

1 MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS

2 **DRAFT**

3 **MINUTES**

4

5 **Wednesday, April 26, 2017**

6 **Hosted by the City of Novato**

7 **Trek Winery ~ Barrell Room 1026 Machin Ave., Novato**

8

9

10 **Members Present**

11 Belvedere: McAuliffe, McCaskill

12 Corte Madera: Andrews, Furst, Condon, Bailey, Ravasio

13 Fairfax: Coler, Goddard, Reed, Weinsoff

14 Larkspur: Chu, Haroff, Way

15 Mill Valley: McCauley, McEntee, Moulton-Peters, Wickham

16 Novato: Athas, Drew, Eklund, Lucan, Fryday

17 Ross: Brekhus, Kuhl, Robbins, Russell

18 San Anselmo: Brown, Coleman

19 San Rafael: Bushey, Colin, Gamblin, Phillips

20 Sausalito: Cox, Hoffman, Withy

21 Tiburon: Fredericks

22

23 **Ex Officio:** Larkspur City Manager Dan Schwarz, San Rafael City Manager Jim Schutz, San
24 Anselmo Town Manager Dave Donery, MCCMC Secretary Rebecca Vaughn

25

26 **Guests were:** Supervisor Judy Arnold, Tanya Albert - Aide to Supervisor Arnold, Leslie Weber- Aide
27 to Supervisor Arnold, Supervisor Damon Connolly, PG&E Public Affairs Manager Mark Van Gorder,
28 County DPW Planning Manager Liz Lewis.

29

30 **Call to Order**

31 President Bailey called the meeting to order at 7:05 p.m. and welcomed everyone to the Marin
32 County Council of Mayors and Councilmembers for April 26, 2017.

33

34 **Public Comment**

35 There was no public comment

36

37 **Welcome and Introduction of Guests**

38 Mayor Denise Athas welcomed everyone to Trek winery, stating that Trek has been in Novato for
39 five years and are a really wonderful community partner. She also announced that the meal this
40 evening was prepared by Terry Eberle of Cater Marin.

41

42 Mayor Athas introduced the following members of the Novato City Council: Mayor Pro tem Josh
43 Fryday, and Councilmembers Pam Drew, Pat Eklund and Eric Lucan. The following City staff were
44 introduced: City Manager Regan Candelario, Chief of Police Adam McGill, Management Analyst
45 Jessica Deakyne, Assistant City Manager Peggy Flynn , Supervisor Judy Arnold and Supervisor
46 Damon Connolly. She also thanked City Clerk Claudia Laughter and Assistant City Clerk Laura
47 McDowall who were unable to attend.

48

49 Mayor Athas announced that she serves as President of League of California Cities North Bay
50 Division, and there is an event at Buck Institute next Thursday night for a tour, dinner and
51 presentation on homelessness in our cities. The Downtown Streets team will be there along with

1 Andrew Henning (Homeless Coordinator for the City of San Rafael), over 50 people are coming so
2 far, but not too many from Marin, please contact Nancy Bennett if interested.

3
4 She then introduced Andy Podshadley owner of Trek Winery, who described Trek as an urban
5 winery. Everything is made in house, and the building is a historic building. Everything was built by
6 18 and 19 year old students from San Marin high.

7
8 **The meeting resumed after dinner service.**

9
10
11 **Committee Reports:**

12 5.a. Metropolitan Transportation Commission – Verbal report from Supervisor Damon Connolly
13 Supervisor Connolly stated that it is an exciting time in transportation. Senate Bill 1 has been
14 called a statewide achievement in transportation. The last time the gas tax was raised, Jerry
15 Brown was governor for the first time. This could not have been done without the help of
16 everyone in this room. This tax will generate \$1.5 billion for transportation projects for our
17 state. For us, this means \$8.5 million per year in Marin for local streets and roads.

18
19 Regional Measure 3: Metropolitan Transportation Commission approved, pursuant to
20 Regional Measure 2, \$13 million to get SMART from downtown San Rafael to Larkspur.
21 Regional Measure 3 is now under consideration. It could be on ballot in 2018, for approval of
22 a bridge toll increase of 1-3 dollars. The legislature would put this on the ballot for all nine
23 counties to vote on. Legislature is looking for breathing room after SB1, but Regional
24 Measure 3 is going forward. He then listed projects that are important to get into the RM 3
25 package: Bettini Transit Center, a direct connector from 101 North to 580 East, and the Marin
26 Sonoma Narrows.

27
28 Finally MTC and AGAB are working on merging the two organizations. The first step is to
29 combine the staffs of the two agencies. Details are currently being worked out.

30
31 There are important meetings coming up about PLAN BAY AREA 2040 that Pat Eklund will
32 discuss in her report. But please try to get to the meetings and let your constituents know.

33
34 5.b. Association of Bay Area Governments – Written and verbal report from Pat Eklund, Novato.
35 Regarding Plan Bay Area, she announced that the first meeting is tomorrow night right before
36 the Transportation Authority of Marin (TAM) meeting. MTC and ABAG will give a brief
37 presentation about Plan Bay Area. Each city received a copy of the report. There are a lot of
38 supporting documents. Please look at regional forecast of jobs and land use report. There is
39 a May 20th public workshop and open house that will be held at the Mill Valley Community
40 Center, and they will need elected officials to help serve as moderators.

41
42 She then discussed the Contract for Services and MOU. These were approved in content,
43 but added two contingencies. Each agency is holding themselves harmless. We would like to
44 have employees also hold themselves harmless. If employees are merged into MTC, and
45 CalPERS says they are still working for ABAG because they are doing ABAG work, then they
46 will need to be paid for any loss that they have incurred. This issue has been brought to
47 MTC, and they said they will study this issue. Then there is the other issue of SEIU
48 representation. MTC has employee-organized groups, but ABAG is SEIU.

49
50 SEIU has made a pitch, and the executive board has made it a contingency that MTC
51 voluntarily allow ABAG employees to be represented by SEIU. The MTC board said that they

1 will study this issue, so the contract was approved in format but not in form. Staff is supposed
2 to move over on July first and there are still a lot of pieces to be figured out.

3
4 5.c. Marin County Disaster Council Citizen Corps (DC3) – Written and verbal report from
5 Catherine Way, Larkspur.

6 Councilmember Way announced that the Wildland Urban Interface report has come out and
7 affects all of our jurisdictions.

8
9 Two group disaster council meetings were held, and they had nine representatives from
10 Marin disaster councils from Marin City up to San Rafael and will be doing that again.

11
12 She also participated in a practice mass casualty incident. She was a “victim” of a SMART
13 train hitting a bus. It was a practice mass casualty incident in which every jurisdiction in
14 Marin County Fire appeared. Our multi agency fire response to a mass casualty disaster will
15 be impeccable.

16
17
18 5.d. Golden Gate Bridge, Highway & Transportation District – Verbal report from Alice
19 Fredericks, Tiburon

20 The Golden Gate Bridge Highway and Transportation District is looking at renewal of MOU
21 with SMART. We are reasserting that we would like any extension to Larkspur that generates
22 an interim transit center to not interfere with the 9,000 passengers that already pass through
23 the transit center every day.

24
25 A Clipper card survey is coming soon regarding using the card for paying for other services,
26 as well as the possibility of using iPhone/smart phone applications to pay for transportation
27 services.

28
29 5.e. MCCMC Legislative Committee – Verbal report from Alice Fredericks, Tiburon

30 The Committee boiled to 3000+ bills introduced down to 4 bills that affect our local
31 jurisdictions. Housing bills were over 130 bills.

- 32 • SB 35: Requires cities who don't meet their RHNA's by producing housing in a certain
33 time frame to approve projects for affordable housing at the staff level. Senator McGuire
34 is currently working on amendments to exclude smaller jurisdictions.
- 35 • SB 649: Preempts all local review and regulation of telecom small cell installation. The
36 Committee is watching this legislation.
- 37 • AB 1350: Fines cities who have not met at least one third of RHNA for low and very low
38 income housing requirements. The Committee opposes this bill.
- 39 • SB 347 Gives State Transportation Department the authority to control drones below FAA
40 limit of under 400 feet. The Committee supports this bill.

41
42 5.f. Transportation Authority of Marin – Verbal report from Alice Fredericks, Tiburon

43 Councilmember Fredericks mentioned that SB 1 at the last minute was saddled with an
44 amendment that exempted certain diesel trucks from requirements to upgrade to take
45 advantage of the clean air technology before they could register. Long term, this is
46 problematic. On the other hand, that was a lot of money, not just for local roads, but also for
47 transit and the Active Transportation Program. On balance, we get our money now, but we
48 need to stay vigilant about what happens in the trucking industry. The trucking industry says
49 that most trucking concerns are small family concerns: it is expensive to upgrade the older
50 trucks for clean air requirements, and it is a blue collar job generator. Long term, we are told
51 that there will be autonomous trucks, running down the highway in platoons.

1 **6. Program / Guest Speaker**

2 **Speaker: Liz Lewis, Planning Manager, Marin County Department of Public Works**

3 **Presentation:Challenges and Opportunities: Managing Floods in Marin**

4
5 Ms. Lewis thanked MCCMC and the City of Novato for having her tonight.

6 With winter nearly over, now is a good time to reflect on the past several months. We had some near
7 flood events this winter. The report from California Legislative Analyst's Office was issued in March
8 2017 and contains a lot of corollaries to issues in Marin. She stated that Marin had near record
9 rainfall this winter, which is impressive considering the gauge at the Civic Center has been in
10 operation since 1856. There were a lot of short duration intense storms.

11
12 How do we reduce flood risk in Marin County?

13 There are several options:

- 14 • Lower the levels of Stafford Lake to allow for flood and storage diversion and stormwater
15 infiltration
- 16 • Increase capacity by establishing flood flow containment and regular channel
17 maintenance
- 18 • Prepare for flooding with local hazard mitigation planning and efforts to encourage
19 preparedness of local individuals

20
21 She discussed the Marin County Flood Control and Water Conservation District and its boundaries,
22 which are the same as the Marin County boundary. But flood control zones within the District were
23 only established in areas that are flood prone. Eight zones have been established throughout the
24 County. Most are funded from a portion of property taxes, just a few areas have a flood tax for
25 additional funding.

26
27 Key flood management challenges:

- 28 • Infrastructure is many years old
- 29 • Infrastructure is not always designed to meet evolving goals and conditions
- 30 • Flood management needs are great, but funding is limited and inconsistent
- 31 • There is rarely any legislation introduced for flood protection
- 32 • Urbanization: the district does not maintain all of the creeks in each zone, many creeks
33 are privately owned.
- 34 • Sea Level Rise: just had a meeting in Mill Valley regarding the Sea Level Rise
35 Vulnerability Assessment

36
37 Opportunities:

38 Watershed program: purpose to provide a framework to integrate flood protection and environmental
39 restoration with public and private partners to protect and enhance Marin County's watershed. The
40 agency partnerships that were established have been very important to help work through various
41 challenges discussed above. Ms. Lewis discussed an example in Novato, where wetlands from
42 Highway 37 to Black Point are publicly owned flood detention and available for storm water detention
43 and habitat. This has put Novato on the map for flood preparedness from a regional perspective.

44
45 Upcoming public meetings:

46 4/29 Sea Level Rise Vulnerability Assessment

47 5/03 Meeting with San Anselmo merchants to start engaging and educating them about possible
48 relocation assistance

49 5/16 Ross Valley Flood Zone 9 advisory board, at Ross School Library

50 6/29 Novato Flood Zone 1 Advisory Board, held at Novato City Hall

1 Another challenge is addressing how we keep talking about watersheds during spring and summer
2 (after rains have subsided). In a lot of the zones, parcel taxes are being considered. There will be
3 discussions between now and August.

- 4
- 5 • More information can be found at: <http://www.Marinwatersheds.org>
- 6 • Link to the Legislative Analyst's Office March 22, 2017 Report, "Managing Floods in
7 California": <http://www.Lao.ca.gov/reports/2017/3571/managing-floods-032217.pdf>
- 8

9
10 QUESTIONS

11
12 Diane Furst, Corte Madera: In Corte Madera, we have our own flood control system. Is there any
13 opportunity to get help from the County? We have historically be 100% own our own with funding
14 through a flood control tax. Projects will need to ramp up to address sea level rise. Corte Madera
15 built the bulk of its infrastructure before such stringent environmental regulations were in place. Now
16 with all of the regulatory agencies, it's more difficult to get projects like levies done. Do you foresee
17 there being an easing of the hurdles and delays that these regulatory agencies could put in place?

18
19 Response: You bring up a good point about sea level rise. Our office would like to work closer with
20 your town, and learn more about your pump stations and levy system and your operations. Sharing
21 information across municipalities would be desirable. Wherever we can maximize wetlands would be
22 very helpful. We will be in touch with your Public Works Director.

23
24
25 Sashi McEntee, Mill Valley: Provided a plug for "Game of Floods" on the Marin County website.
26 It allows you to visualize what some of the tradeoffs are. There are choices we can make, and it
27 makes it easy to visualize, and helpful as we begin public engagement about flood control and sea
28 level rise.

29 (Note: it can be accessed here: [https://www.marincounty.org/depts/cd/divisions/planning/sea-level-
30 rise/game-of-floods](https://www.marincounty.org/depts/cd/divisions/planning/sea-level-rise/game-of-floods))

31
32
33 David Weinsoff, Fairfax: Councilmember Weinsoff thanked Ms. Lewis for everything she's done
34 throughout the years for Fairfax

35
36
37 Joan Cox, Sausalito: For those areas for where flood control planning didn't work, and you have
38 suffered landslides and floods, her law firm has just started getting involved in insurance
39 archaeology. Policies may still have coverage for underlying issues that led to floods. There are
40 several firms specializing in insurance archaeology and will come and mine your documents and
41 records and trigger the applicable insurance policies. The insurers then come in and buy out the
42 claim rather than litigating it. She wanted to make municipalities aware of this resource, which could
43 provide hundreds of thousands of dollars in coverage.

44
45
46 Catherine Way: Asked if there there any relationships being built with the property of San Quentin,
47 which is state owned, regarding dykes or other possibly projects, since it sits at a major entrance of
48 Corte Madera creek?

49
50 Response: Ms. Lewis stated that their agency does not have a relationship with San Quentin, but
51 BCDC does look at ways to protect the mouth of Corte Madera Creek from sea level rise

1 **BUSINESS MEETING**

2
3 President Bailey thanked Ms. Hancock and continued to the Business Meeting portion of the
4 meeting.

5
6 **7.a. Report on Meeting of Mayors Select Committee and Discussion and Possible Action Regarding**
7 **Amendment or Modification of MCCMC Bylaws, Rules, Policies, Committees if Recommended by**
8 **Mayors Select Committee**
9

10 President Bailey reported on the Mayors Select Committee meeting that took place prior to the start
11 of the regular meeting and thanked the seven mayors who attended: Denise Athas, Diane Furst, Kay
12 Coleman, Stephanie Moulton-Peters (for Jessica Sloan), Gary Phillips, John Reed and Ray Withy.
13 He stated that 8 mayors were needed for a quorum but, the mayors in attendance provided
14 consensus on the three issues discussed.
15

16 1. President Bailey has felt that there is a disconnect between bylaws, rules, policies and
17 committee assignments. When appointments and recommendations were needed for the Coastal
18 Commission and the MTC, it was hard to figure out what we had to do to vote properly.
19

20 He would like to revamp MCCMC Rules and Procedures so that they are more clear in future, and
21 he would like to call for an ad hoc committee to revise these rules. He recommended that the
22 committee consist of Alice Fredericks (Tiburon), Larry Chu (Larkspur), and Stephanie Moulton-
23 Peters (Mill Valley) should they be willing to volunteer. Then he asked the membership in there were
24 any additional volunteers. Pat Eklund (Novato) volunteered.

25 There was a motion and a second (Athas/Withy) to approve the formation of an Ad Hoc Committee
26 for the Revision of MCCMC Bylaws, Rules, Policies and Committee Assignments . The motion was
27 approved by acclamation.
28
29

30 2) President Bailey stated that the Mayors had a discussion about undocumented persons in our
31 county. He stated that he is not sure it is appropriate to have an MCCMC policy, but he believes it is
32 appropriate, and within the MCCMC mission, for the membership to be educated about the issues
33 and what they might be able to do about it. He would like to solicit ideas about who might come to
34 future meetings, such as police chiefs, to provide background information and discuss what is going
35 on in our communities, comments suggestions, etc. He would like the membership to be educated,
36 without taking an advocacy or adversarial role. Please send your ideas to him and he will try to
37 schedule some presentations.
38

39 Barbara Coler: Stated that she was sitting next to David Levin, Managing Attorney for Legal Aid of
40 Marin. They formed a partnership with Canal Alliance to start up a group to provide immigration
41 assistance to undocumented persons. He mentioned that a number of attorneys have come to him
42 offering pro bono assistance. She would recommend David Levin or Omar Carrera from Canal
43 Alliance to come talk to MCCMC.
44

45 3) President Bailey explained that Mayor Gary Philips of San Rafael wanted to make an
46 announcement about a Marin Heritage Museum collaboration.
47

48 Mayor Phillips explained that the Marin History Museum represents the County's heritage and the
49 artifacts represent all of our communities. The museum was in San Rafael for over 80 years before
50 falling on hard times, to the point at which he and Supervisor Connolly recommended that the board
51 resign, which they did, and they were replaced by familiar names such as Gary Raggiante, Dennis
52 Fisco, Roger Smith and about ten others.

1
2 The museum is now at the ground floor and needs some help. Mayor Phillips would like to
3 request that Gary Raggianti be invited to make a short presentation to the MCCMC membership at
4 the next meeting about how to help the museum get started. Mayor Phillips stated that is personally
5 going to help raise \$25,000 and hopes that others will help, as well. He is still troubled by the fact
6 that the previous trustees, when faced with a monetary shortfall, contacted an auction house to
7 attempt to sell items from the collection, which belong to the people of the County. This should never
8 happen again. He would like the County to have first right of refusal to purchase assets in exchange
9 for providing funding.

10
11 President Bailey stated that this will presented in a more formal manner at an upcoming
12 meeting.

13
14 7.b. Discussion and Possible Action to Approve Expenditure of Unallocated Funds in the
15 Community Homeless Fund to Support Countywide Deployment of Mobile Showers
16 (Presentation by Eric Lucan, Novato, Co-Chair of Homeless Committee.

17 Mr. Lucan will present a report from the Homeless Committee and the membership will
18 discuss and vote on the proposed expenditure.)

19
20 Councilmember Lucan explained that he co-chairs the committee along with Kate Colin, and stated
21 that he wished to recognize other members of the committee. He provided a brief overview of the
22 Homeless Committee and the Community Homeless Fund. Going back to 2015, the Rotating
23 Emergency Shelter Team (REST) was looking to expand their program and add additional service/
24 months over the year. A Homeless Committee was formed from MCCMC to see how the
25 membership could help. REST also went to Councils to request funding to expand to provide 6
26 months of services. All cities contributed to the homeless fund on a three-year commitment,
27 contributing \$180,000 collectively, which is half of the \$360,000 needed, to contribute to the
28 expansion of service so that rest could operate 6 months out of the year.

29
30 Councilmember Lucan then explained how the Committee ended up with surplus. Cities contributed
31 \$180,000 and the County and the Marin Community Foundation were supposed to fund the rest. But
32 the County and the Foundation contributed \$250,000 instead of \$180,000.

33
34 What we can do with funds, it would be possible to fund two mobile showers, which would be owned
35 by the County and operated by the Downtown Streets Team. This is an opportunity to not only
36 provide showers, but also start a conversation with individuals and get them introduced to whatever
37 services they may need. Right now, the Ritter Center is the only facility that provides showers to the
38 homeless community, and they are well beyond capacity for what they can handle.

39
40 The surplus from last year and this year could fund the shower program for one year. No
41 funding identified beyond this timeframe. The options available this evening are to make a motion to
42 direct the Committee to use the surplus funds for the mobile showers for one year or table it and
43 bring it back next month for further discussion. The recommendation of the Committee is to use the
44 funds for the mobile showers, it would provide not only showers but also mobile care.

45
46 Kate Colin thanked the Committee for the work they did to discuss this project.

47
48 Catherine Way, Larkspur, asked where the showers are and where they would be located. Kate
49 Colin responded that the County will acquire them and work out the details with the individual cities.
50 Right now, they are looking broadly at Novato, San Rafael and somewhere in Southern Marin.
51

1 Gary Philips, San Rafael – Mentioned that the committee has approached the Marin Community
2 Foundation about the purchase of the shower units. They have not heard back yet, but it looks
3 promising and is contingent on receiving approval of the funding.
4

5 There was a motion and a second (Athas/McCaskill) to direct the Homeless Committee to use
6 \$140,000 from the Rotating Emergency Shelter Team (REST) overage for the purpose of funding a
7 one year pilot program for mobile showers in Marin County.
8 The motion was approved by acclamation.
9

10
11 7.c. Review of Draft of May 24, 2017 MCCMC Meeting Hosted by the Town of Ross
12 There were no comments on the draft proposed agenda.
13
14
15

16 7.d. Approval of Minutes of March 22, 2017 MCCMC Meeting hosted by the City of Mill Valley
17 Alice: page 4 and 6 5e lines 10-12 allocation of the pools of money might
18 Should read: “Allocation of the pools of money might be conditioned on requirements that have
19 potential to usurp land use control”
20 There was a motion and a second (Eklund/McCauliffe) to approve the minutes of the March 22, 2017
21 meeting as modified. The motion was approved by acclamation.
22

23 **Adjournment**

24 President Bailey thanked everyone for attending and adjourned the meeting at 8:35p.m. to
25 the next regular meeting scheduled for April 26, 2017 hosted by the City of Novato.