

**COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS  
MINUTES**

**Wednesday, June 22, 2011  
City of Sausalito  
The Spinnaker Restaurant – 100 Spinnaker Drive  
Sausalito, CA 94965**

**Members Present:**

Belvedere: Tom Cromwell, Sandra Donnell  
Corte Madera: Michael Lappert, Bob Ravasio  
Fairfax: No members present  
Larkspur: Larry Chu, Kathy Hartzell, Dan Hillmer, Joan Lundstrom  
Mill Valley: Garry Lion, Shawn Marshall, Stephanie Moulton-Peters, Ken Wachtel  
Novato: Denise Athas, Carole Dillon-Knutson, Pat Eklund, Madeline Kellner, Jeanne MacLeamy  
Ross: Carla Small, Rick Strauss  
San Anselmo: Kay Coleman, Ford Greene, Barbara Thornton  
San Rafael: Al Boro, Greg Brockbank, Damon Connolly, Barbara Heller, Marc Levine  
Sausalito: Carolyn Ford, Michael Kelly, Jonathan Leone, Linda Pfeifer, Herb Weiner  
Tiburon: Dick Collins, Jim Fraser, Alice Fredericks, Emmett O'Donnell, Jeff Slavitz

**Call to Order:** President Shawn Marshall called the business meeting to order at 7p.m. She noted that the BCDC item was being moved up on the agenda before the Committee Reports.

**Public Comment:** President Marshall introduced Katherine (“Kate”) Sears, newly appointed District 3 Supervisor, who Marshall noted had “deep, local roots.” Councilmember Garry Lion introduced the new CEO of the Marin Economic Forum, Neil Stone, and said that he would be coming to all the city Councils in the near future to discuss how MEF wants to work with Marin’s cities to promote economic vitality balanced with environmental conservation and social equity.

**Welcome and Introduction of Guests:** Mayor Weiner introduced the members of the Sausalito Council: Vice Mayor Michael Kelly, Councilmembers Carolyn Ford, Jonathan Leone, and Linda Pfeifer, and former Sausalito Mayor and Councilmember, Amy Belser. The Mayor also introduced members of the Sausalito City Staff: City Manager Adam Politzer, Police Chief Jennifer Tejada, City Attorney Mary Wagner, Finance Director Charlie Francis, Public Works Director Jonathon Goldman, and City Clerk Debbie Pagliaro. He also welcomed City Managers George Roderick (Belvedere), David Bracken (Corte Madera), Dan Schwarz (Larkspur), Jim McCann (Mill Valley), Michael Frank (Novato), Gary Broad (Ross), Debbie Stutsman (San Anselmo), and Nancy Mackle (San Rafael).

Weiner welcomed the following guests: Marin County Supervisors Susan Adams and Kate Sears, Aide Leslie Alden, Marin Economic Forum CEO Neil Stone, LAFCO Executive Director Peter Banning, League of Women Voters representative Patsy White, League of California Cities North Bay representative Nancy Bennett, former Mill Valley Mayor and Councilmember John Leonard, guest of Councilmember Lundstrom, Dr. Lou Schwarz, guest of Councilmember Michael Lappert, Maureen Daly, and the panel of speakers for the evening: Kevin Diodge, Kimball Livingston, and John Williams.

Mayor Weiner turned the meeting back over to President Marshall.

**Approval of Minutes:** From the meeting held on May 25, 2011

*Moved and seconded (Slavitz/Fredericks) to approve the minutes, as written. Motion passed by acclamation.*

### **BCDC – Bay Plan Amendment 1-08 (climate change) Update**

Executive Director Will Travis reported on the latest findings to address the effects of climate change in coastal zones. He said that while most comments on the Bay Plan Amendment had been favorable, some people had expressed concern about in-fill development. He said BCDC's authority extended not farther than 100 feet from shore, and the commission's findings recommended protection of private property from flooding even if it required fill. He said the next public hearing was scheduled for September 1, with final adoption of the report set for October 6.

### **Committee Reports**

**SMART (Joan Lundstrom)** – Lundstrom said he was stepping down on June 30. She reported on the actions taken at the June 15 Board meeting and repeated her parting advice to the agency: "I urged a tight review of all risk items that could cause overruns, such as environmental mitigation costs, overruns for rebuilding two bridges and a tunnel, and to not take cost savings items previously noted which include cuts in the multi-use path and one year deferral of operations, as I believe the cost estimates don't have a comfortable amount to feel good about."

**Disaster Council Citizen Corps (Garry Lion for Len Rifkind)** – In the interest of time, Mr. Lion made reference to Councilmember Rifkind's written report which had been distributed at the meeting.

**Mayor's Select Committee May 25 meeting (Jeff Slavitz/Pat Eklund)** – see "other reports" below.

**Transportation Authority of Marin (Alice Fredericks)** – Fredericks said that TAM would undertake the issue of funding the SMART train shortfall at its next meeting. She gave a detailed description of the potential fund sources and said that the \$8 million of Prop 1B funds under consideration for SMART could be backfilled by Measure A surplus funds. Additionally, Fredericks said that SMART had been identified as a recipient of RM2 (Measure 2) funds and that the "connector" project would be backfilled with Non-Motorized funds. Fredericks said that the TAM funds represented 2% of the overall funding under consideration at this time, while 59% would come from MTC, 29.9% from Sonoma County, and 2.7% from Marin County. Fredericks said that because Marin had a higher projected ridership, this which meant that Marin would be "getting more and paying less" to help meet the shortfall.

**Legislative Committee (Alice Fredericks)** – Fredericks said that the committee had voted to oppose two bills that would threaten local control: SB 438 (outsourcing of Library Services) and a municipal bankruptcy bill that would, among other issues, cut off access by cities to Chapter 9 (Federal Bankruptcy) protection. She said that the committee would continue to follow these bills over the summer.

**League of California Cities (Nancy Hall Bennett)** – Ms. Bennett reported that a budget had been adopted by the Legislature and subsequently vetoed by the Governor. She said that COPS funding had been eliminated and that the tax extension would expire next week. On another matter, she invited everyone to the North Bay Division meeting in American Canyon on July 28, as well as the League's annual conference to be held in San Francisco in September.

**Pension and OPEB committee (Larry Chu)** – Chairman Chu said that the committee had completed its work and would be coming to the individual councils to make reports. He said the committee's report would also be posted on the MCCMC website. President Marshall thanked Councilmember Chu for his service in this matter.

## Other reports

- RHNA distribution in Spheres of Influence (SOIs) – Brian Crawford (Marin County Planning Department); Peter Banning (LAFCO)

Four speakers provided some background and analysis of the issue: Peter Banning, LAFCO, Brian Crawford, Marin County Department of Community Development, Supervisor Adams, current ABAG President, and Councilmember Eklund, member of ABAG Housing Committee.

Peter Banning gave some history of LAFCO and suggested that the agency's influence in the debate had been lessened when language defining SOI boundaries had been changed in the year 2000 from "ultimate" to "probable" boundary. He also said that significant areas considered for annexation had already been removed from the cities' allocation.

Brian Crawford said the Ms. Eklund's memo provided good background and history of the issue. He said that staff had initially recommended adoption of a 100% allocation to the County. But he explained how the 75/25 allocation would play out between the cities and county by using San Rafael as an example. He said that under the 75/25 allocation, San Rafael would have 25 units and the rest of the cities, fewer units, so that a 75/25 versus 50/50 split did not represent that many housing units in the overall formula. Crawford suggested that it was still early in the RHNA cycle and that if one were to compare the last RHNA report to the current report released by ABAG in March, it represented a 25% reduction in housing units allocated to Marin and an increase to the other counties.

Jeff Slavitz said he had chaired a meeting of the Mayor's Select Committee on May 25 during which Councilmember Eklund presented materials showing the jobs and housing projections over time in the cities' Spheres of Influence. Slavitz noted that while this issue affected some cities more than others, the consensus of the committee was to show solidarity with those cities most affected by this allocation, and to support Councilmember Eklund's proposal of a 50/50 split between the cities and county.

Pat Eklund said that when she first joined the Housing Methodology Committee in 2006, it was recommended that 100% of the allocation go to the County; since that time, she said the ABAG Board had voted to make the split 75/25, with the cities responsible for 75%. Ms. Eklund said she had researched the issue further and found that both the Legislative Committee and MCCMC had recommended a 50/50 split in the past, and that a 2007 ABAG resolution also endorsed this recommendation. Eklund questioned the legal authority of the ABAG Board to override these actions, and she presented her case that the 50/50 split was more fair and favorable to cities. She said the City of Novato has been struggling over many months to meet the housing goals set by ABAG, and that other cities, such as Larkspur, were faced with similar challenges because they had large unincorporated areas within their spheres of influence.

Supervisor Adams presented her perspective, that the cities and county should stand together on this issue in the face of challenges by other counties for Marin to accept a higher overall housing unit allocation. She suggested that the parties work together to resolve their differences before taking the issue back to ABAG.

## Action Items

- Shall MCCMC recommend that the cities share the \$7,000 per year cost of support services for the Legislative Committee to be divided evenly among the 11 individual cities, with contract to be administered by the City of San Rafael?

*Moved and seconded (Slavitz/Kellner) to approve the recommendation. Motion passed by acclamation.*

- Shall MCCMC comment on the distribution of RHNA numbers within Spheres of Influence (SOIs), or shall comment be left to individual cities? If the former, shall MCCMC send a letter to ABAG in support of a 50/50 housing and jobs allocation between cities/county within the SOI for the 2014 RHNA cycle?

*Moved and seconded (MacLeamy/Chu) to direct MCCMC President Marshall to send a letter to ABAG in support of a 50/50 RHNA allocation between cities and the County of Marin. Motion passed by acclamation.*

- Approval of MCCMC 2011-12 Meeting Calendar

It was noted that the Tiburon date was being moved from September 28 to Tuesday, September 27 in observance of Rosh Hashanah.

*Moved and seconded (Slavitz/Fredericks) to adopt the calendar. Motion passed by acclamation.*

### **Committee Appointments**

- SMART (Sonoma/Marin Area Rail Transit Commission) – (Nominee must be TAM commissioner or alternate, not from Novato or San Rafael; appointee will complete term of retiring incumbent Joan Lundstrom which expires in January 2015)

Nominations Received: Stephanie Moulton-Peters  
Nominations from the Floor: None

*Moved and seconded (Kellner/Connolly) to appoint Stephanie Moulton-Peters. Motion passed by acclamation.*

### **Election of President and Vice President**

MCCMC President for the 2011-12 term  
Nominations Received: Madeline Kellner

*Moved and seconded (Donnell/Lion) to appoint Madeline Kellner. Motion passed by acclamation.*

MCCMC Vice President for the 2011-12 term  
Nominations Received: Greg Brockbank, Herb Weiner

President Marshall said that two nominations for the position had been received at the May meeting and that the by-laws allowed for either vote by acclamation or a roll call vote, with one vote per city. A member from the audience called for a roll call vote.

President Marshall called the roll by City: Mill Valley, Brockbank; Belvedere – Weiner; Corte Madera - Weiner; Larkspur – Weiner; Novato – Weiner; San Anselmo – Weiner; San Rafael – Weiner; Sausalito – Weiner; Ross – Weiner; Tiburon - Weiner.

*Result = Herb Weiner was elected as Vice President for 2011-12.*

### **Program: “America’s Cup Financial Impact on Marin County”**

**Speakers:** John Williams, Kimball Livingston and Kevin Diodge

Mr. Williams, a native of Australia, and 30-year resident of Marin County, gave the opening remarks and introduced the speakers. Mr. Diodge gave an overview of the marketing

opportunities and planning challenges presented by the AC34. Mr. Livingston gave the historical background of the race and its meaning.

During Q&A, Ms. Alden commented the EIR was very "San Francisco-centered" and didn't seem to take into account the concerns of the cities surrounding the Bay on this side of the Golden Gate Bridge. She asked how Marin County could engage with the organizing committee to be a part of the planning, and resolution of issues, surrounding the event.

**ADJOURN:** The meeting was adjourned at 9:15 p.m. to the September 27 meeting in the Town of Tiburon.

Submitted,

Diane Crane Iacopi,  
Secretary/Treasurer