



LARKSPUR CITY COUNCIL
MEETING MINUTES

Larkspur City Council Chambers
400 Magnolia Avenue, Larkspur CA

January 15, 2020

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REGULAR MEETING

Mayor Way called the regular meeting to order at 6:30 p.m.

1. ROLL CALL

COUNCIL PRESENT: Kevin Haroff, Dan Hillmer, Gabe Paulson, and Mayor Catherine Way

COUNCIL ABSENT: Scot Candell

STAFF PRESENT: City Clerk Alison Foulis, Assistant to the City Manager Shannon O'Hare, City Manager Dan Schwarz, Planning & Building Director Neal Toft, Planning Consultant Lorraine Weiss, and City Attorney Sky Woodruff

2. PUBLIC COMMENT

Council received public comment from 2 speakers:

- Cindy Winter, Larkspur Resident
- Anna Harrison, Marin Park Residents Committee

3. PRESENTATIONS/PROCLAMATIONS

None.

4. APPROVAL OF THE CONSENT CALENDAR

City Manager Schwarz announced that a revised attachment to Item 4.5 was distributed prior to the meeting.

Upon motion by Councilmember Hillmer and seconded by Councilmember Paulson, Council approved the consent calendar in one motion. The vote was unanimously in favor (Candell absent). The consent calendar consisted of the following items:

- 4.1 Approve warrants.
- 4.2 Approve minutes of December 4, 2019.
- 4.3 Approve minutes of December 11, 2019.
- 4.4 Approve minutes of December 13, 2019.
- 4.5 First reading of a Memorandum of Understanding between the City of Larkspur and the Larkspur Miscellaneous Employees Association (LMEA).

5. CITY MANAGER'S ORAL REPORT

City Manager Schwarz gave his oral report to the City Council.

6. COUNCILMEMBERS' ORAL REPORTS AND COMMENTS

Councilmember Paulson reported on the following items:

1. The Mobile Home Parks Ad-Hoc Committee met for a first meeting.
2. Councilmember Paulson has been getting acquainted with fire safety and the Twin Cities Disaster Preparedness Committee.

Mayor Way reported on the following items:

1. FireSafe Marin announced that Marin County has the largest number of fire safe communities in the Country, and Larkspur recently added two new communities to the list.

7. PUBLIC HEARINGS

7.1 Marin Sanitary Service Rates for Garbage and Recycling Collection for 2020.

City Manager Schwarz introduced the representatives from Marin Sanitary Service and R3 Consulting Group who were present that evening. Emily Ginsburg, R3 Senior Project Analyst, discussed the rate analysis performed on Marin Sanitary Service's proposed rates and answered questions from the Council.

The Council received public comment from 2 speakers:

- Joe Garbarino, Marin Sanitary Service
- James Holmes, Larkspur Resident

City Manager Schwarz responded to questions raised by the public.

Upon motion by Councilmember Hillmer seconded by Vice Mayor Haroff, the Council unanimously adopted Resolution 01/20 setting rates for garbage and recycling collection (Candell absent).

7.2 Introduce and waive first reading of an ordinance amending Chapters 18.23, "Accessory Dwelling Units," and 18.24, "Junior Accessory Dwelling Units," of the Larkspur Municipal Code to comply with 2019 State housing legislation.

Director of Planning & Building Toft presented the staff report and answered questions from the Council.

The Council received public comment from 2 speakers:

- Pat Clifford
- James Holmes, Larkspur Resident

Upon motion by Councilmember Haroff, seconded by Councilmember Hillmer, Council unanimously introduced and waived first reading of Ordinance 1045 amending Chapters 18.23, "Accessory Dwelling Units," and 18.24, "Junior Accessory Dwelling Units," of the Larkspur Municipal Code to comply with 2019 State housing legislation (Candell absent). Ordinance 1045 will be brought back for adoption at the next regular meeting of the Larkspur City Council. The Council further agreed with the Planning Commission's suggestion that staff be directed to conduct further review of the restricted areas for ADU and JADU development.

7.3 Consideration and possible adoption of an interim ordinance temporarily amending Chapters 18.23, "Accessory Dwelling Units," and 18.24, "Junior Accessory Dwelling Units," of the Larkspur Municipal Code to comply with 2019 State housing legislation.

Director of Planning & Building Toft presented the staff report.

Mayor Way opened the public hearing and no one from the audience wished to speak.

Upon motion by Councilmember Hillmer, seconded by Councilmember Haroff, Council unanimously adopted Interim Urgency Ordinance 1044 amending Chapters 18.23, "Accessory Dwelling Units," and 18.24, "Junior Accessory Dwelling Units," of the Larkspur Municipal Code to comply with 2019 State housing legislation (Candell absent).

7.4 Adoption of Ordinance 1043 amending sections of Title 15 of the Larkspur Municipal Code to adopt by reference and amend provisions of the 2019 Edition of the California Building Standards Code, Title 24, California Code of Regulations; and also amending Chapters 15.18, "Floodplain Management," 15.38, "Underground Utilities," 15.40, "Reports of Residential Building Records," and 12.16, "Trees, Including Heritage Trees," to align with updates to Title 14, "Fire Prevention," and other fire safety measures.

Director of Planning & Building Toft presented the staff report.

Mayor Way opened the public hearing and no one from the audience wished to speak.

Upon motion by Councilmember Hillmer, seconded by Councilmember Haroff, the Council unanimously adopted Ordinance 1043 amending sections of Title 15 of the Larkspur Municipal Code to adopt by reference and amend provisions of the 2019 edition of the California Building Standards Code, Title 24, California Code of Regulations; and amending Chapter 15.38 (Undergrounding Utilities), Chapter 15.40 (Reports of Residential Building Records); Chapter 15.18 (Floodplain Management); and Chapter 12.16 (Trees, Including Heritage Trees) (Candell absent).

8. BUSINESS ITEMS

8.1 City Council committee appointments.

City Manager Schwarz announced that a revised Attachment 1 to the staff report was distributed prior to the meeting.

Mayor Way called for public comment and no one from the audience wished to speak.

Upon motion by Councilmember Hillmer, seconded by Councilmember Paulson, Council unanimously approved the Mayor's appointments list (Candell absent).

ADJOURN TO CLOSED SESSION

9. CLOSED SESSION

9.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))
Name of Case: City of Larkspur v. Ettefagh et al. (Marin County Superior Court
Case No. CIV 1803810)

RECONVENE IN OPEN SESSIONS AND ANNOUNCE ANY REPORTABLE ACTION

Mayor Way announced that no reportable action was taken during the closed session

10. ADJOURN

Council adjourned the meeting.

Attested
/s/Alison Foulis
City Clerk