

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

**Wednesday, May 25, 2022
VIA VIDEOCONFERENCE
6:00pm**

Members Present

Belvedere: Vice Mayor Lynch; Councilmember Kemnitzer
Corte Madera: Mayor Casissa; Vice Mayor Lee, Councilmember Beckman
Fairfax: Mayor Hellman; Vice Mayor Cutrano, Councilmember Ackerman
Larkspur: Councilmember Way
Mill Valley: Councilmembers Carmel, McEntee
Novato: Mayor Lucan; Vice Mayor Wernick, Councilmembers Eklund, Milberg
Ross: Mayor Robbins; Vice Mayor Kuhl; Councilmember McMillan
San Anselmo: Mayor Fineman; Councilmember Colbert
San Rafael: Mayor Colin; Vice Mayor Kertz, Councilmember Llorens Gulati
Sausalito: Mayor Kellman; Councilmember Hoffman
Tiburon: Councilmembers Fredericks, Thier

Ex Officio: Ross Town Manager Christa Johnson; MCCMC Secretary Rebecca Vaughn

Guests were: Miriam Karell, Marin SBDC;

Call to Order

Vice President Brian Colbert called the meeting to order at 6:00p.m., and welcomed everyone to the meeting of the Marin County Council of Mayors and Councilmembers via webinar, for May 25, 2022.

A roll call of the Marin towns/cities was taken. There was a quorum of the 11 Marin cities/towns present, with representatives from each of the 11 cities/towns in attendance.

President McEntee then called for Public Comment.

3. Public Comment:

1. John McCauley, Mill Valley – Mayor McCauley announced that he finishes his second term in June and as is their tradition, did not run for a third term. This is his last meeting and he stated that he has enjoyed working with everyone. He has great respect for anybody who does what we've done. And it was an honor working with everyone. He mentioned that, a number of years ago, Larry Chu two time mayor of Larkspur and a person with financial expertise decided that it was time to write a paper as an Ad hoc Committee within MCCMC, which was looking at the question of pensions. He was involved in the second round of that work, and wanted everyone to be aware of the white paper, which can be found on the MCCMC website. He provided a brief background, he was a partner with Price Waterhouse Coopers CPA and worked with financial services companies. He teaches at UC Berkeley now. He has some expertise in how pensions and post employment healthcare and the like works. They wrote the paper focused on the few tools that elected officials have in terms of budget and the like, and spent a fair amount of time on dealing with healthcare costs. He wanted everyone to be aware that it's out there, and offered his assistance to any member of any city who may be struggling with understanding how pensions work, particularly with regards to pension obligation bonds. The report itself ran 40 pages of material and 20 pages of exhibits. And it was designed to be a nuts and bolts explanation without too much complexity about how all

these matters work. And with all the turnover of council members, he wanted everyone to be aware that it exists.

Note from staff: the Ad Hoc Committee's white paper, Marin County Local Government Reform of Pensions and Other Post-Employment Benefits – Revisiting the Problem and Scope of Local Solutions, can be viewed here:

<http://www.mccmc.org/wp-content/uploads/Pension-OPEB-Committee-Report-Final-9-13-19.pdf>

2. Kate Colin, San Rafael - Spoke on behalf of DA Lori Frugoli and the Gun Safety Collaborative regarding the gun buyback event. She named and thanked the cities that are participating: San Rafael, Novato, Fairfax, San Anselmo, Belvedere, Tiburon, Larkspur and Corte Madera. In addition to those towns, they have stakeholders, healthcare providers, education groups, MCF. Gun buybacks are funded through stakeholders coming together and saying, we need to do whatever we can to get unwanted guns out of our community. The gun buyback is on Saturday, June 4th, 9:00 to 1:00 PM at the Marin Sheriff's parking lot.

She also stated that, because of the horrific mass shootings that have happened over the last week, there will also be a wear orange event on Friday, June 3rd, and a bridge walk on June 4th and invited everyone to participate.

3. Urban Carmel, Mill Valley – Dick Spotswood, as well as the editorial board of the Marin Independent Journal, have written a number of articles in the last month about the regional housing needs assessments specifically the state legislature had their auditor, the state auditor, look at the process that HCD went through in coming up with the regional housing needs assessment and found at the end of the day that the process was highly faulted, and has recommended a number of amendments to that process. This obviously is a very critical element to all of our cities. Countywide, we're looking at a 600% increase in the number of new homes that need to be permitted over the next coming planning cycle. And in order for that to be a robust process, and in order for that to be a process, which we can all rely upon, that the public has got trust in, the underlying analytics need to be robust as well. And as Mr. Spotswood, as well as the editorial board of the Marin IJ had pointed out, that process was not robust at all. Councilmember Carmel stated that he has drafted a letter, which he will bring to bring to his Council, talking about what the state should be doing next. And that letter would go to Senator McGuire. He hopes that might be something that others here would find interesting. A letter of support that comes from all of us would have a lot more impact than if it just comes from select cities.

He stated that this is important because getting a housing element approved has proven to be very difficult. If you look at the experience in Southern California, many of these housing elements have not been approved. They are very difficult to get through HCD. Secondly, if you fast forward four years down the road, the state attorney will be able to, if you are not tracking towards your arena number, be able to come in and allow ministerial approval of a developer's proposed project in your city, which would have, for example, a 50% density bonus if it's got a certain number of affordable units in it. So you might end up with a development which is significantly greater than what you had anticipated. And at that point, you want to be able to say that you have questioned this process that you've made sure the process is robust and it's analytically accurate before you get a project like that approved in your city ministerially. So this is a topic perhaps for a future discussion of a meeting, but he wanted to inform the group of that. He encouraged everyone to read the editorials that have been written in the Marin IJ.

4. Stephanie Hellman, Fairfax – She stated that a staff member of Fire Safe Marin asked her to remind the group that the Ember Stomp event is happening this weekend on Saturday at the Civic Center. There are 50 participating organizations from fire agencies, emergency services,

community based organizations, et cetera. And if you haven't done so already, please get it out in your town communications.

5. Pat Eklund, Novato – She stated that she agrees with Councilmember Carmel and hopes everybody takes the time to look at her ABAG report. It shows that of the housing elements that were submitted in 2019 and 2020 to HCD, they've only approved 27% of them. And ABAG has analyzed the comments that HCD has sent to all the cities in SCAG and all the other COGS that they're dealing with right now. She attach to her report ABAG's recommendations on how to deal with the most common comments that HCD has made to all the cities. She explained that she was one of the folks that helped get Steve Glaser to get the auditor to do the evaluation. They have been trying statewide to get more attention to it. So it would certainly help all of the efforts that they have been doing statewide to try to get people to take this audit seriously. But it definitely shows that there are flaws. She would like to see what Councilmember Carmel is putting together and will probably have some additional suggestions that they are working with statewide.

6. Rebekah Collins – She provided the following statement, “My name is Rebekah Collins and I'm from Fairfax since 1989. My background is in horticulture. I've run a landscape business and a nature based nursery school and co-founded sustainable Fairfax to help create Marine clean energy. Since we moved close to camp Tamarancho Boy Scout Camp in 1996, there have been two major landslides within a few minutes walk from our house. And the shared road across from our house came with a landslide repair wall that holds the road up using 15 piers, all 30 feet deep. This third landslide site is a stone's throw from where PG&E with their enhanced vegetation management cut down three of our mature trees in March. Before I understood that I could refuse that. These trees were part of what Marin Wildfire Agency calls a shaded fuel break, buffering three surrounding homes. Three more of our trees were cut down that day without my knowledge or permission on Olema Road, atop a steep slope, the crew climbed straight up that rather than going around. And this is already eroded with the spring rains. Right across Olema Road from my property is a state funded creek restoration project on the Fairfax Creek. A minute beyond my property line to the West are where the enormous redwoods and bays are still laid flat from the last landslide, which played a part in flooding Fairfax Creek. It is right next to all of these vulnerable places that PG&E has listed 75 more of my trees to be cut down. A minute east on Olema, the hillside is even steeper and my next door neighbor's house sits on top of it with 20 trees below helping to hold her house in place. But these are the ones that PG&E wants to cut down as well. Even after she spent 10K on her own management. This area is very fragile. A few minutes hike up my hill is where Iron Springs Road washed down onto a house in the valley below. Thankfully, no one was injured, but it cost hundreds of thousands of dollars and years of lawsuits. Not a single PG&E representative PR person, tree inspector or tree crew manager asked a single question or showed any concern about conditions on the ground here before launching into cutting down a hundred trees on their list. It is also perplexing to me that to my knowledge, not a single state or county representative has shown enough concern to make any site visits. Even with people like me, flooding their offices with calls. I hope that I am mistaken. The burden of PG&E corruption is a very heavy, constant and toxic burden to our communities. Why is our high fire hazard zone communities still full of PG&E's bare wires? PG&E just failed the state audit on bringing their equipment to wildfire prevention standards that was in May, 2022 During the PG&E enhanced vegetation management blitz through our county, the only thing protecting Marin's fragile environments has been our property owners' stewardship intervention by refusing to have their trees cut down. It is this right to refuse that California Senate bill SB 396 would take away from us.”

7. Elias Karkabi – She provided the following statement, “Hi. I'm also calling in agreement with the last caller and my concern is SB 396. So this bill, SB 396, severely neglects the effects on community members like me who are looking for housing, something you guys were just talking about and we need that housing to be safe, healthy and beautiful. Right? So when PG&E is allowed to come in and cut down trees without the consumers having the right to refuse. And when PG&E is not mandated to ensure that things like slope, stability, which I hope you can appreciate, makes it possible to build more houses. Having safe slopes that aren't going to have landslides, that allows you to build more property. The trees that they're cutting down capture on average, 50% of the particulate matter that affects people with asthma and emphysema. That's produced by traffic in the community. You can look that up, that's well documented that trees, are a very important part of capturing particulate matter. And you can think about that in terms of fires that we're going to be experiencing in the near future. And third, how is this going to affect people's property value? Are they going to be compensated for that? I think that's something that people on this call should really care about. A lot of property owners, a lot of your constituents, people like me. If a tree gets cut down on a ridge top and we don't have the right to refuse it and it's arbitrarily cut down, which is the problem with SB 396, it's that PG&E can more or less arbitrarily cut down a tree just because it's within what they call a strike zone. Even though they have not clearly defined what a strike zone is for power line. So this is a major problem. I'm very concerned about it. I'm concerned that it affects our ability for Marin county to have housing. It affects the property value of the houses that we're going to have here in Marin county, and it affects our health.”

8. Kevin Collins – He provided the following statement, “Good evening. My name is Kevin Collins. I moved from the Santa Cruz Mountains to San Rafael about eight months ago. And recently I've been receiving phone calls from people who are being harassed by Pacific Gas and Electric, and I'm able to help them because I've been working on this issue since before 2018. And then in 2018, I filed an adjudicatory complaint with the Public Utilities Commission. And I learned a lot about what's going on by doing that because the commission's regulations for overhead circuits are so obsolete that they're essentially irrelevant to how utilities build and manage power lines. They allow the use of conductors so small, they're the size that one would wire a kitchen range with today. I'm not exaggerating. This is a simple fact. And the bill that you've heard, the previous callers mention attempts to remove the landowner's right to object. In fact, it gives the right of appeal and the right of refusal to Pacific Gas and Electric directly. In other words, you can't appeal to a public agency for the protection of your own property. PG&E can wade in and just start falling trees. Now you have to know as much as I do to stop them because the law is complex and I never allowed them to do that. But that's because I know how to handle that company. I think it's going to be cities and counties that solve this problem. For one thing, forests don't ignite spontaneously. They're set a light by obsolete utility equipment. PG&E's equipment is often so old that it's as old as I am. It's like hasn't been updated in 70 years. They have circuits that are so dangerous that they wouldn't even begin to use... No company would build a circuit to those standards. Now, Southern California Edison has begun to rebuild with insulated cable. They're in the process of putting up 4,000 circuit miles of insulated power line. PG&E is just knocking trees down and trying to snow job everybody with its notion that they're going to underground Northern California, which is complete nonsense. I submitted a letter today. It has a website. It has extensive information on this issue. All my contact information is there and I'm hoping that cities and counties in this jurisdiction will stand up and assist their landowners in handling this outrageous assault upon homeowners. Thank you.”
Staff note: The letter Mr. Collins sent via email can be viewed here: http://www.mccmc.org/wp-content/uploads/Marin-County-Council-of-Mayors_KC_5_25_22.pdf

9. Janet Gennai-Rizzi – Clerk Vaughn read an emailed comment provided by Janet Gennai-Rizzo, “Good evening. Thank you for allowing me this time to speak. My name is Janet

Gennai-Rizzi. I am the local Group Lead for Mom's Demand Action for Guns Sense in America. I have just a few things to say. First of all, I would like to thank Supervisor Katie Rice and DA Lori Frugoli. I don't believe they're on this call, but they deserve thanks. And Mayor Kate Colin of San Rafael and Mayor Stephanie Hellman of Fairfax for issuing proclamations that declare Friday, June 2nd, Gun Violence Awareness Day. June 2nd is the first day of Wear Orange Weekend, during which we honor the victims and survivors of gun violence. There are commemorations being held throughout the country. I'm hoping that those of you who have not issued a proclamation would consider doing so now, especially now is the moment we all need to pull together and stand for gun sense legislation. For Wear Orange Weekend, Mom's Demand Action is hosting a walk across the Golden Gate Bridge at 11:30 AM, June 4th."

Hearing no additional public comment, Vice President Colbert introduced the first presentation.

4. Presentations:

4.a. Miriam Karrel, Marin County Small Business Development Center (SBDC)

Ms. Karrell provided an update regarding the Marin Microbusiness \$2500 grant program. She discussed the program, eligibility requirements and the application process and asked attendees to help spread the word about the program and encourage eligible businesses in their communities to apply.

The program just launched on Monday of this week, and it is a \$2,500 micro business grant program on behalf of the county. This is state funding coming through the Cal/OSHA office that is a COVID relief grant program. The purpose of this program is different than a lot of other funding, because it's trying to target the micro, micro businesses that may not have gotten funded or may not have been aware of some funding or may not have been able to access the funding. Regarding grant eligibility, the business must be located in Marin, been in business since 2019, and they have to have made less than \$50,000 gross, before taking out expenses. It has to be the primary source of income impacted by COVID, have less than five full time employees, and have not received a California grant through industry. Businesses that might be undocumented or unregistered and don't have really a bank account, are still eligible to apply, guidelines and informational flyers are available on their website.

She stated that they are giving out 105 grants right now of \$2,500 each and it's not first come for se serve. This round will be open until June 30th. People have the next month to apply and learn about this program.

Information about the program is available here: <https://www.marinsbdc.org/microbizgrants/>

Following Q&A, Vice President Colbert introduced the second presentation, the updates from MCCMC Ad Hoc Committees.

Status updates and next steps, were provided from the Chairs/Co-Chairs of the following Committees:

1. Homeless Policymakers Committee - Co-Chairs Renee Goddard and Rachel Kertz

Co-Chair /San Rafael Vice Mayor Rachel Kertz provided an update and status report on the Homeless Policymakers Ad Hoc Committee. Her presentation slides can be viewed here: <http://www.mccmc.org/wp-content/uploads/MCCMC-Homeless-Policymakers-Committee-Report.pdf>

2. Climate Action Ad Hoc Committee - Co-Chairs Melissa Blaustein and Maika Llorens Gulati

Co-Chair /Sausalito Vice Mayor Melissa Blaustein provided an update and status report on the Climate Action Committee. Her presentation slides can be viewed here: <http://www.mccmc.org/wp-content/uploads/MCCMC-Climate-Action-Committee-Update.pdf>

3. Economic Recovery Ad Hoc Committee - Co-Chairs Brian Colbert and Kate Colin
Co Chair /San Rafael Mayor Kate Colin provided an update and status report on the Economic Recovery Committee. Her presentation slides can be viewed here: <http://www.mccmc.org/wp-content/uploads/MCCMC-Economic-Recovery-Ad-Hoc-Committee.pdf>.

4. Water Policy Ad Hoc Committee - Co-Chairs Eli Beckman, Maribeth Bushey, and Stephanie Hellman

Co Chair /Corte Madera Councilmember Eli Beckman provided an update and status report on the Economic Recovery Committee. His presentation slides can be viewed here: http://www.mccmc.org/wp-content/uploads/MCCMC-Water-Policy-Comm-Update-5_25.pdf

Following the presentation and Q&A, Vice President Colbert announced that written committee reports were included in the agenda packet, and then continued with the remainder of the meeting.

5. **Committee Reports:** All Committee reports were submitted in writing and are available in the [agenda packet on the MCCMC website](#). Vice President Colbert thanked those who submitted written reports and encouraged the membership to review the reports.
 - 5.a. Metropolitan Transportation Commission (MTC)
5a. Written report from Supervisor Damon Connolly
 - 5.b. Association of Bay Area Governments
5b. Written report from Pat Eklund, Novato
 - ~~5.c. BCDC Report from North Bay representative on the San Francisco Bay Conservation and Development Commission (BCDC) No Report~~
 - 5.d. Golden Gate Bridge, Highway & Transportation District
5d. Written report from Holli Thier, Tiburon
 - 5.e. MCCMC Legislative Committee

- 5.e. Written reports from Chair Alice Fredericks, Tiburon
- 5.f. Sonoma-Marín Area Rail Transit District (SMART)
5f. Written report provided by Dan Hillmer, Larkspur
- 5.g. Transportation Authority of Marin
5.g. Written report provided by Alice Fredericks, Tiburon

6. BUSINESS MEETING

- 6.a. Nominations for Executive Committee – MCCMC President and Vice President for 2022-23 Term:
 - 1: Nominations for MCCMC President for 2022-23
 - 2: Nominations for MCCMC Vice President for 2022-23

There was a motion and second (Colin / Carmel) to nominate Brian Colbert, San Anselmo, for MCCMC President for the 2022-23 Term

There was a motion and second (Colbert / Cutrano) to nominate Melissa Blaustein, Sausalito, for MCCMC Vice President for the 2022-23 Term

Councilmember Colbert and Vice Mayor Blaustein accepted the nominations. The vote on MCCMC President and Vice President will take place at the June 22, 2022 MCCMC meeting.

- 6.b. Review of Draft Agenda for the June 22, 2022 MCCMC Meeting
Attachment 6b: Draft agenda for June 22, 2022 meeting

There were no comments on the draft agenda. There was a discussion regarding interest in holding an in-person meeting for the June 22, 2022 meeting. An informal poll was taken of the members present at the meeting and it was determined that there was not a majority interest in holding the June meeting as an in-person meeting.

- 6.c. Informational Item: Draft Minutes of the April 27, 2022 City Selection Committee Meeting (For review only, minutes will be approved at the next City Selection Committee meeting, date to be determined)
Attachment 6c: Draft minutes, April 27, 2022 City Selection Committee meeting

- 6.d. Consideration and Possible Action to Approve the Draft Minutes of the April 27, 2022 MCCMC Meeting Held Via Zoom Webinar
Attachment 6c: Draft minutes, April 27, 2022 meeting

There was a motion and second (Beckman / Kellman) to approve the minutes of the May 25, 2022. The motion was approved by roll call vote of the cities/towns present, 11-0.

Adjournment

The meeting was adjourned at 7:29pm to the next regular meeting scheduled for June 22, 2022 at 6:00pm to be held via Zoom videoconference.