

**REGULAR MEETING  
BELVEDERE CITY COUNCIL  
APRIL 13, 2020, 6:30 PM  
REMOTE VIA ZOOM**

**MINUTES**

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

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Clerk Christina Cook, City Manager Craig Middleton, Police Chief Jason Wu, Public Works Director Robert Zadnik, Associate Planner Rebecca Markwick, Building Official Brian Van Son, Administrative Services Manager Amber Johnson, City Attorney Emily Longfellow, Planning and Building Director Irene Borba

*These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available on the City website at <https://www.cityofbelvedere.org/DocumentCenter/View/6713/Council-Minutes-04132020->*

**CALL TO ORDER IN COUNCIL CHAMBERS**

The meeting was called to order by Mayor Kemnitzer at 6:34 PM via remote Zoom meeting.

**OPEN FORUM**

Mayor Kemnitzer called for public comment.

Dellie - commented on gas leaf blowers.

There was no further public comment and the open forum was closed.

**REPORTS**

**Item 1. City Council reports**

Councilmember McAuliffe reported on the Block Captain steering committee meeting.

Councilmember McCaskill commented on the Yellow Bus program and the Ranch. He also spoke about the financial status of CalPERS.

Councilmember Winter provided a report on a recent meeting of the BCDC Enforcement Committee as regards activities on Richardson's Bay.

Mayor Kemnitzer provided a follow up to Fire Chief Rich Pearce's report from the April 2, 2020 Special Council Meeting regarding weed/brush abatement to prepare for the upcoming fire season. The first two Chipper Days are tentatively scheduled for May 9 and June 13.

**Item 2. City Manager report;**

City Manager Middleton reported on success in flattening the curve of the Covid-19 virus. He gave general updates on technology and budget.

**Item 3. Fiscal Year 2019/20 Budgetary Update – Impact of Covid-19.**

A Staff Report was provided by Administrative Services Manager Amber Johnson. Ms. Johnson discussed the impacts that the COVID-19 pandemic has had on the City’s budget during the current fiscal year.

**CONSENT CALENDAR**

The Mayor asked for requests to remove items from the Consent Calendar.

**Item 9. Adjustment to Certain Planning Staff Positions and Compensation.**

City Manager Middleton asked that this item be removed so that it could be discussed in closed session, as is customary. The item was removed and will be placed on a Special Meeting Closed Session agenda.

**Item 10. Resolution Confirming Emergency Order 20-1 Temporarily Suspending Residential Resale Report Inspections**

Mayor Kemnitzer and Councilmember McCaskill asked that this item be removed for further discussion. This item was later discussed and it was agreed that each request for a Residential Resale Report would be reviewed on a case by case basis.

The Council took the following action on the Consent Calendar:

**MOTION:** To approve **Items 4 thru 8** in one motion.

**MOVED:** By Campbell, seconded by Winter; approval was unanimous.

**VOTE:**

<b>AYES:</b>	McCaskill, Campbell, McAuliffe, Winter and Mayor Kemnitzer
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>RECUSED:</b>	None

**PUBLIC HEARING**

**Item 11.** Adoption of a Resolution authorizing the Marin General Services Authority (MGSA) to Collect Franchise and PEG Access Fees from Cable Television Providers and to Exercise All Powers and Functions Associated with the Digital Infrastructure and Video Competition Act; and Introduction and First Reading of an Ordinance to Terminate the Marin Telecommunications Agency (MTA) by Repealing Belvedere Municipal Code chapter 13.12 “Telecommunications”.

City Manager Middleton gave a Staff Report. Mayor Kemnitzer, Councilmembers McAuliffe and Winter commented.

**MOTION:** Adoption of a Resolution authorizing the Marin General Services Authority (MGSA) to Collect Franchise and PEG Access Fees from Cable Television Providers and to Exercise All Powers and Functions Associated with the Digital Infrastructure and Video Competition Act.

**MOVED:** By Campbell, seconded by McCaskill

**VOTE:**

<b>AYES:</b>	McCaskill, Campbell, McAuliffe, Winter and Mayor Kemnitzer
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>RECUSED:</b>	None

**MOTION:** Introduction and First Reading of an Ordinance to Terminate the Marin Telecommunications Agency (MTA) by Repealing Belvedere Municipal Code chapter 13.12 “Telecommunications”.

**MOVED:** By Campbell, seconded by Winter

**VOTE:**

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

**Item 12.** Adoption of an Ordinance allowing for administrative construction time limit extensions, and penalty waivers or reductions, for projects delayed by the March 31, 2020 Marin County shelter in place order.

Director of Planning and Building Irene Borba gave a Staff Report and opened for comment. Mayor Kemnitzer and Councilmember Campbell commented. The forum was opened for public comment and there was none.

**MOTION:** Adoption of an Ordinance allowing administrative construction time limit extensions, and penalty waivers or reductions, for projects delayed by the March 31, 2020 Marin County shelter in place order.

**MOVED:** By Campbell, seconded by Winter.

**VOTE:**

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

**OTHER SCHEDULED ITEMS**

**Item 13.** Update on the status of the Lagoon Road flood mitigation project (Rock Hill Drainage G) site near San Rafael Ave. and Tiburon Boulevard.

City Manager Middleton and Public Work Director Zadnik gave Staff Reports and provided two options to Council for discussion. Mayor Kemnitzer, Councilmembers McCaskill, Campbell, McAuliffe and Winter commented and asked questions of Staff.

The Mayor opened Public Comment. The following residents commented:

Ken Johnson  
Larry Stoehr

There were no further comments from the public. The forum was then opened for discussion on the motion.

**MOTION:** To direct Staff to collect input from the BLPOA, determine legal and engineering costs related to various options, and explore potential monetary participation from the Town of Tiburon.

**MOVED:** By McCaskill, seconded by Campbell; approval unanimous.

**VOTE:**

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

Adjourn: 8:54 PM

**THE FOREGOING MINUTES** were approved at a regular meeting of the Belvedere City Council on May 11, 2020, by the following vote:

Minutes of the Regular Meeting of the Belvedere City Council  
April 13, 2020

**AYES:** Claire McAuliffe, Marty Winter, Bob McCaskill, James Campbell and Mayor Nancy Kemnitzer

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**Approve:** s/s Nancy Kemnitzer, Mayor

**Attest:** s/s Christina Cook, City Clerk