

F-3



THE CITY OF  
**NOVATO**  
CALIFORNIA

75 Rowland Way #200  
Novato, CA 94945-5054  
(415) 899-8900  
FAX (415) 899-8213  
[www.ci.novato.ca.us](http://www.ci.novato.ca.us)

**STAFF REPORT**

MEETING

DATE: May 22, 2007

TO: City Council

FROM: Shirley Gremmels, City Clerk

SUBJECT: **CONFIRMATION OF THE DECISIONS MADE AT THE WORKSHOP  
ON COMMISSIONS, COMMITTEES AND BOARDS (CCBs)**

**REQUEST**

- a. Consider adopting resolutions rescinding and restating the duties of the Citizens Budget Committee, Economic Development Commission and Street Improvement Oversight Committee to add "Advisory" to their titles.
- b. Consider adopting a resolution rescinding Resolutions 179-02, Bicycle/Pedestrian Advisory Committee, 82-03, Commissions on Drugs & Alcohol, 77-05, Civic Arts Commissions, 116-05, Multi-Cultural Commission, 117-05, Community Strategic Plan Oversight Committee and 45-07, Housing & Services Commission.

**RECOMMENDATION**

Adopt resolutions.

**DISCUSSION**

On Monday, May 14, 2007, the City Council conducted a day-long workshop to discuss their CCBs and ways to make their work more relevant, effective, and efficient. The workshop was highly productive with a great deal of discussion and compromise achieved among the City Councilmembers. At the conclusion of the day, a number of very important changes to the current organization of CCBs were agreed upon.

For some time now, the City Council has struggled to fill vacancies on their various CCBs. Currently, there are 30 vacancies spread among more than 90 positions on 14 different CCBs, and as a result of the vacancies on some of these bodies, a number of meetings have been cancelled due to the inability to gain a quorum of the members.

The City Council deeply appreciated the very hard work which has been performed over the years by the many members of Novato's CCBs. The Council recognized that nearly all the members of the CCBs are unpaid volunteers rendering countless hours of dedicated service to their community.

The changes that will occur should not be construed as dissatisfaction on the City Council's part with the work of the CCBs. Instead, these changes are intended to improve the volunteer experience for members of the CCBs by making their work more relevant and meaningful to current City goals and objectives and to revitalize the energy and participation of members serving on the City CCBs. These changes will be particularly important as the Council prepares to embark on the long-awaited update of its General Plan.

At the conclusion of the workshop, City Council directed staff to prepare the necessary documents (except for the Planning Commission) to establish the following eight CCBs with the following membership beginning September 1, 2007:

- Planning Commission – 7 members
- Design Review Commission – 5 members plus 2 alternates
- Recreation, Cultural, and Community Services Advisory Commission – 7 members
- Economic Development Advisory Commission – 5 members
- Citizens Budget Advisory Committee – 3 members
- Street Improvement Oversight Advisory Committee – 5 members
- Housing, Zoning, and Building Codes Appeals Board – 5 members plus 2 alternates
- Police Advisory and Review Board – 5 members

Further, it was the direction of the City Council that staff prepare the necessary documents to integrate the following current CCBs and their functions into the eight bodies listed above: Parks & Recreation Commission, Housing and Services Commission, Civic Arts Commission, Commission on Drugs & Alcohol, Multicultural Commission, Community Strategic Planning Oversight Committee, and the Bicycle/Pedestrian Advisory Committee.

The City Council also discussed at length the appointment process for the CCBs. After much debate and compromise, the City Council directed staff to develop procedures to give all interested citizens an equal opportunity to serve on one of the new CCBs using the following process:

- All members of the current Parks & Recreation Commission, Housing & Services Commission, Civic Arts Commission, Commission on Drugs and Alcohol, Multi-Cultural Commission, Community Strategic Planning Oversight Committee, and Bicycle & Pedestrian Advisory Committee, desiring to serve on one of the new CCBs will be asked to complete an application form and return it to me by June 14, 2007. Applicants will be interviewed by the City Council no later than June 25, 2007.
- All members in non-expiring seats on the current Planning Commission, Design Review Committee, Police Advisory & Review Board, Economic Development Commission, Citizens Budget Committee and Street Improvement Oversight Advisory Committee will be requested to convey their interest in continuing to serve on these bodies to the City Clerk, prior to June 14, 2007. All members with expiring terms have previously indicated interest in continuing to serve. Although an interview with the City Council will not be required, current members of these CCBs may interview with the City Council at their option. These interviews would occur no later than June 25, 2007.

- The City Council will continue to accept applications for the new CCBs from the general public until June 14, 2007, with interviews of these applicants by the City Council occurring no later than June 25, 2007.
- Following completion of the City Council's interview of applicants, the Council will make appointments to the 46 seats on the new CCBs from these three groups. These appointments are expected to occur during the month of July, with terms of office beginning September 1, 2007. Initial terms will be staggered, with some appointments initially lasting one year and others lasting two years. Determination of initial terms will be made on a random selection basis, following the Council's appointment decisions.
- In the interim period between now and September 1, the City's existing CCBs will continue to function as currently organized.

Additional information concerning the new focus, purpose and function of each of the eight new CCBs will be provided to all current CCB members and members of the public. Updated applications for the new CCBs are available on the City's web site, and in my office at 75 Rowland Way, Suite 200.

### **FISCAL IMPACT**

It is anticipated there will be some positive fiscal impact. Fewer staff assignments will be required, which will provide more time to work on the City Council Strategic Plan Goals. Also, there would be savings for meeting materials.

CITY COUNCIL OF THE CITY OF NOVATO

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RESCINDING, AMENDING AND RESTATING  
RESOLUTION 18-05 AND REESTABLISHING THE STREET  
IMPROVEMENT OVERSIGHT ADVISORY COMMITTEE

WHEREAS, the City Council first considered on their agenda on July 23, 2002 whether to form a Measure B Oversight Committee; and

WHEREAS, the Council unanimously approved at that time to create an informal Committee composed of members of the Measure B Campaign Committee; and

WHEREAS, on April 20, 2004 the City Council received the Grand Jury report entitled *Novato "Streetgate" - Time to Put it to Rest*; and

WHEREAS, the City Council agreed with the Grand Jury's recommendation R1 - The Public Works Director and the Finance Manager shall prepare a semiannual report to the City Council detailing budgeted expenditures and completion rates versus actual expenditure and completion rates for the Measure B program of street repair; and

WHEREAS, subsequently the Council unanimously voted to formalize a Street Improvement Oversight Committee as a regular City Council-appointed Committee with direction that the Committee should assist with Grand Jury R1 recommendation; and

WHEREAS, the Council also directed in addition to the oversight of the Measure B streets in the Capital Improvement Program (CIP), that the Oversight Committee's duties should also include review of CIP project streets that are paved with gas tax funds, sales tax funds (if the Transportation Authority of Marin Transportation Sales Tax Expenditure Plan is approved by the voters), and Regional, State and Federal funds; and

WHEREAS, the Council further directed that the Measure B Oversight Committee should provide semiannual reports on Measure B streets and other streets funded by gas, sales taxes, Federal and State funds; and

WHEREAS, the City Council established the Street Improvement Oversight Committee by Resolution 36-04 on May 11, 2004 and wishes to continue the Committee; and

WHEREAS, Resolution 36-04 was repealed and reinstated in its entirety except to change Item 1. below to reduce the membership from seven (7) to five (5) by Resolution 11-05; and

WHEREAS, at the September 13, 2005 City Council affirmed that the Committee could meet on an "as needed" basis; and

WHEREAS, at its May 14, 2007 workshop the City Council directed staff to prepare and bring back for Council consideration those documents necessary to change the name.

NOW, THEREFORE, BE IT RESOLVED Resolution 11-05 is hereby rescinded, amended and restated in its entirety to read as follows:

1. The Street Improvement Oversight Advisory Committee shall be a regular City Council-appointed Committee.
2. The Street Improvement Oversight Advisory Committee shall be comprised of five (5) members, at least four (4) of whom shall be residents within the City limits of Novato. Any members who live outside the City limits should have special expertise such as engineering, planning or accounting that would be of benefit to the Committee to help perform their duties.
3. The term of each Committee member shall be two (2) years and terms shall be staggered initially with three members having a one-year term and four members having a two-year term.
4. The Committee shall elect a Chair and Vice Chair.
5. The Committee shall meet on an "as needed" basis. Any Committee member or staff may call a meeting.
6. The Committee shall be advisory to the City Council and shall have the following duties:
  - A. Monitor and oversee the Capital Improvement Program (CIP) Measure B streets projects.
  - B. Review CIP streets projects that are repaved with gas tax funds, sales tax funds and Regional, State and Federal grants.
  - C. Review financial expenditures by street to ensure adequacy of funds and prepare a semiannual report to the City Council detailing budgeted expenditures and completion rates versus actual expenditure and completion rates for the Measure B program of street repair.
  - D. Review prioritization of streets and provide feedback to staff.
7. The process to be followed by the Street Improvement Oversight Committee to accomplish its duties shall be substantially the same, but not limited to, the Measure B Oversight Committee document dated June 9, 2003 as presented by Phil Brown, Committee Member, at the April 20, 2004 meeting and attached as *Exhibit A*.

8. The Committee will review semiannual reports on all street improvements.
9. This resolution will take effect on September 1, 2007.

\* \* \* \* \*

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the City Council of the City of Novato, Marin County, California, at a meeting thereof, held on the \_\_\_\_ day of \_\_\_\_\_, by the following vote, to wit:

AYES: Councilmembers  
NOES: Councilmembers  
ABSTAIN: Councilmembers  
ABSENT: Councilmembers

\_\_\_\_\_  
City Clerk of the City of Novato

Approved as to form:

\_\_\_\_\_  
City Attorney of the City of Novato

**Exhibit A**

**Measure B Oversight Committee Meeting**

6:00 p.m., Monday, 9, 2003  
901 Sherman Avenue, Engineering Conference Room

In accordance with direction from the City Council. Action Items identified by the Committee on May 12, 2003 were expanded to articulate the process being followed to achieve the desired goals and objectives. This amplification of the Committee's approach to taking affirmative steps leading to actions that will produce measurable outcomes is provided below:

Action	Process	Result
1. Provide Reports to City Council	Staff provide information to Committee with approval/revision report to City Council. Regular updating of website with group listing of streets. Review report of Measure B and other leveraged funds with funding sources. Establish liaison (Phil Brown) to Councilmembers.	Produce a visible process with checks and balances that is transparent. Track progress and address specific issues, concerns and questions from Councilmembers. Ensure factual information is being conveyed.
Prepare Newspaper Articles	"B" keeper update with Measure B report of streets and status (utilize website information). Prepare quarterly unless key issues/questions arise. Print in the <i>Novato Advance</i> .	Maintain certainty, credibility with list and scheduled in simple format that are forward looking and disseminate if warranted, a positive message.
2. Receive copies of all Measure B changes	Review <u>all</u> proposed changes (scope, schedule, funding, etc.) In advance of any implementation and provide input. Summary of changes proposed by staff provided to committee for review and comments.	Assure any and all changes receive appropriate level of review and that the City Council is apprised of any significant or proposed change with the ramifications of the recommended action.
3. Review tables, figures, charts, data, etc., to track Measure B funding, schedules and progress.	Compile a list of projects/streets completed with funds expended % vs. % for Committee level review. Project schedules developed by staff provided to the Committee for review and input. CIP information will be the base document used.	Assemble real time information that helps in the decision-making process and have a procedure to make sure the Committee "stays in the loop" regarding Measure B.

**Members Present:**

Phil Brown  
Dan Jacoby  
Ed Schulze  
John Stuber

**Members Absent:**

Earl Crouse

**City Staff:**

Steve Wallace

CITY COUNCIL OF THE CITY OF NOVATO

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RESCINDING, AMENDING AND RESTATING  
RESOLUTION 104-05 ESTABLISHING A CITIZENS BUDGET  
ADVISORY COMMITTEE AND REDUCE MEMBERSHIP FROM  
FIVE TO THREE MEMBERS

WHEREAS, the City Council approved the formation of a Citizens Budget Committee on May 3, 2005; and

WHEREAS, the Committee was to disband with the City Council's adoption of the FY 2005/06 Budget; and

WHEREAS, the City Council agreed that a permanent Citizens Budget Committee should be appointed.

WHEREAS, at its May 14, 2007 workshop the City Council directed staff to prepare and bring back for Council consideration those documents necessary to change the name to Citizens Budget Advisory Committee and decrease the number of members from five (5) to three (3).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Novato does hereby establish a Citizens Budget Committee (CBAC), and:

1. The CBAC shall be a regular City Council appointed committee.
2. The CBAC shall be comprised of three members and change the name to Citizens Budget Advisory Committee and decrease the number of members from five (5) to three (3).
3. The term of each committee member shall be two (2) years.
4. The committee shall elect a Chair and a Vice Chair.
5. The committee shall meet on a quarterly or an as needed basis, whichever is shorter.
6. The committee shall be advisory to the City Council and shall have, at a minimum, the following duties:
  - Review existing fiscal policies and/or recommend new fiscal policies to the City Council; including guidelines for the use of fund balances, surpluses and other reserves
  - Review budget assumptions and budget process.

- Review the City's financial status quarterly.
  - Collaborate with City staff to determine long-term financial needs and obligations.
  - Collaborate with City staff to review all reasonable strategies which either enhance revenues or decrease expenditures as methods for reducing and ultimately eliminating the structural deficit.
  - Collaborate with City staff and the Economic Development Commission to develop, and update as necessary, a detailed economic development strategy designed to enhance General Fund revenues.
  - Develop a communication plan which informs the citizens of the City's financial situation and outlines budget options for improved financial health.
7. The committee shall submit an annual report to the City Council in January of each year.
8. This resolution will take effect on September 1, 2007.

\* \* \* \* \*

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the City Council of the City of Novato, Marin County, California, at a meeting thereof, held on the \_\_\_\_ day of \_\_\_\_\_, by the following vote, to wit:

AYES: Councilmembers  
 NOES: Councilmembers  
 ABSTAIN: Councilmembers  
 ABSENT: Councilmembers

\_\_\_\_\_  
 City Clerk of the City of Novato

Approved as to form:

\_\_\_\_\_  
 City Attorney of the City of Novato

CITY COUNCIL OF THE CITY OF NOVATO

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RESCINDING, AMENDING AND RESTATING  
RESOLUTION 114-05 AND REESTABLISHING THE NOVATO  
ECONOMIC DEVELOPMENT ADVISORY COMMISSION  
AND REDUCE MEMBERSHIP FROM SEVEN TO FIVE  
MEMBERS

WHEREAS, the City Council established the Novato Economic Advisory Committee on March 2, 1993; and

WHEREAS, the Novato Economic Advisory Committee at the direction of the City Council assisted on the formulation of the adopted Economic Development and Fiscal Vitality Element in the updated General Plan and recommended that the City Council begin implementation of this Element by creating an Economic Development Commission (EDC) (Resolution 37-96) to develop an Economic Development Master Plan and other implementation steps; and

WHEREAS, at its May 19, 1998 meeting the City Council approved reduction of the Commission from nine to five members (Resolution 80-98); and

WHEREAS, at its December 14, 1999 meeting the City Council disbanded the remnant Economic Development Commission and the Downtown Specific Plan Steering Committee and directed that the EDC be reestablished as a broader advisory commission providing oversight and policy guidance and recommendations on implementation of the Economic Element of the General Plan. This was done with Resolution 23-00 on February 22, 2000; and

WHEREAS, on February 22, 2005, the City Council determined that residents who are interested and who live outside the City limits should have an opportunity to serve on some of Council's Boards, Commissions, and Committees; and

WHEREAS, at its May 14, 2007 workshop the City Council directed staff to prepare and bring back for Council consideration those documents necessary to change the name and reduce membership from seven (7) to five (5).

NOW, THEREFORE, BE IT RESOLVED that Resolution 80-98 be rescinded, amended and restated in its entirety to read as follows:

1. The City Council hereby reestablishes the Novato Economic Development Advisory Commission.