

Staff expects to be called upon again this year. The good news is that the over time incurred by Larkspur fire fighters will be reimbursed by the state.

The City Manager reported she attended the Ross Valley Sanitary District meeting last evening but did not stay for the entire meeting. The meeting wrapped up at 11:45 p.m. She noted the meeting was difficult to watch and that the District is operating under extraordinary circumstances. They did pass the Sanitary Sewer Fee which will allow the work at Central Marin Sanitary Agency (CMSA) to be able to go forward. They gave direction to staff to start work with CMSA to consolidate facilities in San Rafael.

She noted there have been many meetings on a regional basis; Ross Valley Watershed and Flood Control, Twin Cities Police Facility meets every two weeks, Shared Info. Technology Services, and the Twin Cities Police Council now meets the fourth Thursday of the month. The next regular City Council meetings are September 6 and September 20.

COUNCILMEMBER REPORTS AND COMMENTS

Mayor Chu reported progress on the Twin Cities Shuttle. They met with the Transit District and will now have the seventh hour of service funded. The shuttle will run from 11:00 a.m. to 6:00 p.m. Marin Airporter was awarded the bid for the shuttles. The only issue at hand is to raise money from the business community to fund the first 4 months of shuttle service. So far, they have received 4-month commitments from the Town Center and The Village shopping centers.

Councilmember Arlas asked if there was a plan to do a cost/benefit analysis of the shuttle. Mayor Chu said they will review the numbers from metrics of usage and passengers per hour. They are trying to first get it funded and get people used to it.

Councilmember Arlas asked if Larkspur and Corte Madera will get those reviews. Mayor Chu noted that quarterly reports will be issued through Transportation Authority of Marin (TAM).

Councilmember Lundstrom said that the principals of Hall Middle School and St. Patrick's are interested in an after-school shuttle service. She also has a contact at Redwood High School. A letter was sent to parents to encourage car-pooling. She thinks a press release to Hall Middle School, St. Patrick's and Redwood High School is a good idea.

Mayor Chu said they are doing press releases now. Schools as well as businesses will be notified. He inquired into hanging a banner over the road near the Lark Creek Inn and said the shuttle group would like to hang one as well.

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARINGS

NONE

BUSINESS ITEMS

1. COUNCIL DISCUSSION REGARDING SITING AND ALTERNATIVES FOR THE PUBLIC WORKS OFFICES AND CORPORATION YARD

The City Manager presented the Staff Report. She noted that on page 2, first paragraph, the address of the Twin Cities Police Department is 250 Doherty Drive, not 275.

Also, in the original packet Option #1 financial information was not included. Additional copies are on the information table at the back of the room.

The City Manager noted it has been 90 days since the City Council decided against a permanent solution and asked staff for options for a temporary solution. The issue regarding the relocation of the Corporation Yard and Public Works offices must be resolved in order to keep the Twin Cities Police Facility project moving along. She asked the Council to take action tonight.

Councilmember Arlas asked if the numbers that were given were for a temporary structure and what the percentage increase would be for a more permanent one.

Councilmember Hillmer asked if both Options #1 and #2 were functionally acceptable. The City Manager stated "yes".

Councilmember Lundstrom asked if both buildings were temporary. The City Manager replied that Option #2 could be temporary or permanent.

Eric Glass, Architect for the Twin Cities Police Facility, displayed two options: Option #1, depicts a smaller facility, while Option #2 depicts a larger one. Both options show the new Police facility, existing tennis courts, and the Public Works office. Option #1 replaces the existing corporation yard facility, minus the wash rack and materials storage area, with a similar amount of square footage. Mr. Glass is of the opinion that the size of the facility would not meet the department's needs. The road would be realigned and the carport would be replaced. This option leaves the Public Works office and the tennis courts in their current locations. He noted that all structures would be single story.

Mr. Glass stated Option #2 depicts the Public Works and Corporation Yard offices in one administration building with the storage, shops and carport nearby. The Administration building could be designed as a modular or permanent single-story building. This would allow for better circulation through the Corporation Yard and staff parking.

Mr. Glass stated that cost estimates indicate that much of the cost of the project is in road widening and realigning and utility extensions. Both options build in permanent infrastructure. Extra costs will be incurred for the road alignment in Option #1. The difference in terms of cost/benefit is that Option #1 is a temporary facility where Option #2 could be temporary or permanent.

Councilmember Arlas noted that it appears that Option #1 is 2/3rds the cost of Option #2. He asked Mr. Glass about the extra cost to make this a permanent building. Mr. Glass replied that in general there would be no difference between the two buildings and they are roughly the same structurally. A permanent facility would be bought with today's dollars whereas a temporary facility would have to be reconstructed in future dollars.

The City Manager noted that both buildings would be modular. The current facilities are not sustainable and will have to be demolished. She noted that structures have to be built to current standards, such as building codes and Americans with Disabilities (ADA) standards and provide safety for working employees. From a practical standpoint, one option can be turned into a permanent facility, while the other cannot.

Councilmember Lundstrom asked Mr. Glass to reaffirm that the buildings are code compliant and ADA compliant. He said "yes".

Mayor Chu referred to Option #1 and asked Mr. Glass if it would be possible to connect to a permanent structure later if the shop and storage area were switched with the carport area. Mr. Glass replied that either orientation of the carport could remain and be part of the structure.

Councilmember Hillmer questioned the analysis of costs/values resulting as well. He was concerned about impacts to the park and he asked if this was considered in the analysis.

Mayor Chu opened the meeting to public comment.

Mr. Jerry Hauser, Murray Avenue and Parks and Recreation Commissioner, stated the Parks and Recreation Commission was surprised to see Option #2 and that it was contrary to their understanding of what was decided at the joint meeting with the Council. The Commission is opposed to Option #2 and is concerned about the possible encroachment into the small amount of open space remaining in the park. The Commission is in favor of Option #1 since it is a temporary facility and is concerned that Option #2 would become a permanent one. The Commission strongly urged the Council to reject Option #2.

Councilmember Lundstrom asked Mr. Hauser if the Parks and Recreation Commission were opposed to a temporary building for Public Works management. Mr. Hauser stated "no" and agreed that they need to move forward. They can support the temporary building that does not intruding into open space.

Councilmember Arlas asked if "loss of open space" was equal to two tennis courts. Mr. Hauser stated it was more than just two tennis courts since the buildings will abut and box in the courts.

Mr. Dick Wall, Madrone Avenue and Chair of the Parks and Recreation Commission stated the issue regarding the loss of open space for passive use is significant. He distributed a drawing of the park 20 years ago with an overlay of the remaining open space. He noted that the amount of open space has been eroded due to the addition of a volleyball court, a playground, Public Works Corp yard, and a dog park. There is little open space left- this is not just about two tennis courts. Councilmember Arlas asked Mr. Wall why the Parks and Recreation Commission encouraged the Council to add the dog park, expand the community garden, etc. Mr. Wall replied that the open spaces are a strip around the park. When the Commission worked on the multi purpose field they realized that this had to be the last thing built in the park. When asked, Mr. Wall did not have the exact acreage of the two tennis courts. Mayor Chu noted a tennis court is about 79 feet by 30 feet.

Ms. Sallyanne Wilson, Walnut Avenue, said she was the Chair of the Parks and Recreation Commission in the 1970's when Piper Park was developed. She planted the first tree in the park. She has been following this issue closely and supports the new police facility. She was pleased with the decision at the joint meeting between the Council and the Commission for a temporary versus a permanent building. She is disappointed with the recommendation of Option #2 since it would take away most of the remaining open space. Park area accessibility has shrunk with buildings and other uses and the remaining open space is very important. She does not think the recommendation in the staff report represents the values of the community.

Ms. Marilyn River, Pepper Avenue, agreed with the comments made by Ms. Wilson and Mr. Wall. She plays tennis regularly and the area south of the tennis courts is well used. She was disappointed that all five of the Councilmembers were not participating in this evening's meeting. She was also concerned about the cost of the project. She noted that the proposed police facility was much larger than what was proposed in the Larkspur 2050 report. She asked about Corte Madera's participation in the project and noted there were six corporation yards in a 1.5-mile radius.

Councilmember Hillmer asked Ms. River if she was under the impression that the Council would ask the voters to pay for a police department and public works complex at the same time. She noted that they are linked.

Councilmember Lundstrom wanted it noted for the record that the Council has been trying to consolidate corporation yards and services for a long time. That is why this proposal is for a temporary corporation yard since the Council would like to move the corporation yard out of Piper Park. The Council explored many different options but there no new spaces available at this time. The cost includes expansion of land which was included in our negotiations with Corte Madera.

Ms. Rivers stated that the drawings indicate the footprint of the building to be around 9000 square feet. Corte Madera needs to share in the costs.

Councilmember Lundstrom noted the Council agreed with that sentiment.

Councilmember Arlas said the City Manager has been discussing the possibility of shared resources for quite some time.

Mayor Chu asked the City Manager about the possibility of a second story building at Hall School Middle School and how that would be of benefit to the school district. The City Manager replied that the primary benefit of a two-story building would be a more permanent structure. She has not had a chance to speak with the superintendent about this matter.

Councilmember Arlas noted he was sorry he missed the joint meeting and noted it appeared the Council changed direction from a permanent building to a temporary building. He stated that any building would be more permanent then temporary. He agreed with Ms. River in that the cost would be part of the financing proposal for the police department. There will be a separate ballot measure. However, It will be difficult to tell the voters they are spending \$2.4 million for a "temporary" structure that would last for five to eight years. Option #1 would be built on a temporary basis for \$7 million but the facility could be around for the next 40 years. He asked how they could justify spending \$7 million dollars on a temporary fix that would cost twice as much as Option #2, unless Option #1 is permanent. The police department facility cannot be built until this issue is resolved. He understood the need to keep the tennis courts and the open space. He supports Option #2 because it benefits the park with better access and better parking. He stated it was the responsibility of the Council to use public money wisely. He urged the Council not to vote for anything as a temporary fix and he added it is irresponsible to look at anything as temporary. He encouraged the Council to vote for Option #2.

Councilmember Hillmer noted that he understands Councilmember Arlas's spirit, yet disagrees with his approach. He does not see Option #1 as temporary and noted the infrastructure for this option would have the least impact. The direction from the joint meeting was for Option #1. It's a joint use approach and reflects and maintains our commitment. Option #1 preserves the image of the park and has the least impact to Doherty Drive and the park itself. He supported Option #1.

Councilmember Lundstrom noted there was no easy solution and that Councilmember Arlas made some good arguments for a permanent versus a temporary structure. It is not realistic to think that there will not be a corporation yard and offices in that location. She suggested they explore Option #1 as a permanent one. If the library relocates in the future then the Public Works Department could move back to City Hall. She thinks the voters will favor Option #1 as it represents the least amount of change to the site. She could support Option #1 as a permanent solution.

Mayor Chu noted this was a difficult decision since there is no optimal solution, and the intent of the joint meeting was to find a way to make this work without impacting land use in the park. The Council delegated to the Parks and Recreation Commission the stewardship of the parks. The Commission and the Council looked at every possible alternative that would postpone open space loss. He stated that he sits on a committee that oversees a number JPA's and does not see any of them moving closer to sharing facilities. He discussed the Larkspur 2050 Report and stated they can't continue to look at components individually and rather needs to look at it all together as part of a single cohesive plan. A temporary solution of the Public Works facility will be more palatable to the community. Regarding discussing moving the library to Subarea 3 of the CLASP project, he feels that private money can be raised. He spoke with a Larkspur School Board member who indicated they were amenable to conversations to expand the Park and Recreation offices which indicates flexibility. Regarding cost and the temporary nature of the Public Works project, he stated they need to convey the plan and convince the residents as to what needs to happen for the downtown infrastructure. He prefers Option #1 and suggested they flip the buildings around. If the building needs to be permanent they may recognize a cost savings, as they would meet the current footprint.

M/s, Hillmer/Lundstrom and approved 3-1 (Hartzell absent, Arlas voted no) to adopt Option #1 for the Public Works offices and outbuildings in Piper Park.

The Council took a 5-minute break at 9:30 p.m.

Councilmember Arlas left the meeting at 9:30 p.m.

The meeting reconvened at 9:35.

2. DISCUSSION OF MARIN COUNTY COMMUNITY CHOICE AGGREGATION ENERGY PROJECT

The City Manager presented the staff report. She noted that the Council had discussed this topic over a year ago. In the meantime the County has completed Phase I and are in the process of getting Phase II started. The County has asked that each community attend four meetings and have a representative from their legislative body and a member from staff attend. The Council selected Mayor Chu and Councilmember Hillmer as an alternate. The staff member would be the City Manager.

Ms. Dawn Weisz, representing the County, made a Powerpoint presentation. She noted that the Board of Supervisors are in support of this and have made it a part of their Mission Statement. Community Choice Aggregation (CCA) allows cities to purchase power for their community. CCA would purchase and own the facilities and a joint powers authority (JPA) would set the rates. Customers could opt-out of the CCA. The County predicts that this project would not begin until 2008. PG&E would deliver the energy and do the billing as well as customer service. One half of the bill would go to PG&E and the other half would pay for the power source. The benefits include: an increase in alternative energy uses; a reduction in greenhouse gases; the money would stay in the county; it would give the public a choice.

CCA needs 40% of the energy users in Marin to make it economically feasible. They predict they could generate savings to ratepayers in 15 years. Ms. Weisz pointed out that the risk analysis is on their Website and it showed that for the first three to four years, utility charges would be 5% above or below PG&E charges. Mitigation measures include: prompt action to take advantage of lower exit fees; shifting the burden to residential customers; phasing in certain types of customers; green pricing. The benefits are greater renewable energy and cost savings likely in the long term. These savings would offset the first three to four year period. Phase II includes seeking a commitment from each of the cities in the County to attend the meetings and sharing information.

The County is considering funding Phase II at \$300,000. That funding would include a detailed study of the CCA structure and a business plan.

Councilmember Lundstrom asked that any questions be forwarded through the representatives from the City.

The City Manager noted she would send a letter to the County stating that Larkspur would follow through on this phase.

3. RESPONSE TO THE 2006 MARIN COUNTY GRAND JURY REPORTS
 - a. THE NEXT DISASTER: ARE MARIN CITIZENS PROTECTED
 - b. AGENDIZING RESPONSES TO GRAND JURY REPORTS

The City Manager presented the staff report.

M/s, Hillmer/Lundstrom and approved 3-0 (Hartzell and Arlas absent) to accept recommendations in the staff report as written.

4. PROPOSAL TO INSTALL A NEW HIGH-VISIBILITY SCHOOL CROSSWALK ON DOHERTY DRIVE AT PIPER PARK

The Public Works Director presented the staff report. He stated he was trying to get the Safe Routes to Schools Work Group and the County to pay for this improvement, but that he would like Council approval. He noted once staff receives Council approval, the funding could come quickly and the project could be completed right away.

M/s, Hillmer/Lundstrom and approved 3-0 (Hartzell and Arlas absent) to approve the installation of the new crosswalk.

The Council commended the Public Works Director for his efforts.

5. DISCUSSION OF LARKSPUR'S POSITION ON THE SONOMA-MARIN RAIL TRANSIT AUTHORITY (SMART) PROJECT

The City Manager presented the staff report.

Mayor Chu authorized Councilmembers Arlas and Lundstrom to work with the coalition opposing the project.

The City Manager stated the Council had asked her to put together a resolution opposing the project. She noted that with one member gone this evening and the August 16th meeting cancelled, she would not be able to accomplish this until September. She also has some concerns about the ballot language. She stated she has asked the City Clerk to get the ballot language from the County regarding ballot measures.

Councilmember Hillmer said he could not remember when the City has participated in opposing a project similar to this. He agreed with the City Manager that they need to be cautious in terms of taking positions and making alliances. His preference would be to not participate in a measure in favor of SMART. He noted the Council position is on record.

Councilmember Lundstrom asked if the City of Larkspur could have a separate sub-argument and carefully craft a consensus. She noted that they might not be able to have a separate ballot statement.

Mayor Chu asked Councilmembers Arlas and Lundstrom to be the City representatives in this process.

Councilmember Hillmer said he thought Councilmembers Arlas and Lundstrom should write the ballot argument. Mayor Chu stated that the Council would not agree to any ballot statements that could not stand on their own.

Councilmember Hillmer would like Councilmember Lundstrom to have the last editorial review.

M/s, Hillmer/Chu and approved 3-0 (Hartzell and Arlas absent) that Councilmembers Arlas and Lundstrom will represent the City of Larkspur in the ballot measure process and that Councilmember Lundstrom will have final editorial review.

ADJOURN MEETING TO CLOSED SESSION

The City Council and the City Manager adjourned to closed session at 10:00 p.m. to discuss the following items:

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
(Government Code Section 54956.9) McLeran Properties, LLC vs. City of Larkspur (Marin County Superior Court action number CV-050529)

CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION-
Pursuant to Government Code Section 54956.9(b)- 3 cases

ADJOURN TO OPEN MEETING AND REPORT ANY REPORTABLE ACTION TAKEN

The Mayor adjourned to open session at 11:10 p.m. and indicated that the Council had taken no reportable action.

ADJOURN MEETING

The Mayor adjourned the meeting at 11:12 p.m.

Respectfully submitted,

Cynthia Huisman
City Clerk