A. CONVENE, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Present: Mayor MacLeamy
Mayor Pro Tem Eklund
Councilmember Athas
Councilmember Kellner
Councilmember Lucan

Absent: None

Also Present: City Manager Michael Frank, Assistant City Manager Cathy Capriola, Community Development Director Bob Brown, Chief Building Official Annette Chavez, Public Communications Coordinator Peggy Flynn, Senior Planner Hans Grunt, Assistant City Attorney Veronica Nebb and City Clerk Sheri Hartz.

B. CLOSED SESSION ANNOUNCEMENT

No closed session was scheduled.

C. CEREMONIAL MATTERS/PRESENTATIONS

Proclamation: September is Pain Awareness Month in Novato

Michaela O’Connor, US Pain Foundation, was present to receive the proclamation.

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

Mayor Pro Tem Eklund moved, Seconded by Councilmember 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. Tim Howard
2. Fred Reece
3. Al Dugan
Director Brown responded to remarks made during Public Comment.

F. CONSENT CALENDAR

1. CLASSIFICATION AND COMPENSATION PLAN UPDATES FOR ENGINEERING POSITIONS

Council adopted Resolution No. 46-15 which 1) amends the City of Novato Classification Plan (Resolution 57-94) to update, reclassify, add and eliminate various professional and technical classifications within the Engineering Division; 2) establishes the salary ranges based on the job requirements of the updated, reclassified and added classifications; and 3) amends the Unit E (Professional Engineers), Unit D (SEIU General Employees) MOUs and the Unit G (Exempt Management) compensation resolution to reflect the recommended changes.

2. CITY MANAGER ANNUAL PERFORMANCE BASED PAYMENT (THIS ITEM MOVED TO GENERAL BUSINESS CALENDAR)

Councilmember Athas moved, Seconded by Councilmember Lucan, to approve the Consent Calendar, with Mayor Pro Tem Eklund pulling Item F-2 to the General Business calendar. The motion was approved unanimously.

G. UNFINISHED AND OTHER BUSINESS

No items were listed for this section.

H. PUBLIC HEARINGS

3. CONSIDERATION OF AN ORDINANCE AMENDING THE NOVATO MUNICIPAL CODE TO ADD SECTION 4-18 RELATING TO EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS.

Consider holding a public hearing and introducing, and at a subsequent meeting adopting, an ordinance establishing Section 4-18 of the Novato Municipal Code relating to expedited permitting procedures for small residential rooftop solar systems implementing AB 2188, California Government Code Section 65850.5.

Director Brown introduced Annette Chavez, Chief Building Official, who made the staff presentation and responded to Council questions.
PUBLIC COMMENT:

7. Eleanor Sluis

Mayor Pro Tem Eklund moved, Seconded by Councilmember Kellner, to approve introduction of Ordinance No. 1602 establishing Section 4-18 of the Novato Municipal code relating to expedited permitting procedures for small residential rooftop solar systems implementing AB 2188, California Government Code Section 65850.5. The motion was approved unanimously.

4. REGULATIONS FOR TENANTING, MANAGEMENT AND SAFETY FOR MULTI - FAMILY HOUSING

Consider holding a public hearing and introducing, and at a subsequent meeting adopting, an ordinance incorporating regulations for tenanting, management and safety for multi-family housing.

Senior Planner Hans Grunt gave the staff report and responded to Council questions.

PUBLIC COMMENT:

8. Toni Shroyer
9. Fred Reece

Councilmember Kellner moved, Seconded by Councilmember Athas, to approve introduction of Ordinance No. 1603 adding Section 4-15 to Chapter IV of the Municipal Code, incorporating regulations for tenanting, management and safety for multi-family rental housing including 16 or more units. The motion was approved unanimously.

I. GENERAL BUSINESS

5. NOVATO CHAMBER OF COMMERCE TOURISM COMMITTEE 2014 REPORT

Consider accepting the Novato Chamber of Commerce Tourism Committee Report for 2014.

Ms. Flynn opened the item and then introduced Garrett Grialou, Tourism Committee Chairman, who gave a PowerPoint presentation and responded to Council questions.

PUBLIC COMMENT:

10. Debbie Smith

6. DOWNTOWN SPECIFIC PLAN WHITE PAPER

Consider providing direction to staff on the policy options regarding the

At 7:40 p.m. Councilmember Lucan left the dais, recusing himself from consideration of this item due to his interest in downtown property.

At 7:43 p.m., the Council took a brief recess and reconvened a 7:54 p.m.

Director Brown gave the staff presentation and responded to Councilmember questions.

PUBLIC HEARING OPEN:  8:59 PM

11. Eleanor Sluis
12. Al Dugan
13. Pam Drew
14. Gail Meyers

PUBLIC HEARING CLOSED: 9:06 PM

At this time, the Council discussed the requested actions and voted as follows:

Councilmember Kellner moved, Seconded by Councilmember Athas, to Approve the key objectives as shown in the staff report and allow staff to come back with a proposal, keeping mass and scale in mind, making sure projects are compatible with the neighborhoods in which they are located, and streamlining the approval process for new development, especially on key "catalyst" sites and further, to adopt item 5C from the list of requested actions in the staff report which stated: Retain and update policies and programs which remain relevant in the Land Use Element of the Draft General Plan as a Focus Area (along with North Redwood; North, North Redwood and the Northwest Quad). Incorporate and refine design policies from the Specific Plan into an updated version of the Downtown Novato Design Guidelines, with formal adoption of the guidelines by Council and amend Section 19.16.040(D)(1) of the Zoning Code to strongly encourage, but not require, compliance with the adopted design guidelines to create context-sensitive development. Rescind the Downtown Specific Plan upon Council approval of the new General Plan. The motion was carried 3-1-0-1, with Mayor Pro Tem Eklund voting No and Councilmember Lucan recused.

Councilmember Athas moved, Seconded by Councilmember Kellner, to Approve that, rather than retaining a separate list of infrastructure improvements in the Specific Plan, incorporate desired projects into the annual Capital Improvement Program prioritization process. The motion was carried 3-1-0-1, with Mayor Pro Tem Eklund voting No and Councilmember Lucan recused.

Councilmember Athas moved, Seconded by Councilmember Kellner, to Approve that as a follow-up to the General Plan adoption, the existing Downtown Design Guidelines will be revised to incorporate relevant design criteria from the Downtown Specific Plan for City Council adoption. The motion was carried 4-0-0-1, with Councilmember Lucan recused.
Councilmember Athas moved, Seconded by Councilmember Kellner, to Approve consideration of the extension of Downtown Commercial (CDR or CDB) zoning on properties fronting Redwood Boulevard north of Vallejo Avenue to Nova Ro III on the west side and to Olive Avenue on the east side of the street. Notify property owners of workshops before the Planning Commission and City Council. The motion was carried 4-0-0-1, with Councilmember Lucan recused.

Mayor Pro Tem Eklund moved, Seconded by Councilmember Kellner, to Approve establishing concentration limitations on certain Personal Service uses in Downtown. The motion was carried 4-0-0-1, with Councilmember Lucan recused.

Mayor Pro Tem Eklund moved, Seconded by Councilmember Kellner, to Approve revising non-conforming use regulations to allow replacement of single-family dwellings in the Downtown. The motion was carried 4-0-0-1, with Councilmember Lucan recused.

Mayor Pro Tem Eklund moved, Seconded by Mayor MacLeamy, to Approve eliminating tobacco product shops as an allowed use in the Downtown. The motion was carried 4-0-0-1, with Councilmember Lucan recused.

2. CITY MANAGER ANNUAL PERFORMANCE BASED PAYMENT (ITEM PULLED FROM CONSENT CALENDAR)

Consider recognizing the City Manager's performance and adopting a resolution approving payment of an annual bonus.

F-2

Mayor Pro Tem explained why she had pulled the item for discussion. City Manager Frank provided background on what had occurred thus far with respect to the evaluation of his performance.

PUBLIC COMMENT: None

Councilmember Athas moved, Seconded by Councilmember Kellner, to Approve Resolution No. 45-15 authorizing a compensation change for City Manager Michael Frank. The motion was carried 4-1-0-0, with Mayor Pro Tem 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

Councilmember Kellner requested the addition of an item in the near future to discuss consideration of a downtown SMART station, and received support for that discussion to be brought forward.

Mayor MacLeamy requested the addition of an item to discuss the City Manager selection process, to which Mr. Frank stated that the item was already scheduled for a future agenda. She also requested that a discussion be agendized on whether to name the sports complex at Indian Valley College after Ernie Gray and received support.

Mayor Pro Tem Eklund reported that the Marin Coalition was hosting a lunch where both she and Supervisor Steve Kinsey would be speaking about ABAG and MTC, and the turmoil between the two organizations. She also requested that an item be agendized during the current quarter regarding the FY 2015/16 budget and the changes that might be necessary since Council had decided to place a 1/4 cent sales tax on the ballot rather than a 1/2 cent. Councilmember Lucan suggested that it would be best to wait until after the new Council was seated, and City Manager Frank stated that there was nothing in the current budget that would be affected, and that this was more of a long term discussion. After discussion, Mayor Pro Tem Eklund stated that she would raise the issue again in December.

L. WORK STUDY SESSION

No items were listed for this section.

M. ADJOURNMENT

At 10:30 p.m., the meeting was adjourned.

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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