City of Belvedere
City Council Meeting
Consent Calendar
Tuesday, December 9, 2024

To: Mayor and City Council

From: Beth Haener, City Clerk

Reviewed by: Robert Zadnik, City Manager

Subject: **Item No. 6.D. – Approve the Minutes for the November 12, 2024 City Council Regular Meeting.**

Recommended Motion/Item Description

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

Attachments

- Draft Minutes

City of Belvedere
City Council Meeting – Regular Meeting Minutes
Monday, November 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 Councilmember Sally Wilkinson, Vice Mayor Jane Cooper and Mayor Peter Mark

ABSENT: None

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, 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 hearing 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 hearing none, closed public comment.

4. CONSENT CALENDAR

Councilmember Cooper requested item 4.H. be removed from the consent calendar for further discussion. A motion was made by Councilmember Kemnitzer, seconded by Councilmember Lynch, to approve the remaining consent calendar in one motion. The motion was carried by the following vote.

Aye: 5 **Kemnitzer, Lynch, Wilkinson, Cooper, Mayor Mark**
Nay: **None**
Absent: **None**
Abstain: **None**

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

ACTION: **Item Approved.**

4.B. Fiscal Year 2023-24 Year-End Budget Review

ACTION: **Item Approved.**

4.C. Fiscal Year 2024-25 First Quarter Investment Report

ACTION: **Item Approved.**

4.D. Motion to Adopt a Resolution Granting the City Manager Authority Over the Process of Determining Disability Requirements for Local Safety Employees and Updating the Associated Procedures, as Required by CalPERS

ACTION: **Item Approved.**

4.E. Motion to Approve Funding Request by the Diversity Inclusion Task Force for the Diwali Festival

ACTION: **Item Approved.**

4.F. Motion to Approve the Minutes of the October 14, 2024 Regular City Council Meeting

ACTION: **Item Approved.**

4.G. Motion to AdoptResolution 2024-33 Amending the City of Belvedere's Conflict of Interest Code

ACTION: **Item Approved.**

4.I. Motion to Approve Amendments to Administrative Policy Manual, Policy 6.1, Regarding the Belvedere-Tiburon Joint Disaster Advisory Council Charter

ACTION: **Item Approved.**

4.J. Motion to Approve the Second Reading and the Adoption of an Ordinance of the City of Belvedere to Amend the Construction Time Limit Ordinance to Incorporate Requirements Relating to Permit Fee Revaluations

ACTION: **Item Approved**

4.K. Motion to Adopt Resolution 2024-37 Authorizing the City Manager to Execute an Amendment to the City's Professional Services Agreement with Renne Public Law Group (RPLG), on Behalf of the City, to Provide Professional Legal Services as Assigned

ACTION: **Item Approved**

Items removed for further discussion

4.H. Motion to Approve Amendments to Administrative Policy Manual, Policy 6.1 and 6.2., Regarding the Parks Open Spaces and Lanes Committee

Councilmember Cooper commented on the item and City Council suggested edits to the Administrative Policy Manual amendments.

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

MOTION: **A motion was made by Couyncilmember Cooper, seconded by Councilmember Wilkinson to adopt a resolution approving amendments to the Administrative Policy Manual (APM) Policies 6.1 and 6.2, regarding the Parks, Open Spaces and Lanes Committee (POSLC) with suggested edits by Council**

Aye: 5 **Kemnitzer, Lynch, Wilkinson, Cooper, Mayor Mark**
Nay: **None**
Absent: **None**
Abstain: **None**

5. PUBLIC HEARINGS

5.A. Public Hearing to Consider a Revised Draft 6th Cycle Housing Element Update, which will Implement Goals, Policies and Programs to Meet Future Housing Needs as Required by State Law

Planning and Building Director Rebecca Markwick introduced the item to Council. Alison Moore of Dyett and Bhatia presented the City's process for the revised Housing Element, including an update to the sites inventory and housing programs.

Mayor Mark opened the public hearing. Public comment was made by the following: Bob Leitstein.

MOTION: **A motion was made by Coucnilmember Cooper, seconded by Councilmember Lynch, to approve resolution No. 2024-38 authorizing the submission of the Housing Element Update to the State Department of Housing & Community Development (HCD) for review and certification, with edits proposed by Councilmember Kemnitzer**

Aye: 5 **Kemnitzer, Lynch, Wilkinson, Cooper, Mayor Mark**
Nay: **None**
Absent: **None**
Abstain: **None**

6. OTHER SCHEDULED ITEMS

6.A. Discussion and Possible Action on a Revocable License for private improvements in the public right-of-way for the property at 441 Belvedere Avenue

Associate Planner Samie Malakiman presented the item. Associate Planner Malakiman, Planning and Building Director Markwick and Applicant David Thompsom took questions from Council.

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

MOTION: **A motion was made by Councilmember Lynch, seconded by Councilmember Cooper to approve a request for a revocable license at 441 Belvedere Avenue for new improvements in the Belvedere Avenue right-of-way for: (New) Driveway, Retaining Wall, and Guardrail; and (Existing) Landscaping**

Aye: 5 **Kemnitzer, Lynch, Wilkinson, Cooper, Mayor Mark**
Nay: **None**
Absent: **None**
Abstain: **None**

6.B. Discussion and Possible Action to Appoint a Member to the Belvedere-Tiburon Joint Disaster Advisory Council

City Manager Zadnik presented the item and took questions from Council. City Council discussed the appointments and thanked current Disaster Advisory Council member Jerry Butler for his service on the Council.

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

MOTION: **A motion was made by Councilmember Kemnitzer, seconded by Councilmember Lynch to appoint Ketih Pagan and Ruben Kalra to the Belvedere-Tiburon Joint Disaster Advisory Council, and to reappoint Tom Cromwell as the Council's liaison.**

Aye: 5 **Kemnitzer, Lynch, Wilkinson, Cooper, Mayor Mark**
Nay: **None**
Absent: **None**
Abstain: **None**

6.C. Discussion and Possible Action on a Revocable License for private improvements in the public right-of-way for the property at 501 San Rafael Avenue

Councilmember Kemnitzer stated for the record that she owns property within 500 feet of the subject property, and therefore, she must recuse herself from this item.

Associate Planner Malakiman presented the item. Associate Planner Malakiman and Architect Steven Wisenbaker took questions from Council.

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

MOTION: **A motion was made by Mayor Mark, seconded by Councilmember Wilkinson to approve a request for a revocable license at 501 San Rafael Avenue for improvements in the San Rafael Avenue right-of-way for (Existing) Landscaping; and in the Acacia Avenue right-of-way for (New) Driveway and Guardrail, and (Existing) Retaining Walls and Landscaping.**

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

7. OPEN FORUM

Mayor Mark called for public comment, and hearing none, 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 8:06 p.m.

APPROVED: _____
---- ----- , Mayor

ATTEST: _____
Beth Haener, City Clerk