**CONSENT CALENDAR** **BELVEDERE CITY COUNCIL**
**May 8, 2023**

**ITEM NO. 4.D.**

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**TO:** Mayor and City Council

**FROM:** Beth Haener, Interim City Clerk

**REVIEWED BY:** Robert Zadnik, City Manager

**SUBJECT:** **Approve Minutes of the March 13, 2023 City Council Meeting**

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## Recommended Motion/Item Description

That the City Council approve the minutes of the Regular City Council Meeting of March 13, 2023 as part of the Consent Calendar.

## Attachments

Draft March 13, 2023 Minutes

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



City Manager Robert Zadnik
City Attorney Andrew Shen

# REGULAR MEETING OF THE BELVEDERE CITY COUNCIL
# DRAFT MINUTES

| Date | Time | Location |
|---|---|---|
| **Meeting of March 13, 2023** | ***6:00 pm*** | ***City* Council Chambers**<br>***450 San Rafael Avenue***<br>***Belvedere*, CA** |

## 1. CALL TO ORDER

Closed Session of the Belvedere City Council was convened at 6:00 p.m. in the City Council by Mayor James Lynch.

## 2. ROLL CALL

**PRESENT:** Councilmembers Jane Cooper, Sally Wilkinson, Vice Mayor Peter Mark, Mayor James Lynch

**ABSENT:** Councilmember Nancy Kemnitzer

## 3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEM

No Public comment was received.

## 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)**

**Closed Session adjourned at 6:30 p.m.**

**Mayor Lynch announced that there was no reportable action.**

## 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 Lynch.

## 2. ROLL CALL

**PRESENT:** Councilmembers Sally Wilkinson, Jane Cooper, Vice Mayor Peter Mark, Mayor James Lynch

**ABSENT:** Councilmembers Nancy Kemnitzer

**STAFF PRESENT:** City Manager Robert Zadnik, City Attorney Andrew Shen, Administrative Services Director Helga Cotter, City Clerk Leticia I. Miguel

## 3. REPORTS AND PRESENTATIONS

**3.A.** City Council Reports

No City Council reports were received.

**3.B.** City Manager Report

City Manager Robert Zadnik provided updates to City Council.

Mayor Lynch called for public comment. Public comment was made by the following individuals: William Rothman and Eva Chrysanthe.

**3.C.** Coyote Subcommittee Report

Councilmember Jane Cooper and Vice Mayor Peter Mark presented the report.

Mayor Lynch called for public comment. Public comment was made by the following individuals: William Rothman, and Eva Chrysanthe.

## 4. CONSENT CALENDAR

**A motion was made by Vice Mayor Mark, seconded by Councilmember Wilkinson, to Approve the Consent Calendar. The motion was carried by the following vote:**

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

**4.A**. Motion to Approve the Warrants for January 2023

**ACTION: Item approved.**

**4.B.** Motion to Approve the Minutes of the Regular City Council Meeting of February 13, 2023

**ACTION: Item approved.**

**Item 4.C was Removed from the Consent Calendar for further discussion.**

**4.D**. Motion to Approve the Minutes of the Regular City Council Meeting of January 09, 2023

**ACTION: Item approved.**

**4.E**. Motion to Approve the Minutes of the Regular City Council Meeting of December 12, 2022

**ACTION: Item approved.**

**4.F.** Motion to Approve the Minutes of the Regular City Council Meeting of November 14, 2022

**ACTION: Item approved.**

**4.G.** Adopt 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"

**ACTION: Item approved.**

**ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION:**

**4.C**. Motion to Approve the Minutes of the Special City Council Meeting of January 24, 2023.

Mayor Lynch called for public comment, seeing none, closed public comment.

**MOTION: A motion was made by Councilmember Mark to approve minutes with revisions discussed by Mayor Lynch, seconded by Cooper, to approve the item.**

**Roll call was taken as follows:**
**Aye: 4 Cooper, Mark, Wilkinson, Mayor Lynch**
**Nay: None**
**Absent: Kemnitzer**
**Abstain: None**

## 5. PUBLIC HEARINGS

**5.A**. City Council Consideration of an Appeal of Construction Time Limit Penalties Assessed to the Construction Project at 300 Bella Vista Avenue Under Building Permit No. 20180230 and Adopt Resolution No. 2023-07 Affirming Construction Time Limit Subcommittee Penalty Recommendation for 300 Bella Vista Avenue.

The Public Hearing was opened to the public. Public comment was made by the

following individual: William Rothman.

There being no further public comment, and without objection, the Public Hearing was closed.

**MOTION: A motion was made by Councilmember Wilkinson, seconded by Vice Mayor Mark, to Adopt Resolution No. 2023-07 with amendments.**

**Roll call was taken as follows:**
**Aye: 4 Cooper, Mark, Wilkinson, Mayor Lynch**
**Nay: None**
**Absent: Kemnitzer**
**Abstain: None**

**5.B**. Adopt Resolution No. 2023-08 Amending the City's Master Schedule of Fees, Charges & Application Fees. The Change Includes Increase to City Attorney Fees

The Public Hearing was opened to the public. There were no public speakers.

There being no public comment, and without objection, the Public Hearing was closed.

**MOTION: A motion was made by Vice Mayor Mark, seconded by Councilmember Wilkinson, to Adopt Ordinance No. 2023-08.**

**Roll call was taken as follows:**
**Aye: 4 Cooper, Mark, Wilkinson, Mayor Lynch**
**Nay: None**
**Absent: Kemnitzer**
**Abstain: None**

## 6. OTHER SCHEDULED ITEMS

**6.A.** Receive Presentation of the Fiscal Year (FY) 2022-23 Mid-Year Budget Review Through January 31, 2023; and Adopt Resolution No. 2023-09 Amending the Budget for FY 2022-23

Administrative Services Director Helga Cotter presented the item and answered questions from Council.

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

**MOTION: A motion was made by Councilmember Cooper, seconded by Councilmember Wilkinson, to Adopt Ordinance No. 2023-09.**

**Roll call was taken as follows:**
**Aye: 4 Cooper, Kemnitzer, Mark, Mayor Lynch**
**Nay: None**
**Absent: Kemnitzer**
**Abstain: None**

**6.B.** Adopt Resolution No. 2023-10 Approving an Amendment to the Administrative Policy Manual Section 2.2 Fund Balance and Reserve Policies

Administrative Services Director Helga Cotter presented the item and answered questions from Council.

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

**MOTION: A motion was made by Vice Mayor Mark, seconded by Councilmember Wilkinson, to Adopt Ordinance No. 2023-10.**

**Roll call was taken as follows:**
**Aye: 4 Cooper, Kemnitzer, Mark, Mayor Lynch**
**Nay: None**
**Absent: Kemnitzer**
**Abstain: None**

## 7. OPEN FORUM

Mayor Lynch called for public comment. Public comment was made by the following individuals: William Rothman and Eva Chrysanthe.

## 8. ADJOURN

There being no further business to come before the Belvedere City Council, Mayor Lynch Adjourned the Regular Meeting of the Belvedere City Council at 8:42p.m.

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James Lynch, Mayor

**ATTEST:**

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Beth Haener, Interim City Clerk