

MINUTES OF SPECIAL CITY COUNCIL MEETING
MARIN VALLEY MOBILE COUNTRY CLUB
100 MARIN VALLEY DRIVE
MONDAY, DECEMBER 9, 2013 – 7:00 P.M.

A. CALL TO ORDER

ROLL CALL

Present: Mayor Eklund
Mayor Pro Tem Lucan
Councilmember Kellner
Councilmember MacLeamy

Absent: Councilmember Athas

Also Present: City Manager Michael Frank, Assistant City Manager Cathy Capriola, Engineering Manager Julian Skinner, Finance Manager Brian Cochran, and Director of Hamilton Base Reuse Scott Ward, Assistant City Attorney Veronica Nebb and City Clerk Sheri Hartz.

B. APPROVAL OF FINAL AGENDA

Councilmember Kellner moved, Seconded by Councilmember MacLeamy, to approve the Final Agenda. The motion carried 4-0-1, with Councilmember Athas being absent.

C. PUBLIC COMMENTS

None

D. CONSENT CALENDAR

1. RECEIVE APPROVED MINUTES OF JUNE 3, 2013
2. MONTHLY FINANCIAL ANALYSIS – MAY 2013 THROUGH OCTOBER 2013, YEAR END FY 12/13

Councilmember MacLeamy moved, Seconded by Mayor Pro Tem Lucan, to approve the Consent Calendar. The motion carried 4-0-1, with Councilmember Athas being absent.

E. GENERAL BUSINESS

3. TRUST FOR PUBLIC LAND (TPL) PROPERTY ACQUISITION OPPORTUNITY

Provide information to the residents regarding negotiations and proposed funding.

Mayor Pro Tem Lucan recused himself from consideration of this item due to his wife's employment with TPL and left the meeting room.

City Manager Frank opened the item and introduced Scott Ward, Director of Hamilton Reuse, who gave the staff report. Director Ward displayed a PowerPoint presentation regarding the opportunity to purchase land surrounding the MVMCC at a steeply discounted price. He explained that he had been leading the negotiation with the Trust which was interested for a limited amount of time. He displayed a map of the parcels, stating that they surrounded the MVMCC community. He said they were a gift to TPL intended to generate revenue to support charitable activities. He further stated that TPL would sell the property to a private party if the City did not move forward with acquisition. He concluded by stating that the land is zoned for low density residential, that the deadline was early the following year and that the likely buyer would be developer.

Director Ward explained the benefits of acquisition as follows:

- Negotiated price of \$500,000 was 92% below market value
- Acquisition by the City would prevent a third party from purchasing the property
- Provides the option to create trails and open space
- Assists with managing slope instability
- Purchased land could potentially be part of an exchange that would lift Federal encumbrances from Hamilton properties and shift them to these parcels, protecting property as open space and facilitating the rehabilitation of the Hamilton properties.

He went on to explain that the funding would be comprised of MVMCC general capital reserves in the amount of \$250,000 and either the City's General Fund or Measure F funds for the remaining \$250,000.

COUNCILMEMBER QUESTIONS:

To a question from Councilmember MacLeamy, Assistant City Manager Capriola responded that there was \$1.25 M in the capital reserve fund which was separate from the long term infrastructure reserve. Mayor Eklund, referring to the staff report, asked for confirmation of how many residences could be built on the property. Mr. Ward responded that the hillside development rights would be moved to the flats and that was what would be developable.

Assistant City Attorney Nebb added that the zoning, R1, was single family residential and that the Park was zoned Planned District, so some adjustments would be required for anything other than single family.

PUBLIC COMMENTS:

1. John Shelfer asked if, in this exchange of zoning with Hamilton, would all of the 90 acres be involved or, if less, will wetlands be kept out. He also inquired whether, since MVMCC was being asked to participate financially, would the PAC board be advised of any zoning changes or land uses.
2. Larry Cohen stated that the planned purchase was a good idea, but was concerned about Park finances. He said he would like to see a long term financial plan and cautioned that if there was an emergency, there would not be enough in reserves.
3. Martina Koeckritz suggested exploring the idea of placing mobile home units on the property, stating that might make for a good return on investment.
4. Jim Olson said that he saw mutual benefit to the transaction, but asked if there were guarantees that the property would remain undeveloped.
5. Gary Appleman asked whether the gift deed documented what the property could be used for.
6. Henry Fremmer asked for clarification on whether, if the land was purchased, it would become part of MVMCC land, and if the Park would be responsible for its upkeep.
7. Julie Manson said that it would be great for MVMCC to own and become stewards of the marshland, removing invasive plants, and asked how this cooperative venture would affect the deed from the Park and who would own the land.
8. Bill Noble strongly supported the idea and asked for more information about what the transfer to Hamilton would look like.
9. Sandy Figone asked for clarification on whether the land would belong to the Park and asked what was in it for them.

City Manager Frank responded to questions raised during Public Comment, stating that the last question could be summed up as follows: The property would be owned and maintained by the City. Once city made the purchase, it would be within the City's control. There would be no surprises; with the land ideally being acquired as open space, and that they hoped to move the Lands to Parks restrictions onto this site. He said it was possible that development might occur but would involve an extensive public process and that there were many restrictions on

development already in place. He stated that it was important to remember that, with this transaction, the property would go from being in someone else's control to being in the Council's control. He added that there would be no guarantee that it would stay undeveloped until there was a deed. Regarding the long term financial plan of the Park, he stated that in the last four years, the long term infrastructure needs of the Park have been analyzed, that funds have been set aside for those needs and that nothing about this plan would impact the future viability of the Park.

Director Ward stated, in response to Mr. Shelfer, that all of the parcels would likely be utilized in the LTP exchange and the City has not investigated the possibility of a partial exchange thus far.

Ms. Nebb confirmed that the City held regularly scheduled meetings with the PAC Board and that, ultimately, there would be a public process. She added that currently the City maintained some of the affects from the TPL land such as slope stability, and that there would be more flexibility if the City owned the land, making it easier to protect the Park.

Regarding the gift deed/exception letter, Mr. Frank stated that it could be requested from TPL. Ms. Nebb added, however that she did not expect it would shed much light and felt it was probably just a straight deed. In response to a last question, she stated that this transaction would have no bearing on the ownership decision.

*Councilmember MacLeamy moved, Seconded by Mayor Eklund, to conceptually approve the funding sources should the TPL property acquisition move forward to be \$250,000 from city Funds and \$250,000 from City MVMCC Capital Reserves. **The motion carried 3-0-1-1, with Mayor Pro Tem Lucan recusing himself and Councilmember Athas being absent.***

At 7:46 p.m., Mayor Pro Tem Lucan rejoined the meeting.

4. CLUB HOUSE ADA IMPROVEMENTS - CAPITAL PROJECT STATUS UPDATE

Consider receiving update on Club House ADA Improvements project.

Engineering Manager Julian Skinner gave the staff presentation, reporting that the analysis of ADA improvements needed for the clubhouse arose from the condition survey completed during the previous year. He said the consultant had developed the report itemizing portions of the building that did not meet code and had arrived at a cost for improvements of \$225,000. He said that, adding design costs and going to bid, etc. would increase that amount to approximately \$300,000. He stated that there was not an immediate need to make the improvements, which would typically be triggered by other work and that, since it was a public building, a transition plan would need to be designed to address the various items. He reported that, in developing the CIP for Park the previous year, \$105,000 had been allocated so as not to take a significant hit all in one year. Conversely, he added, dividing the work into many small projects would result in

added costs. He said that the first year, projects would address items which would benefit the park as well as doing the ADA improvements such as the elevator but that there was no definite plan at this point. He stated that the architect would evaluate the deficiency report in the new year and that workshops and PAC meetings would be held to determine early needs. He concluded by outlining a tentative schedule, anticipating hiring an architect by February or March, holding workshops to show options and get resident feedback and then, developing project documents and putting the work out to bid by summer in order to start construction in the fall of 2014.

COUNCILMEMBER QUESTIONS:

In response to a question from Councilmember Kellner, Mr. Skinner stated that input on building improvements would be sought from all users through an informal workshop conducted after getting input from the architect. Mayor Eklund asked whether residents had been able to view the report and provide input on priorities. In response, Mr. Skinner stated that the report had been made available and that the improvements naturally fell into three compatible sections that had different levels of importance in addressing the ADA requirements. Assistant City Manager Capriola added that the PAC was being kept informed and that a PAC subcommittee would be providing Mr. Skinner with a report on priorities.

Councilmember MacLeamy asked whether structural work on the building would be involved with this effort and if it would trigger ADA compliance to which Mr. Skinner responded that the architect would bundle the work in a way that made sense for both efficiency and cost effectiveness.

PUBLIC COMMENTS:

10. Jim Olson asked whether HCD affected this process.

Engineering Manager Skinner responded that it doesn't change much regarding whom the agency is that permits the work and that it would be state's call whether the improvement addresses the issues.

F. REGULAR REPORTS

5. INTRODUCTION OF MATT GREENBERG TO COUNCIL

Al Frei was present to introduce Matt Greenberg, the new Park onsite manager. He stated that his motivation had been to improve professionalism and add someone with construction and project management expertise. Mr. Greenberg came forward to provide the park update.

6. PARK MANAGEMENT UPDATE: AL FREI AND MATT GREENBERG,
FREI REALTY

Mr. Greenberg stated that he had started in September of 2012, with the goal of developing a better and more efficient maintenance schedule and dealing with deferred maintenance issues. He reported that a lot had been accomplished, with a focus on retaining walls, drainage and sump pumps, driveway repaving, pond filtration, sprinkler system upgrades and new laundry appliances.

The Councilmember welcomed Mr. Greenberg, thanking him for his work and sought assurance that the word was getting out to residents about the progress he was making.

PUBLIC COMMENTS:

11. John Feld stated that Mr. Greenberg had made a difference on daily basis, and that he was a wonderful addition.

12. Jack Brandon also spoke in support of the addition of Mr. Greenberg to the staff.

7. UPDATE FROM PAC: JIM OLSON

Jim Olson gave the PAC Board update and thanked Council for holding its meeting at the Park. He reported that new stop signs and street markings had been installed and that police enforcement could begin as soon as one last 20 mph sign was erected.

He stated that the PAC had initiated an internal process to restructure the Park's insurance portfolio in hopes of achieving more effective cooperation between the various entities. He reported that safety events are being offered for residents and that the PAC Board now had a professional recording secretary to produce better minutes. He also stated that there was a new sense of confidence in the safety of the park now that onsite management was in place.

He concluded by stating that there were concerns over added expenditures such as payroll, and the newly approved TPL expense, and felt that the next budgeting process would be very important.

Councilmember MacLeamy pointed out that compensation for Mr. Greenberg was not a totally new expense since there had management before and Mr. Olson conceded that there was a payback due to Mr. Greenberg's added efficiency.

PUBLIC COMMENTS:

None

G. BOARD/STAFF COMMENTS

8. NEXT MEETING DATE

Ms. Capriola stated that the next meeting would be sometime in March or April and that she would inform the PAC Board when a date was confirmed.

H. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

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

Sheri Hartz, City Clerk