

**REGULAR MEETING
BELVEDERE CITY COUNCIL
JANUARY 13, 2020 6:30 P.M.
COUNCIL CHAMBERS
450 SAN RAFAEL AVENUE, BELVEDERE, CA**

MINUTES

COUNCIL PRESENT: Claire McAuliffe, Robert McCaskill, Marty Winter and Mayor Nancy Kemnitzer

COUNCIL ABSENT: James Campbell

STAFF PRESENT: Epstein Holtzapple Attorney Emily Longfellow, City Clerk Christina Cook, City Manager Craig Middleton, Police Chief Jason Wu, Public Works Manager Robert Zadnik, Director of Planning and Building Irene Borba, Associate Planner Rebecca Markwick

CALL TO ORDER IN COUNCIL CHAMBERS

The meeting was called to order at 5:45 PM in Council Chambers

PUBLIC COMMENT ON CLOSED SESSION ITEM

Mayor Kemnitzer called for any public comment on closed session agenda item. Seeing none, the open forum was closed.

ADJOURN TO CLOSED SESSION IN CONFERENCE ROOM

Conference with Legal Counsel – anticipated litigation
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2):
Number of potential cases: 2

RECONVENE IN OPEN SESSION IN COUNCIL CHAMBERS

The meeting was called to order at 6:30 PM in Council Chambers with the Pledge of Allegiance. Mayor Kemnitzer announced that there was no reportable action taken at the closed session.

OPEN FORUM

Mayor Kemnitzer called for any public comment. Bill Rothman, 14 Cliff Road, spoke about recycling in Marin County. Mayor Kemnitzer call for any additional speakers, seeing none, the open forum was closed.

PUBLIC HEARING

Mayor Kemnitzer moved Item 8 from the Public Hearing section of the agenda to the next item being heard.

Mayor Kemnitzer stated that Item 8 was being considered for continuance. She opened up for public comment and called for the appellant to speak if they wished, they did not. She then called for the respondent to speak on the matter of a continuance if they wished, they did not. She then called for a motion.

The Council took the following action:

MOTION: To continue Item 8 to the next available Council meeting.

MOVED: By McCaskill, seconded by Winter; approval unanimous.

VOTE:

AYES: McCaskill, McAuliffe, Winter and Mayor Kemnitzer

NOES: None

ABSENT: Campbell

RECUSED: None

REPORTS

City Council reports

Council Member Winter reported on Richardson's Bay Regional Agency (RBRA). Mayor Kemnitzer asked when the RBRA report is supplied to the San Francisco Bay Conservation and Development Commission (BCDC). Council Member Winter stated on a monthly basis.

City Manager report

City Manager Middleton introduced new Police Sergeant Tom Sabido and his family. Police Chief Wu reviewed the Sergeants career and swore him in.

City Manager Middleton then reported on Chief Wu's rebuilding of the Police Department, housing legislation, sea level rise, and working with PG&E on electrical grid investments. Flood Zone Committee

City Manager Middleton announced Public Works Director Robert Zadnik will share some concepts on seawalls, levees and utility hardening projects. There will be a viewing area available for the public to make comment and a public meeting following.

Public Works Director Robert Zadnik gave a presentation reviewing the conceptual designs drawn by One Architecture. Public Works Director Robert Zadnik stated that there would be more opportunity for public comment. City Manager Middleton announced that was the end of the City Managers report and called for questions. Council Member McCaskill commented on a San Rafael Avenue slide. Council Member McAuliffe also had questions regarding the slide presentation. Public Works Director Robert Zadnik answered the questions.

The session was opened for Public Comment by Mayor Kemnitzer. Bill Rothman, 14 Cliff Road, commented on the seawall and levee project and so did Elizabeth Doyle, 39 Bella Vista Avenue.

The Mayor called for further comments, seeing none she closed the Public Comment forum.

CONSENT CALENDAR

The Mayor called for any items to be removed. Council Member McAuliffe requested that Item 7 be removed to be considered individually.

Item 5. Approve minutes

December 9, 2019 minutes

Item 6. Approve warrants

December 9, 2019 warrants

The Council took the following action:

MOTION: To approve items 5 and 6 in one motion
MOVED: By McCaskill, seconded by Winter; approval unanimous.
VOTE:
AYES: McCaskill, McAuliffe, Winter and Mayor Kemnitzer
NOES: None
ABSENT: Campbell
RECUSED: None

INDIVIDUAL CONSENT CALENDAR

Item 7 Adopt two Resolutions related to other post-employment benefits offered to City Manager retirees.

MOTION: To continue to the item to the next available Council meeting
MOVED: By McAuliffe, seconded by McCaskill; approval unanimous.
VOTE:
AYES: McCaskill, McAuliffe, Winter and Mayor Kemnitzer
NOES: None
ABSENT: Campbell
RECUSED: None

PUBLIC HEARING (CON'T)

Item 9. Adoption of an ordinance by reference adopting the current State fire codes and adoption of a resolution ratifying the fire codes of the Tiburon Fire Protection District.

No Public Comment

MOTION: To adopt an ordinance by reference of the latest editions of the State fire codes.
MOVED: By McCaskill, seconded by McAuliffe; approval unanimous

VOTE: **AYES:** McAuliffe, McCaskill, Winter and Mayor Kemnitzer
 NOES: None
 ABSENT: Campbell
 RECUSED: None

Adjourn 7:11 PM.

THE FOREGOING MINUTES were approved at a regular meeting of the Belvedere City Council on February 10, 2020, by the following vote:

AYES: Claire McAuliffe, Marty Winter, James Campbell and Mayor Nancy Kemnitzer
NOES: None
ABSENT: Bob McCaskill
ABSTAIN: None

Approve: /s/ Nancy Kemnitzer, Mayor

Attest: /s/ Christina Cook, City Clerk