

Mayor Arlas read the proclamation and thanked Ms. Nancy Spivey for her years of service to the City and the community.

Ms. Nancy Spivey thanked the Council for allowing her to pursue her dream of bringing a walking group to Larkspur. She stated wonderful friendships have developed over the years and they have become a “family”. She thanked the staff and the Council for their support. She presented the Council with Larkspur Walkers baseball hats.

Ms. Nancy Sleigle presented Ms. Spivey a bouquet of flowers on behalf of the Larkspur Walkers. She thanked Ms. Spivey for her enthusiasm and energy throughout the years.

Councilmember Lundstrom stated she was a member of the Larkspur Walkers and stated the group included not only Larkspur residents but also individuals from throughout the County. She stated she recommended one of the walkers, Mr. Phil Hansen, for appointment to the County Bicycle/Pedestrian Advisory Committee. Mr. Hansen was recently appointed to the committee.

The Recreation Director thanked Ms. Spivey and invited everyone to have some refreshments.

The Council took a five-minute break at 7:40 p.m.

The meeting reconvened at 7:45 p.m.

CITY MANAGER’S ORAL REPORT

The City Manager reported that Larkspur, Corte Madera, and Mill Valley are participating in a pilot program called “Street Smarts”. She discussed some of the worst transportation-related behaviors noticed by staff including multi-tasking while driving, “California stops”, etc. The program will come up with ways to encourage people to behave in a safe manner. She attended several meetings regarding the Memorandum of Understanding (MOU) for the Cal Park Tunnel. Staff plans to present the document to the Council sometime in November. The application for the Niven property is complete and will be heard by the Planning Commission on October 11th and 30th. The Council will review the application on November 14th and 15th. These dates will be posted on the City Website along with the staff reports and other pertinent information. All of these meetings will be held at the Hall Middle School Gymnasium. There will be a presentation on the Greenbrae Corridor Project and the Central Marin Ferry Connection Project at the October 17th Council meeting. The October 3rd Council meeting has been cancelled due to scheduling conflicts. Larkspur’s Office of Emergency Services (OES) Engine has been called out of town for several weeks to several fire incidents. There are several bills on the Governor’s desk that are important to local government including AB 1743 regarding San Quentin.

She noted the weather could be quite testy the next couple of days with wind advisories in effect. The audit has been completed and she was happy to report there were no material weaknesses. She stated Jazzy the Cat has made himself at home in the City Hall offices. He has been banned from the Library for non-Library-like behavior.

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Lundstrom stated she attended a meeting regarding the Magnetic Levitation Train in Novato. It would exceed 125 miles per hour, cost ten times the amount of SMART and be elevated with pilings every 100 feet.

Councilmember Chu reported he, along with Councilmember Hillmer, represent Larkspur in the Community Choice Aggregation (CCA) discussions. He is also on the subcommittee regarding how the JPA will be set up. At this point the concept is to allow one vote per city with the County as the twelfth member. The issues of land use and local control have been discussed. The only issue that has not been resolved is how an entity would opt out of membership yet still represent its residents.

Councilmember Chu reported that thirty Cub Scout's from Pack 43 hauled debris from the Corte Madera Creek north of the Bon Air Bridge. He noted there was a lot of tennis balls and dog excrement. He thanked the Public Works Department for their assistance in hauling out all the debris. Mayor Arlas asked staff to install some "doggy bag" dispensers in the area.

Councilmember Hartzell reported on some changes in the Water Transit Authority and related issues. She discussed SB 88, the Transportation Omnibus Bill, and stated it would consolidate some existing agencies. It does not stipulate that there would be a Community Advisory Committee, which she felt, was a key component. Councilmember Lundstrom added that the Water Transit Authority would no longer be a planning entity but would be managing the ferry systems. Mayor Arlas stated they should send a letter expressing their concerns.

PUBLIC COMMENT

Ms. Penny Stabenfeld, Corte Del Bayo, asked that "doggy bag" dispensers also be placed in the Greenbrae Marina area.

PUBLIC HEARINGS

1. ADOPT RESOLUTION NO. 27/07 APPROVING DESIGN REVIEW AND REMOVAL OF HERITAGE TREES ON SITE OF PROPOSED TWIN CITIES POLICE FACILITY AND CITY OF LARKSPUR CORPORATION YARD; 250 DOHERTY DRIVE (AP #22-120-07 & 12: TWIN CITIES POLICE AUTHORITY AND CITY OF LARKSPUR, APPLICANTS; CITY OF

LARKSPUR PROPERTY OWNER; R-1 ZONNING DISTRICT AND PUBLIC FACILITIES AND PARK LAND GENERAL LAND USE DESIGNATION (DR/UP/HT/ER 06-69). A NEGATIVE DECLARATION HAS BEEN APPROVED FOR THIS PROJECT

The Acting Planning Director presented the staff report.

Mayor Arlas opened the Public Hearing.

There being no testimony, Mayor Arlas closed the Public Hearing.

Councilmember Chu stated he had no objections to the plan. He had questions about the tree replacement plan. The Acting Planning Director stated it calls for four times the number of trees for any tree over 78 inches. There will be a total of 22 replacement trees. The final landscape plan would be reviewed by the Parks and Recreation Commission. Councilmember Chu stated the plan should be consistent with what is required of other citizens. He asked if there would be a circulation plan during construction dealing with the school drop-off and pick-up periods. Councilmember Hartzell noted there was a reference in the Negative Declaration documents. Councilmember Chu stated there should be a lot of input from the schools. Councilmember Hartzell stated students are encouraged to walk and bike to school and she asked if the crosswalks near the school were monitored. The City Manager stated "yes" and added the management of the construction traffic and circulation for this project would be emphasized in the contract discussions.

Councilmember Lundstrom stated the Planning Commission has brought up the issue about the level of the site and it was noted that it would be 8.5' above sea level. She noted FEMA was coming out with an expanded 100-year flood plan at the end of the year and she was concerned about the possibility of putting surcharge on the property to be at the proper level. She wanted to make sure the height level was correct and they had the most recent information.

M/s, Hartzell-Lundstrom and approved 5-0 to adopt Resolution No. 27/07

2. REINTRODUCE AND WAIVE FIRST READING OF ORDINANCE NO. 959, AN ORDINANCE OF THE CITY OF LARKSPUR, AMENDING CHAPTER 18.31, AFFORDABLE HOUSING FUND AND INCLUSIONARY/IN-LIEU FEE REQUIREMENTS, TO CLARIFY THAT THE MEDIAN INCOME USED FOR IMPLEMENTATION OF CHAPTER 18.31, AFFORDABLE HOUSING FUND AND INCLUSIONARY/IN-LIEU FEE REQUIREMENTS, IS THAT DEFINED AND PUBLISHED BY THE MARIN COUNTY HOUSING AUTHORITY

The City Manager presented the staff report.

Mayor Arlas opened the meeting to public comments.

There being no testimony, Mayor Arlas closed the meeting to public comments.

M/s, Hartzell-Lundstrom and approved 5-0 to reintroduce and waive first reading of Ordinance No. 959 and continue this item to October 17th.

BUSINESS ITEMS

1. DISCUSSION OF POSSIBLE ROSS/LARKSPUR FIRE CONSOLIDATION

The City Manager presented the staff report.

The Fire Chief stated the latest merger study that involved the agencies throughout the Ross Valley started to wind down several months ago. He, along with Deputy Chief Shurtz, wanted to see what they could salvage from that study. They looked towards the Town of Ross and even though there is a geographical disconnect it started to make sense. He stressed that all the automatic aid and boundary drop agreements with neighboring agencies would remain. They are primarily looking at the administrative and managerial advantages of such a merger. The engine companies would stay pretty much the same. The positive benefit of the model is that they would be able to provide Ross with a full-time Fire Chief and the establishment of a Duty or Battalion Chief position with a reasonable investment from both communities. Both Ross and Larkspur currently lack this critical position. Along with the operational benefits they would be able to provide some managerial emphasis to areas that are lacking such as fire prevention and disaster preparedness. An additional Fire Fighter position would need to be hired to make this model work. Promotions would occur from within. Another cost item would be the overtime component. He referred to page 5 of the staff report and noted that there would be a cost of approximately \$290,000 should Larkspur choose to address these issues independent of Ross. The cost would be shared with Ross through a merger. The Town of Ross has embraced the idea and would like to continue the discussion. Staff is asking for permission and direction on pursuing the study and to begin to prepare a Draft JPA document.

Councilmember Hartzell had questions about the "at will" status of the Battalion Chief. The Fire Chief stated the position would be executive command officers.

Councilmember Lundstrom asked the Fire Chief how he would explain the benefits of regionalization to the public. The Fire Chief stated there were too many fire agencies in the Ross Valley and this merger is a good starting point at addressing this issue. It would provide greater overall efficiency, start to reduce the fragmentation, blend management and administrations, and reduce any overlap that may exist.

Mayor Arlas stated there were three areas that need to be looked at: 1) tremendous salary and cost differentials between the two departments; 2) will the equipment be compatible?; 3) cultural differences; 4) local control issues. He asked if this would be voted on by the citizens. The City Manager stated “no” and added a vote would occur only if separate funding were needed. A Joint Powers Authority would be established creating a governance body similar to the Twin Cities Police Authority. She noted the labor issues would be somewhat significant but she did not see any “make or break” issues. This would give them a chance to accomplish a Fire Prevention and Disaster Preparedness Program.

Councilmember Hillmer noted there were philosophical differences with the neighboring communities and he asked about the best way to check on any policy and/or administrative differences. He wanted to make sure they could get along well at a Council level. Councilmember Arlas agreed and stated Ross, at times, tends to be insular. The City Manager agreed that Ross could present a unique set of challenges. She noted the Twin Cities Police Authority has worked successfully for 27 years.

Mayor Arlas opened the meeting up to public comments.

Mr. James Holmes, Madrone Avenue, stated he appreciated the attempt to find ways to deliver services more efficiently. He posed the following questions: 1) Will the proposal benefit the two cities equally?; 2) Will Larkspur pay for part of the raises needed for the Ross personnel?; 3) What other costs would Larkspur have to bear on a 2:1 basis?; 4) Will the addition of a Battalion Chief benefit Ross more since they currently do not have a Fire Chief?; 5) Has Ross been underfunding its department for a number of years and would Larkspur be coming to its rescue?; 6) Will the equally divided JPA governing board benefit Larkspur as much as Ross? (Larkspur was putting up 2/3rds the capital while only getting ½ the vote); 7) Is the lack of common borders really not a problem?; 8) Is there really enough proximity for efficiency?; 9) Is the model involving the other agencies with geographic separation the same as this one ?; 10) Are the two cities a good fit?; 11) Does Ross have a lot of antiquated, obsolete firefighting apparatus and infrastructure?; 12) What would be the service implications, and the “nuts and bolts” effect on response time, etc.?; 13) Would Larkspur Firefighters spend less time helping Larkspur residents?; 14) Is it necessarily true that more management means better service?; 15) How do the service demands in Ross compare to those in Larkspur? He noted Ross has proportionately more hilly terrain, steep, narrow streets, isolated, gated estates and other firefighting challenges. They also have more old standpipes as opposed to real hydrants. He stated these questions need to be answered.

Councilmember Hillmer asked Mr. Holmes for a copy of those questions.

Mayor Arlas closed the meeting to public comments.

Councilmember Lundstrom stated some of the questions raised tonight needed to be answered and she would like further study.

Councilmember Chu stated any potential consolidation should be looked at and he agreed that there were questions that needed to be answered. They need to perform their due diligence and take a look at the benefits that this proposal might provide. He stated the City was deficient in the areas of fire prevention and disaster preparedness and he would support taking a look at funding the position exclusively for Larkspur. He volunteered to be on a subcommittee to work on a JPA.

Mayor Arlas thanked Councilmember Chu but stated Councilmember Lundstrom would be the logical choice since she was involved in the discussions regarding the possible Kentfield consolidation. This proposal has to be beneficial to Larkspur citizens and funding the position might be the best option.

Councilmember Hartzell agreed with the desire for more information and an exploration of the questions posed by Mr. Holmes. She stated it was good to go into something like this with the goal of success. She will keep an open mind and was in favor of the proposed command structure. She felt they were on the right track.

Councilmember Hillmer agreed with the comments.

Mayor Arlas stated the staff report recommendations were a bit “ahead of the game” and he would like to explore the questions raised without the thought of a JPA at this time. They need to figure out the cost benefits, financial implications, response times, etc.

M/s, Hillmer-Lundstrom and approved 5-0 to continue study of this proposal with the goal of determining the feasibility of drafting a JPA. Councilmember Lundstrom would serve as the representative to any subcommittee, with Councilmember Chu as the alternate.

The Council thanked the Fire Chief and Deputy Fire Chief for their good work.

2. AWARD BIDS FOR MULTIPLE SLIDE REPAIRS AND CAPITAL PROJECTS

The City Manager presented the staff report.

Councilmember Lundstrom referred to the Myrtle/Hawthorne Landslide Emergency Protective Measures Project and noted the lowest bid was appreciably over the Engineer’s estimated base bid. The Public Works Director agreed and stated that was the lowest bid. Construction costs continue to rise

and they could wait until the spring to see if costs come down. Councilmember Lundstrom asked if the bid was reasonable.

The Public Works Director stated it was expensive but he expected it to be over the estimate. Councilmember Lundstrom asked if he recommended accepting the bid. The Public Works Director stated "yes".

Councilmember Hartzell asked about the location of the Madrone Avenue Storm Damage Slide Repair Project. The Public Works Director stated it was across the street from 96 Madrone Avenue. Councilmember Hartzell referred to the Via La Paz Catchment Netting Project and stated this project would be in the public eye and she asked if aesthetics were considered. The Public Works Director stated "yes, to a degree". He stated he was hoping to obtain State or Federal funding for the project. There is a massive slide on the project and this is just a temporary catchment. The property owner is responsible for fixing the slide.

Councilmember Chu noted there was quite a bit of a disparity between the low bidder and 2nd bidder in several of the projects and he asked the Public Works Director if he was comfortable with the bids. The Public Works Director stated "yes". Councilmember Hillmer asked if the difference could be explained by a different approach by contractors. The Public Works Director stated "no" and added they had a mandatory pre-bid meeting and they were comparing "apples to apples".

Councilmember Hartzell asked if staff expected any challenges from any of the 2nd bidders. The Public Works Director stated "no".

Mayor Arlas opened the meeting to public comments.

There being no testimony, Mayor Arlas closed the meeting to public comments.

M/s, Hillmer-Lundstrom and approved 5-0 to adopt Resolution No. 33/07, No. 34/07, No. 35/07, No. 36/07, No. 37/07 No. 38/07, No. 39/07.

3. ADOPT RESOLUTION NO. 32/07, AMENDING THE CITY OF LARKSPUR FEE SCHEDULE TO ESTABLISH A FLAT FEE OF \$300 FOR RESIDENTIAL SOLAR PANEL INSTALLATIONS, AND AUTHORIZING STAFF TO REFUND THE DIFFERENCE BETWEEN THE CURRENT FEE AND THE NEW FEE, EFFECTIVE JANUARY 1, 2007

The City Manager presented the staff report.

Mayor Arlas opened the meeting to public comments.

There being no testimony, Mayor Arlas closed the meeting to public comments.

M/s, Lundstrom-Chu and approved 5-0 to adopt Resolution No. 32/07.

ADJOURN CLOSED SESSION

The City Council and City Manager adjourned to closed session at 9:22 p.m. to discuss the following items:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR- Pursuant to
Government Code Section 54956.8:

Property: Twin Cities Police Facility, 250 Doherty Dr. Larkspur, AP #022-120-12

Negotiating Parties: Twin Cities Police Authority, Twin Cities Police Council

Negotiating Agent

Jean A. Bonander, City of Larkspur Negotiating Agent

Discussion: Terms, Price or Both

ADJOURN FROM CLOSED SESSION

The Mayor adjourned to open session at 10:23 p.m. and indicated the Council took no reportable action.

ADJOURN MEETING

The Mayor adjourned the meeting at 10:25 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary