



She stated she presented six different alternatives to the Larkspur City Council in July of 2003 and returned in May of 2004 with two alternatives. At that time they were asked to look at a third alternative that located the station behind the Marin Airporter. The Board made a decision to select the preferred alternative that would place the station behind the Marin Airporter and theater and totally on the railroad right-of-way. The Board directed staff to look at several additions to the project, including an alternative rail vehicle, weekend service, alternative station locations, and faster implementation of some of the bike paths. There were no issues associated with the Larkspur station recommended to be carried forward in the Final EIR. The Larkspur station design includes a concrete platform located behind the theatre parking on the railroad right-of-way. They had looked at a location directly behind the Marin Airporter but decided to move the platforms further north and closer to the portal of the Cal Park Tunnel. This would allow them to share the pedestrian walkway as one connection down to the Larkspur Landing. She discussed the slide depicting a typical station and noted they were not elaborate.

Mayor Arlas asked for comments and questions regarding the three topics.

Councilmember Chu noted that the City Council had not seen the revised station citing and were not prepared to comment on station design. He stated there was a proposal to remove about 140 parking spaces and he was concerned that the upper lot was extensively used by Marin Airporter and ferry passengers. He was concerned about what this would do to the service provided by the Marin Airporter. He stated the removal of parking could cause people to drive to the airport.

Boardmember McGlashan stated this was a valid concern and the design attempts to minimize this concern by creating a station that has as little car traffic going to it as possible. The theory is that SMART would take a few car trips off of the highway and out of Larkspur Landing. This would somewhat compensate the loss of parking.

Ms. Hames displayed a diagram depicting the SMART property boundaries, the Marin Airporter upper lot, and the overflow parking area. They have a lease with Marin Airporter for the upper parking lot and it has always been viewed as a short-term use. She noted the parking areas are right on top of the railroad tracks. There are 160 parking spaces in the lower lot that would not be impacted by the SMART proposal. They will need the railroad tracks. The design tries to maintain as many parking spaces as possible.

Mayor Arlas had questions about the diagram and asked if there had been discussions about shifting everything south towards Sir Francis Drake Boulevard. Ms. Hames stated "no". They would be storing trains in that area during the day and not deadheading trains to other locations.

Mayor Arlas was concerned that Marin Airporter and Golden Gate Bridge District would be both lose parking. He asked how many spaces would be lost for the Golden Gate Bridge District ferry overflow parking. Ms. Hames stated it was not striped and it was difficult to figure out. Mayor Arlas asked if there would be parking for train users heading north.

Ms. Hames stated there would not be any new parking for the Larkspur station. Mayor Arlas asked if they were assuming there would be few people using the northbound trains. Mr. McGlashan stated "yes". The northbound commute numbers were around 59 passengers with 119 passengers arriving at the Larkspur station in the morning. He stated they would be encouraging people to use the shuttle service and the "park and ride". Mayor Arlas stated Larkspur was unique from San Rafael or Petaluma in that it has a ferry terminal and there would be a huge impact on Sir Francis Drake Boulevard. Ms. Hames stated they assumed the access to the station would be drop-offs from the SMART shuttle (15 to 25 person passenger vans). There would be other ways to get to the station including walking, biking, or the Golden Gate bus system.

Councilmember Lundstrom stated her concerns include the current lack of parking and the proposed reduction in parking. The claim that they would try to make up the parking through the use of shuttles was unrealistic. The proposal for parking control through the shopping center would be a burden to the City. They need cooperation to make this 50 to 75 year facility work. They need to do a more thorough analysis on the parking.

Councilmember Hillmer stated he agreed with the comments made by the other Councilmembers about parking and circulation. He would like to add the issue of bus interface to the discussion. They are asking people to circulate through an existing set of land-uses and with conflicting circulation, parking, and inter-model change circumstances. The diagram is clearly missing several overlays of activities. The lack of surface area for parking does not exclude the air rights over many of the existing lots. There are other types of parking structures, including a shared type of arrangement.

The City Manager stated the access alignment shown on the screen is still under discussion. From an operational standpoint, she is concerned that there are no shuttle drop-off points shown at Larkspur Landing Circle. This is a curved road that has pedestrian and bicycle sight line issues. She asked where pedestrians and bicycles go once they get to the landing. The structure of the proposal is operationally incomplete.

Mayor Arlas asked who would be liable for an accident involving a pedestrian or bicyclist at the various intersections. He stated there would be 119 people coming south and he asked if they would try to use eminent domain powers to create a shuttle pick up and drop off area. He asked where these people heading north would pick up the shuttle and where they would park.

He asked if they would do a comparison of a possible termination in San Rafael in terms of cost effectiveness, safety to pedestrians, traffic impacts, etc.

Boardmember McGlashan stated they will use their best efforts to try to get back some of the lost parking spaces. The limiting factors would be design constraints, slope of the hillside, etc. The lack of parking is certainly the most vexing issue. They will do anything they can to improve this project over time. He would like to take as much care as possible not to constantly cater to the car. The real vision is towards a non-car transit future heavily supported by bicycle and pedestrian options. They plan to go to the ballot with the existing proposal and look to creative options in the future. They are working on the issue regarding the easement and access through the shopping center. They want to stay out of the intersection at Sir Francis Drake Boulevard and get people to the pedestrian bridge as quickly as possible. The County would be the main player in terms of liability but there is always the issue of shared liability. When SMART goes operational the MOU transfers responsibility from the County to SMART. The City Manager stated the MOU is crafted to allow SMART to change the operational activities at its sole discretion. She would like to make sure there would be a seamless transfer and would like some assurance about the operational issues. The need for emergency services could not be abrogated by the City of Larkspur, Twin Cities Police Authority, or the City of San Rafael. Boardmember McGlashan stated they have no intention of changing the rules when the transfer from the County to SMART occurs. Mr. Al Boro, Chair of SMART, stated decisions would be made collectively and not unilaterally.

Councilmember Lundstrom stated this discussion has been very fruitful and she would suggest as follow-up on the following issues: 1) clarification on the MOU issue; 2) number of parking spaces lost; 3) analysis of ridership (coming from East Bay, etc.). Mayor Boro stated they need to work together to enhance the parking situation.

Councilmember Hillmer referred to the diagram and stated he would have a very difficult time explaining to the public how it works in terms of the location of drop offs, pick ups, circulation patterns, etc. He encouraged the Board to find a better way to communicate their intentions. Boardmember McGlashan stated they were working on a white paper to describe the shuttles, parking issues, information about quiet zones, etc. and he would make sure that the Council received a copy.

Mayor Arlas asked if they had a sense of how many of the 119 southbound passengers would use the shuttle to go to one of the major employers vs. getting on the ferry. It was expensive to run shuttles and he noted they would add to the congestion on Sir Francis Drake Boulevard. Boardmember McGlashan stated they would be willing to go through the detailed modeling assumptions to figure out these issues.

Councilmember Chu discussed the original EIR traffic analysis for Larkspur Landing and the technical engineering tables. He noted those key intersections were evaluated in the FEIR as Level of Service A and B in the morning and afternoon peak periods when more recent studies have shown them to be at Level F. He stated in a TAM study from last fall that only one-third of the traffic from the north goes to the ferry terminal and the other two-thirds goes to the Ross Valley and south. He stated they need to expand the scope of the discussion to include TAM and the design of the Greenbrae interchange.

Mayor Arlas stated there were three housing projects, including a hotel, that have been approved in the Larkspur Landing area. He hoped that any traffic analysis would include these developments.

Mayor Arlas opened the meeting to public comments.

Ms. Nancy Weninger, Elm Avenue, asked about the cost to park at the Marin Airporter and whether or not SMART would be willing to subsidize cab fares in-lieu of providing parking.

Mr. Roger Denyl, Laurel Avenue, asked if the proposed rail would reduce the traffic on Highway 101. Boardmember McGlashan stated the proposal as analyzed in the EIR would get 2,500 cars off of Highway 101 up and down the length of the corridor. This would be a negligible affect on traffic. The strategic value is to provide a fast and pleasant commute for people who want to get out of their car. They are not selling this proposal as a way to make it easier for drivers on the highway.

Mr. Tom Murphy, Madrone Avenue, stated he supports transit systems but was concerned that it often encourages development. He would like some information regarding the long-term effects.

Mr. David Schoenbrun, San Rafael, discussed the recent ABAG General Assembly and the changing context of transportation planning in terms of the private automobile. He discussed the issue regarding climate change and the need to reduce VMT's Statewide and the number of car trips. This implies an entirely different policy context.

Mr. Paul Wingate, Loma Vista Avenue, asked if they have considered the surprising benefits and downsides to the project.

Ms. Karen Nygren, Tiburon, asked the following questions: 1) why have they purchased the railroad right-of-way down to the Corte Madera Shopping Center and what are the plans for that right-of-way?; 2) how does the shuttle service benefit Marin residents heading north?; ) where do they plan to get the money for future ideas and proposals?

Ms. Barbara Saltzman, Ardmore Avenue, stated she would like to see the EIR address potential for a parking structure. She was concerned about urbanization of that area.

Mr. Charles Isler, Corte Oriental, asked the Board to look at the shuttle service in Westport, Connecticut. It is an amazing mini-bus system that terminates at a train station.

Mr. James Holmes, Madrone Avenue, asked if the impacts due the increased Housing Element requirements would be addressed in the EIR. Councilmember Chu stated the original response from SMART was that those numbers were speculative and not included in the EIR.

Mr. Dwayne Price, Elm Avenue, asked if they have had any discussions with the property owners and merchants at Larkspur Landing. Boardmember McGlashan stated they received a 66% approval margin from the Larkspur Landing Circle area. The County is working with some of the property owners regarding easement issues. There have been discussions with the merchants. Councilmember Hillmer stated he has heard supportive comments from some of the Larkspur Landing merchants at the Chamber of Commerce meetings.

Mayor Arlas thanked everyone for his or her comments.

The Council took a 10-minute break at 7:50 p.m.

The meeting reconvened at 8:00 p.m.

## **APPROVAL OF CONSENT CALENDAR**

The City Clerk certifies that this Agenda has been posted in accordance with the requirements of the Government Code

Approval of Warrants

Approval of Minutes: September 19 and October 17, 2007

Adopt Resolution 43/07, Authorizing Execution of the Joint Powers Agreement II Related to the MarinMap Project

Approve Business License for Massage Therapist Jheri Allen

Revise the Negotiated Fee with PB Americas, Inc. as Adopted by Resolution No. 28/07, Authorizing the City Manager to Sign the Professional Services Agreement with PB Americas, Inc. for Design and Environmental Work on Doherty Drive Bridge, Bon Air Bridge and Alexander Avenue Bridge

M/s, Hartzell/Chu and approved 5-0 to approve the Consent Calendar with amendments to the October 17, 2007 minutes.

## **STATE SENATOR CAROLE MIDGEN- ORAL LEGISLATIVE UPDATE**

State Senator Midgen offered her assistance in helping with the SMART issue. She discussed the use of Proposition 1B Transportation money including the Highway 580/101 widening, the Novato Narrow project, and some projects in Petaluma. Money will also go to Doyle Drive for seismic retrofitting. Larkspur would be receiving \$57,000. She discussed legislative issues regarding affordable, senior, and workforce housing and stated she was very supportive of this type of planning. She is trying very hard to get \$20 million allocated to Marin County for flood control projects. The Senate is in Special Session now and is working on health care issues, a State wide comprehensive water policy, and other matters. She stated she would be happy to assist Larkspur with regard to FEMA relief and OES matters. She stated they tried very hard to halt the San Quentin Death Row Expansion Project and she would continue to work with Assembly member Huffman. She would be sponsoring two forums this month in Marin County regarding affordable and workforce housing issues. She would also be sponsoring a wildfire and disaster preparedness workshop in Mill Valley sometime in November. She discussed the need to reintroduce the Vehicle License Fee (VLF) and the recent \$6 billion loss to the State economy. She supported the idea of allowing local municipalities to levy their own taxes or fees.

Mayor Arlas thanked Senator Midgen for her efforts towards bringing a permanent solution to the ERAF issue.

## **CITY MANAGER'S ORAL REPORT**

The City Manager reported the Council would hold a Special Meeting on November 14<sup>th</sup> and 15<sup>th</sup> at the Hall Middle School Gymnasium at 7:30 p.m. regarding the Larkspur Housing Partners proposal for CLASP Subarea 3. The November 21<sup>st</sup> and December 5<sup>th</sup> meetings have been cancelled. The Council will hold a Special meeting on December 12<sup>th</sup>. City Hall will be closed to the public on Monday, November 12<sup>th</sup> for Veteran's Day and on Thursday, November 22<sup>nd</sup> and Friday, November 23<sup>rd</sup> for Thanksgiving. The Library would be undergoing a remodeling and cleaning project and would be closed on Saturday, November 24<sup>th</sup>. All Larkspur Firefighters and apparatus have returned from Southern California. She has scheduled staff level meetings for continuing discussions about the possible Larkspur and Ross Fire consolidation. Representatives from Marin Primary have approached staff about some remodeling plans for the school. Staff has a meeting scheduled with representatives from the Golden Gate Bridge District about existing ferry terminal parking.

Staff is starting to look at the State budget impacts and in particular possible shifts in Property Tax. She discussed the "Triple Flip" and noted there was no longer a lot of money coming from the State.

## **COUNCILMEMBER REPORTS AND COMMENTS**

Councilmember Lundstrom reported the MCCMC meeting would be held on November 28<sup>th</sup> in Sausalito.

Councilmember Chu gave a brief report on the JPA Oversight Committee on the Major Crimes Task Force. They are no longer involved in auto theft crimes and their primary focus is drug enforcement. They would like some assistance in providing education in the middle schools.

## **PUBLIC COMMENT**

Mr. Rick Adler, William Avenue, stated the Bay Area Air Quality Management District would be holding a workshop on wood burning and fireplace smoke. There would be a Green Festival in San Francisco this weekend. The best route for the SMART train would be down 580, west to San Quentin, and then up to the ferry terminal. San Quentin Prison should be moved to Bakersfield.

## **PUBLIC HEARINGS**

NONE

## **BUSINESS ITEMS**

### **1. REVIEW AND ACCEPT THE 2006-07 ANNUAL AUDIT- MAZE AND ASSOCIATES**

The City Manager presented the staff report and introduced Mr. Tim Kirsch from Maze and Associates, CPA. She acknowledged the work of Finance Director Koenig and Accounting Specialist Rebecca Ahrens.

Mr. Kirsch stated their opinion date was early September and that says a great deal about the efforts that the City places on its finances. He stated he was able to give an unqualified, clean opinion on the Financial Statements. This is the highest level of assurance. There were no material weaknesses or significant deficiencies in the City's internal controls. He noted that as of June 30, 2007 the City is in a solid financial position.

Councilmember Chu asked if it would help to use certain methodologies (moving averages, etc.) for predicting estimated revenues. He asked about the variances found in the Day Care Budget.

The Finance Director stated that was a result of significant changes in the program due to the 5<sup>th</sup> graders moving to Hall Middle School. Councilmember Chu stated the report was very easy to read. He would like to see a summary break down of the reserves and designations. He referred to page 51 and noted the Marin Street Light JPA is now the Marin General Service Authority. He noted a deficit and asked if Tidalwaves was supposed to be self-supporting. The Finance Director stated “yes” and that the deficit would be made up in future years.

Councilmember Lundstrom asked about compliance with new GASB regulations regarding post-retirement benefits and pensions. Mr. Kirsch stated the City would need to implement GASB 45 (post-employment retirement benefits) as of June 30, 2008 and determine the liability. This would require an actuarial study and there are a number of different options in terms of how it is recorded, funded, and disclosed. They are currently on a “pay as you go” basis and it is booked as an annual expense.

M/s, Lundstrom/Hartzell and approved 5-0 to accept the Annual Audit.

The Council thanked the City Manager and Finance Director for a job well done.

2. ADOPT RESOLUTION NO. 44/07, REGARDING MEMBERSHIP IN ICLEI-LOCAL GOVERNMENTS FOR SUSTAINABILITY AND PARTICIPATION IN THE CITIES FOR CLIMATE PROTECTION CAMPAIGN; AND SELECT A CITY COUNCIL LIAISON

DIRECT CITY MANAGER TO PROVIDE A LETTER OF SUPPORT AND COMMITMENT FOR PARTICIPATION IN A BAY AREA AND QUALITY MANAGEMENT DISTRICT CLIMATE PROTECTION GRANT PROPOSAL TO BE PREPARED JOINTLY WITH OTHER MARIN COUNTY JURISDICTIONS

The Planning Director presented the staff report.

Councilmember Chu stated this seemed to be heading in the same direction as AB 939 where a JPA may be needed to comply with AB 32. The Planning Director stated this would be under the auspices of the Marin General Services JPA. Councilmember Chu stated the AB 32 performance goals would probably come out in 2012.

The City Manager stated the new legislation would focus on reporting only with no mandates or fines tied to it in terms of performance. This issue was discussed at the Marin Managers meeting and it was the consensus that the State would mandate these kinds of studies and implementing steps within the next two to five years. This could be seen as a “preemptive strike”.

This issue was also discussed at the Bay Cities Risk Management/Liability Insurance Meeting.

M/s, Lundstrom/Hartzell and approved 5-0 to adopt Resolution No. 44/07 and direct the City Manager to provide a letter of support.

Councilmember Hillmer volunteered to be the liaison.

### **ADJOURN MEETING TO CLOSED SESSION**

The City Council and the City Manager adjourned to closed session at 9:00 p.m. to discuss the following items:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR- Pursuant to Government Code Section 54956.8:  
Property: Twin Cities Police Facility, 250 Doherty Dr., Larkspur A.P. #022-120-12  
Negotiating Parties: Twin Cities Police Authority, Twin Cities Police Council  
Negotiating Agent  
Jean A. Bonander, City of Larkspur Negotiating Agent  
Discussion: Terms, Price or both

CONFERENCE WITH CITY ATTORNEY- EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9: Jacobs Engineering vs. City of Larkspur

CONFERENCE WITH CITY ATTORNEY- ANTICIPATED LITIGATION- 1 Case  
Pursuant to Government Code Section, 54956.9

### **ADJOURN FROM CLOSED SESSION**

The Mayor adjourned to open session at 10:12 p.m. and indicated no reportable action had been taken

### **ADJOURN MEETING**

The Mayor adjourned the meeting at 10:14 p.m.

Respectfully submitted,

Toni DeFrancis  
Recording Secretary