A. CONVENE, PLEDGE OF ALLEGIANCE, AND ROLL CALL

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

Absent: None

Also Present: Interim City Manager Cathy Capriola, Public Works Director Russ Thompson, Finance Manager Brian Cochran, Public Communications Coordinator Peggy Flynn, Assistant City Attorney Veronica Nebb and City Clerk Sheri Hartz.

B. CLOSED SESSION ANNOUNCEMENT

No closed session was scheduled.

C. CEREMONIAL MATTERS/PRESENTATIONS

Proclamation: Citizen of the Year

Alan Dunham was present to receive the proclamation for Citizen of the Year.

Proclamations: Large and Small Businesses of the Year

Coree Cameron and Mark Coffey were present to accept the proclamation for Small Business of the Year, Cameron, Coffey and Kaye.

Claire Knoles and Munir Haddad were present to accept the proclamation as Large Business of the Year, Kiosk.

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. Al Dugan
2. Kym Ferrari
3. David McLaughlin

F. CONSENT CALENDAR

1. ADOPT CITY COUNCIL MINUTES OF JANUARY 19, 2016

The Council approved the minutes of the January 19, 2016 meeting.

2. ADOPT CITY COUNCIL MINUTES OF JANUARY 26, 2016

The Council approved the minutes of the January 26, 2016 meeting.

3. CITY COUNCIL MEETING SCHEDULE FOR 2016-2017

Council set the City Council meeting schedule for July 2016 through June 2017, approving holding a regular City Council meeting every Tuesday with exceptions as noted in the staff report and calendar attachment.

4. MATERIAL TESTING SERVICES FOR 2016 CIP PROJECTS

Council authorized the City Manager to execute a consultant services agreement with Miller Pacific Engineering Group in an estimated amount of $74,000 for materials testing services for various CIP projects for calendar year 2016.

5. APPOINTMENT OF DOWNTOWN BUSINESS IMPROVEMENT DISTRICT BOARD OF DIRECTORS FOR 2016

Consider accepted and appointed the duly elected Board of Directors of the Downtown Novato Business Association as the Downtown Business Improvement District (DBID) Board for calendar year 2016.

6. ADOPTION OF A RESOLUTION TO PURCHASE GEOGRAPHICAL INFORMATION SYSTEM SOFTWARE AND AWARD A CONTRACT TO VESTRA RESOURCES, INC.

Council approved Resolution No. 10-16 authorizing the Interim City Manager to purchase updated Geographical Information Systems software from Environmental Systems Research Institute, Inc. (ESRI) in an amount not to exceed $57,000 and awarding a contract with VESTRA Resources, Inc., in an amount not to exceed $37,000 to upgrade the City's Geographical Information System (GIS) applications. Total project costs are not to exceed $94,000.
JOINT CITY COUNCIL/SUCCESSOR AGENCY – Item 7 ONLY

7. RATIFICATION OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2016/17

Council ratified, by motion, the annual Recognized Obligation Payment Schedule ("ROPS") and Successor Agency administrative budget for fiscal year 2016/17.

*Mayor Pro Tem Athas moved, Seconded by Councilmember Drew, to approve the Consent Calendar, pulling Item F-8 to 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

9. DIRECTION ON SCHEDULING AN AGENDA ITEM TO DISCUSS NOTICING, PUBLIC OUTREACH AND PUBLIC ENGAGEMENT PROCESS (continued from January 26, 2016)

If desired, schedule a discussion on a future agenda regarding potential changes and/or improvements to the City's noticing, public outreach and public engagement processes. In addition, provide input on the desired level of staff resources to be used and background research desired.

Interim City Manager Capriola introduced the item and laid out the process that would be undertaken.

Councilmember discussion ensued, with the Councilmembers noting that Novato had already made great strides in providing transparency and ease of access to information but that more was needed to engage the public.

Councilmember Fryday stated that we should be set up to receive constant input from the community, allowing them to weigh in on issues in a way that can be digested by the Council. He said that the information should be accessible and open to every citizen and that we should explore the use of tools for transparency and look at best practices. He supported the use of survey tools, and stated that we should decide whether Open Novato or another product was the best tool, and that we should be out in the community.
Mayor Pro Tem Athas pointed out that Novato already had a Communications Plan and that many improvements had already been made. She said that the public should be asked how they want to get their information and that an ad hoc committee could focus on what was needed and explore the various tech tools that were available. She stated, though, that we must be cognizant of the fact that not everyone uses computers and also meet those needs.

Councilmember Lucan echoed the thought that great strides had already been made, citing the new website, its ease of use and the hot topics page, but said that we needed to engage the public to tell us how to engage with them and to try to understand the mindset of those who didn't know what was happening at the City. He felt that the broader audience was not being tapped into and that, regarding notification, we needed to do a better visual job with noticing. He also suggested that we look into the use of open data platforms such as the one that the City of Palo Alto used.

Councilmember Drew stated that we needed to communicate at a level that people understood. She recommended that staff not be overwhelmed with communication methods, but that the best four or five ways be used well. She applauded the new website, which improved the search and interactivity capabilities, and stated that the content of documents should not be legalistic or contain jargon. She called for a redesign the agenda and the return of summary minutes, and said everything should be simplified, and that we should invite the public in as welcome guests.

Mayor Eklund stated that the majority of the community felt there was a lack of transparency and openness. She stated that CIP projects should be publicly noticed and that every single workshop and meeting should be televised. She said that, while City staff has done great job in improving technology capabilities, the issue went beyond providing information to getting the public engaged. She recommended modeling the Institute for Local Government principles for public engagement, the improvement of our public noticing policies, posting the agenda earlier and fully utilizing the City's online calendar. She concluded by saying that issues should be started over from the beginning if they took too long, that all warrants should be listed on the Consent Agenda as they once were, that Boards and Commissions members should all file Form 700 Statements of Economic Interest and that the Council's Strategic Plan should be revisited.

PUBLIC COMMENT
4. Joan Goode
5. David McLaughlin

10. CONSIDERATION AND POSSIBLE ACTION TO 1.) APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOVATO DETERMINING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED FOR APPROVAL OF FUNDING FOR CONSTRUCTION OF A DOWNTOWN SMART RAIL STATION WITHIN THE RAILROAD RIGHT-OF-WAY NEAR GRANT AVENUE INCLUDING ADOPTION OF FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, RELATING TO USE OF THE 2006 SMART FINAL ENVIRONMENT IMPACT REPORT AND THE 2008 SMART SUPPLEMENTAL FEIR, INCLUDING APPROVAL OF A MITIGATION MONITORING AND REPORTING PLAN; AND 2.)

Consider:
1. Approving a Resolution (Attachment 1) that includes findings that the City finds no further environmental review is required for approval of funding construction within the railroad right-of-way, including adoption of findings and a statement of overriding considerations, pursuant to the California Environmental Quality Act relating to use of the 2006 SMART Final Environment Impact Report and the 2008 SMART Supplemental Final Environmental Impact Report, including approval of a Mitigation Monitoring and Reporting Plan;
2. Approving a second Resolution (Attachment 2) that includes findings for appropriating funds for the phased construction of a Downtown Novato SMART Station, and directing staff to prepare financing documents and engage bond counsel; and,
3. Approving a third Resolution (Attachment 3) that includes findings for approval of authorizing the Interim City Manager to execute a Funding Agreement to be forwarded to and approved by the SMART Board.

Councilmember Lucan and Mayor Pro Tem Athas both reported on the FPPC findings of which they had been advised, each stating that they had received clearance and would be participating in the decision on the item.

Ms. Capriola opened the item, giving the background on the item and what had occurred thus far. Mr. Cochran gave a brief PowerPoint on the potential financing method. Ms. Nebb discussed a few minor edits that were needed in the Funding Agreement. The team responded to Councilmember questions.

PUBLIC COMMENT
6. Joan Goode
7. Tracey Ruiz
8. Cliff Jacobs
9. Sebastian Ambra
10. Rhonda Berberich

Mr. Cochran responded to questions raised during Public Comment.
Councilmember Lucan moved, Seconded by Mayor Pro Tem Athas, to Approve Resolution No. 12-16 that includes findings that the City finds no further environmental review is required for approval of funding construction within the railroad right-of-way, including adoption of findings and a statement of overriding considerations, pursuant to the California Environmental Quality Act relating to use of the 2006 SMART Final Environment Impact Report and the 2008 SMART Supplemental Final Environmental Impact Report, including approval of a Mitigation Monitoring and Reporting Plan. The motion was carried 3-2-0-0, with Mayor Eklund and Councilmember Drew voting No.

Mayor Pro Tem Athas moved, Seconded by Councilmember Lucan, to Approve Resolution No. 13-16 that includes findings for appropriating funds for the phased construction of a Downtown Novato SMART Station, and directing staff to prepare financing documents and engage bond counsel. The motion was carried 3-2-0-0, with Mayor Eklund and Councilmember Drew voting No.

Councilmember Fryday moved, Seconded by Mayor Pro Tem Athas, to Approve Resolution No. 14-16 that includes findings for approval of authorizing the Interim City Manager to execute a Funding Agreement to be forwarded to and approved by the SMART Board. The motion was carried 3-2-0-0, with Mayor Eklund and Councilmember Drew voting No.

Following the vote, the Councilmembers made statements about the project.

At 9:13 p.m., Council took a brief recess and reconvened at 9:21 p.m.

I. GENERAL BUSINESS (THIS ITEM PULLED FROM CONSENT CALENDAR)

8. ADOPT RESOLUTION DENYING AN APPEAL OF AND APPROVING CERTAIN DESIGN DETAILS/FINISH MATERIALS FOR RENOVATION OF THE EXISTING BUS TRANSFER FACILITY ON REDWOOD BOULEVARD BETWEEN GRANT AND DELONG AVENUES

Mayor Eklund opened the item, before turning it over to Councilmember Drew who explained that she had pulled it for discussion because she needed clarification. Mr. Thompson responded to her concerns.

PUBLIC COMMENT

11. Michelle Derviss

Mr. Thompson responded to questions raised during Public Comment.

Councilmember Lucan moved, Seconded by Mayor Pro Tem Athas, to Approve Resolution No.11-16 denying an appeal of and approving certain design details/finish materials for renovation of the existing bus transfer facility on Redwood Boulevard between Grant and Delong Avenues. The motion was carried 4-1-0-0, with Mayor Eklund voting No.
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

Mayor Pro Tem Athas reported on her attendance of the monthly Marin Clean Energy executive meeting where the topics discussed included rate-setting and PG&E's proposed exit fees, and stated that MCE’s customer base was continuing to grow.

Councilmember Fryday commented that he agreed with Councilmember Drew that the appeal process had been a good one and had clarified issues. He also mentioned that Keith Bruce, CEO of Super Bowl 50, was a local Novatan and deserved accolades for putting on a wonderful event.

Councilmember Drew reported on her attendance of the North Bay Watershed meeting, and her participation in a recent tour of Good Shepherd students.

Mayor Eklund also referred to school tours of City Hall and the Police Department that she had facilitated. She also complimented Chief Berg for putting on a recent volunteer appreciation event which she and Councilmember Lucan had attended.

Councilmember Lucan announced that there would be a flood mitigation meeting held at City Hall in the coming weeks, the purpose of which was to discuss potential projects for reducing flood risks in Novato and to start the discussion of how those projects might be funded.

L. WORK STUDY SESSION

No items were listed for this section.

M. ADJOURNMENT

At 9:38 p.m., the meeting was adjourned.

_________________________________________________________________________________

Sheri Hartz, City Clerk

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