A. CALL TO ORDER

1. Public Comment at 922 Machin Avenue

2. Recess to Closed Session

B. CLOSED SESSION

1. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d): CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Paragraph (1) of Subdivision (d) of Section 54956.9)

Sacramento Superior Court Case No. 34-2013-80001496
A. CONVENE, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Present: Mayor Eklund
        Mayor Pro Tem Athas
        Councilmember Drew
        Councilmember Fryday
        Councilmember Lucan

Absent: None

Also Present: City Manager Michael Frank, Assistant City Manager Cathy Capriola, Finance Manager Brian Cochran, City Attorney Jeff Walter and City Clerk Sheri Hartz.

The Mayor recognized three students from the Sinaloa School leadership program: Chloe Mahachek, Matt Murphy and Garrett Blake who led the Pledge. Their teacher, James Larson, who oversees the program, was also present.

The students led the Pledge and then made brief comments.

B. CLOSED SESSION ANNOUNCEMENT

The City Council met in closed session to discuss Item B as listed on the Closed Session Agenda.

No report was given at this time.

C. CEREMONIAL MATTERS/PRESENTATIONS

No items were listed for this section.

D. APPROVAL OF FINAL AGENDA, WAIVER OF THE READING OF ORDINANCES AND NOTICES OF INTENT

Councilmember Lucan moved, Seconded by Mayor Pro Tem Athas, to approve the Final Agenda, Waiver of the Reading of Ordinances and Notices of Intent. The motion was approved unanimously.
E. PUBLIC COMMENTS

1. Tracey Ruiz
2. Alistair Martin
3. Steffanie Mosebrook
4. Mike Arnold
5. Lynne Martin
6. Brigit Nevin
7. Clark Blasdell
8. Kat Ryan
9. Derry Ryan
10. Patrick Carroll
11. David McLaughlin
12. Joan Goode
13. Peter Mendoza
14. Tina McMillan
15. Leslie Salazar
16. Gary Butler
17. Jennifer Goldfinger
18. Trish Boorstein
19. Susan Wernick
20. Lisa VanBalen
21. Jeff Stevenson
22. Andy Podshadley
23. Tim Howard
24. Justin Kudo
25. Joe Robinson
26. Coy Smith
27. Jerry Peters

Mayor Eklund addressed remarks that were made during Public Comment and then City Manager Frank responded to questions raised.

F. CONSENT CALENDAR

1. ADOPT CITY COUNCIL MINUTES OF NOVEMBER 10, 2015

The Council approved the minutes of the November 10, 2015 meeting.

2. ADOPT CITY COUNCIL MINUTES OF NOVEMBER 17, 2015

The Council approved the minutes of the November 17, 2015 meeting.
3. **2015/16 CAPITAL IMPROVEMENT PROGRAM MID-YEAR BUDGET ADJUSTMENT AMENDMENT**

Council adopted Resolution No. 74-15 amending the City of Novato Fiscal Year 2015/16 Capital Improvement Program (CIP) budget to reconcile expenditures with budgeted amounts for several projects.

4. **GRANT AVENUE BRIDGE REHABILITATION CIP PROJECT NO. 09-003 ENGINEERING DESIGN SERVICES**

Council authorized the City Manager to execute a Consultant Services Agreement (CSA) with GHD, Inc. for an estimated cost of $145,000 for engineering design services for Phase 1 of the Grant Avenue Bridge Rehabilitation (CIP Project Number 09-003).

5. **POLICE CANINE PROTECTIVE VEST GRANT**

Council adopted Resolution No. 75-15 accepting a canine ballistic protective vest from Vested Interest in K9's, Inc., valued at $1,050.00 and retailing between $1,700 and $2,200.

6. **ITEM F-6 MOVED TO GENERAL BUSINESS CALENDAR**

7. **CONVERSION OF BUILDING AND PLANNING MICROFICHE AND OLDER SCANNED RECORDS TO DIGITAL FORMAT**

Council authorized the City Manager to execute a Consultant Services Agreement with BMI Imaging, Inc., in an amount not to exceed $80,000 for the conversion of historical building and planning records currently stored on microfiche and in prior digital format into a digital format compliant with the City's Records Retention Policy.

8. **STREETLIGHT RETROFIT PHASE III - NOTICE OF COMPLETION**

Council authorized the City Manager to sign the Notice of Completion for the Streetlight Retrofit Phase III, CIP project 15-010.

9. **TRANSPORTATION DEVELOPMENT ACT FUNDING LAMONT AVENUE BIKE LANES**

Council adopted Resolution No. 76-15 requesting that the Metropolitan Transportation Commission (MTC) allocate Transportation Development Act Article 3 (TDA) funds in the amount of $30,000 to the City of Novato for construction of class 2 bike lanes on Lamont Avenue.
Councilmember Lucan moved, Seconded by Mayor Pro Tem Athas, to approve the Consent Calendar, pulling Item F-6 to be heard under General Business. The motion was approved unanimously.

G. UNFINISHED AND OTHER BUSINESS

No items were listed for this section.

H. PUBLIC HEARINGS

No items were listed for this section.

I. GENERAL BUSINESS

JOINT CITY COUNCIL/SUCCESSOR AGENCY - Item 10 ONLY

10. AUTHORIZE THE CITY MANAGER TO ENTER INTO AN INSTALLMENT PAYMENT AGREEMENT; PAY THE AMOUNT IN FULL; OR EXERCISE OTHER PAYMENT OPTIONS FOR AMOUNTS OWED UNDER THE REDEVELOPMENT DISSOLUTION LAW, AS RECENTLY AMENDED BY SENATE BILL 107

Consider authorizing, by motion, the City Manager to enter into an installment payment agreement (or to pay the amount in full, or other payment terms) with the California Department of Finance for amounts owed due to redevelopment dissolution totaling $5,219,813; and provide direction to staff about negotiating parameters for the agreement.

Finance Manager Cochran and Assistant City Manager Capriola gave the staff presentation and responded to Council questions.

PUBLIC COMMENT

28. Patrick Carroll

City Attorney Walter declined to answer the question raised during Public Comment.

Councilmember Lucan moved, Seconded by Mayor Pro Tem Athas, to approve directing staff to continue negotiations with the Department of Finance to get approval of an aggressive repayment plan in order to obtain a finding of completion, and continue the item to December 22, 2015 at 6:30 p.m. The motion was approved unanimously.

At 8:29 p.m., Council took a brief recess and then reconvened at 8:38 p.m.

At this time, the Council discussed whether there was another available date for continuation of the previous item but ultimately decided to stay with December 22nd.
6. LETTER OF OPPOSITION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) REGARDING PG&E PROPOSAL TO RAISE THE POWER CHARGE INDIFFERENCE ADJUSTMENT (PCIA) EXIT FEE TO MARIN CLEAN ENERGY (MCE) CUSTOMERS

Consider approving and sending a letter to the CPUC from the Council, signed by the Mayor, opposing the proposed 95% increase in the PCIA exit fee charged to MCE customers and adopting a resolution urging the CPUC to examine the fairness of the PCIA and to apply some of the $1 billion collected to offset the PCIA fees MCE customers pay.

Mayor Eklund explained why she had pulled the item, stating that it had to do with the net metering issue and its effect on the value of solar power. Justin Kudo from MCE came forward to provide brief comments. Councilmember questions followed.

PUBLIC COMMENT

29. Tina McMillan

Mayor Pro Tem Athas moved, Seconded by Councilmember Fryday, to approve sending an amended Letter of Opposition to the California Public Utilities Commission (CPUC) Regarding PG&E Proposal to Raise the Power Charge Indifference Adjustment (PCIA) Exit Fee to Marin Clean Energy (MCE) Customers which includes language related to the net metering issue. The motion was approved unanimously.

J. COMMISSIONS, COMMITTEES AND BOARDS (CCB's) APPOINTMENTS

No appointments were made to fill vacancy/vacancies on Council Commissions, Committees or Boards.

K. COUNCILMEMBER/CITY MANAGER REPORTS

City Manager Frank made comments on the event of his last meeting, offering thanks to the Council, community and staff and pointing out that much had been accomplished. He also cited results of the recent community satisfaction survey which were very favorable.

Councilmember Drew expressed her enjoyment of recent City holiday events.

Councilmember Lucan spoke about Mr. Frank, stating that he appreciated his performance during his tenure and that he would be missed. He also reported that the Novato Watershed Policy Advisory Committee was looking into a potential tax or fee to make infrastructure improvements for flood prevention.

Mayor Eklund reported on her attendance of Watershed meeting in Councilmember Lucan's absence, and asked that an item be placed on a future agenda for a briefing on the potential
parcel tax for next year's ballot. She also reported on her attendance of the TAM meeting, where she was able to change the general policy guidance that was being adopted to prioritize projects and made suggestions on TAM's legislation platform. She then reported on a recent ABAG Administrative Committee had acted to approve soliciting a statement of qualifications for a consultant to help ABAG and MTC explore merger options. She announced that ABAG would be providing briefings to City Councils on the Plan Bay Area update and scenarios that are being looked at, and would also hold public workshops in the coming months to discuss the scenarios. She also mentioned a new condition that was to be placed on OBAG grant funds, stating that there was a proposal to cap RHNA achievement as a criteria.

Following her reports, Mayor Eklund requested that an item be agendized within next period to discuss the decision on the Redwood Bus Station, specifically the center platform design. Council discussed, and, at length, there was not majority support to bring the item back.

Mayor Eklund also asked that Council agendize a discussion of the solar panel project recently erected in Hamilton. Council discussion ensued and it was decided to form a Council subcommittee to discuss the issue and work with the community on potential mitigation measures.

_Mayor Eklund moved, Seconded by Councilmember Lucan, to form a Council subcommittee comprised of Mayor Eklund and Councilmember Lucan. There was Council consensus to form the subcommittee._

Councilmember Fryday asked that an item be agendized in January about improving noticing on all projects and how to improve and deploy tools to engage the community, for which he received majority support. Assistant City Manager Capriola asked if the timeframe could be a bit later, and Council agreed.

**L. WORK STUDY SESSION**

No items were listed for this section.

**M. ADJOURNMENT**

At 9:38 p.m., the meeting was adjourned in memory of Larry Howard, R. Bruce Shaffer, Hardwood Colsky, Marybeth Gleason, Mike Doolittle,

It was also announced that the closed session which started before the meeting would be continued to December 22nd rather than being reconvened at this time.

_I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Novato City Council_

/Sheri Hartz/
Sheri Hartz, City Clerk