on a Revocable license for private improvements in the public right-of-way along Windward Road for the property at 32 Windward Road

Associate Planner Samie Malakiman presented the item and took questions from Council. Applicant's representative John Swain also took questions from Council.

Mayor Mark called for public comment, and seeing none, closed public comment.

MOTION: **A motion was made by Councilmember Kemnitzer, seconded by Councilmember Cooper, to approve the request for a revocable license at 32 Windward Road for existing improvements in the Windward Road right-of-way for:(NEW) Strip Drain**

Aye: 4 **Cooper, Kemnitzer, Wilkinson, Mayor Mark.**

Nay: **None**
Absent: **Lynch**
Abstain: **None**

7.C. Discussion and Possible Action on a Revocable license for private improvements in the public right-of-way along West Shore Road for the property at 95 West Shore Road

Councilmember Wilkinson stated for the record that her residence is within 500 feet of the subject property and therefore she must recuse herself from this item.

Associate Planner Samie Malakiman presented the item and took questions from Council. Applicant's representative Phebe Holscher also took questions from Council.

Mayor Mark called for public comment, and seeing none, closed public comment.

MOTION: **A motion was made by Councilmember Kemnitzer, seconded by Councilmember Cooper, approve the request for a revocable license at 95 West Shore Road for existing improvements in the West Shore Road right-of-way for: Retaining Wall, Gate, Handrail, Driveway and Entryway, Garage, Residence, and Landscaping.**

Aye: 3 **Cooper, Kemnitzer, Mayor Mark.**

Nay: **None**
Absent: **Lynch**
Abstain: **Wilkinson**

8. OPEN FORUM

Mayor Mark called for public comment. Public comment was made by the following: John Pollock and Jill Barnett. Seeing no one else, Mayor Mark closed the open forum.

9. ADJOURN

There being no further business to come before the Belvedere City Council, Mayor Mark Adjourned the Regular Meeting of the Belvedere City Council at 9:35 p.m.

APPROVED: _____
Peter Mark, Mayor

ATTEST: _____
Beth Haener, City Clerk