

Councilmember Chu stated the various EIR document define “ridership”, “trips”, and “passengers” as one-way trips. He stated the actual number of people is probably half or some factor above that figure for the 10% of people who do not go back in the same mode that they arrived. He asked for clarification on the terms “passengers” and “trips”. Chair McGlashan referred to page 2 of their January 28th response letter, the second bullet, and stated the word “rider” would be synonymous with people using the train but from a global perspective the figure should be cut in half. The figure for car trips are of concern to the Council and the “rider” is the top end figure that they need to worry about. He referred to page 3, the fifth bullet, and stated the projected 59 northbound riders could be 59 cars that are looking for a place to park. He noted the term “rider” is used in different ways and in a different context. Chair McGlashan stated there would be 60 northbound and 120 southbound riders that would use the train that are coming into the Larkspur “carshed” in a train instead of in a car. One could argue that there is a net decrease in the car trips in the area of 60.

Councilmember Chu noted the EIR states that the total number of one-way trips is 182 per day. Chair McGlashan stated 184 is the morning rush hour southbound total getting off at the Larkspur platform and they are conflating the northbound trips with the southbound trips. Councilmember Chu stated it was confusing because the EIR charts use the term “ridership” and defines the term as one-way trips. Chair McGlashan stated that was synonymous with the way they are now using the term “riders”- a one-way trip into the terminal. There would be 119 southbound trips or people coming down to the Larkspur station and getting off, and 60 people coming to the station potentially each in a separate car trying to go north. Those should be synonymous with the figures in the EIR. A “trip” is a person except when they do a round-trip but they are not really worried about round-trip totals. “Trip” or “rider” is the right number to worry about since that is the maximum number of cars that are trying to park.

Councilmember Chu stated it still does not make sense- if everybody took the same mode of transportation back and these were one-way trips (184) then the figure would be 92 vehicles. Chair McGlashan stated that vehicle is potentially moving twice a day- one person’s worth of parking but two car trips. In terms of SMART’s overall ridership value to society, the numbers would be cut in half- 5,000 trips would equate to about 2,500 people.

Councilmember Chu stated the Marin Airporter would lose over 200 parking spaces and he was concerned that people would have no place to park. The number of people being displaced would exceed the number of riders coming down. They certainly would like to see some type of long-term plan to get people out of their cars to reduce vehicle trips. He stated this system would reduce vehicle miles but not vehicle trips. He is concerned there is no short-term or medium-range plans. Chair McGlashan stated they might be able to avoid some of the car trips in the first place. The Transportation Authority of Marin (TAM) is trying to keep the car from beginning to roll in the first place. He discussed the “dial and ride” program and the shuttles.

They are trying to create an interconnected regional transportation system. SMART also proposes to build 47 to 72 parking spaces on the road to the Marin Airporter overflow lot so the net loss would be less than 200 parking spaces. The Marin Airporter will eventually lose that overflow parking anyway because of the Central Marin Ferry Connection Project.

Councilmember Lundstrom stated parking is in short supply regardless of the loss of the Marin Airporter parking. The upper lot is used by the Golden Gate Bridge District by ferry users. She referred to page 2 of the response letter and clarified that the Council objection was to a 1,000 car parking structure in the middle of the Larkspur Landing. The proposal by SMART to provide minimal parking is not realistic. Marin County does not have a good record in terms of using shuttle busses. She pointed out that parking was a line item in the SMART budget. She noted they put \$80 million in their expenditure plan for a bicycle/pedestrian path but would not look seriously at this important land planning issue in Larkspur. Chair McGlashan referred to page 2, the 5th bullet, and stated that SMART is willing to explore remedies with Larkspur and other affected jurisdictions. He would welcome a chance to talk about the Larkspur ferry parking issues at the Bridge District's Transportation Committee meeting. He would like to implement a joint planning approach. He stated they could not promise an increase in the forty to seventy parking spaces in the area near the Marin Airporter because that was a part of the EIR. Councilmember Lundstrom noted the response letter refers to "in the future" and she stated the future is now. She would like to begin discussions now on a cooperative basis. Chair McGlashan agreed.

Boardmember Dillon-Knutson agreed and stated they need to start planning and working together since this is not just a Larkspur and SMART problem. The discussions regarding parking and circulation planning needs to start now. However, they do not want to trigger another supplemental EIR.

Councilmember Hillmer stated these issues were brought to the SMART Board quite a while ago. The supplemental EIR should have included the concerns brought up by the Council. He agreed that they need to continue to work together. Chair McGlashan reiterated that the Board would like to proceed with a joint planning effort. Councilmember Arlas agreed that this joint effort is not something that should be left to the future. He was disappointed that the supplemental EIR did not include the Council's concerns about the lack of parking.

Ms. Hames clarified that the train will provide 70 miles of service up to Cloverdale and would be a direct feeder to the Marin Airporter. She noted the Council had previously objected to any parking structures at Larkspur Landing and they tried to bring an alternative forward. They did not model any new parking in Larkspur.

Mayor Hartzell referred to the five key issues identified in the January 8th letter from the City Manager and asked for comments regarding traffic circulation.

Councilmember Chu stated Councilmember Hillmer has made a number of key comments. They need to work on a collaborative way to deal with this issue since it is private property on both sides of Larkspur Landing Circle. These property owners need to be brought into the discussions. Chair McGlashan stated the one piece of good news was that the EIR found that the net impact from SMART should be a reduction in vehicle traffic in the area. Theoretically, the impact on intersections should be mitigated. Mayor Hartzell asked if the modeling included the frequency of and distance traveled by the shuttles. Ms. Hames stated “yes”. Mayor Hartzell asked about the number of shuttles. Ms. Hames stated there would be nine shuttles as a part of the project. Mayor Hartzell had questions about the shuttle routes. Ms. Hames explained the routes. Chair McGlashan stated the routes could be changed depending on the demand. Councilmember Arlas asked if there would be any shuttles bringing people from Southern Marin. A representative from SMART stated the shuttle was oriented around picking up people from the train and distributing them to destinations. There is no proposal for an origin-based shuttle.

Mayor Hartzell referred to the five key issues identified in the January 8th letter from the City Manager and asked for comments regarding medium and long-term implications of the Larkspur Station.

Councilmember Chu stated it was clear that the Association of Bay Area Governments (ABAG) would come back in the next cycle of the Regional Housing Needs Allocation (RHNA) and factor in higher densities due to the train station. Boardmember Dillon-Knutson stated she was a regional representative to ABAG and it is clear that many jurisdictions could not meet the RHNA numbers and need to get together and say “enough is enough”. The RHNA numbers are unrealistic.

Mayor Hartzell opened the meeting to public comments.

Mr. Mike Brown, Novato, stated many of the people using the train and transferring to the ferry would have previously been taking the bus and should not represent car trips. The shuttle route does not sound convenient for train riders.

Ms. Karen Nygren stated the project as proposed has not changed. The shuttle service is geared in one direction and the primary purpose is to get people to his or her workplace. There is nothing in the EIR that addresses getting people from their workplace back to the train. This is a 25-minute loop and could be longer given the congestion on Sir Francis Drake Boulevard. She stated she represents the Sierra Club who has great concern about a parking structure at the Larkspur Landing Circle.

Ms. Barbara Salzman, Larkspur, stated she is concerned that the Marin Airporter parking area was being given away for a bicycle/pedestrian path. She was concerned they would end up with a parking structure. She would like to see a good faith offer of taking that possibility off of the table.

Ms. Jerry Stark, Larkspur, stated he was concerned about the future of transportation in Larkspur and the congestion on the highway and residential streets. He stated what is needed is an integrated transportation system.

Mr. Andy Peri, representing the Marin Bicycle Coalition, stated he appreciated the tone of cooperation. The ferry took a survey of riders and found that 27% would be willing to bicycle to the ferry.

Ms. Marlo Fields, Novato, stated she participates in the "Curb Your Carbon" program at the local schools. She stated many people in Larkspur support SMART and they are looking to the Council to provide guidance for this seamless connection.

Mr. David Porter, Novato, discussed the public transportation in the South Bay and stated there was no reason why the SMART train could not work.

Mr. Steve Ruhlbaum, Santa Rosa, stated he takes the bus to the Airporter and it is very inconvenient. He would love to ride a train instead.

Mr. Tom Flynn, Larkspur, discussed the problem of global warming and stated he would like to see the train become a reality. He stated the shuttle system would be successful.

Mr. James Holmes, Madrone Avenue, agreed with all of the Council comments and concerns. He stated the ABAG RHNA quota was a very serious problem and the City and SMART should work with legislators to make sure ABAG does not double count transit facilities within one mile of one another.

Mayor Hartzell closed the meeting to public comments.

Councilmember Lundstrom stated the agreement towards a joint planning effort is a major step. She stated this planning effort needs to begin as soon as possible. She asked for a copy of the financial analysis when it becomes available.

Councilmember Chu agreed with Councilmember Lundstrom's comments. He spoke to Larkspur voters who were originally in favor of the proposal and informed them of the Councils' concerns. Some of them have rethought their positions. They need to continue to work together on these short and medium range problems.

This should not be viewed as an “all or nothing” thing and they can make incremental progress, such as the reduction in vehicle miles and eventually vehicle trips. He noted the Greenbrae Highway 101 Corridor Project should be included in these discussions.

Councilmember Hillmer stated they need to take these conversations seriously since they are going to get only one credible shot at making it work. These problems need to be solved. He added he wanted to make this work.

Boardmember Dillon-Knutson stated she also wanted to make this work because of its benefits to the environment.

Chair McGlashan thanked the Council for the opportunity to talk about these important issues. He was concerned about the environmental issues and will work to continuously improve the transportation system.

The Council took a 5-minute break at 8:05 p.m.

The meeting reconvened at 8:10 p.m.

APPROVAL OF CONSENT CALENDAR

The City Clerk certifies that this Agenda has been posted in accordance with the requirements of the Government Code

Approval of Warrants

Approval of Minutes: None

Adopt Resolution No. 08/08, Establishing Authorized Positions in the Competitive Service and Assigning a Salary Range to Each Position

M/s, Lundstrom/Hillmer and approved 5-0 to approve the Consent Calendar as submitted.

M/s, Chu/Hillmer and approved 5-0 to adjourn the meeting in memory of Mr. John DeBonis, long-time Larkspur resident and friend to the Larkspur Library.

CITY MANAGER’S ORAL REPORT

The City Manager reported the Council recently had a discussion regarding the Marin Telecommunications Authority Strategic Planning effort and the collection and disbursement of franchise revenue. Councilmember Chu drafted a letter regarding the Council’s position on these issues. She discussed the issue with other Marin County City Managers.

She stated there were a series of meeting regarding Community Choice Aggregation (CCA) which is a methodology for local governments to come together to acquire electricity and distribute it using PG&E's transmission system. These meetings are schedule for April 22nd and 23rd. Larkspur is the recipient of additional grants in the amount of approximately \$300,000 for alternative forms of transportation.

The path on Bay View and Elm Avenue will be renovated, along with the Post Street lot. The City also received a grant with an ADA component in the amount of \$300,000 to provide an access point at Apache. This path would lead to the multi-use path that goes along the High Canal. The City of Larkspur recently joined an organization called ICLEI which is a program that identifies those areas of carbon emission reduction. There is a conference in New Mexico in May. The next Regular Council meetings would be April 16th and May 7th.

She noted staff received several contacts from the public about the status of the application for 800 Magnolia Avenue, the potential new location for Corbet's Hardware. She noted this issue was not on the agenda and it would be inappropriate for the Council to discuss any content elements of the application since a number of discretionary permits have been applied for and would be reviewed by the Council. She asked The Planning Director to summarize the process. The Planning Director stated staff received an application from Pacific Design Group who is representing the property owner. The application is for a General Plan Amendment, Rezoning, Circulation Assessment, Initial Study, Design Review, and a Variance for parking. Staff has been working with the applicant to obtain a complete application and site plan. This property shares an access with the adjacent property but there is no access agreement. The plan shows the delivery vehicles using the adjacent property for loading and unloading. Staff has also been trying to address environmental issues. Staff would like to agendize the application for the first or second Planning Commission meeting in May.

Councilmember Hillmer noted that the property would be rezoned and he asked about assurances that the project would become a reality after the land use changes have been approved. He asked if there was an agreement between Corbett's Hardware and the property owner.

The City Attorney stated substantive questions about the project should be deferred until it comes before the Council. The Planning Director explained that this is a General Plan Amendment and Rezone which changes the land use from office to commercial uses. This allows for a broader range of uses than are currently allowed. If Corbett's does not move to the property this opens the site to other uses. There are long-range planning implications that go beyond the community's wishes and concerns. Councilmember Chu noted the General Plan and CEQA have certain statutory requirements that can be perceived as taking a long time.

The Planning Director stated any change in land use triggers CEQA and the potential environmental impacts need to be determined. The broader range of uses, such as restaurants, need to be reviewed.

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Lundstrom reported on the grants discussed by the City Manager. The grant that would link the path from Apache to the Sandra Marker Trail was from the Safe Routes to Schools. The other grant was the Non-Motorized Grant from the Federal Government which would be used to improve pedestrian and bicycle paths.

Councilmember Lundstrom reported the Greenbrae/Highway 101/Twin Cities Corridor Project Subcommittee met and summarized the comments recently made by the Larkspur and Corte Madera Councils. There was consensus in favor of one of the Northbound alternatives. The next step is to narrow the options for the EIR, to come up with some cost estimates, and to analyze the impacts to local streets.

Councilmember Lundstrom stated the Corte Madera Creek Flood Control Zone 9 District met to discuss the proposed two-year work program and funding. The group approved the two-year work program in the amount of \$1.3 million. The program will include a review of the entire watershed area and an analysis of dredging the creek. There is an initial estimate of \$12 million to dredge the muddy part of the creek. The group also allocated \$134,000 for creek maintenance. She noted the tributaries that lead to the creek are privately owned. She briefly discussed the lawsuit and how it would affect the process. She noted that “doing nothing” was not an option.

Councilmember Chu stated he was asked to co-host a Town Hall Workshop on under-aged drinking at College of Marin. Parents and students were in attendance.

PUBLIC COMMENT

Ms. Cami Noble, Larkspur resident, stated she support the relocation of Corbet’s Hardware. She asked the Council to support small, local businesses.

Ms. Barbara Stenson, Cornell Avenue, stated she supported the wonderful people at Corbet’s Hardware. She stated the City could not afford to lose this long-standing resource.

Mr. Bob Stenson, Cornell Avenue, stated they live very close to the new location and they have no opposition. He asked the Council to look at the “big picture” and the historic context.

Mr. David Strand, West Baltimore, stated he has been shopping at Corbet's Hardware for many years and hoped they would remain in the community. He asked the Council to expedite the process.

Mr. Jeffrey Morshead, Kentfield, stated he supported the relocation of Corbet's Hardware. He asked the Council to avoid getting "tangled up in good intentions". He noted the relocation would relieve congestion on Sir Francis Drake since people would continue to shop locally.

Ms. Debra Busse, Via La Brisa, stated Corbet's Hardware generates a great deal of sales tax revenue and she would hate to see it disappear.

Mr. Christopher Martin, Ross, stated he supported this long existing, family-owned, neighborhood serving business. He stated time was of the essence and he submitted a petition with 2,500 signatures in favor of the relocation.

Ms. Dawn Matheson stated she prefers to shop locally and she asked the Council to expedite the process.

PUBLIC HEARING

1. REINTRODUCE AND WAIVER OF FIRST READING OF ORDINANCE NO. 961, AN ORDINANCE OF THE CITY OF LARKSPUR, ADDING NEW CHAPTER 9.56 TO THE LARKSPUR MUNICIPAL CODE ENTITLED "SOCIAL HOST ORDINANCE.

Twin Cities Police Captain Mike McDuffee presented the staff report. He stated the ordinance has been redrafted and is a much better product. He noted one of the favorable aspects of the ordinance is its flexibility.

Councilmember Arlas complimented staff on the revised draft. He referred to page 1, Section 9.56.020, "Definition", (7), and stated this definition was overbroad and could apply to any gathering. He suggested the addition of the words: "... gathering or two or more persons *which includes at least one minor or juvenile*"...". He stated the goal of the ordinance is to deal with underage drinking. The City Attorney agreed and stated they could refine that definition. He noted Section 9.56.030, "Unlawful Minor Gathering on Private Property", prohibits the hosting aspect and might address Councilmember Arlas' concern. Councilmember Arlas stated there are ordinances on the books that deal with unruly gatherings. The City Attorney stated they could delete the term "unruly gathering" and add Councilmember Arlas' language. Councilmember Hillmer stated he wanted to make sure this was a tool that could be used by the Police Department and not recalcitrant neighbors.

Mayor Hartzell referred to Section 9.56.040, Enforcement and Penalties, (d) and asked if the language limits the Hearing Board from imposing a fine plus community service.

The Hearing Board should have the option of imposing both. The City Attorney stated the words "in lieu of" or "in addition to" could replace the word "alternatively".

Councilmember Chu raised the issue of an "emancipated minor" and noted the term was changed to "juvenile". He stated a parent should not be held jointly responsible for this individual. The City Attorney stated they might need to add this exception but their presence would still trigger the ordinance since they are under-age and drinking. This would only apply if his or her parent were hosting the event. Councilmember Arlas stated this should not be an issue since they were still a minor and were violating the law.

Councilmember Lundstrom referred to Section 9.56.040 (b), the last sentence, and asked for clarification. Councilmember Arlas stated the violator would not be able to argue the type of citation imposed. Mayor Hartzell referred to Section 9.56.040 (b) and asked that the term "his or her" be used.

Mayor Hartzell referred to Section 9.56.040 (c) and stated it sounded like violations were always misdemeanors. Councilmember Arlas stated it should be made clear that (c) and (d) are alternatives.

Mayor Hartzell opened the meeting to public comments.

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

Councilmember Chu stated he received feedback about the ordinance at the Town Hall meeting regarding consistency between the various Police Departments on how this ordinance would be implemented. Captain McDuffee stated Twin Cities Police Chief Green could agendaize this issue at the Marin County Police Chiefs' Association. Mayor Hartzell agreed with the suggestion of consistency. Councilmember Arlas disagreed and stated different communities might have different points of view.

Councilmember Hillmer asked if the Hearing Board in Sausalito, the model for this ordinance, was the City Council. Captain McDuffee stated the board would consist of members of the community. Councilmember Hillmer stated Larkspur was fortunate to have the Twin Cities Police Council serve as the Hearing Board.

M/s, Hillmer/Chu and approved 5-0 to reintroduce and waive first reading of Ordinance No. 961, as amended, and schedule the ordinance for adoption at the April 16th meeting.

The Council thanked Captain McDuffee for the good work.

2. ADOPT RESOLUTION NO. 07/08, ESTABLISHING THE 2008 CITY OF LARKSPUR FEE SCHEDULE

The City Manager presented the staff report.

Mayor Hillmer opened the meeting to public comments.

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

M/s, Chu/Lundstrom and approved 5-0 to adopt Resolution No. 07/08.

BUSINESS ITEMS

1. DISCUSSION REGARDING AERIAL SPRAYING TO ERADICATE THE LIGHT BROWN APPLE MOTH (LBAM)

The City Manager presented the staff report.

Councilmember Hillmer asked if the three, proposed actions were in conflict with one another. The City Manager stated “no”.

Councilmember Chu asked about taking action prior to the MCCMC Legislative Committee discussions. Councilmember Lundstrom stated that would not be a problem since this proposal could have a direct effect on Larkspur residents. It would also be consistent with past practices.

Mayor Hartzell opened the meeting to public comments.

Ms. Dawn Matheson, Green Court, stated she was opposed to the proposed spraying. The moth is not causing any injury to people and the effects of the spray are unknown.

Ms. Frances Hinkley, Corte Madera, stated the proposal is in direct violation of the Twin Cities Integrated Pest Management (IPM) Policy. She stated she did extensive research on the issue and she would be happy to provide the Council with the information.

The City Manager stated staff would place the resolution on the next agenda as a Business Item.

2. CITY MANAGER ORAL REPORT ON TWIN CITIES POLICE FACILITY

The City Manager presented the staff report.

Mayor Arlas had questions about the possible loss of Special Revenues coming from the State, including the COPS grants, Proposition 172 money, and reimbursement of booking fees. He asked if the City would need to make up the difference.

The City Manager stated “no” and added that both Larkspur and Corte Madera have reserves for the Twin Cities Police Department. She noted they were at full staffing levels for sworn positions in the Police Department.

ADJOURNMENT TO CLOSED SESSION

The City Council and City Manager adjourned to closed session at 9:45 p.m. to discuss the following items:

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
(Government Code Section 54596.9) City of Larkspur v. Jacobs Engineering Group (Marin County Superior Court Case No. CV 061094)

ADJOURN TO OPEN SESSION

The Mayor adjourned to open session at 10:20 and indicated no reportable action had been taken.

ADJOURNMENT

The Mayor adjourned the meeting at 10:22 p.m. in memory of Mr. John DeBonis, long-time Larkspur resident and friend to the Larkspur Library.

Respectfully submitted,

Toni DeFrancis
Recording Secretary