

**MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS
MINUTES**

**Wednesday, March 23, 2011
Town of Ross
Jason's Restaurant, 300 Drakes Landing
Greenbrae, CA 94904**

Members Present

Belvedere: Sandra Donnell
Corte Madera: Diane Furst, Bob Ravasio
Fairfax: Larry Bragman, Pamela Hartwell-Herrero, David Weinsoff
Larkspur: Larry Chu, Dan Hillmer, Joan Lundstrom, Len Rifkind
Mill Valley: Andy Berman, Garry Lion, Shawn Marshall, Stephanie Moulton-Peters, Ken Wachtel
Novato: Denise Athas, Pat Eklund, Jeanne MacLeamey, Madeline Kellner
Ross: Scot Hunter, Chris Martin, Carla Small, Rupert Russell, Rick Strauss
San Anselmo: No members present
San Rafael: Al Boro, Greg Brockbank, Damon Connolly, Barbara Heller, Marc Levine
Sausalito: Carolyn Ford, Jonathan Leone, Linda Pfeifer, Herb Weiner
Tiburon: Jim Fraser, Alice Fredericks, Emmett O'Donnell, Jeff Slavitz

Also present were the following City and Town Managers: George Rodericks, Belvedere; Gary Broad, Ross; Nancy Mackle, San Rafael.

Call to Order: President Marshall called the business meeting to order at 6:55 p.m.

Public Comment: None.

Welcome and Introduction of Guests: Mayor Martin welcomed everyone to the meeting. Martin introduced the members of the Ross Town Council (all present) and Staff: Police Chief Erik Masterson, Planner Elise Semolian, and Deputy Town Clerk, Linda Lopez.

Mayor Martin also welcomed the following guests: Supervisor and Board President, Susan Adams, Supervisor Steve Kinsey; Marin County Administrator, Matthew Hymel; Marin Clean Energy Executive Director, Dawn Weisz; League of Women Voters representatives Margaret Jones and Patsy White, League of California Cities Regional Public Affairs Manager Nancy Hall Bennett, and the speaker, ABAG Executive Director, Ezra Rapport.

Mayor Martin turned the meeting back over to President Marshall, who moved on to the Business Meeting:

Approval of Minutes: From the meeting held on February 23, 2011

Motion and seconded (Kellner/Fredericks) to approve the minutes. Motion passed by acclamation.

Call for Nominations – California Coastal Commission

Nominations Received: Marin County Supervisor Steve Kinsey
Nominations from the Floor: San Francisco Supervisor Ross Mirkarimi; Sebastopol Mayor Sarah Gurney

Because there were multiple nominations, President Marshall said that there would be a roll call vote at the end of the meeting, with each city having one vote, according to the MCCMC by-laws.

Supervisor Kinsey made a brief statement of interest in the position; he said the [North Central Coast] seat on the commission represented the areas of San Francisco, Marin and Sonoma Counties; he said his supervisorial district was positioned well in the middle of this area. Kinsey said he had worked on environmental projects, such as salmon restoration, as well as agricultural projects, that had contributed to the well-being of the coastal area in his district.

Larry Bragman spoke in favor of Mirkarimi and Gurney, the current incumbent and alternate, stating they were the most highly rated environmental members of the California Coastal Commission. He said they had been defenders of the Marin coast, for example, having voted to reverse the Marin County Supervisor's approval of a wind station on the coast, from concern about impacts to the Pacific Flyway.

Action Item - Appointments to fill 2011 Committee Vacancies

Disaster Advisory Council (now known as the Marin County Disaster and Citizen Corps Council) – Len Rifkind, incumbent, was appointed to the county-wide council to replace Susan Brandborg and has served one year of a two-year term, expiring in March.

Nominations Received: Len Rifkind
Nominations from the Floor: None

Moved and seconded to reappoint Len Rifkind (Eklund/Weinsoff). Motion passed by acclamation.

Committee Reports:

- Joint Powers Oversight Committee (Pat Eklund)

Pat Eklund said the committee met every other month in 2010 and reviewed the list of over 30 joint powers agreements in the County. She also said the committee had responded to a request for information from the Marin County Grand Jury. Eklund said the committee had reviewed information pertaining to the Standardized Emergency Management Systems (SEMS) program and how it related to the Nation Incident Management System (NIMS). She said the committee had adopted a workplan for 2011 that included a review of the Marin Emergency Radio Authority (MERA), followed by the Hazard & Solid Waste and Major Crimes Task Force JPAs.

- Disaster and Citizen Corps Council – DC3 (Len Rifkind)

Len Rifkind thanked the membership for his reappointment to DC3. He said that the Council was chaired by Supervisor Adams, who had also appointed him to chair a subcommittee for public education (PDEP). He said that PDEP's goal was to create resilient communities, through preparedness at the grass roots level. He distributed a written report, in addition to his oral report.

- Homeless Policy Committee (Len Rifkind and Greg Brockbank)

Rifkind said that the committee heard from "Housing First" which estimated that housing would create a 10:1 cost savings over temporary shelters. Greg Brockbank reported on the progress made by the committee, which he said had had started as an informal group, and now had by-laws, rosters and a designated position. He thanked Supervisor Adams for encouraging city representation on the committee.

- TAM (Alice Fredericks)

Alice Fredericks reported on the Regional Transportation Plan (RTP) process component of SB 375. She said that TAM was conducting workshops (on March 24 and 26) to facilitate the preparation of a project list that would qualify for MTC funding. She noted that all RTPs were due

by April 29. Locally, Fredericks reported that [TAM] Measure B funds would begin to be allocated in the County in November of this year.

- Legislative Committee (Alice Fredericks)

Chair Fredericks said the committee had voted to support AB 153, legislation that would attempt to capture tax on internet sales. She said the committee had also voted to support legislation that would help CCAs, on an urgency basis, and would continue to oppose bills that would take transient occupancy taxes (TOT) away from cities. Fredericks said the committee had received an article written by former Labor Secretary, Robert Reich, which discussed how public employee and private sector employee benefits were not really comparable. For example, Fredericks said that 48% of public employees had college education versus a much lower statistic in the private sector. She said the committee had expressed a concern that the current political climate seemed to place an unfair burden on public employees to try to solve the country's economic problems.

- League of California Cities (Nancy Hall Bennett)

Nancy Hall Bennett said that the League Board of Directors had voted to support the California Redevelopment Association proposal to save RDAs. She said this meant that a portion of redevelopment funding would go to schools in RDA project areas. Bennett gave a brief update on the State budget. She said that the Legislature still had not taken action on the Governor's tax extension proposal, or the proposed elimination of RDAs.

- SMART (Joan Lundstrom)

Joan Lundstrom said that at the March 14 Board meeting, it was reported that the Santa Rosa to San Rafael segment still faced a \$100 million shortfall. She said the shortfall resulted from actual versus projected sales tax revenues. Lundstrom said the Board was looking at ways to cut costs, such as building a "barebones" maintenance yard, renovating (instead of rebuilding) the Haystack Bridge, deferring construction of the bikeway, and possibly dropping a railroad station at Atherton and Corona Roads. She said these changes were estimated to save \$88 million, which would not cover the estimated shortfall. Lundstrom said there would be a workshop on April 6 and that the Board welcomed feedback, prior to voting on the question of bond issuance, at its April 20 meeting.

- Golden Gate Bridge, Highway & Transportation District (Al Boro)

Al Boro said that the 75th anniversary of the Golden Gate Bridge was to be the theme of this year's Marin County Fair. He said the Golden Gate Parks Conservancy and National Parks Service was teaming with the Board on celebration planning. Boro also said that the public hearings on the elimination of the toll taker positions had not been well attended and that installation of the new ticket machines was underway.

Mayor Boro also took the opportunity to introduce Nancy Mackle, newly appointed San Rafael City Manager, and welcome her to the group.

Other Reports

- Marin Clean Energy (Dawn Weisz, Executive Director)

Ms. Weisz reported on the successes of the energy authority, to date. She said that it was only one of three agencies in the State to meet its 20% "renewables" goal. She also said the Board would be implementing its first rate decrease, in July. She reviewed other components of the program in a powerpoint presentation.

- Ad hoc committee on Pension Reform (Larry Chu)

Larry Chu said the committee was going to hold its fourth meeting in the coming week, and that the committee's agendas and meeting materials were posted on the MCCMC website. He said the group also included MMWD and the Novato Sanitary District.

Chu said that while no one had every really defined what "unsustainable" meant with regard to pension and post-retirement benefit projections, the committee was focusing its studies on the impacts of the current economy on municipal budgets over the next 5 to 10-year timeframe. He said what was known was the bad track record of pension fund returns, and the bad economy, which resulted in cities having to cut back on services and programs. He said that SB 400, passed in 1999, had created benefit levels that would require a higher than 20% return on investments in order to sustain them, and to make up for past poor performance. He said the committee hoped to produce a "tool kit" for use by local governments to address these issues. Chu also said that the committee would report to the North Bay Division of the League at its July meeting.

Supervisor Kinsey asked whether the committee thought it was up to the State, or local governments, to address these issues. He said that having participation from a wider audience, across a broader spectrum, would help maintain a competitive workforce.

Margaret Jones asked why public employees were left out of Social Security, and whether they could get back in. [A brief discussion of the legal and historical background ensued...].

In response to another question from the group, Chu commented that SB 400 had created retroactive benefits that might be unraveled, based on political will.

Coastal Commission Vacancy:

President Marshall asked for a roll call vote on the Coastal Commission vacancy. Secretary Crane Iacopi recorded the following vote, by city:

Belvedere – Kinsey; **Corte Madera** – Kinsey; **Fairfax** – Mirkarimi/Gurny; **Larkspur** – Kinsey; **Mill Valley** – Kinsey; **Novato** – Kinsey; **Ross** – Kinsey; **San Anselmo** – Kinsey; **San Rafael** – Kinsey; **Sausalito** – Kinsey; **Tiburon** – Kinsey.

Program: "Marin's Role in the Sustainable Communities Strategy"

Speaker: Ezra Rapport, Executive Director, ABAG

Mayor Martin introduced Ezra Rapport and gave his background and qualifications.

Mr. Rapport said that ABAG was the Bay Area's comprehensive, metropolitan planning agency. He said that SB 375 required cooperative planning processes across agencies. Rapport said that ABAG and MTC were partners in this planning, with ABAG having the land-use component, and MTC the transportation component.

Rapport said that the Sustainable Communities Strategy (component of SB 375) planning process required local governments (in ABAG) to identify locations where 70% of the growth could take place; he said that the other 30% would be in the urban growth footprint. He said that Marin was not an area to be urbanized or paved over, and that Marin would most likely take very little of the growth. However, Rapport said that other counties might not accept this and expect Marin to take on more of a fair share. He said that the growth formula would be set by June of this year by ABAG, based on projections to 2016. He said that feedback was needed from each city and that ABAG would conduct two workshops in each county. He said the next Marin County workshop would take place on May 11, in San Rafael.

Councilmember Barbara Heller questioned the 5,000 units of housing that San Rafael was supposed to develop, based on the SCS projections. Mr. Rapport said that Marin needed to determine a place where growth could take place. He said that San Rafael was considered a "city center" in Marin, and it had a transportation center. He suggested that San Rafael might zone for maybe a third of that number by the 2016 target.

In response to a question posed by Councilmember Kelly, Mr. Rapport said the numbers stated in the 25-40 year projections were not legally binding; however, he stated that the RHNA numbers were.

Councilmember Rifkind asked whether the growth projections used in this process were made before or after the Great Recession. He asked where the people would come from. Mr. Rapport said that the important thing was to have a discussion of projected growth, over time, and that using large numbers forced more of a long-term vision.

Councilmember Ford asked how cities could actually plan for the RHNA allocations under existing zoning. She asked if there was any relief for cities in the current RHNA cycle. Mr. Rapport said that any zoning already done by cities to meet these requirements would count toward the total RHNA number. He also noted that second units counted in RHNA numbers.

Vice Mayor Brockbank questioned the growth and income assumptions in Mr. Rapport's report over the next 25 years. Mr. Rapport said that SCS was not an AB 32 initiative, but conceded it was confusing because it used the same metric. However, he said that the common ground was the issue of resource depletion and the need to plan and manage resources.

Mayor Slavitz asked if the ABAG representatives would come to each city council to explain the SCS requirements and RHNA allocations. Mr. Rapport said that the information was being disseminated to the city planning staffs to bring to their councils.

President Martin thanked Mr. Rapport for his clear and candid presentation.

Adjourn: 9:05 pm to a meeting of the Mayors Select Committee. The next regular meeting of MCCMC will be held on April 27, 2011, hosted by the Town of San Anselmo.

Mayors Select Committee meeting:

The committee members (Bragman, Chu, Wachtel, Kellner, Martin, Boro, Weiner, Slavitz) voted to ratify the nomination of Supervisor Steve Kinsey for California Coastal Commission, North Central Coast, with one dissenting vote (Bragman).

Adjourn: 9:10 p.m.

Submitted,

Diane Crane Iacopi, Secretary-Treasurer