

AGENDA- REGULAR LARKSPUR CITY COUNCIL MEETING

Wednesday, November 19, 2008

7:30 p.m.

Larkspur City Council Chambers

400 Magnolia Avenue, 2nd Floor

Larkspur, CA

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT CALENDAR

(Approx. 7:30 p.m.)

Please Note: The purpose of the Consent Calendar is to group items that may be approved routinely. Anyone may request removal of an item for discussion.

1. The City Clerk certifies that this Agenda has been posted in accordance with the requirements of the Government Code.
2. Approval of Warrants:
3. Approval of Minutes: October 29, 2008
4. Review the Annual Bail Schedule as submitted by Sergeant Steven Fogle, Twin Cities Police Department

RECOMMENDATION: THAT COUNCIL ADOPT THE CONSENT CALENDAR

CITY MANAGER'S ORAL REPORT

COUNCILMEMBERS REPORTS AND COMMENTS

PUBLIC COMMENT: The City Council will hear public comments only on matters over which they have jurisdiction. There will be no Council discussion. The Mayor will allot no more than five minutes to any individual. Unless the Council determines otherwise, the total amount of time allocated to this agenda item will be 15 minutes.

PUBLIC HEARINGS

THIS ITEM HAS BEEN CANCELLED AND CONTINUED TO A DATE UNCERTAIN AT THE REQUEST OF THE APPELLANT

1. **APPEAL OF PLANNING COMMISSION'S DECISION** to uphold the decision of the Planning Director to require preparation of an Environmental Impact Report for the revised Project Application, GPA/RZ/DR/CAP/V 07-66, for 800 Magnolia Avenue (APN 20-121-15). Appeal filed by Ragghianti/Freitas, LLP on behalf of Dennis Gilardi, property owner.
Recommendation: That the City Council: (1) Find there is substantial evidence in the whole of the record that the project may result in the potential for significant impacts as to land use, traffic and circulation, and noise, and that there are no mitigation measures identified for these potential impacts, and that these issues should be analyzed in an EIR, and (2) Uphold the decision of the Planning Commission upholding the decision of

the Planning Director requiring the preparation of an Environmental Impact Report for application GPA/RZ/DR/CAP/V 07-66: 800 Magnolia Avenue.

2. APPEAL OF CITY MANAGER'S DETERMINATION TO UPHOLD THE PUBLIC WORKS DIRECTOR'S DECISION TO NOT ALLOW AN ENCROACHMENT INTO THE CITY'S RIGHT-OF-WAY BY THE OWNERS OF 11 OPAL STREET WHO PROPOSE TO INSTALL A HILLEVATOR.

Recommendation: That Council open the public hearing, hear the staff report, take public comment and uphold the City Manager's decision.

BUSINESS ITEMS

1. DISCUSSION- PROPOSED MARIN ENERGY AUTHORITY (MEA)
Recommendation: That Council hear the staff report, take public comment, and provide direction as needed.

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

(Government Code § 54596.9) City of Larkspur v. Jacobs Engineering Group (Marin County Superior Court Case No. CV 061094).

ADJOURN FROM CLOSED SESSION AND NOTE ANY REPORTABLE ACTION TAKEN

ADJOURN MEETING

NOTICE IS HERE BY GIVEN: If you challenge any item on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing herein described, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. [G.C. § 65009 (b) (2)]

In the interest of time, the City Council has established time limits. Public Hearings: applicants and /or appellants shall make their presentations within 10 minutes, and will be allowed a 3-minute summation period. Public participation shall be limited to 3 minutes per speaker per topic. These time limits may be waived by a majority vote of the City Council. [G.C. § 54954.3].

Any writings or documents provided to a majority of the City Council regarding an item on this agenda will be made available for public inspection at the Customer Service Counter at City Hall located at 400 Magnolia Avenue, Larkspur, CA and at the main counter of the Library located at the same address during normal business hours. (SB 343, amending G.C. Section 54957.5)

ACCESS TO MEETINGS: Meeting facilities are accessible to persons with disabilities. If you require special assistance, please contact any staff member prior to the meeting. An interpreter for the deaf will be made available upon request to the staff three days or more prior to the meeting.

CITY COUNCIL MEETING SCHEDULE

No MCCMC in November

Transportation Authority of Marin (TAM) November 20, 2008, 7:00 p.m.

MCCMC, San Anselmo, December 4, 2008, 6:00 p.m.

Regular City Council Meeting, December 3, 2008, 7:30 p.m.

Regular City Council Meeting, December 17, 2008, 7:30 p.m.

Transportation Authority of Marin (TAM), December 18, 2008, 7:00 p.m.

ALL MATTERS ON THIS AGENDA SHALL BE CONSIDERED BY
THE LARKSPUR CITY COUNCIL IN COUNCIL CHAMBERS
LARKSPUR CITY HALL - 400 MAGNOLIA AVENUE - LARKSPUR, CA