

**REGULAR MEETING
BELVEDERE CITY COUNCIL
MAY 09, 2022, 6:30 PM
REMOTE VIA ZOOM**

MINUTES

COUNCIL PRESENT: James Campbell, Nancy Kemnitzer, James Lynch, and Sally Wilkinson

COUNCIL ABSENT: None

STAFF PRESENT: City Manager Craig Middleton, Police Chief Jason Wu, Public Works Director Robert Zadnik, Administrative Services Director Helga Cotter, City Attorney Amy Ackerman, and City Clerk Beth Haener

These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available: <https://www.cityofbelvedere.org/agendacenter>.

CALL TO ORDER IN REMOTE OPEN SESSION

The meeting was called to order by Mayor Wilkinson at 6:30 PM via remote Zoom meeting.

City Clerk Haener read the COVID-19 notice and public participation instructions.

City Manager Middleton took roll call.

OPEN FORUM

Belvedere resident Linda Remy ceded her time to Belvedere resident William Rothman. Mr. Rothman shared his concerns on the Protect Belvedere project.

Mrs. Benediktsson questioned why the City is not using the process that it has used to fund the undergrounding of utilities to raise funds for the Protect Belvedere project. City Manager Middleton stated that this process is different than an undergrounding district partly because the entire City benefits from this project. City Manager Middleton stated that he would be happy to discuss this topic more offline with Mrs. Benediktsson.

Belvedere resident David Flaherty stated his opposition to the Protect Belvedere project and stated that his neighbors and friends are upset about this project.

Belvedere resident Alison Russel stated her concern about how the City plans to raise funds for the Protect Belvedere project and stated she supports a parcel tax.

Belvedere resident Beth Cherry requested story poles for the San Rafael Avenue wall. Public Works Director Zadnik stated that story poles will be a part of the project's process.

Seeing no one else wishing to speak, Mayor Wilkinson closed the open forum.

SCHEDULED ITEMS

1. Council will conduct interviews with applicants for the vacant seat on City Council.

Mr. Peter Mark and Mr. Brian Davis were interviewed for the vacant City Council seat.

Mayor Wilkinson took public comment from residents who stated their support for the applicants.

Mayor Wilkinson thanked the applicants for their interest and thanked the public for sharing their thoughts.

Mayor Wilkinson stated that Council will be bringing this item back for discussion and decision at the end of the meeting.

2. Election of Vice Mayor

City Manager Middleton gave the staff report stating that, because the Vice Mayor resigned in March, the Council has an opportunity to elect another Councilmember to the role this evening. There were no questions from the Council or public.

MOTION: To nominate Jim Lynch as Vice Mayor

MOVED: By Kemnitzer, seconded by Campbell; approval was unanimous

REPORTS & PRESENTATION

3. City Council Reports

Councilmember Campbell stated that he and Mayor Wilkinson have been meeting with residents to discuss the Protect Belvedere project. Councilmember Campbell stated that it has been great hearing everyone's thoughts and urged anyone who would like to schedule a meeting to discuss this project to please reach out to him.

Mayor Wilkinson reported that tickets went on sale for the Yellow Bus challenge, the traffic mitigation program, for the 2022-2023 school year, and stated that tickets can be purchased at buschallenge.org.

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

4. City Manager Report

City Manager Middleton reported that on the 21st of May there will be a Housing Element workshop held at Community Park from 12:00 to 3:00 p.m. and encouraged all to come.

City Manager Middleton reported that the playground construction has begun and is expected to be done by the latter part of June.

City Manager Middleton stated that he is delighted to report the City has hired Police Officer Caitlin Cullen and indicated that she will be sworn in at the June Council meeting.

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

5. Police Chief Report.

Police Chief Jason Wu gave a presentation on the Police Department's quarterly report.

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

6. Presentation by Belvedere Tiburon Library Board of Trustees member Roxanne Richards providing an update on the Library.

Roxanne Richards, Belvedere's representative on the Library Board of Trustees, along with Chair Jeff Slavitz, Library Director Crystal Duran, and President of the Library Foundation Susannah Scully, gave a brief presentation on the expansion and re-opening of the Library.

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

CONSENT CALENDAR

MOTION: Move to adopt the Consent Calendar with one motion

MOVED: By Campbell, seconded by Lynch. Approval was unanimous

The Consent Calendar consisted of the following Items:

7. Approve minutes of the:

A. March 14, 2022, regular meeting

B. March 22, 2022, special meeting

C. March 23, 2022, special meeting

8. Approve warrants of March 2022.

9. Accept the Fiscal Year Investment Report for the quarter ending March 31, 2022.

10. Adopt a Resolution allocating Road Repair and Accountability Act (SB 1) funds to be included in the FY2022-23 Capital Improvement Plan Budget.

11. Adopt a Resolution amending Administrative Policy Manual Section 2.5 Investments.

12. Adopt a Resolution to Continue Remote Public Meetings pursuant to Assembly Bill 361.

13. Adopt a Resolution accepting Lexipol Police Department Policy Manual updates.

14. Adopt a Resolution consenting to a change in the Richardson's Bay Regional Agency (RBRA) Joint Powers Authority (JPA) agreement to bring it into conformance with State law.

15. Approve a revocable license for proposed private improvements in the City street right-of-way along San Rafael Avenue for the property at 70 San Rafael Avenue.

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

PUBLIC HEARING

17. Second Public Hearing on Proposing a City Charter for Belvedere and the Content of the Proposed Charter.

City Manager Middleton presented the staff report and took questions from Council.

Mayor Wilkinson called for public comment.

Belvedere Resident William Rothman stated his concerns about the proposed City charter.

Belvedere resident Sprague Van Stroh stated that she is not in favor changing the City's government structure to allow additional taxes to be levied with a majority vote.

Belvedere resident Wendy Stovell asked how common it is for a city the size of Belvedere to become a charter city. City Manager Middleton stated there are over 120 charter cities in California.

Belvedere resident Neil Cherry stated his concerns about the transfer tax and also stated his appreciation for all the time the Council is giving to this topic.

Belvedere resident David Flaherty stated his concern about how other California charter cities are run and expressed his concern about Belvedere being run like these cities.

City Clerk Haener read an email from Suzanne Du Molin for the record, stating her concern about the real property transfer tax and the charter proposal.

City Clerk Haener read an email from Sandy Donnell and Justin Faggioli for the record, stating their support of the real property transfer tax and the charter proposal.

Belvedere resident Jim Stovell stated his opposition to the proposed charter.

Belvedere resident Suzanne Du Molin stated that there are contradictions being stated this evening to what has been stated in the past.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment and brought it back to Council for discussion.

This item required no action.

OTHER SCHEDULED ITEMS

18. Discussion and possible action to adopt a Resolution Amend the Administrative Policy Manual Section 6.1 to better define the roles and responsibilities of the Belvedere Block Captain Committee.

City Manager Middleton presented the staff report and took questions from Council.

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

MOTION: Adopt a Resolution to amend the Administrative Policy Manual Section 6.1 to better define the roles and responsibilities of the Belvedere Block Captain Committee

MOVED: By Campbell, seconded by Lynch, Approval was unanimous

19. Preliminary review and discussion of the annual operating budget and capital improvement program for the City for Fiscal Year 2022/2023.

Administrative Services Director Helga Cotter presented the staff report and took questions from Council.

Councilmember Kemnitzer stated her concerns with the budget, including the Planning Department costs, the increase in funds for the Richardson's Bay Regional Agency(RBRA), and the costs of capital projects. Councilmember Kemnitzer requested that staff take a second look before the budget returns to Council in June.

Mayor Wilkinson called for public comment.

Belvedere resident and Parks, Open Spaces, and Lanes Committee Chair Jean Bordon commented on the budget and expressed concerns about insufficient funding for Parks, Open Spaces, and Lanes Committee projects.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment.

This item required no action and will be brought back to Council in June for adoption.

20. Adopt a Resolution appointing Robert Zadnik as City Manager and Approve the Employment Agreement between the City and Mr. Zadnik setting the terms and conditions of his employment as City Manager.

City Manager Middleton presented the staff report and took questions from Council.

Mayor Wilkinson called for public comment.

Belvedere resident William Rothman stated his concerns about Mr. Zadnik taking on the role of City Manager.

Seeing no one else wishing to speak, Mayor Wilkinson closed public comment.

MOTION: Adopt resolution appointing Robert Zadnik as City Manager and authorizing the Mayor to execute an

MOVED: Employment Agreement with Mr. Zadnik on behalf of the City.
By Lynch, seconded by Campbell. Approval was unanimous

21. Discussion and possible action to appoint a new Councilmember to fill the vacant seat on the Council.

City Council discussed the two applicants in detail and appointed Peter Mark as the new councilmember to fill the vacant seat on the Council.

MOTION: Appoint Peter Mark to the interim position on the Belvedere City Council

MOVED: By Kemnitzer, seconded by Lynch. Approval was unanimous

ADJOURN

The meeting was adjourned at 9:54 P.M.

THE FOREGOING MINUTES were approved at a regular meeting of the Belvedere City Council on June 13, 2022, by the following vote:

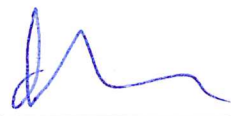
AYES: James Campbell, Nancy Kemnitzer, James Lynch, and Mayor Wilkinson

NOES: None

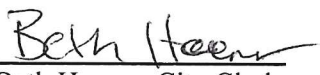
ABSENT: None

RECUSED: Peter Mark

Approve: _____


Sally Wilkinson, Mayor

Attest: _____


Beth Haener, City Clerk