City of Belvedere
City Council Meeting
Consent Calendar
Monday September 9, 2024

To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Robert Zadnik, City Manager

Subject: **Item No. 8.E. – Approve the Minutes for the August 12, 2024 City Council Regular Meeting.**

Recommended Motion/Item Description

That the City Council approve the regular City Council meeting minutes of August 12, 2024, as part of the consent calendar.

Attachments

- Draft Minutes

City of Belvedere
City Council Meeting – Regular Meeting Minutes
Monday, August 12, 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: Councilmember Nancy Kemnitzer, Councilmember Jim Lynch, Vice Mayor Jane Cooper and Mayor Peter Mark

ABSENT: Councilmember Sally Wilkinson

STAFF PRESENT: City Manager Robert Zadnik, Attorney Andrew Shen, Administrative Services Director Helga Cotter, Planning and Building Director Rebecca Markwick, Public Works Director Antony Boyd, Building Official Brian Van Son, Police Chief Jason Wu, 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. Hearing none, he closed public comment.

4. CONSENT CALENDAR

Councilmember Cooper requested items 4.D. and 4.E. be removed from the Consent Calendar for further discussion. A motion was made by Mayor Mark , seconded by Councilmember Kemnitzer, to approve items 4.A., 4.B., 4.C. and 4.F. in one motion. The motion was carried by the following vote.

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

Absent: 1 **Wilkinson**
Abstain: **None**

4.A. Motion to Approve the Warrants for July 2024

ACTION: **Item Approved.**

4.B. Motion to Award Contract for the 2024 Road Maintenance Project in the Amount of $225,141 to QA Constructors, Inc. with a 25% Contingency for City Engineer Approved Field Modifications and Change Orders

ACTION: **Item Approved.**

4.C. Motion to Approve the Minutes of the July 8, 2024 Regular City Council Meeting

ACTION: **Item Approved.**

4.F. Motion to Approve Response to Marin County Civil Grand Jury Report Entitled "*Cyber Preparedness: Are we there yet?"* and Authorize the Mayor to Sign on Behalf of the City

ACTION: **Item Approved.**

Items removed for further discussion

4.D. Motion to Adopt Resolution No. 2024-27 Approving the City of Belvedere Annex for Inclusion into the 2023 Marin County Multi-Jurisdictional Local Hazard Mitigation Plan

Councilmember Cooper asked questions of City Manager Zadnik

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

MOTION: **A motion was made by Couyncilmember Cooper, seconded by Councilmember Lynch to Adopt Resolution No. 2024-27 Approving the City of Belvedere Annex for Inclusion into the 2023 Marin County Multi-Jurisdictional Local Hazard Mitigation Plan**

Aye: 4 **Kemnitzer, Lynch, Cooper, Mayor Mark**
Nay: **None**
Absent: 1 **Wilkinson**
Abstain: **None**

4.E. Motion to Approve Amendments to the Administrative Policy Manual, Policy 14.1 Staging and Parking Plan Review Criteria

Council asked questions of City Manager Zadnik and Building Official Brian Van Son.

Mayor Mark called for public comment. Hearing none, he closed public comment.

No action was taken on this item. Council called for a continuance at a future Council meeting.

5. PUBLIC HEARINGS

5.A. An Appeal of the Construction Time Limit Penalties Assessed to the Construction Project at 89 West Shore Road.

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

Mayor Mark opened the public hearing. Jeremy Faull, the appellant's project manager, presented to Council.

Mayor Mark called for public comment. Hearing none, he closed public comment.

MOTION: **A motion was made by Councilmember Lynch, seconded by Councilmember Cooper to alter the Construction Time Limit Penalties Assessed to the Construction Project at 89 West Shore Road to $3,600**

Aye: 3 **Kemnitzer, Lynch, Cooper**
Nay: 1 **Mayor Mark**
Absent: 1 **Wilkinson**

5.B. An Appeal of the Construction Time Limit Penalties Assessed to the Construction Project at 22 Eucalyptus Road

Mayor Mark stated for the record that his residence is within 500 feet of the subject property and therefore he must recuse himself from this item.

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

Vice Mayor Cooper opened the public hearing. Property owner Laurent Lefouet presented to Council.

Vice Mayor Cooper called for public comment. Public comment was made by the following: Phoebe Holscher and Jorden Guthrie.

MOTION: **A motion was made by Councilmember Kemnitzer, seconded by Councilmember Cooper to deny the appeal of the Construction Time Limit Penalties Assessed to the Construction Project at 22 Eucalyptus Road**

Aye: 3 **Kemnitzer, Lynch, Cooper**
Nay: **None**
Absent: 1 **Wilkinson**
Recused: 1 **Mayor Mark**

6. OTHER SCHEDULED ITEMS

6.A. Discussion and Possible Action on a Revocable License for Private Improvements in the City-owned Tide Lot for the property at 228 Beach Road

Associate Planner Samie Malakiman presented the item and took questions from Council.

Mayor Mark called for public comment. Public comment was made by the following. Lillian Murray.

MOTION: **A motion was made by Councilmember Cooper, seconded by Councilmember Lynch, to approve a request for a revocable license at 228 Beach Road for existing and new improvements in the City-owned tide lot (APN: 060-213-11) for: (Existing) Retaining walls, and (New) Staircase, Landings, and Landscaping, with amendments noted by Councilmember Lynch**

Aye: 4 **Kemnitzer, Lynch, Cooper, Mayor Mark**
Nay: **None**
Absent: 1 **Wilkinson**
Abstain: **None**

6.B. Discussion and Possible Action on a Revocable License for Private Improvements in the Public Right-of-Way Along 26 Peninsula Road.

Associate Planner Samie Malakiman presented the item and took questions from Council.

Mayor Mark Cooper called for public comment. Public comment was made by the following: Ken Friedman

MOTION: **A motion was made by Mayor Mark, seconded by Councilmember Lynch to approve a request for a revocable license at 26 Peninsula Road for existing improvements in the Peninsula Road right-of-way for: (Existing) Driveway, Walkway, and Landscaping**

Aye: 4 **Kemnitzer, Lynch, Cooper, Mayor Mark**
Nay: **None**
Absent: 1 **Wilkinson**

7. OPEN FORUM
Mayor Mark called for public comment. Hearing none, he closed the open forum.

8. ADJOURN
With no further business on the agenda, Mayor Mark adjourned the Regular Meeting of the Belvedere City Council at 9:25 p.m.

APPROVED: _____
Peter Mark, Mayor

ATTEST: _____
Beth Haener, City Clerk