CITY OF MILL VALLEY CITY COUNCIL

MINUTES

COUNCIL CHAMBERS, CITY HALL 26 CORTE MADERA AVENUE, MILL VALLEY FEBRUARY 7, 2011 7:30 p.m.

Kenneth R. Wachtel, Mayor--Present Garry Lion, Vice Mayor--Present Andrew Berman--Present Shawn Marshall--Present Stephanie Moulton-Peters--Present

City Staff: City Manager McCann, Deputy City Clerk Wilson, Finance Director Erickson, Director of Planning and Building Moore, Interim Director of Public Works Barnes, Treatment Plant General Manager Danehy and City Attorney Stepanicich.

CALL TO ORDER

Mayor Wachtel called the Regular Session to order at 7:30 p.m.

ACTION OUT OF CLOSED SESSION

Mayor Wachtel announced that there was no action taken in Closed Session.

PUBLIC OPEN TIME

Susan Kirsch, Ryan Avenue, commented on Marin Clean Energy's compensation package for its new Executive Officer and stated she felt it was excessive. She asked Council to review the criteria used to set the Executive Director's salary rate.

Bruce Dorfman, Buena Vista Avenue, commented on Marin Clean Energy's employee compensation package.

APPROVAL OF THE AGENDA ORDER

Councilmember Marshall moved to pull <u>Item Nos. 5 and 6</u> from Consent Calendar to be rescheduled to the next City Council meeting. Councilmember Lion asked if rescheduling <u>Item No. 6</u>, would delay the General Plan update. Confirmation was made that this would not significantly delay the update. It was **MOVED** by **Councilmember Lion** and **SECONDED** by **Councilmember Marshall** to approve the Council meeting agenda as amended. The Motion was carried unanimously.

CONSENT CALENDAR

It was **MOVED** by **Councilmember Marshall** and **SECONDED** by **Councilmember Moulton-Peters to approve <u>Item Nos. 1 and 2</u> on the Consent Calendar.**

1. Warrants--\$2,541,512.44.

<u>Recommended Action</u>: Approve paying expenses authorized by the adopted City Budget.

2. Consideration of a Resolution to approve a budget adjustment to add \$31,898 in existing Proposition 1B Local Streets and Roads funds to the General Fund Street Rehabilitation Capital Improvement Project.

Recommended Action: Adopt Resolution No. 11-07.

COUNCIL ANNOUNCEMENTS--None given.

PUBLIC HEARING:

3. Consideration of a Resolution approving a Vesting Tentative Subdivision Map to create nine residential parcels and two designated common area parcels on a 52,678 square foot site at 500 Miller Avenue.

Recommended Action: Adopt Resolution No. 11-08.

Mayor Wachtel opened the public hearing.

Elizabeth Moody, The Redwoods, stated she was disappointed that there were no affordable housing units for this project.

Margaret Zegart, Highland Lane, stated she submitted a letter to Council and inquired if the project was divided into two parcels. In response to Ms. Zegart, Director Moore stated that originally the project was comprised of two parcels and a lot line adjustment was previously completed and approved. Ms. Zegart stated she would like to see additional language be added to address landscape concerns.

Mayor Wachtel closed the public hearing.

It was **MOVED** by **Councilmember Marshall** and **SECONDED** by **Councilmember Moulton-Peters** for adoption of **Resolution No. 11-08.** The Motion was carried unanimously.

4. Consideration of an Ordinance to amend by reference Title 2, Administration and Personnel, Chapter 2.48. Public Employees' Retirement System, Section 2.48.071, Contract Amendment--Authorized by the Mill Valley Municipal Code.

Recommended Action: To introduce the Ordinance, read Title and authorize second reading.

Mayor Wachtel opened public hearing, and no comments were received.

Councilmember Moulton-Peters read the title and waived further reading and the item was MOVED by Councilmember Moulton-Peters and SECONDED by Councilmember Lion. The Motion was carried unanimously.

Mayor Wachtel announced Council would adjourn to a Closed Session and then resume the meeting to Agenda Item 7. He adjourned Council to Closed Session at 7:50 p.m.

Mayor Wachtel called the Regular Session back to order at 9:05 p.m. and announced that there no action had been taken in Closed Session.

NEW BUSINESS:

- 5. Presentation by the Planning and Building Department regarding Senate Bill 375 and the development of a regional "Sustainable Communities Strategy."

 Recommended Action: Receive presentation, discuss and provide direction as appropriate. Continued to next City Council meeting.
- 6. Presentation by the Planning and Building Department regarding a draft scope of work, budget and timeline for a comprehensive revision of the Mill Valley General Plan.

<u>Recommended Action:</u> Receive presentation, discuss and provide direction as appropriate. **Continued to next City Council meeting.**

7. Presentation by the Department of Public Works introducing background regarding the upcoming adjustment of the sanitary sewer fee rate structure.

Recommended Action: Receive presentation, discuss and provide direction as appropriate.

City Manager McCann introduced the item and noted the need to address deficiencies with the wastewater system and the treatment plant. He stated that the sewer system is a critical element of service and the City needs to revisit and update the rate structure to provide the funding necessary to maintain the system. He thanked **Interim Director Barnes** for her comprehensive staff report.

Interim Director of Public Works Barnes presented the staff report. She introduced the project consultants Vern Philipps and Jasmine Cuffee, Harris and Associates and John Farnkopf, HFH Consultants. She stated that Finance Director Erickson and Treatment Plant General Manager Danehy were available for questions and presented an overview of the system's process, establishing a basis for the need to raise rates to support and improve the system.

Council discussion:

Councilmember Moulton-Peters asked staff where the high priority repair areas are located.

Jasmine Cuffee discussed the Environmental Protection Agency's (EPA) order and the limited funds used to do a City-wide inspection. She stated that this only allowed for ten miles of inspections. She reviewed how the process was accomplished and discussed the televising inspection of sewers in high-risk zones in order to evaluate the condition of a sample of the overall sewer system. The high risk zones were identified based on frequency of overflows.

Councilmember Moulton-Peters inquired as to how sensitive habitats would be addressed and questioned whether flat- and flow- based rates (conservation tiers) would be considered.

Interim Director Barnes stated that priority would be given to rehabilitation of sewers near creeks. **Consultant John Farnkopf** discussed some of the challenges with flow-based rates. He stated that currently none of the agencies served by Marin Municipal Water District use this rate structure.

Councilmember Marshall stated she felt the sewer line repairs needed to be aligned with street and sewer work. She stated that she would also like to see private gray water systems and sewer lateral repairs encouraged.

Councilmember Lion asked if there was a mandated deadline to complete the EPA required work. In response to Councilmember Lion, **Interim Director Barnes** stated she did not know of a specific deadline, but that the EPA would like to see an aggressive approach. **Councilmember Lion** asked what the percentage sewer fees were on property taxes.

Mayor Wachtel inquired if the proposal would be a step increase or fixed increase.

Councilmember Berman stated the need to ensure adequate reserves.

Council thanked staff for their report and agreed with the need for the rate increase to address the aging system. Staff received Council approval to proceed and give direction to study the following items:

- Provide several scenarios of the rate increase plan
- Implement routine rate increases to avoid drastic hikes
- Public outreach such as notices, meetings, website and press releases
- Rates based on water usage (conservation tiers)
- Gray Water Systems
- Alignment of Street and Sewer CIP's
- Continue private lateral replacement program
- Environmental issues--waterways, habitats
- Ensure adequate reserves to cover unexpected expenses and avoid future depletion of reserves

CITY MANAGER'S REPORT AND COUNCIL LIAISON REPORTS:

City Manager McCann reported on the following:

- a) Status of Single-Use Plastic Bag Regulations
- b) City Council Retreat Action
- c) Status of Community Health Discussion including Smoking Practices and Regulations

COUNCIL REQUESTS AND IDEAS FOR DISCUSSION

Councilmember Marshall gave a brief update on Marin Energy Authority's plans.

ADJOURNMENT: Mayor Wachtel adjourned the meeting at 10:45 p.m. to the next regularly scheduled City Council meeting to be held on Tuesday, February 22, 2011.

	Kenneth R. Wachtel, Mayor
ATTEST:	
Kimberly Wilson, Deputy City Clerk	