

James Lynch, Mayor
Peter Mark, Vice Mayor
Jane Cooper, Councilmember
Nancy Kemnitzer, Councilmember
Sally Wilkinson, Councilmember



City Manager Robert Zadnik
City Attorney Andrew Shen
City Clerk Leticia I. Miguel

NOTICE OF SPECIAL MEETING AND CLOSED SESSION AGENDA

**BELVEDERE CITY COUNCIL
MONDAY, FEBRUARY 13, 2023
5:30 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>

NOTICE: Members of the Public will be able to participate in-person or remotely via Zoom. Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. The City Council meeting will not be cancelled if any technical problems occur during the meeting.

City Hall and the Council Chambers will be open to members of the public 30 minutes prior to the start of the meeting.

To attend by zoom, visit <https://us02web.zoom.us/j/81384159398>
Or by phone 1-888-788-0099 (Toll Free) or 1-833-548-0276 (Toll Free)
Enter Webinar ID: 813 8415 9398
If you have called into the meeting and wish to speak, please press *9.

Public Comment may be made live during the meeting in-person, via Zoom or through written comment . The public may also submit comments in advance of the meeting by emailing the City Clerk at: clerk@cityofbelvedere.org. Please write "Public Comment" in the subject line. Comments submitted one hour prior to the commencement of the meeting will be presented to the City Council and included in the public record for the meeting. Written public comment will not be verbally read out loud. Council will not entertain comments made in the chat function.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEM**

4. **CLOSED SESSION**
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code § 54956.9(d)(1).)
Case: *Californians for Homeownership, Inc. v. City of Belvedere*, Case No. CIV2300179 (Marin County Sup. Ct., filed Jan. 25, 2023)
5. **RECONVENE IN OPEN SESSION AND ANNOUNCE ACTIONS TAKEN IN CLOSED SESSION IF ANY**

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE NOTICING STANDARD REQUIREMENTS

The City of Belvedere website – www.cityofbelvedere.org
City Hall Bulletin, 450 San Rafael Avenue, Belvedere CA

NOTICE: WHERE TO VIEW AGENDA MATERIALS

Staff reports and other materials distributed to the City Council are available for public inspection at the following locations:

- Online at www.cityofbelvedere.org/archive.aspx
- Belvedere City Hall, 450 San Rafael Avenue, Belvedere. (Materials distributed to the City Council after the Thursday before the meeting will be posted on the City’s website and will be available at this location.)
- Belvedere-Tiburon Library, 1501 Tiburon Boulevard, Tiburon.

To request automatic mailing of agenda materials, please contact the City Clerk at clerk@cityofbelvedere.org or (415) 435-3838

NOTICE: AMERICANS WITH DISABILITIES ACT

The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats and special assistance needed to attend or participate in this meeting. Please make your request at the Office of the City Clerk or by calling (415) 435-3838. Whenever possible, please make your request four working days in advance.

James Lynch, Mayor
Peter Mark, Vice Mayor
Jane Cooper, Councilmember
Nancy Kemnitzer, Councilmember
Sally Wilkinson, Councilmember



City Manager Robert Zadnik
City Attorney Andrew Shen
City Clerk Leticia I. Miguel

City Council Agenda Monday, February 13, 2023 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>

NOTICE: Members of the Public will be able to participate in-person or remotely via Zoom.

City Hall and the Council Chambers will be open to members of the public 30 minutes prior to the start of the meeting.

Members of the public may attend the meeting in-person at the Council Chambers 450 San Rafael Avenue, or by visiting <https://us02web.zoom.us/j/81384159398>

Or by phone 1-888-788-0099 (Toll Free) or 1-833-548-0276 (Toll Free)

Enter Webinar ID: 813 8415 9398

If you have called into the meeting and wish to speak, please press *9.

At each meeting, the public has the opportunity to address the City Council on items appearing on the agenda and items not appearing on the agenda, but within the purview of the City Council.

Public Comment may be made live during the meeting in-person, via Zoom or through written comment. The public may also submit comments in advance of the meeting by emailing the City Clerk at: clerk@cityofbelvedere.org. Please write "Public Comment" in the subject line. Comments submitted one hour prior to the commencement of the meeting will be presented to the City Council and included in the public record for the meeting. Written public comment will not be verbally read out loud.

Council will not entertain comments made in the chat function. Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. The City Council meeting will not be cancelled if any technical problems occur during the meeting.

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. REPORTS AND PRESENTATIONS

4.A. City Council Reports

4.B. City Manager Report

4.C. [Presentation of the City of Belvedere Police Department Quarterly Report](#)

5. CONSENT CALENDAR

The Consent Calendar consists of items that the City Council considers to be routine, or Council has discussed previously and do not require further discussion. Unless any item is specifically removed by any member of the City Council, the Consent Calendar will be adopted by one motion. Council will take public comment on all items on the Consent Calendar when the Calendar is called.

5.A. [Motion to Receive the City's Second Quarter Investment Report](#)

5.B. [Motion to Approve a Revocable License No. 2023-01 for the Property at 31 Alcatraz Avenue for Improvements in the Alcatraz Avenue Right-of-Way](#)

5.C. [Motion to Approve a Revocable License No. 2023-02 for the Property at 60 Peninsula Road for Improvements in the Peninsula Road Right-of-Way](#)

5.D. [Adopt Resolution No. 2023-05 Authorizing the City Manager to Execute a Contract Agreement Amendment with Renne Public Law Group \(RPLG\) for Professional Legal Services](#)

5.E. [Motion to Approve and Award Construction Contract for the 2023 Pavement Rehabilitation Project in the Amount of \\$218,679.50 to Michael Paul Company](#)

5.F. Waive Further Reading and Authorize Introduction and/or Adoption of Resolutions and Ordinances by Title Only (Standard procedural item – no backup information provided).

6. PUBLIC HEARINGS

6.A. [City Council Consideration of an Appeal of Construction Time Limit \(CTL\) Penalties Assessed to the Construction Project at 126 Madrona Avenue Under Building Permit No. 20191035 and Adopt Resolution No. 2023- 06 Affirming Construction Time Limit Subcommittee Penalty Recommendation for 126 Madrona Avenue](#)

6.B. [Adopt Ordinance No. 2023-01, Repealing the Contents of Chapter 16.04 – Construction Codes – And Adopting a New Chapter 16.04 Adopting By Reference The 2022 Edition of the California Code of Regulations Title 24 Building Codes With Modifications to Meet the Local C-Climatic, Geological or T-Topographical C-Conditions and Finding That Adoption of the Ordinance Is Exempt from CEQA, Pursuant to CEQA Guidelines](#)

6.C. [Introduction and First Reading of Ordinance No. 2023-02, Amending the Belvedere Municipal Zoning Code, Chapters 19.08 “Definitions” and 19.79 “Accessory Dwelling Units and Junior Accessory Dwelling Units”](#)

6.D. City Council Consideration the Appeal of Construction Time Limit (CTL) Penalties Assessed to the Construction Project at 300 Bella Vista Avenue Under Building Permit No. 20180230 (*Item will be continued to March 13, 2023*)

7. OTHER SCHEDULED ITEMS

7.A. [Presentation on Priorities of the City of Belvedere Parks, Open Spaces and Lanes Committee](#)

7.B. [Motion to Approve the Citizen of the Year Nomination](#)

8. OPEN FORUM

This is an opportunity for any citizen to briefly address the City Council on any matter that does not appear on this agenda. Upon being recognized by the Mayor, please limit your oral statement to no more than three minutes. Matters that appear to warrant a more lengthy presentation or Council consideration may be placed on the agenda for further discussion at a later meeting.

9. ADJOURN

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE NOTICING STANDARD REQUIREMENTS

The City of Belvedere website – www.cityofbelvedere.org
City Hall Bulletin, 450 San Rafael Avenue, Belvedere CA

NOTICE: WHERE TO VIEW AGENDA MATERIALS

Staff reports and other materials distributed to the City Council are available for public inspection at the following locations:

- Online at www.cityofbelvedere.org/archive.aspx
- Belvedere City Hall, 450 San Rafael Avenue, Belvedere. (Materials distributed to the City Council after the Thursday before the meeting will be posted on the City's website and will be available at this location.)
- Belvedere-Tiburon Library, 1501 Tiburon Boulevard, Tiburon.

To request automatic mailing of agenda materials, please contact the City Clerk at clerk@cityofbelvedere.org or (415) 435-3838

NOTICE: AMERICANS WITH DISABILITIES ACT

The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats and special assistance needed to attend or participate in this meeting. Please make your request at the Office of the City Clerk or by calling (415) 435-3838. Whenever possible, please make your request four working days in advance.