



CITY OF NOVATO
CALIFORNIA

City Council
Agenda
*** AMENDED***

901 SHERMAN AVENUE
NOVATO, CA 94945

Tuesday, December 9, 2025 - 6:00 PM

Mayor
Tim O'Connor

Mayor Pro Tempore
Rachel Farac

Councilmembers
Pat Eklund
Kevin Jacobs
Sandeep Karkal

City Manager
Amy Cunningham

City Attorney
Gary Bell

City Council meetings are usually held each month on the second and fourth Tuesdays at 6:00 p.m. 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) 899-8986. Notification at least 48 hours prior to the meeting will enable the City to make reasonable accommodation to help ensure accessibility to this meeting.

The agenda is divided into three main sections and includes other categories covering routine business. All references to "City Council" include those other agencies which may be listed at the top of the Agenda. **The City Council may discuss and/or take action on any or all of the items listed on the agenda irrespective of how the agenda items are described.** The Council may establish and make appointments to a Council committee (made up of two Councilmembers) with respect to any item appearing on this agenda.

Public Participation Options

Members of the Public may participate and provide public comments for the City Council as follows:

- **Written public comments** may be submitted via [eComment](#). Written public comments received more than 3 hours before the start of the meeting will be distributed to the Council prior to the meeting. Written public comments will not be read during the meeting.
- **In-person public comments** may be made at the meeting, which are held in the Novato City Council Chambers located at 901 Sherman Avenue.

***This agenda has been amended to add Attachment 7 to Item I.1**

The Mayor has the authority to rule any speaker out of order, including speakers during the Public Comment period, if the subject raised is not within the subject matter jurisdiction of the City Council, or during a public hearing or a general business item if the speaker is not presenting testimony or evidence relevant to the matter or if the speaker becomes disruptive to the proceedings and conduct of the meeting.

The Mayor also has the authority to order any person who willfully interrupts the meeting to be removed. All persons are expected to conduct themselves with civility and courtesy at all times. All persons giving comments shall speak directly to the Council and address issues, not individuals. Personal attacks, cursing and outbursts from the audience in support or opposition to a speaker are not tolerated in order to foster an environment where everyone feels welcome to speak

A. CONVENE, PLEDGE OF ALLEGIANCE, AND ROLL CALL

B. CLOSED SESSION ANNOUNCEMENT

C. CEREMONIAL MATTERS/PRESENTATIONS

C.1. Swearing-in Ceremony: Sandeep Karkal, City Councilmember District 5

D. APPROVAL OF THE FINAL AGENDA

E. REPORTS FROM THE CITY COUNCIL & CITY MANAGER

F. PUBLIC COMMENT

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

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 so that the City Council does not have to read an ordinance aloud in its entirety.

- G.2. Adopt a resolution ratifying Novato Fire Protection District Ordinance 2025-3 and 2025-4 adopting and amending the 2025 California Fire Code and the 2025 California Wildland Urban-Interface Codes as part of the construction and abatement codes of the City of Novato and finding this action to be exempt from environmental review under CEQA Guidelines Section 15061(B)(3)**
 Staff contact: Mark Setterland - Interim Chief Building Official, 899-8900
[Staff Report - Fire District Code Ratification](#)
[Attachment 1 - Draft Resolution](#)
[Attachment 2 - NFPD Ordinance 2025-3](#)
[Attachment 3 - NFPD Ordinance 2025-4](#)
- G.3. Receive and file the Quarter 1 Fiscal Year 2025/26 Budget Performance Report**
 Staff contact: Jennifer Maldonado, Principal Analyst, 899-8900
[Staff Report - Budget Performance Report](#)
[Attachment 1 - Budget Performance Report](#)
- G.4. Adopt a resolution approving amendments to the employment agreement between the City of Novato and Amy Cunningham**
 Staff contact: Gary Bell, City Attorney, 899-8900
[Staff Report - City Manager Agreement Amendments](#)
[Attachment 1 - Draft Resolution](#)
[Attachment 2 - First Agreement Amendment](#)

H. UNFINISHED AND OTHER BUSINESS

There are no agenda items.

I. PUBLIC HEARINGS

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 regarding Building 12 at 6 Romar Court (Assessor's Parcel No. 141-221-62) ("Building 12"). Before the City Council are two orders issued by the Housing and Building Code Appeals Board ("Board"):**
- 1. Shall the City Council approve, disapprove, or amend the Board's Order on Appeal of Novato Building Official's Notice and Order to Vacate and Repair Building 12 at 6 Romar Court (Sep. 2, 2025) ("Board's Order to Vacate")?**
 - 2. Shall the City Council approve, disapprove, or amend the Board's Order on Request for Nuisance Determination (Sep. 2, 2025) ("Board's Nuisance Order")?**

Staff contact: Steve Marshall, Deputy Community Development Director, 899-8900

[Staff Report - Romar Court Appeal -Updated 12/5/25 to add Attachment 7](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 2 - Appeal- Romar Court Apartments](#)

[Attachment 3 - Opening Brief – Romar Court Apartments LLC.](#)

[Attachment 4 - Objections to City Staff Report – Romar Court Apartments LLC](#)

[Attachment 5 - Emails Regarding Objections to City Staff Report](#)

[Attachment 6 - Response to Objections to Staff Report](#)

[Added 12/5/25: Attachment 7 - Administrative Record](#)

I.2. Hold a public hearing and consider adopting a resolution:

- 1. Amending the Safety Element of Novato General Plan 2035 regarding climate change adaptation and resiliency, the identification of residential developments with less than two evacuation routes, incorporating the Local Hazard Mitigation Plan in the General Plan by reference, and other edits for clarification and consistency with State regulations (collectively “Amendments”); and**
- 2. Adopting a California Environmental Quality Act (“CEQA”) Addendum to the Novato General Plan 2035 Certified Environmental Impact Report (“EIR”) and adopting findings thereto pursuant to CEQA Guidelines Section 15164 for proposed amendments to the Safety Element of Novato General Plan 2035.**

Staff contact: Brett Walker, Senior Planner, 899-8900

[Staff Report - General Plan Safety Element Amendment](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 2 - Planning Commission Resolution 2025-009](#)

[Attachment 3 - Public Comments Received](#)

J. GENERAL BUSINESS

There are no agenda items.

K. COMMISSIONS, COMMITTEES AND BOARDS (CCB’S) APPOINTMENTS

This section is used by the City Council to make appointments to fill vacancy/vacancies on their Commissions, Committees and Boards.

- K.1. Consider reviewing, discussing, and possibly making appointments to the following Commission Committee and Board seats: 3 regular seats on the Complete Streets and Pathways Oversight Committee, 2 alternate seats on the Design Review Commission, 3 regular seats on the Economic Development Advisory Commission, 3 regular seats on the Finance Advisory Commission, 1 regular seat on the Recreation, Cultural and Community Services Advisory Commission, and 2 regular seats on the Sustainability Commission**

Staff contact: Laura McDowall, City Clerk, 899-8900

[Staff Report - CCB Appointments](#)

L. WORK STUDY SESSION

There are no agenda items.

M. ADJOURNMENT

Materials that are submitted to members of the City Council after the distribution of the agenda packet will be made available to the public at the time it is provided to the City Council.

AFFIDAVIT OF POSTING

I, Laura McDowall, certify that on Friday, December 5, 2025, at 4:00pm, the amended agenda for the December 9, 2025, City Council meeting was posted on the City Community Service Board at 922 Machin Ave in Novato, California and on the City's website at novato.org.

/Laura McDowall/

Laura McDowall, City Clerk



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