

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



City Manager Robert Zadnik
City Attorney Andrew Shen

**City Council Agenda
Monday, August 14, 2023
5:45 PM Closed Session
6:30 PM Open Session**

City Council Chambers City Hall: 450 San Rafael Avenue, Belvedere CA Phone 415.435.3838
City of Belvedere Internet Address: <https://www.cityofbelvedere.org>

NOTICE: Members of the Public will be able to participate in-person or remotely via Zoom.

City Hall and the Council Chambers will be open to members of the public 30 minutes prior to the start of the meeting.

Members of the public may attend the meeting in-person at the Council Chambers 450 San Rafael Avenue, or by visiting <https://us02web.zoom.us/j/81384159398>

Or by phone 1-888-788-0099 (Toll Free) or 1-833-548-0276 (Toll Free)

Enter Webinar ID: 813 8415 9398

If you have called into the meeting and wish to speak, please press *9.

At each meeting, the public has the opportunity to address the City Council on items appearing on the agenda and items not appearing on the agenda, but within the purview of the City Council.

Public Comment may be made live during the meeting in-person, via Zoom or through written comment. The public may also submit comments in advance of the meeting by emailing the City Clerk at: clerk@cityofbelvedere.org. Please write "Public Comment" in the subject line. Any written Public Comment must be received no later than 11:59 p.m. the Sunday prior to the Monday City Council meeting. All written Public Comment submitted by the deadline will be distributed to the City Council no later than 3:00 p.m. on the day of the meeting and will be made part of the official record. Written public comment will not be verbally read out loud.

Council will not entertain comments made in the chat function. Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. The City Council meeting will not be cancelled if any technical problems occur during the meeting.

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEM
4. ADJOURN TO CLOSED SESSION
5. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Government Code § 54956.9(d)(1).)

**Case: Golden Gate Belvedere, LLC v. City of Belvedere, Case No. CIV2203266
(Marin County Sup. Ct., filed October 7, 2022)**

6. RECONVENE IN OPEN SESSION AND ANNOUNCE ACTIONS TAKEN IN CLOSED SESSION IF ANY
7. REPORTS AND PRESENTATIONS

7.A. City Council Reports

7.B. City Manager Report

7.C. [Interviews of the following applicants for the open volunteer position on the Parks Open Spaces and Lanes Committee:](#)

- Charles Harrington

8. CONSENT CALENDAR

The Consent Calendar consists of items that the City Council considers to be routine, or Council has discussed previously and do not require further discussion. Unless any item is specifically removed by any member of the City Council, the Consent Calendar will be adopted by one motion. Council will take public comment on all items on the Consent Calendar when the Calendar is called.

8.A. [Motion to Approve the Warrants for June 2023](#)

8.B. [Motion to Approve the Minutes of the Regular City Council Meeting of July 10, 2023](#)

8.C. [Motion to Approve Contract Amendment for 2022 Road Maintenance Project](#)

8.D. [Motion to Approve Contract Amendment for 2023 Pavement Rehabilitation Project](#)

[8.E. Second Reading of Resolution 2023-28, for the period July 1, 2023 through June 30, 2026, establishing salaries and benefits for Miscellaneous \(non-represented\) employees of the City of Belvedere](#)

[8.F. Second Reading of Resolution 2023-29, for the period July 1, 2023 through June 30, 2026, establishing salaries and benefits for The Belvedere Peace Officers Association employees of the City of Belvedere](#)

9. PUBLIC HEARINGS

[9.A. Consider an Appeal of Construction Time Limit Penalties Assessed to the Construction Project at 312 Beach Road](#)

Staff recommendation: hold a public hearing and affirm, reduce, or remove the construction time limit penalties.

[9.B. Consider Recommendations by the Belvedere Historic Preservation Committee and the Planning Commission to Designate 246 Beach Road a City of Belvedere Historic Property, Pursuant to Title 21 of the Belvedere Municipal Code](#)

Staff recommendation: approve the designation of the property as a City of Belvedere Historic Property

[9.C. Consider Recommendations by the Belvedere Historic Preservation Committee and the Planning Commission to Designate 402 Golden Gate Avenue a City of Belvedere Historic Property, Pursuant to Title 21 of the Belvedere Municipal Code](#)

Staff recommendation: approve the designation of the property as a City of Belvedere Historic Property

[9.D. Consider Adopting a Resolution Amending the Master Schedule of Fees by Modifying the Electric Vehicle Charger Rates](#)

Staff recommendation: adopt the resolution.

10. OTHER SCHEDULED ITEMS

[10.A. Receive the report on the Traffic Safety Improvement Project, San Rafael Avenue at City Hall](#)

Staff recommendation: receive the report and provide direction to staff.

[10.B. Consideration of a Revocable License for the Property at 147 Beach Road for Improvements City land adjacent to Beach Road](#)

Staff recommendation: review and approve the Revocable License.

10.C Consideration of a Revocable License for the Property at 218 Bayview Avenue for Improvements in the public right-of-way along Bayview Avenue and Beach Road

Staff recommendation: review and approve the Revocable License.

10.D. Discussion and Possible Action to Appoint a Member to the Parks Open Spaces and Lanes Committee

Staff recommendation: make an appointment to the Parks Open Spaces and Lanes Committee.

11. OPEN FORUM

This is an opportunity for any citizen to briefly address the City Council on any matter that does not appear on this agenda. Upon being recognized by the Mayor, please limit your oral statement to no more than three minutes. Matters that appear to warrant a more lengthy presentation or Council consideration may be placed on the agenda for further discussion at a later meeting.

12. ADJOURN

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE NOTICING STANDARD REQUIREMENTS

The City of Belvedere website – www.cityofbelvedere.org
City Hall Bulletin, 450 San Rafael Avenue, Belvedere CA

NOTICE: WHERE TO VIEW AGENDA MATERIALS

Staff reports and other materials distributed to the City Council are available for public inspection at the following locations:

- Online at www.cityofbelvedere.org/archive.aspx
- Belvedere City Hall, 450 San Rafael Avenue, Belvedere. (Materials distributed to the City Council after the Thursday before the meeting will be posted on the City's website and will be available at this location.)
- Belvedere-Tiburon Library, 1501 Tiburon Boulevard, Tiburon.

To request automatic mailing of agenda materials, please contact the City Clerk at clerk@cityofbelvedere.org or (415) 435-3838

NOTICE: AMERICANS WITH DISABILITIES ACT

The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats and special assistance needed to attend or participate in this meeting. Please make your request at the Office of the City Clerk or by calling (415) 435-3838. Whenever possible, please make your request four working days in advance.