

ORIGINAL

CITY COUNCIL OF THE CITY OF NOVATO

RESOLUTION NO. 2022-093

RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF NOVATO ESTABLISHING A HOUSING AND
HOMELESS COMMITTEE

WHEREAS, on July 15, 2021, a federal lawsuit was filed against the City of Novato (“City”) by the Marin County Homeless Union (“Union”) seeking to prohibit the enforcement of two City ordinances prohibiting day camping and camping within 50 feet of streambeds and critical infrastructure; and

WHEREAS, the legal dispute between the City and the Union was resolved favorably through mutual collaboration between the City and the Union in an effort to address the pressing concern of unhoused individuals residing within the City; and

WHEREAS, by the Stipulated Judgment entered in the lawsuit, the City agreed to form a Housing and Homeless Committee; and

WHEREAS, the City Council now desires to establish the Housing and Homeless Committee which shall be comprised of community members, including representatives of the Union, whose purpose will be to provide information and make well-informed recommendations to the City Council regarding housing and homeless issues within the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Novato does hereby establish a Housing and Homeless Committee (the “Committee”) and:

1. The Committee will be a City Council-appointed committee.
2. The Committee shall be comprised of seven individuals, two of whom will be Union representatives. City employees, consultants, or vendors are expressly precluded from serving as members of the Committee. Members shall reside within City limits.
3. The City Clerk will develop an application process and appointment process for the Committee in accordance with current procedures for all other City boards, commissions, and committees.
4. Committee members will be required to complete a Statement of Economic Interests form (Form 700) in accordance with the Fair Political Practices Commission’s guidelines.
5. The Ralph M. Brown Act will apply to all Committee meetings.
6. The first term of four committee seats will be one (1) year. Upon the conclusion of this term, the appointment process will be opened for a second term. The second and subsequent terms for these seats shall be two (2) years.
7. The terms of the remaining three committee seats will be two (2) years.
8. Each and every voting member will make every effort to attend each Committee meeting. Members missing more than 25% of meetings held in each twelve-month period from the anniversary of their appointment are subject to removal as per Council policy.

9. Members will not be compensated for their service on the Committee.
10. The City will staff the Committee and provide technical and administrative assistance to support the Committee's activities.
11. The Committee will elect a Chair and a Vice Chair in accordance with the best practices of other City boards, commissions, and committees as established by the City Council. The Chair or Vice Chair shall each hold office for one year and until their successors are elected. No Chair or Vice Chair shall be eligible to succeed himself or herself immediately or within three years.
12. A quorum of the Committee shall be four (4) members.
13. The Committee will meet at least once each calendar quarter and will produce a written report at least once each calendar year, which will be presented to the Council and made available to the public.
14. The City may disband the Committee if any of the following events occur: (1) the City does not receive a sufficient number of applicants to fill at least five seats on the Committee; (2) the Committee fails to obtain a quorum at three consecutive meetings; or (3) the Union fails to designate individuals to fill the two seats reserved for the Union representatives on the Committee.

Committee Role:

The Committee shall be advisory to the City Council and shall provide information to the City Council in written reports regarding housing and homeless issues within the City.

Committee Responsibilities:

The Committee shall have the following responsibilities related to its role as the Housing and Homeless Committee:

1. The Committee shall provide information to the City Council regarding housing and homeless issues within the City.
2. The Committee shall create a list of criteria to be applied to determine whether a person is qualified to occupy a vacant space in the Temporary Camp ("Eligibility List") and shall present its proposed Eligibility List to the City Council. The final Eligibility List criteria shall be subject to the approval of the City Council.
3. The Committee shall attempt to resolve any disputes arising between the City Manager's Representative and the Union Designee through a meet and confer process. If the Committee's meet and confer process is unsuccessful, the matter shall be referred to the City Manager for resolution. The City Manager's decision shall be final and binding on the parties.
4. The Committee shall assist the City and the Union with reviewing the state of housing and homelessness in the City of Novato and provide the City Council with its findings.
5. If the City proposes amendments to the designation of "Critical Infrastructure" set forth in 7-11.2 of the Novato Municipal Code, the proposed amendments shall be presented to the Committee which shall prepare and submit a recommendation on the proposed amendments to the City Council. The City Council shall consider the Committee's recommendation before adopting any resolution amending the designation of "Critical Infrastructure."


Definitions. For purposes of this Resolution, the following definitions apply:

1. "Temporary Camp" means the temporary camp within the City's Lee Gerner Park.
2. "City Manager's Representative" means the person appointed by the City Manager to oversee and operate the Temporary Camp.
3. "Union Designee" means the person actually designated by the Union with the authority to bind the Union.

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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 hereof, held on the 15th day of November, 2022, by the following vote, to wit:

AYES: Councilmembers Athas, Eklund, Milberg, Wernick, Lucan
NOES: Councilmembers
ABSTAIN: Councilmembers
ABSENT: Councilmembers



City Clerk of the City of Novato

Approved as to form:



City Attorney of the City of Novato
for Gary Bell