

- 4. APPROVAL OF THE CONSENT CALENDAR:** The purpose of the Consent Calendar is to group items that may be approved routinely. Anyone may request removal of an item for discussion.
- 4.1 Approval of Warrants
 - 4.2 Approval of Minutes: January 18, 2017
 - 4.3 Adopt Resolution No. 07/17, First Amendment to Consulting Services Agreement with Pavement Engineering Inc for FY 2016-17 Local Streets Rehabilitation Project (CIP 500-2005-013-4120011)

A member of the public had some questions about the minutes of January 18, 2017. Council removed them from consideration and asked that they come back to the February 15, 2015 agenda.

Mayor Haroff called for a motion to approve Item 4.1 and 4.3 of the Consent Calendar.

*Moved by Vice Mayor Hillmer, Seconded Councilmember Morrison to adopt the Consent Calendar as amended. **The motion passed unanimously.***

5. CITY MANAGER'S ORAL REPORT

The City Manager gave his report.

6. COUNCILMEMBERS REPORTS AND COMMENTS

Councilmember Way reported that she attend the ABAG General Assembly meeting in San Francisco. She also co-hosted the first countywide meeting of the Disaster Preparedness Council. Councilmember Morrison reported on the progress of the Twin Cities Villages project. Mayor Haroff went to the CPUC meeting. He also has asked for support in his bid for a seat on the California Coastal Commission.

City Manager Schwarz suggested adjusting the public hearing line up and hearing Item 7.4, Restriction of Leaf Blowers as the first item. Council agreed to the change.

7. PUBLIC HEARINGS:

- 7.4 PUBLIC HEARING: INTRODUCE FIRST READING OF ORDINANCE NO. 1014 AMENDING TITLE 9 (PUBLIC PEACE, MORALS AND SAFETY) OF THE CITY OF LARKSPUR MUNICIPAL CODE TO ADD CHAPTER 9.57 FOR THE RESTRICTION OF LEAF BLOWERS – CONTINUED FROM THE DECEMBER 7, 2016 COUNCIL MEETING.

Shannon O'Hare, Assistant to the City Manager gave the staff report, noting options the council could take to make exemptions to the ordinance for commercial properties.

Mayor Haroff opened the meeting to public comment.

- Ed Jameson, Meadowood, Larkspur
- Linda Swanson, Madrone Avenue, Larkspur
- Rick Adler, Larkspur
- Riley Hurd
- Alyssa Wynd- Madrone Canyon
- James Holmes, Larkspur
- Laura Effel, Larkspur
- Bruce Olcott, Larkspur

Vice Mayor Hillmer made a motion to adopt the ordinance as written. The motion did not receive a second.

Vice Mayor Hillmer asked for a straw vote as to which councilmembers would eliminate gas powered leaf blowers in Larkspur. Hillmer, Way, Morrison voted Aye to the question.

Council continued discussion of hours and days leaf blowers might be used, possible exemptions for commercial properties, and prohibition of gas powered leaf blowers.

*Moved by Mayor Haroff, Seconded by Councilmember Way for staff to revise the ordinance based on the discussions of council and bring it back for a reintroduction and waiver of first reading. **The motion passed unanimously 5-0.***

7.1 APPEAL OF PLANNING COMMISSION DECISION TO DENY APPLICATION DR 16-26; A REQUEST FOR DESIGN REVIEW APPROVAL TO LEGALIZE EXISTING STRUCTURES AND EXTERIOR AMENITIES AT 552 AND 556 MAGNOLIA AVENUE, LARKSPUR. AP# 020-254-13

Senior Planner Kristin Teiche gave the staff report. Council had some clarifying questions for Ms. Teiche. Planning Director Toft noted that the Planning Commission gave the appellants some ideas for the improvements, however the property owner would have needed to be involved in those improvements.

The appellant, Erin Hurley described the situation and what they want to do to solve the issue.

Mayor Haroff opened the meeting to public comment.

- James Holmes, Larkspur
- Cindy Winter, Greenbrae
- Richard Green, Larkspur

Council had discussion about the issue and possible solutions.

Mayor Haroff called for a motion.

*Moved by Councilmember Chu, Seconded by Councilmember Morrison to uphold the appeal, overturning the Planning Commission's decision to deny the application DR-16-26, Request for Design Review Approval to Legalize Existing Structures and Exterior Amenities at 552 and 556 Magnolia Avenue, Larkspur. Staff will return to the council with a resolution of findings at a future meeting. Additionally a report from the City Manager on the status of code enforcement on this property will be brought to the City Council in the near future. **The motion was approved 4-1-0, Vice Mayor Hillmer voting No.***

7.2 PUBLIC HEARING: MID-YEAR BUDGET REVIEW AND AMENDMENTS

Finance Director Cathy Orme presented the staff report and a PowerPoint presentation. The presentation included information on revenues, expenditures, and pension costs as well as goals for the coming year.

The City Manager asked the Council to adopt Resolution No. 08/17, Assigning Excess Revenues From Fiscal Year 2015-16.

Mayor Haroff called for a motion.

*Moved by Councilmember Morrison, Second by Councilmember Way to adopt the resolution as written. **The motion was approved unanimously.***

Mayor Haroff called for a motion to adopt Resolution No. 09/17, Adoption of the Amended Budget for Fiscal Year 2016-17.

*Moved by Vice Mayor Hillmer, Seconded by Councilmember Chu to adopt the resolution as written. **The motion was approved unanimously.***

7.3 VEHICLE IMPACT FEE- CONTINUED FROM 1-18-17

Mayor Haroff noted that this item has been continued from the January 18th council meeting. City Manager Schwarz asked that the item be continued to the March 1, 2017 Council meeting.

Mayor Haroff called for a motion.

*Moved by Vice Mayor Hillmer, Seconded by Council member Way to continue the item to the March 1 agenda. **The motion was approved unanimously.***

8. BUSINESS ITEMS:

- 8.1 REQUEST FOR A LETTER SUPPORTING LEGISLATION TO EXEMPT THE EXISTING SALES TAX CAP TO ACCOMMODATE UP TO 0.5% FOR THE TRANSPORTATION AUTHORITY OF MARIN

City Manager Schwarz noted that the Transportation Authority of Marin (TAM) has withdrawn their request of Council to consider this item this evening. No action from the council is necessary.

8.2 URGENCY ITEM

City Manager Schwarz noted this issue was brought forth by Larkspur's TAM representative Vice Mayor Hillmer. The Council is asked to consider sending a letter to Marin County Supervisor Damon Connelly regarding prioritization of the Hwy 101-580 connector and Regional Measure 3 projects being considered by the MTC. The need for the letter is immediate as conversations are taking place prior to the next Council meeting.

Mayor Haroff called for a motion.

*Moved by Vice Mayor Hillmer, Seconded by Councilmember Morrison to send a letter to Supervisor Connelly. **The motion was approved unanimously.***

9. ADJOURN MEETING TO CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: City Manager

Council adjourned to closed session at 10:21 p.m.

10. COUNCIL TO ADJOURN FROM CLOSED SESSION AND NOTE ANY REPORTABLE ACTION TAKEN IN CLOSED SESSION

Council adjourned from the closed session at 10:32 and noted that no reportable action had been taken.

11. ADJOURN MEETING

Mayor Haroff called for a motion to adjourn the meeting.

*Moved by Vice Mayor Hillmer, Seconded by Councilmember Way to adjourn the meeting. **The motion was approved unanimously.***

The meeting adjourned at 10:33 p.m.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Larkspur City Council.

Cynthia Huisman, City Clerk

