



City Council

Agenda

NOVATO CITY HALL
COUNCIL CHAMBERS
901 SHERMAN AVENUE
NOVATO, CA 94945

Tuesday, November 12, 2019 - 6:00 PM

Mayor
Eric Lucan

Mayor Pro Tem
Denise Athas

Councilmembers
Pam Drew
Pat Eklund

Acting City Manager/ Police Chief
Adam McGill

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.

A. CONVENE, PLEDGE OF ALLEGIANCE, AND ROLL CALL

B. CLOSED SESSION ANNOUNCEMENT

C. CEREMONIAL MATTERS/PRESENTATIONS (6:05 PM - TIME APPROXIMATE)

- C.1. Ceremonial Matter - Recognizing Novato Proud Award Recipient - City of Novato Public Works Department**

D. APPROVAL OF THE FINAL AGENDA

E. REPORTS FROM THE CITY COUNCIL & CITY MANAGER (6:10 PM - TIME APPROXIMATE)

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

- E.2. Proposed Agenda Item by Councilmember Pat Eklund:**
Discuss and consider whether to retain and/or amend the City of Novato's Political Fairness Campaign Act to address various issues. Some of those issues include, but are not limited to: increasing the contribution limit to candidate committees; allowing for an automatic cost of living adjustment in contribution limits; limiting the amount individuals and businesses can contribute to city focused independent expenditure committees (Political Action Committees [PACs]; limit the expenditure amounts for city focused political action committees; and, others
[Proposed Agenda Item](#)

F. PUBLIC COMMENT (6:30 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

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. Adopt a resolution to declare the week of November 17-22, 2019 as "United Against Hate Week" in the City of Novato, in conjunction with other Bay Area cities**

Staff contact: Matthew McCaffrey, Acting Chief of Police, 897-4361

[Staff Report - United Against Hate Week](#)

[Attachment 1 - Draft Resolution](#)

- G.3. Adopt two ordinances amending the Novato Municipal Code (NMC) to (1) establish commercial cannabis licensing allowances and requirements and (2) designate zoning areas where the activities can occur; and make findings that said actions are exempt from the California Environmental Quality Act (CEQA) under Bus. & Prof. Code section 26055(H), among other provisions of the law**

Staff contact: Vicki Parker, Community Development Director, 899-8989

[Staff Report - Second Reading](#)

[Attachment 1 - Licensing Ordinance w/ track changes](#)

[Attachment 2 - Zoning Ordinance w/ track changes](#)

[Attachment 3 - Licensing Ordinance Clean Version](#)

[Attachment 4 - Zoning Ordinance Clean version](#)

- G.4. Approve a Memorandum of Understanding (MOU) between the City of Novato and the Novato Unified School District (NUSD) to allow for the shared use of a school district parking lot for overflow parking at the Hill Recreation Area and authorize the Acting City Manager to execute same**

Staff contact: Chris Blunk, Public Works Director, 899-8246

[Staff Report - MOU with NUSD](#)

[Attachment 1 - MOU](#)

- G.5. Adopt a resolution amending Budget Resolution 2018-45 to transfer funds from LTM Facilities (118) in the amount of \$80,000 from Accessibility Enhancement – Municipal Buildings CIP 17-002 to Accessibility Enhancements – Parks CIP 17-003 for the purchase and installation of an inclusive play structure at Pioneer Park**

Staff contact: Elisa Sarlatte, Sr. Senior Engineer, 899-8246

[Staff Report - Pioneer Park](#)

[Attachment 1 - Draft Resolution](#)

G.6. Adopt a resolution designating officers authorized to deposit and withdraw monies between the City's Local Agency Investment Fund (LAIF) account and the City's Umqua Bank accounts

Staff contact: Brooke Kerrigan, Accounting Supervisor, 899-8900

[Staff Report - LAIF](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 2 - Authorization Form](#)

G.7. Approve the minutes of the City Council meeting of October 22, 2019

Staff contact: Terrie Gillen, City Clerk, 899-8900

[Draft Minutes - cc102219](#)

H. UNFINISHED AND OTHER BUSINESS - NONE

There are no agenda items.

I. PUBLIC HEARINGS (6:45 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 consider, and possibly take action to adopt a resolution confirming the 2019 Downtown Novato Business Improvement District (BID) annual report and 2020 budget which levy the BID assessments for calendar year 2020

Staff contact: Jessica Deakyne, Assistant City Manager, 899-8900

[Staff Report - DBID](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Annual BID Report and 2020 Budget](#)

I.2. Hold a public hearing to consider and adopt an urgency ordinance of the City Council of the City of Novato adopting requirements pertinent to the licensing of commercial cannabis businesses in the City of Novato, and finding the amendments exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to guidelines section 15061(b)(3) and California Business and Professions code section 26055(H)

Staff contact: Vicki Parker, Community Development Director, 899-8989

[Staff Report - Cannabis Urgency Ordinance](#)

[Attachment 1 - Draft Cannabis Urgency Ordinance](#)

J. GENERAL BUSINESS (7:00 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 introducing, and at a subsequent meeting adopting, an ordinance amending Sections 2-30.3(E) and 2-30.6 of the Novato Municipal Code establishing a minimum wage to include Small Employers in any temporary postponement of a minimum wage increase and to clarify language in Section 2-30.6 – No Waiver of Rights**
Staff contact: Adam McGill, Acting City Manager, 899-8900

[Staff Report - Minimum Wage](#)
[Attachment 1 - Ordinance 1653](#)
[Attachment 2 - Draft Ordinance](#)

- J.2. Discuss “First/Last mile” transportation options from the Sonoma-Marin Area Rail Transit (SMART) stations in Novato to employment centers, residential areas, and downtown shops, restaurants, and businesses**
Staff contact: Chris Blunk, Public Works Director, 899-8246

[Staff Report - First Mile/ Last Mile](#)

- J.3. Discuss and possibly establish a City Council ad hoc or standing subcommittee to work with staff to bring forward options for Council approval on various financial matters. These could include a proposed budget process (including reports to Council) and schedule, revised and/or new financial policies, options to reduce the unfunded pension and OPEB liabilities, as well as, options to increase financial transparency and other improvements**
Staff contact: Adam McGill, Acting City Manager, 899-8900

[Staff Report - Ad Hoc Committee](#)
[Attachment 1 - Policy Manual Section 3.10](#)
[Attachment 2 - Proposed Agenda Item](#)
[Attachment 3 - Brown Act](#)

- J.4. Consider and possibly take action appointing Adam McGill as City Manager and approving and authorizing the Mayor to execute an agreement for professional services retaining him as City Manager for the City of Novato**

(Staff report and agreement to follow before the meeting)
Staff contact: Jeff Walter, City Attorney, 899-8900

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. ADJOURNMENT (9:00 PM - TIME APPROXIMATE)

If urgent matters arise after the publication of the regular agenda, there will be an addendum. It will be posted at the referenced locations mentioned in the Affidavit of Posting by Friday at 5:00 p.m., the week before the meeting.

Materials, that are submitted to members of the City Council after the distribution of the agenda packet, 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 Thursday, before the Council meeting of November 12, 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



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