

MINUTES OF JOINT CITY COUNCIL/  
REDEVELOPMENT AGENCY MEETING  
OF THE CITY COUNCIL  
CITY OF NOVATO, CALIFORNIA  
Held at  
NOVATO UNIFIED SCHOOL DISTRICT  
EDUCATION CENTER BOARD ROOM  
SEPTEMBER 23, 2008 - 6:30 P.M.

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

ROLL CALL

Present: Mayor Pat Eklund  
Mayor Pro Tem Jim Leland  
Councilmember Carole Dillon-Knutson  
Councilmember Madeline Kellner  
Councilmember Jeanne MacLeamy

Also present: Interim City Manager Patricia Thompson, Police Chief Joseph Kreins, Public Works Director Glenn Young, Redevelopment Administrator Ron Gerber, Community Development Director Dave Wallace, Community Services Director Pam Shinault, Finance Manager Debbie Lauchner, Senior Management Analyst Tom Adams, and Deputy City Clerk Vickie Gerber.

B. CLOSED SESSION ANNOUNCEMENT

5:45 p.m., Novato Unified School District Education Center Conference Room

The City Attorney reported the City Council met in closed session to discuss items listed on their agenda and staff received direction on a variety of topics. The *City of Novato v. North Coast Rail Authority* lawsuit was added to the agenda during closed session and further direction was given by Council.

C. CEREMONIAL MATTERS/PRESENTATIONS

Introduction: Officer Ingo  
Proclamations: Animal Rescue  
Presentation: Novato Disposal

D. APPROVAL OF FINAL AGENDA

(Note: The minutes follow the order of the printed agenda except for items removed from the Consent Calendar regardless of actions taken by Council to reorder the agenda.)

*Councilmember Dillon-Knutson moved, seconded by Councilmember Kellner, to approve the Final Agenda. **The motion carried unanimously.***

E. PUBLIC COMMENTS

Twelve residents of Novato and other Marin cities spoke in support of item 10, *CREB Bond Documents*, to approve lease financing of Clean Renewable Energy solar projects.

One Novato resident said she was concerned to hear the Novato Advance was going out of business and thought someone might be trying to purchase the newspaper.

A Novato resident and member of the Marin Conservation League invited the City Council to attend its quarterly breakfast meeting at the Embassy Suites in San Rafael on September 30, 2008, 7:30 a.m. and submitted a flier titled *Marin Clean Energy and the California Power Market*.

A Novato resident said SB 840 was currently on the Governor's desk and, if approved, would provide full health care for all Californians. He requested the City join with the County of Marin and pass a resolution of support. He submitted a copy and read into the record a Resolution in Support of the United States National Health Insurance Act (H.R. 676) endorsed by the U.S. Conference of Mayors that had passed the House of Representatives.

F. CONSENT CALENDAR (*Item 6 was removed from the Consent Calendar.*)

1. ADOPT CITY COUNCIL MINUTES OF AUGUST 21, 2008

Council adopted the City Council minutes of August 21, 2008.

2. ADOPT CITY COUNCIL MINUTES OF SEPTEMBER 9, 2008

Council adopted the City Council minutes of September 9, 2008.

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY - Items 3, 4 and 5 only**

3. 514 ENTRADA DR. #201 PURCHASE AGREEMENT (file 905-02)

Council adopted Resolution R-7-08 authorizing the purchase of 514 Entrada Dr. #201 for \$281,221.00.

4. 514 ENTRADA DR. #201 SALES AGREEMENT (file 905-02)

Council adopted Resolution R-8-08 authorizing the sale of 514 Entrada Dr. #201 for \$281,221.00.

5. 184 CAPTAIN NURSE CIRCLE SALES AGREEMENT (file 905-02)

Council adopted Resolution R-9-08 authorizing the sale of 184 Captain Nurse Circle for \$330,000.

7. CONSULTANT SERVICES AGREEMENT - TRAFFIC (file 1103-01)

Council adopted Resolution 74-08 authorizing the Interim City Manager to execute a consultant services agreement in the amount of \$25,000 for traffic and transportation related services.

8. VALLEJO AVENUE IMPROVEMENTS BETWEEN SEVENTH STREET AND FIRST STREET - 2008/09 MEASURE A FUNDING APPLICATION (file 803-02)

Council adopted Resolution 75-08 authorizing the City Manager to execute Funding Agreement 4176 between the City of Novato and the Transportation Authority of Marin (TAM) for a \$366,579 Measure 'A' Transportation Sales Tax Grant, for Vallejo Avenue Improvements between Seventh Street and First Street, Capital Improvement Program (CIP) project 09-004.

9. HAMILTON FIREHOUSE CONVERSION PROJECT- CIP PROJECT NO. 03-019 (file 803-02)

Council (A) authorized an increase in the construction contract for Page Construction in the amount of \$30,000 and (B) adopted Budget Resolution 76-08 in the amount of \$60,000.

*Councilmember Dillon-Knutson moved, seconded by Councilmember Kellner, to adopt Resolutions R-7-08 through R-9-09 and 74-08 through 77-08 and the remainder of the Consent Calendar. **The motion carried unanimously.***

F. ITEMS REMOVED FROM THE CONSENT CALENDAR

6. CONSULTANT SERVICES AGREEMENT WITH MARILYN MANNING, THE CONSULTING TEAM, LLC (file 301-07)

Consider approving Consultant Agreement with The Consulting Team, LLC, and authorize the Interim City Manager to execute same on behalf of the City.

After Councilmember MacLeamy proposed additional language be added to item 2f to indicate that if Council desired, it would have the option of not proceeding with the third session, the public comment session was opened and a Novato resident questioned why Council needed to hire a consultant.

After the public comment session was closed, *Councilmember Kellner moved, seconded by Councilmember MacLeamy, to amend the Consultant Services Agreement by deleting paragraph c (requirement of professional liability insurance); authorize the City Attorney to make minor modifications or changes as needed; and add language at the beginning of paragraph 2f to read: "If Council desires,... ." The motion carried unanimously.*

G. UNFINISHED AND OTHER BUSINESS

H. PUBLIC HEARINGS

I. GENERAL BUSINESS

10. CREB BOND DOCUMENTS (file 404-03)

Consider adopting Resolution 77-08 approving lease financing of Clean Renewable Energy (Solar System) Projects, authorizing staff to provide the necessary financial documentation for City to move forward on financing for solar system installation at four City owned buildings (Margaret Todd Senior Center, Teen/Gymnastics Center, Hamilton Community Center and Corporation Yard) to the buyer of the Clean Renewable Energy Bonds (CREB) financing, and allow the City Manager to execute the necessary documentation for the CREB to fund prior to December, 2008.

After Councilmembers said they had no initial questions of staff, the public comment session was opened.

A Novato resident questioned the time frame for starting the City Hall project, questioned how the program would work for changing light bulbs in the building and suggested solar panels be installed on the Community House and the Novato Theater.

The public comment session was closed and *Mayor Pro Tem Leland moved, seconded by Councilmember Dillon-Knutson, to adopt the resolution.*

Councilmember MacLeamy responded to the speaker's questions that when the buildings were designated long ago, the church building had not been included. She also said the lighting upgrades were not included as part of the bonds and were financed separately.

After Mayor Pro Tem Leland stated the Council had discussed the subject for the better part of a year and it was a program that was good for Novato, the remaining Councilmembers voiced their individual support and *the motion carried unanimously.*

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY - Item 11 only**

11. REDEVELOPMENT BUDGET AND PRIORITIES (file 903-02)

Discuss the Redevelopment Agency budget and potential upcoming projects.  
Recommend priorities for the use of redevelopment funding.

The Redevelopment Director presented the staff report and gave a PowerPoint presentation.

City Council/Redevelopment Agency Members held an extensive discussion with staff regarding potential uses of redevelopment funds including repayment of some redevelopment funds to the General Fund that could be used to pay to get out of the current lease and also used toward the purchase of a building. Other uses discussed were downtown revitalization and projects at Hamilton and at Vintage Oaks. Staff would return this item to a future meeting with a summary of comments and work with the Council/Agency to achieve consensus regarding funding priorities.

12. OFFICE OF JUVENILE JUSTICE PREVENTION PROGRAM FEDERAL EARMARK AWARD (file 701-07)

- A. Consider whether to accept a federal earmark to fund a new Novato Youth Substance Abuse Prevention Program.
- B. Consider adopting a resolution amending Budget Resolution 55-08 to revise revenues and appropriations due to receipt of federal earmark of \$178,870 to fund a Novato Youth Substance Abuse Prevention Program.

The Community Services Director presented the staff report.

After Council held a question-and-answer session with staff, *Mayor Eklund moved, seconded by Mayor Pro Tem Leland, to direct staff to contact non-profits to inquire whether they could do the City's work so there would be no financial impact to the City and continued the item to the September 30, 2008 City Council meeting. The motion carried 4-1, with Councilmember MacLeamy dissenting.*

J. COMMISSIONS, COMMITTEES AND BOARDS APPOINTMENTS

K. COUNCIL REPORTS

L. ADJOURNMENT

The meeting was adjourned at 11:05 p.m. and Council reconvened to Closed Session.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Novato City Council on the 28<sup>th</sup> day of October, 2008.

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Shirley Gremmels, City Clerk