



CITY OF NOVATO  
CALIFORNIA

**\*AMENDED\***

**City Council  
Closed Session Agenda**

**Tuesday, February 15, 2022 – 4:30 PM**

**Teleconference Only**

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**Mayor  
Eric Lucan**

**Mayor Pro Tempore  
Susan Wernick**

**Councilmembers  
Denise Athas  
Pat Eklund  
Mark Milberg**

**City Manager  
Adam McGill**

**City Attorney  
Jeff Walter**

City Council meetings are usually held each month on the second and fourth Tuesdays at 6:00 p.m. Pursuant to the provisions of AB 361, this meeting will be held by teleconference only.

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) 899-8986. Notification at least 48 hours prior to the meeting will enable the City to make reasonable accommodation to help ensure accessibility to this meeting.

The agenda is divided into three main sections and includes other categories covering routine business. All references to "City Council" include those other agencies which may be listed at the top of the Agenda. **The City Council may discuss and/or take action on any or all of the items listed on the agenda irrespective of how the agenda items are described.** The Council may establish and make appointments to a Council committee (made up of two Councilmembers) with respect to any item appearing on this agenda.

**Public Participation/Comment Instructions**

Members of the Public may participate and provide public comments to teleconference meetings as follows:

- **Written public comments** may be submitted via [eComment](#). Written public comments received more than 3 hours before the start of the meeting will be distributed to the Council prior to the meeting. Written public comments will not be read during the meeting.

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- **Spoken public comments** will be accepted through the Zoom meeting platform and via telephone. To address the Council orally, please read and follow the following instructions carefully:

1. Join the meeting at: <https://bit.ly/3rGZlrh>  
or

Join at [Zoom.com](https://zoom.us)

**Meeting ID:** 825 5407 7434

**Password:** 1960

Should the links above not work, please go to [www.novato.org/agendas](http://www.novato.org/agendas) for updated information

- a. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you when it is your turn to speak.
  - b. When the Mayor calls for public comment on the item on which you wish to speak, please use the “Raise Hand” feature by clicking on the hand icon at the bottom of your screen to notify the Host that you would like to speak.
  - c. The Host will unmute speakers in turn. Speakers will be notified when it is their turn to speak.
  - d. When called upon, please limit your remarks to the time limit allotted by the Mayor or as specified on the agenda. Speakers will be muted when their time is up.
2. Join the meeting via telephone by calling **(669) 900-6833**

**Meeting ID:** 825 5407 7434

**Password:** 1960

- a. When the Mayor calls for public comment on the item on which you wish to speak, **press \*9** to activate the “Raise Hand” feature to notify the Host that you would like to speak.
- b. The Host will unmute speakers in turn. Speakers will be notified when it is their turn to speak.
- c. When called upon, please limit your remarks to the time limit allotted by the Mayor or as specified on the agenda. Speakers will be muted when their time is up.

The Mayor has the authority to rule any speaker out of order, including speakers during the Public Comment period, if the subject raised is not within the subject matter jurisdiction of the City Council, or during a public hearing or a general business item if the speaker is not presenting testimony or evidence relevant to the matter or if the speaker becomes disruptive to the proceedings and conduct of the meeting.

The Mayor also has the authority to order any person who willfully interrupts the meeting to be removed. All persons are expected to conduct themselves with civility and courtesy at all times. All persons giving comments shall speak directly to the Council and address issues, not individuals. Personal attacks, cursing and outbursts from the audience in support or opposition to a speaker are not tolerated in order to foster an environment where everyone feels welcome to speak

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### Closed Captions

Live closed captions are available. To access closed captions during the meeting, click on the CC icon available through Zoom.

- A. CALL TO ORDER
- B. PUBLIC COMMENT (ONLY ON CLOSED SESSION ITEMS)
- C. CLOSED SESSION ITEMS

Added 2/11/22:

**1. Conference with Legal Counsel – Anticipated Litigation**  
Significant exposure to litigation pursuant to Cal. Gov’t Code section 54956.9(d)(2)  
One potential case

~~1.~~ **2. Public Employee Annual Performance Evaluation**  
(California Government Code Section 54957)

**Title:** City Manager

~~2.~~ **Public Employee Annual Performance Evaluation**  
(California Government Code Section 54957)

~~**Title:** City Attorney~~

**3. Conference With Labor Negotiators**  
(California Government Code Section 54957)

**Agency designated representative:** Jeffrey Walter  
**Unrepresented employee:** City Manager

~~4. Conference With Labor Negotiators~~  
(California Government Code Section 54957)

~~**Agency designated representative:** Adam McGill~~  
~~**Unrepresented employee:** City Attorney~~

**D. ADJOURNMENT**

*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 will be made available to the public at the time it is provided to the City Council.*

**AFFIDAVIT OF POSTING**

I, Laura McDowall, certify that on the Friday before the Council meeting of February 15, 2022, the amended closed session agenda was posted on the City Community Service Board at 922 Machin Ave and on the City’s website at [novato.org](http://novato.org).

/Laura McDowall/  
Laura McDowall, City Clerk



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