



LARKSPUR CITY COUNCIL
MEETING MINUTES

Via Teleconference Only
Per Governor's Executive Order N-29-20

May 6, 2020

For full video/audio of the meeting, go to <http://www.cityoflarkspur.org>
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REGULAR MEETING

Mayor Way called the regular meeting to order at 6:31 p.m.

1. ROLL CALL

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

COUNCIL ABSENT: None

STAFF PRESENT: Library Director Franklin Escobedo, City Clerk Alison Foulis, Assistant to the City Manager Shannon O'Hare, Administrative Services Director Cathy Orme, City Manager Dan Schwarz, Public Works Director Julian Skinner, Senior Planner Kristin Teiche, Planning & Building Director Neal Toft, and City Attorney Sky Woodruff

2. PUBLIC COMMENT

The Council received public comment from two speakers:

- Terry Berkemeier, Larkspur Resident
- Jeanne Friedel, Larkspur Plaza Drive

3. PRESENTATIONS/PROCLAMATIONS

3.1 Measure B Pavement Repair Program – Spring 2020 Update.

Public Works Director Skinner provided a presentation and answered questions from the Council. No one from the public wished to provide public comment.

4. APPROVAL OF THE CONSENT CALENDAR

Mayor Way announced that Item 4.5, "Adopt Resolution 23/20 authorizing execution of Community Development Block Grant Program and Home Program Cooperation Agreement with County of Marin" will be removed from the consent calendar and continued to the next regular meeting due to changes needed to the agreement.

Upon motion by Councilmember Candell, and seconded by Councilmember Paulson, Council approved the consent calendar, excepting Item 4.5, in one motion. The vote was unanimously in favor. The approved consent calendar consisted of the following items:

- 4.1 Approve warrants.
- 4.2 Approve minutes of the April 15, 2020, regular meeting.
- 4.3 Approve minutes of the April 23, 2020, special meeting.
- 4.4 Receive report on the waiver of the requirement to review Resolution 14/20 declaring a local state of emergency every 60 days due to the proclamation of a state of emergency adopted by Governor Newsom on March 4, 2020.
- 4.6 Adopt Resolution 24/20 authorizing the City Manager to sign an agreement consenting to the assignment of its agreement with the Marin Telecommunications Agency to the Marin General Services Authority.
- 4.7 Adopt Resolution 25/20 confirming the Ross Valley Paramedic Authority (RVPA) Tax for the 2020-21 Fiscal Year.

- 4.8 Adopt Resolution 26/20 establishing a job description and pay range for the Assistant/Associate Engineer.
- 4.9 Adopt Resolutions 27/20 and 28/20 for: (1) Awarding a construction contract for the Measure B Group 2 Pavement Rehabilitation Project (CIP 20-301) to Ghilotti Bros., Inc. as the lowest responsible bidder submitting the lowest responsive bid in the amount of \$3,158,541.71, and (2) Approving Amendment No. 1 to the consulting services agreement with Pavement Engineering Inc. for the Measure B Group 2 Pavement Rehabilitation Project for construction oversight.
- 4.10 Review and authorize sending of a letter of support for State actions to support local government during the COVID-19 crisis.

5. CITY MANAGER'S ORAL REPORT

City Manager Schwarz gave his oral report.

6. COUNCILMEMBERS' ORAL REPORTS AND COMMENTS

Councilmember Paulson reported on the following items:

1. Twin Cities Disaster Preparedness Committee neighborhood activities.
2. Mobilehome Park Ad-Hoc Committee.

Vice Mayor Haroff reported on the following items:

1. Larkspur Chamber of Commerce's COVID-19 Emergency Small Business Fund.

Councilmember Hillmer reported on the following items:

1. 5/6/2020 SMART Board meeting which included budget updates.

Councilmember Candell reported on the following items:

1. Larkspur-Corte Madera School District budget advisory meetings.

Mayor Way reported on the following items:

1. MCCMC Mayor's Select Committee meeting.
2. Public Disaster Education Preparedness (PDEP) Committee meeting.
3. Larkspur Library and Community Center Ad-Hoc Committee meeting.
4. Wildfire Preparedness Week and FireSafe Marin.
5. District 2 Supervisor Rice's regular virtual meetings scheduled to discuss district issues.

7. PUBLIC HEARINGS

- 7.1 INTRODUCE AND WAIVE FIRST READING OF ORDINANCE 1048 TO ADOPT AMENDMENTS TO CHAPTER 9.54, "NOISE CONTROL REGULATIONS," OF THE LARKSPUR MUNICIPAL CODE TO ADD NEW AND AMEND EXISTING DEFINITIONS, EXEMPT EMERGENCY GENERATORS SUBJECT TO TYPE, DECIBEL LIMITS AND SETBACKS, AND CLARIFY THE EXCEPTION PERMIT PROCESS AND REQUIREMENTS.

Council to hear staff report, hold public hearing, and move to introduce and waive first reading of Ordinance 1048 as drafted or subject to any revisions agreed to by the Council.

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

Mayor Way opened the public hearing. The Council received public comment from 2 individuals:

- Doug Archer, Larkspur resident
- Kevin Carroll, Redwood Highway

Seeing no one else wishing to speak, Mayor Way closed the public hearing.

Upon motion by Vice Mayor Haroff, and seconded by Councilmember Candell, the Council introduced and waived first reading of Ordinance 1048 amending Chapter 9.54, "Noise Control Regulations," of the Larkspur Municipal Code incorporating an amendment to proposed ordinance Section 9.54.090, "Violation – Penalty", changing the referenced code section from 1.01.110 to 9.24.070. The vote was unanimously in favor.

8. BUSINESS ITEMS

8.1 CONSIDER ADOPTION OF RESOLUTION 21/20 APPROVING RETENTION OF HINDERLITER, DE LLAMAS AND ASSOCIATES (HDL) FOR SALES AND USE TAX RELATED SERVICES (Continued from April 15, 2020)

City Manager Schwarz presented the staff report and answered questions from the Council.

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

Upon motion by Councilmember Hillmer, seconded by Councilmember Paulson, the Council adopted Resolution 21/20 authorizing examination of sales, use, and transactions tax records by Hiderliter, de Llamas and Associates (HdL). The vote was unanimously in favor.

8.2 REVIEW OF ZIMMER ENDOWMENT ACCOUNT *Council to review the parameters of the Zimmer Endowment Account, discuss and provide direction.*

City Manager Schwarz presented the staff report.

The Council received public comment from 8 individuals:

- Beverly Shwert, Via Casitas
- Lara Eisenbarth, Via la Cumbre
- Jeanne Friedel, Larkspur Plaza Drive
- Cindy Winter, South Eliseo Drive
- Kristi Ellezweig, Larkspur Resident
- Gabe Gesmer, Camelia Circle
- Dyan Pike, Cape Marin
- Joe Jennings, Monte Vista Avenue

The Council discussed the item and it was the consensus of the majority of the Council to affirm the position taken at a prior meeting and to leave the Zimmer Endowment Account in the status quo, not committing funds in other directions at this point.

The Council received additional general public comment for items not on the agenda from one speaker:

- Tony Mekisich, Redwood Highway

8.3 COUNCIL COMMITTEE APPOINTMENTS

- *Appointment of one member to the newly formed Economic Recovery Committee of the Marin County Council of Mayors and Councilmembers (MCCMC).*
- *Acknowledgement that Councilmember Candell, as the Council's liaison to the Larkspur-Corte Madera School District, shall represent the City on the newly formed LCMSD Fiscal Advisory Committee.*

City Manager Schwarz presented the staff report. There were no questions from the Council and no one from the public wished to speak.

Upon motion by Councilmember Hillmer, and seconded by Vice Mayor Haroff, the Council appointed Councilmembers Haroff and Paulson to the MCCMC Economic Recovery Committee and Councilmember Candell to the LCMSD Fiscal Advisory Committee. The vote was unanimously in favor.

8.4 UPDATE ON CITY ACTIVITIES IN RESPONSE TO CORONAVIRUS (COVID-19) *Standing item to update the City Council on City activity during and in response to the COVID-19 Emergency.*

City Manager Schwarz provided an update. There were no questions from the Council and no one from the public wished to speak.

8.5 CITY FINANCIAL UPDATE *Standing item to brief City Council on financial and budget implications of the COVID-19 Emergency.*

City Manager Schwarz provided an update. There were no questions from the Council and no one from the public wished to speak.

8.6 PRELIMINARY ESTIMATES AND PROJECTIONS FOR THE BUDGET AND SERVICE LEVELS IN FY2020-21

Council to receive a presentation and provide feedback.

City Manager Schwarz presented the preliminary budget estimates and projections. At 8:56 p.m. the Council took a short recess and at 9:03 p.m. the meeting reconvened. City Manager Schwarz answered questions from the Council.

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

9. ADJOURN

Council adjourned the meeting at 10:15 p.m.

Attested
/s/Alison Foulis
City Clerk