CONSENT CALENDAR **BELVEDERE CITY COUNCIL**
March 13, 2023

ITEM NO. 4.F.

TO: Mayor and City Council

FROM: Leticia I. Miguel, City Clerk

REVIEWED BY: Robert Zadnik, City Manager

SUBJECT: Approve Minutes of the November 14, 2022 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 November 14, 2022 as part of the Consent Calendar.

Attachments

Draft November 14, 2022 Minutes

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

City Manager Robert Zadnik
City Attorney Amy Ackerman
Interim City Clerk Harrison Tregenza

REGULAR MEETING OF THE BELVEDERE CITY COUNCIL
DRAFT MINUTES

Date	Time	Location
Meeting of November 14, 2022	***6:30 pm***	***Via Zoom Platform Belvedere, CA***

CALL TO ORDER

The Regular Meeting of the Belvedere City Council was convened at 6:30 p.m. via Zoom platform on November 14, 2022, by Vice Mayor Sally Wilkinson.

ROLL CALL

PRESENT: Councilmembers James Campbell, Nancy Kemnitzer, James Lynch, and Peter Mark, Mayor Sally Wilkinson

ABSENT: None

City Manager Robert Zadnik announced City staff that were present.

STAFF PRESENT: City Manager Robert Zadnik, Director of Planning and Building Irene Borba, Police Chief Jason Wu, Administrative Services Director Helga Cotter, City Attorney Amy Ackerman, Building Official Brian Van Son, Director of Public Works Antony Boyd, and Interim City Clerk Harrison Tregenza

OPEN FORUM

Mayor Sally Wilkinson called for public comment. Public comment was made by the following individuals: William Rothman and David Moller

REPORTS & PRESENTATIONS

1. City Council Reports

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

MOTION: A motion was made by Councilmember Campbell, seconded by Vice Mayor Lynch to Move to hear Item 18. after Item 3. on the agenda.

Roll call was taken as follows:
Aye: 5 Campbell, Kemnitzer, Lynch, Mark, Mayor Wilkinson
Nay: None
Absent: None
Abstain: None

2. City Manager Report

City Manager Robert Zadnik reported on the November 15, 2022, Planning Commission Meeting and the City Council moving back to in-person meetings in the future.

Public comment was received from William Rothman.

3. Presentation From Julia Elkin, Senior Sea Level Rise Planner With County of Marin.

Marin County Senior Sea Level Rise Planner Julia Elkin provided a presentation on the Marin Map Sea Level Rise Viewer. Director of Planning and Building Irene Borba and Ms. Elkin answered questions from Council and the public.

18. Receive An Annual Report On The City's Measures To Protect And Improve Belvedere's Parks, Open Spaces and Lanes.

Director of Public Works Antony Boyd introduced the item and Parks, Open Spaces and Lanes Committee (POSCLC) Chair Jena Watson provided a verbal report. Director of Planning and Building Irene Borba and Chair Jena Watson answered questions from Council and the public.

CONSENT CALENDAR

A motion was made by Councilmember Mark, seconded by Vice Mayor Lynch, to Approve the Consent Calendar, with the exception of Item 10. The motion carried by the following vote.

Roll call was taken as follows:
Aye: 5 Campbell, Kemnitzer, Lynch, Mark, Mayor Wilkinson
Nay: None
Absent: None
Abstain: None

4. Approve The Minutes Of The October 10, 2022, Regular Meeting.

ACTION: Item Approved.

5. Approve The Warrants For September 2022.

ACTION: Item Approved.

6. Adopt Resolution No. 2022-53 Authorizing The Continuation Of Teleconference Public Meetings Pursuant To Government Code Section 54953(E) (Assembly Bill 361).

ACTION: Resolution No. 2022-53 Adopted.

7. Receive The FY2021-22 Unaudited Financial Report Summary And Approve Resolution No. 2022-54 Authorizing The Roll Forward Of Unspent Capital Budget From FY2021-22 To FY2022-23.

ACTION: Resolution No. 2022-54 Adopted.

8. Receive The City's First-Quarter Investment Report.

Received and Filed.

9. Approve The Revised Response To The Marin Grand Jury Report Titled "Electrifying Marin's Buildings: A Countywide Approach" To Include Specific Deadlines For Implementation Of Grand Jury Recommendations.

ACTION: Item Approved.

11. Approve A Revocable License For The Property At 220 San Rafael Avenue For Improvements In The San Rafael Avenue Right-Of-Way.

ACTION: Item Approved.

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

ITEM REMOVED FROM CONSENT CALENDAR

10. Approve A Revocable License For The Property At 312 Beach Road For Improvements In The Beach Road Right-Of-Way And For Improvements On City Property, Commonly Referred To As "The Strip."

Director of Planning and Building Irene Borba and City Attorney Amy Ackerman answered questions from Council.

MOTION: A motion was made by Councilmember Kemnitzer, seconded by Councilmember Campbell, to Approve the Revocable License for 312 Beach Road as presented in the staff report subject to the following amendment: replace the second sentence of the revocable license with the following language "The above-described improvements as set forth in plans dated June 22, 2022, received City design approval on or about

October 18, 2022, which does not include steps, retaining walls, fences, or hardscape of any kind."

Roll call was taken as follows:
Aye: 5 Campbell, Kemnitzer, Lynch, Mark, Mayor Wilkinson
Nay: None
Absent: None
Abstain: None

PUBLIC HEARING

13. Introduction And First Reading Of Ordinance No. 2022-07, 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.

Building Official Brian Van Son introduced the item and presented a verbal report on the ordinance. Building Official Brian Van Son and City Attorney Amy Ackerman answered questions from Councilmembers.

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 Councilmember Campbell, seconded by Councilmember Kemnitzer, to introduce Ordinance No. 2022-07.

Roll call was taken as follows:
Aye: 5 Campbell, Kemnitzer, Lynch, Mark, Mayor Wilkinson
Nay: None
Absent: None
Abstain: None

14. Introduction And First Reading Of Ordinance No. 2022-08 Repealing The Existing Chapter 16.12 – Fire Code – Of Title 16 Of The Belvedere Municipal Code And Adopting A New Chapter 16.12, Adopting The 2022 Fire Code As Modified By The Tiburon Fire District In Ordinance No. 131 And Finding That Adoption Of The Ordinance Is Exempt From CEQA, Pursuant To CEQA Guidelines.

Tiburon Fire Protection District Fire Marshall Mike Lantier presented a verbal report on the proposed changes to the Fire Code. Fire Marshall Mike Lantier and City Attorney Amy Ackerman answered questions from Councilmembers.

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 Councilmember Campbell, seconded by Councilmember Kemnitzer, to Accept the Introduction and First Reading of Ordinance No. 2022-08, repealing the existing Chapter 16.12 – Fire Code – of Title 16 of the Belvedere Municipal Code and adopting a new Chapter 16.12, adopting the 2022 Fire Code as modified by the Tiburon Fire District in Ordinance No. 131 and finding that adoption of the ordinance is exempt from CEQA, pursuant to CEQA guidelines.

Roll call was taken as follows:
Aye: 5 Campbell, Kemnitzer, Lynch, Mark, Mayor Wilkinson
Nay: None
Absent: None
Abstain: None

15. Adoption Of Resolution No. 2022-55 Ratifying The Tiburon Fire Protection District Ordinance No. 131, Ratifying The Tiburon Fire Protection District Ordinance Number 131, Adopting And Modifying The California Fire Code And Appendix A Of The International Wildland-Urban Interface Code With Amendments Supported By Local Findings, And Finding That Adoption Of The Resolution Is Exempt From CEQA, Pursuant To CEQA Guidelines.

MOTION: A motion was made by Vice Mayor Lynch, seconded by Councilmember Mark, to Adopt Resolution No. 2022-55 ratifying the Tiburon Fire Protection District Ordinance No. 131, ratifying the Tiburon Fire Protection District Ordinance Number 131, adopting and modifying the California Fire Code and Appendix A of the International Wildland-Urban Interface Code with amendments supported by local findings, and finding that adoption of the ordinance is exempt from CEQA, pursuant to CEQA guidelines.

Roll call was taken as follows:
Aye: 5 Campbell, Kemnitzer, Lynch, Mark, Mayor Wilkinson
Nay: None
Absent: None
Abstain: None

16. Introduction And First Reading Of Ordinance No. 2022-09 Of The City Of Belvedere Amending Chapter 2.08 – City Council – Of Title 2 Of The Belvedere Municipal Code By Amending Sections 2.08.010 And 2.08, Repealing Sections 2.08.020 And 2.08.050, And Renumbering Existing Sections Consistent With The Amendments.

City Manager Robert Zadnik provided a verbal report on the proposed Resolution. City Manager Robert Zadnik and City Attorney Amy Ackerman answered questions from Councilmembers.

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 Lynch, seconded by Councilmember Campbell, to Continue the item to the December 12, 2022 City Council meeting, direct staff to add a half-day encroachment fee to the proposed master schedule of fees, and direct staff to re-notice the public hearing for this item.

Roll call was taken as follows:
Aye: 5 Campbell, Kemnitzer, Lynch, Mark, Mayor Wilkinson
Nay: None
Absent: None
Abstain: None

ADJOURN

There being no further business to come before the Belvedere City Council, Mayor Sally Wilkinson Adjourned the Regular Meeting of the Belvedere City Council at 8:30 p.m.

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Sally Wilkinson, MAYOR

ATTEST:

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Leticia I. Miguel, CITY CLERK