

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

**Wednesday, March 28, 2012
Hosted by the City of Mill Valley
Mill Valley Community Center
180 Camino Alto, Mill Valley, CA 94925**

Members Present

Belvedere: Sandra Donnell

Corte Madera: Alexandra Cock, Carla Condon, Diane Furst, Michael Lappert, Bob Ravasio

Fairfax: Pam Hartwell-Herrero, Ryan O'Neil, John Reed, David Weinsoff

Larkspur: Larry Chu, Brad Marsh, Ann Morrison

Mill Valley: Garry Lion, Shawn Marshall, Stephanie Moulton-Peters, Ken Wachtel

Novato: Denise Athas, Pat Eklund, Eric Lucan, Madeline Kellner, Jeanne MacLeamy

Ross: Carla Small

San Anselmo: Kay Coleman, Jeff Kroot, Lori Lopin

San Rafael: Damon Connolly, Andrew McCullough, Barbara Heller, Gary Phillips

Sausalito: Michael Kelley, Herb Weiner

Tiburon: Jim Fraser

Also present were the following City Managers and Staff: Belvedere City Manager George Rodericks, Assistant to the City Manager, Felicia Wheaton, and Planner Lorraine Weiss; Fairfax Town Clerk Judy Anderson and Planning Director, Jim Moore; Larkspur Senior Planner Neal Toft; Mill Valley City Manager Jim McCann (and other staff listed below); Novato City Manager Michael Frank and Interim Community Development Director, Anne Moore; Ross Interim City Manager Pat Thompson and Senior Planner Elise Semonian; San Anselmo Town Manager Debra Stutsman; San Rafael City Manager Nancy Mackle, Community Development Director, Paul Jensen, and Economic Development Manager, Stephanie Lovette; Sausalito City Manager Adam Politzer; Tiburon Town Manager Peggy Curran and Town Clerk (MCCMC Secretary) Diane Crane Iacopi.

Call to Order: President Kellner called the business meeting to order at 7:05 p.m.

Public Comment: President Kellner said that the public was welcome to comment on the evening's topic or anything else at this time; also, she said there would be a 30-minute period after the formal meeting adjourned at 8:30 p.m. in which to comment or ask more questions.

The following people spoke:

1. Susan Kirsch, Mill Valley Community Coalition for Local Control, spoke against the [state] housing requirements which she said had gone from a "culture of caring" to "mandates, manipulation and greed";
2. Katie Hallal, Environmental Forum of Marin, invited everyone to participate in the upcoming program of adult environment education starting April 21;
3. Carolyn Leonard, Citizens for 94903, said Marin County was both the wealthiest and healthiest County in California; asked for support in saving the Marin County Public Health Lab that was in danger of being outsourced to another county due to budget cuts;
4. Dave Bonfiglio, and another representative (Gerard Bourguignon) from the American Cancer Society, spoke in favor of Proposition 29 on the June ballot that would raise the tobacco tax by one dollar for research and programs;
5. Gerard Bourguignon said that both of his parents had been smokers and that he was recovering from breast cancer;
6. Whitney Merchant, 10-year resident of Ross Valley, said it was becoming clear to her that she could not afford to live in Marin County; said that she was not alone and urged the audience to talk about how to solve this quality of life issue;

7. Clayton Smith, TAM Valley, spoke again governmental control and in favor of liberty and self-determination; said that giving in to the ABAG Plan for transportation dollars would be an act of cowardice by politicians and bureaucrats;
8. Woman [name unknown], also spoke about what she considered the loss of liberty under this program;
9. George Gordon, Mill Valley, said that ABAG was neither elected nor had specific powers and that citizens should be able to vote to see if they wanted the [Mill Valley] Council involved with this plan.

Welcome and Introduction of Guests: At 7:30 p.m. Mayor Lion welcomed everyone to the meeting and introduced the members of the Mill Valley City Council (Councilmember Berman was absent) and City Staff: City Manager Jim McCann, City Clerk/Administrative Assistant Kelsey Rogers, City Attorney Greg Stepanicich, Director of Finance Eric Erickson, Director of Planning and Building Michael Moore, Senior Planner Danielle Staude, Police Chief Angel Bernal, Fire Chief Jeff Davidson, Director of Public Works Jill Barnes, and City Librarian Anji Brenner. Mayor Lion gave special thanks to City Clerk Kelsey Rogers for organizing the event.

Mayor Lion welcomed guests Supervisor Kate Sears and her aide, Maureen Parton; League of Women Voters representatives Margaret Jones and Patsy White, League of California Cities Regional Public Affairs Manager Nancy Hall Bennett, TAM Executive Director Dianne Steinhauser and TAM Planning Manager Linda Jackson. He also welcomed the speakers, ABAG Planning Director Ken Kirkey, and ABAG Vice President and Clayton City Councilmember, Julie Pierce.

Mayor Lion turned the meeting back over to President Kellner for the Business Meeting:

Approval of Minutes: From the meeting held on February 22, 2012

Motion and seconded (Lucan/Athas) to approve the minutes. Motion passed by acclamation.

Appointments to fill current vacancies on Local and Regional Committees:

1. Cal-ID Remote Access Network – One vacancy (position previously held by Barbara Thornton) - Two-year term ending in March, 2012
 2. League of California Cities, North Bay Division – One vacancy for MCCMC representative to Executive Committee (position previously held by Madeline Kellner who is now First Vice President) – Remainder of one-year term ending December 31, 2012
1. There were no nominations for the Cal-ID RAN appointment.
 2. Stephanie Moulton-Peters submitted a letter of interest for the League vacancy.

Moved and seconded (Athas, Eklund) to appoint her to the North Bay Division Executive Committee. Motion passed by acclamation.

President Kellner announced that Marc Levine had been appointed by ABAG as the regional alternate to BCDC. [Jill Techel of Napa was appointed as representative.]

Committee reports:

- League of California Cities – Nancy Bennett congratulated Stephanie and said the next meeting would be on April 19 in Healdsburg. She also said that Legislative Action Days in Sacramento were scheduled for April 25 and 26. Also invited everyone to the Bocce tournament on April 29 (CITIPAC invitation).

- Alice Fredericks submitted three written reports (TAM, MCCMC Legislative Committee and GGBHTD). Madeline referenced the Legislative Committee report and asked that each member city send a representative to the meetings now that the Legislature was in full session again.

Presentation: SCS, RHNA, Jobs-Housing Connection/One Bay Area Plan

Mayor Lion introduced Mr. Kirkey, Planning and Research Director of ABAG since 2006. He also introduced Julie Pierce, Vice President of ABAG and councilmember from the City of Clayton.

Ms. Pierce said that the Bay Area Plan was not the final plan, nor was it the only plan that would be done in the 30-year period; she said it would be updated every four years.

Mr. Kirkey gave a powerpoint presentation. He wove together the various components of RHNA, SCS (Sustainable Communities Strategy), and SB 375 and how they comprise ABAG's One Bay Area Plan. He said that ABAG was a partner agency with MTC and said that grant funding would be available through MTC to communities that planned for transportation-related housing in future.

Kirkey said he had received the questions from the membership had been submitted in advance. He acknowledged the confusion regarding the housing allocations and different versions of the plan. He said that ABAG was responsible for distributing the [State] housing allocations throughout the nine-county Bay Area. He said that ABAG was responsible for leading the SB 375 implementation plan.

Mr. Kirkey presented a timeline for adoption of the plan. He said that on April 13, transportation scenarios would be released; in May there would be a full meeting of MTC and ABAG to approve the jobs-housing connection scenario and release the RHNA methodology. Kirkey said there would be outreach through TAM, the Planning Directors group, and MCCMC, but that this window of time was critical for comment. He said the EIR process would start in June; the draft EIR would be released in November, and final adoption of the plan should take place in April 2013.

At the end of his presentation, Mr. Kirkey responded to questions raised by the membership:

- Diane Furst commented that many of the questions submitted by the membership had gone unanswered in the presentation. She pointed to the issues raised in Question Nos. 3 (reducing some RHNA numbers for certain communities and raising them for others) and 4 (peer review). Regarding No. 3, Mr. Kirkey said that the later scenarios contained corrections to earlier versions and that the changes were fairly modest across jurisdictions. He said that ABAG was planning to conduct a peer review study.
- Carla Condon commented on one of the preferred alternatives that would require communities that were already built out to "build up" which would be out of character for Marin County. Mr. Kirkey said that state law required planning for housing in a fair share way and noted that ABAG had received criticism for assigning lower housing numbers in some communities versus other communities; he said that RHNA was about planning and that SCS had no requirements in it to change a jurisdiction's general plan or zoning ordinance, rather it was for transportation planning. He said that "how you grow" is a local decision.

Mayor Lion thanked the speakers for their presentation. He noted that the Mill Valley City Council was organizing a workshop to discuss the Bay Area Plan.

At 8:45 p.m., President Kellner adjourned the meeting to the next regular meeting in Novato on April 25, 2012.

President Kellner invited anyone who wanted to stay to ask questions of the speakers for another 30 minutes. The following people spoke:

1. Lady from Mill Valley (name unknown) commented on the affordable housing quotas and asked whether there was another way to address this issue in communities that were already built out;
2. Clayton Smith said that another recession was coming and asked if ABAG had accounted for this in its projections of jobs; [Kirkey talked about forecasting methodology; He also noted that home-based work and telecommuting was captured in the ABAG jobs model];
3. Barbra Patton asked who pays the ABAG budget and who will pay to implement these plans; [Julie Pierce said that the ABAG Board was comprised of elected officials who were appointed by their constituents to serve as their representative to ABAG; she said she represented all of Contra Costa County; she said that ABAG's budget for this process was derived primarily federal transportation funding];
4. Shawn Marshall said it would be helpful to have more detailed budget information; [Mr. Kirkey said that his department's budget was \$2.5 million per year and was comprised of 12 planners; he said they worked on a variety of land use issues, as well as earthquake and hazard mitigation; Green Business planning; and the Bay Trail and Water Trail for the nine counties];
5. Joyce [last name unknown], Mill Valley asked where the housing numbers came from and whether there was any punishment if the numbers were not met or adhered to. [Mr. Kirkey described RHNA and said that a jurisdiction could not be sued for not building but that they had to plan for housing; he said that there was no penalty at the ABAG level.] Shawn Marshall asked who had sued Corte Madera. Mr. Kirkey said that the lawsuits against both Pleasanton and Corte Madera had been brought by affordable housing groups who had found fault with the process (he said that Pleasanton had capped housing in its plan).
6. Ann (last name unknown), questioned the validity of the numbers and said that they would create unhealthy communities through crowding, poor air quality near freeways, etc; [Mr. Kirkey said that the PDAs were all submitted by local governments but that other agencies such as the Bay Area Air Quality Management Agency might be able to help address some of the issues];
7. Sharon Ruston commented on the high vacancy rate of commercial buildings; asked why jobs could not be "brought in" to alleviate workers having to commute out of their cities and county.
8. John McCallan, Mill Valley, said that the housing allocations at the local level were unattainable and should be addressed. [Mr. Kirkey said talked about the way RHNA was structured but said that the Marin numbers had gone down considerably over two decades];
9. Mitch Schwartzman, financial planner, said the process felt like bullying to him; he also cited an example of what he thought was the failure of the process of a 20-unit project on Camino Alto which had been zoned for in the 2003 Mill Valley Housing Element that the community was now opposing.

The question and answer period ended at 9:30 p.m.

Submitted,

Diane Crane Iacopi
MCCMC Secretary