Joint City Council / City Council as Successor Agency to Dissolved Redevelopment Agency

Agenda

Tuesday, August 27, 2019 - 5:30 PM*

NOVATO CITY HALL
COUNCIL CHAMBERS
901 SHERMAN AVENUE
NOVATO, CA 94545

Mayor
Eric Lucan

Mayor Pro Tem
Denise Athas

Councilmembers
Pam Drew
Pat Eklund
Josh Fryday

City Manager
Regan M. Candelario

The City Council welcomes you to attend its meetings which are regularly scheduled each month on the second and fourth Tuesdays at 6:00 p.m. Your interest is encouraged and appreciated.

The City Council can take the following actions: (1) may discuss and/or take action on any of all of the items listed on the agenda; and (2) establish and make appointments to a Council committee (made up of two Councilmembers) with respect to any item appearing on this agenda.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (415) 899-8900. Notification at least 48 hours prior to the meeting will enable the City to make reasonable accommodation to help insure accessibility to this meeting. Please note that live captioning is provided on the main screen in Council Chambers. Council Chambers is also equipped with a Hearing Loop (aka "T-Coil"), focused under the large raised ceiling in the middle of the room. In addition, assistive listening receivers are available for checkout from the City Clerk.
*FAREWELL RECEPTION FOR COUNCIL MEMBER JOSH FRYDAY*  
(5:30 PM)

A. CONVENE, PLEDGE OF ALLEGIANCE, AND ROLL CALL (6:00 PM - TIME APPROXIMATE)

B. CLOSED SESSION ANNOUNCEMENT

C. CEREMONIAL MATTERS/PRESENTATIONS (6:05 PM - TIME APPROXIMATE)
   
   C.1. Ceremonial Matter - Recognizing Novato Proud Award Recipients - Madeline and Clint Kellner
   
   C.2. Ceremonial Matter - Recognizing Novato Proud Business Award Recipient - Ultragenyx
   
   C.3. Ceremonial Matter - Proclamation recognizing Ashley Leonard for her outstanding service to the community
   
   C.4. Ceremonial Matter - Proclamation recognizing Josh Fryday for his dedicated service on the Novato City Council and commitment fostering community engagement
   
   C.5. Presentation - Economic Development Advisory Commission's Annual Report
   
   C.6. Presentation - Novato Citizens Finance Advisory/Oversight Committee's Annual Report

D. APPROVAL OF THE FINAL AGENDA (6:30 PM - TIME APPROXIMATE)

E. REPORTS FROM THE CITY COUNCIL & CITY MANAGER

   E.1. Reports from the City Manager and City Council

   E.2. Proposed Agenda Item - Mayor Eric Lucan: Discuss and possibly take action to endorse the County of Marin's "Amazon to Reuse Boxes" Initiative

   Proposed Agenda Item
F.  **PUBLIC COMMENT (6:50 PM - TIME APPROXIMATE)**

All members of the public wishing to address the City Council are requested to submit a speaker card in advance to the City Clerk. (Please remember that all comment cards are PUBLIC RECORDS).

The Mayor will call the names of speakers from the cards. In addition to receiving comment from the public during the Public Comment period, the Mayor will recognize persons from the audience who wish to address the City Council on a particular agenda item at the time that item is considered by the City Council.

There is a three-minute time limit to speak although the Mayor may shorten the time based on the number of speakers or other factors. A speaker may not yield his or her time to another speaker.

For issues raised during Public Comment that are not on the published agenda, except as otherwise provided under the Ralph M. Brown Act, no action can legally be taken. The City Council may direct that the item be referred to the City Manager for action or may schedule the item on a subsequent agenda.

G.  **CONSENT CALENDAR (7:00 PM - TIME APPROXIMATE)**

All matters listed on the Consent Calendar are considered to be routine and will be enacted by a single vote of the Council. There will be no separate discussion unless specific items are removed from the Consent Calendar for separate discussion and action. Any Councilmember may remove an item from the Consent Calendar and place it under General Business for discussion.

G.1.  **Waive reading and authorize introductions and/or adoption of ordinances by title only**

(This is a standard procedural action to waive any readings of an ordinance on this agenda, so that the City Council does not have to read the ordinance in its entirety.)

G.2.  **Approve the minutes of the City Council closed session meeting of July 9, 2019**

Draft Closed Session Minutes - cc070919

G.3.  **Approve the minutes of the City Council meeting of July 9, 2019**

Draft Minutes - cc070919

G.4.  **Approve the minutes of the City Council closed session meeting of July 23, 2019**

Draft Closed Session Minutes - cc072319

G.5.  **Approve the minutes of the Joint City Council/ City Council as Successor Agency to Dissolved Redevelopment Agency meeting of July 23, 2019**

Draft Minutes - cc072319

G.6.  **1. Adopt a resolution approving the Tentative Agreement with SEIU 1021 Mid Managers (Unit C) and General Employees (Unit D) and amend the Tentative Agreement with Unit H, and**
2. **Adopt a resolution approving the Tentative Agreements and the Compensation Resolutions with the Professional Engineers (Unit E), the Confidential employees (Units F), and Exempt Management employees (Unit G) for the period of July 1, 2019 through June 30, 2021**

- **Staff Report - Labor Units C, D, E, F, G and H**
- **Attachment 1 - Draft Resolution Labor Units C, D, and H**
- **Attachment 2 - Tentative Agendas for Units C & D Combined**
- **Attachment 3 - Draft Resolution Tentative Agreements Units E, F, and G**
- **Attachment 4 - Tentative Agendas for Units E, F, and G**

**G.7.** **Authorize the Mayor to sign a letter of opposition to Assembly Bill 516 (Chiu) – Authority to Remove Vehicles in accordance with the League of California Cities’ position of opposition**

- **Staff Report - AB 516**
- **Attachment 1 - Draft Letter**
- **Attachment 2 - Full Text of AB 516**

**G.8.** **Authorize the Mayor to sign a letter of opposition unless amended for Assembly Bill 1763 (Chiu) - Density Bonus: 100% Affordable Housing in accordance with the League of California Cities’ position of oppose unless amended.**

- **Staff Report - AB 1763**
- **Attachment 1 - Draft Letter**
- **Attachment 2 - Full Text of AB 1763**

**G.9.** **Authorize the Mayor to sign a letter opposing Senate Bill 266 (Leyva) - Public Employees’ Retirement System: disallowed compensation: benefit adjustments in accordance with the League of California Cities’ position of opposition**

- **Staff Report - SB 266**
- **Attachment 1 - SB 266 Letter**
- **Attachment 2 - SB 266 Full Text**

**G.10.** **Authorize the Mayor to sign a letter of support for Senate Bill 344 (McGuire) - UUT Prepaid Mobile Telephony Collection in accordance with the League of California Cities’ position of support**

- **Staff Report - SB 344**
- **Attachment 1 - SB 344 Letter**
- **Attachment 2 - SB 344 Full Text**

**G.11.** **Authorize the Mayor to sign letter of opposition for Senate Bill 542 (Stern) – Workers’ Compensation in accordance with the League of California Cities’ position of opposition**

- **Staff Report - SB 542**
G.12. Authorize the Mayor to sign a letter of opposition unless amended for Senate Bill 592 (Wiener) – Housing Accountability Act in accordance with the League of California Cities’ position of opposition unless amended
Staff Report - SB 592
Attachment 1 - Draft Letter
Attachment 2 - SB 592 Bill

G.13. Receive and file the Measure F Annual Report for fiscal year 2017/18 presented by the Novato Citizens Finance Advisory/Oversight Committee
Staff Report - Annual Report
Attachment 1 - Annual Report 2017/18

G.14. Adopt a resolution to (1) approve the Final Map of the Bahia Heights subdivision (located on Misty Road (APN 143-272-07) off of Topaz Drive within the Bahia neighborhood); (2) authorize the City Manager to execute the Subdivision Improvement Agreement and the Open Space Easement Agreement; and (3) modify City Council Resolution No. 2018-020 for the Bahia Heights Development
Staff Report - Bahia Heights
Attachment 1 - Draft Resolution
Attachment 2 - Final Map
Attachment 3 - Subdivision Approvalment Agreement
Attachment 4 - Bahia Heights Easement Agreement

G.15. Adopt a resolution approving the plans and specifications for the Lamont Avenue Class 2 Bicycle Lanes (CIP Project Number 16-013), authorizing advertisement of bids, and finding that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15304, Minor Alterations to Land, subsections (a) and (h)
Staff Report - Lamont Ave Bike Lanes
Attachment 1 - Draft Resolution
Attachment 2 - Vicinity Map
Attachment 3 - CIP Budget Excerpt
Attachment 4 - Lamont Ave Plans
Attachment 5 - Plan Specifications

G.16. Authorize the City Manager to sign an Agreement with Coastland Civil Engineering, Inc. to continue private development engineering services for an additional fiscal year, ending on June 30, 2020
Staff Report - Coastland Agreement
G.17. Approve an Encroachment Agreement for the private use and maintenance of city Parcel A located at the corner of Gum Tree Court and Eucalyptus Avenue, authorize the City Engineer to execute same, and find that the agreement is not a project as defined under CEQA
Staff Report - Encroachment Agreement city Parcel A (Gum Tree)
Attachment 1 - Encroachment Agreement
Attachment 2 - 1988 Parcel Map

H. UNFINISHED AND OTHER BUSINESS
There are no agenda items.

I. PUBLIC HEARING (7:05 PM - TIME APPROXIMATE)
Public Hearings are announced and advertised in advance to allow interested persons to make comments for, against, or otherwise, regarding a proposed project or decision. Anyone who challenges any hearing matter in court may be limited to only those issues raised at the public hearing described therein, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

I.1. Hold a public hearing and introduce an ordinance amending Novato Municipal Code Section 19.34.030 (Accessory Dwelling Units) to comply with revisions to California Government Code Section 65852.2, clarify zoning language, waive an owner occupancy requirement for nonprofit 501(c)(3) corporations, and find the amendments to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Government Code Section 21080.17 and CEQA Guidelines Section 15282(h)
Staff Report - ADU Amendments
Attachment 1 - Draft Ordinance
Attachment 2 - Resolution P2019-012
Attachment 3 - Draft Planning Commission Minutes July 8, 2019
Attachment 4 - Planning Commission Staff Report July 8, 2019

J. GENERAL BUSINESS (7:20 PM - TIME APPROXIMATE)
These items include significant and administrative actions of special interest and will usually include a staff presentation and discussion by the Council. They will be enacted upon by a separate vote.

J.1. Consider, discuss and possibly introduce an ordinance accelerating the State of California schedule increasing the minimum wage in the City of Novato and finding that the introduction and adoption of the ordinance is exempt under CEQA Guidelines section 15061(b)(3)
Staff Report - Minimum Wage
Attachment 1 - Wage Increase Options
Attachment 2 - Cost to City Operations
Attachment 3 - Minimum Wage Policy Matrix
Attachment 4 - Draft Ordinance
K. COMMISSIONS, COMMITTEES AND BOARDS (CCB’S) APPOINTMENTS - NONE
This section is used by the City Council to make appointments to fill vacancy/vacancies on their Commissions, Committees and Boards.

L. WORK STUDY SESSION - NONE

M. ADJOURNMENT (9:30 PM - TIME APPROXIMATE)

If urgent matters arise after the publication of the regular agenda, there will be an addendum.

Materials, that are submitted to members of the City Council after the agenda packet has been distributed, are available for public inspection in the City Clerk’s Office, located at 922 Machin Avenue, during normal business hours. Such materials shall also be made available on the City of Novato website at novato.org, when practical and provided that City staff is able to post those documents prior to the meeting. A binder is available for the public at the meeting to view any distributed materials. Also, when non-confidential written materials are distributed to members of the City Council during a public meeting by staff or a member of the City Council, copies shall be made available to members of the public following that meeting.

AFFIDAVIT OF POSTING

I, Terrie Gillen, certify that on the Friday, before the Council meeting of August 27, 2019, the agenda was posted on the City Community Service Board at the Police Department and on the City’s website at novato.org in Novato, California.

/Terrie Gillen/
Terrie Gillen, CMC, City Clerk