



AGENDA

CORTE MADERA TOWN COUNCIL
AND SANITARY DISTRICT NO. 2 BOARD
TOWN HALL COUNCIL CHAMBERS
300 TAMALPAIS DRIVE
TUESDAY, MARCH 15, 2016
7:30 P.M.

1. CALL TO ORDER, ROLL CALL AND SALUTE TO THE FLAG

1.I. Report out of Closed Session from March 1, 2016 Town Council Meeting regarding the following item:

- CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

2. PRESENTATION: None

3. OPEN TIME FOR PUBLIC DISCUSSION

Please confine your comments during this portion of the agenda to matters not already on this agenda. Speakers will be limited to three (3) minutes unless otherwise specified by the Mayor or the Presiding Officer.

The public will be given an opportunity to speak on each agenda item at the time it is called. The Council may discuss and/or take action regarding any or all of the items listed below. Once the public comment portion of any item on this agenda has been closed by the Council, no further comment from the public will be permitted unless authorized by the Mayor or the council and if so authorized, said additional public comment shall be limited to the provision of information not previously provided to the Council or as otherwise limited by order of the Mayor or Council.

4. TOWN MANAGER AND COUNCIL REPORTS

- Town Manager Report
- Director of Planning & Building Report on Status of Tamal Vista East Corridor Study
- Council Reports
(Mayor Bailey to provide update regarding Fire Shared Services discussions)

5. CONSENT CALENDAR

The purpose of the Consent Calendar is to group items together which are routine or have been discussed previously and do not require further discussion. They will be approved by a single motion. Any member of the Town Council, Town Staff, or the Public may request removal of an item for discussion. Rescheduling of the item(s) will be at the discretion of the Mayor and Town Council.

5.I. SANITARY DISTRICT ITEM

- 5.I.i. Approve A Memorandum Of Understanding Between Central Marin Sanitation Agency, Ross Valley Sanitary District, And Sanitary District #2 Of Marin County For Wastewater Conveyance Asset Ownership, Operation, And Maintenance
Report from Nisha Patel, Senior Civil Engineer

Documents: [5.I.I MOU BETW CMSA ROSS VALLEY AND SD2.PDF](#)

5.II. TOWN ITEMS

- 5.II.i. Waive Further Reading And Authorize Introduction And/Or Adoption Of Ordinances And Resolutions By Title Only

This item contains standard language authorizing Town Council to introduce and/or adopt Resolutions and Ordinances by Title only and waive further reading.

- 5.II.ii. Adoption Of Proposed Resolution No. 04/2016 Adopting The ICMA Retirement Corporation VantageCare Retirement Health Savings (RHS) Plan Number 803432 - Corte Madera Firefighters Association, Local 1775, International Association Of Firefighters
Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer

Documents: [5.II.II ADOPTION OF ICMA RETIREMENT VANTAGECARE RHS FOR FIREFIGHTERS ASSOC.PDF](#)

- 5.II.iii. AVON 39 The Walk To End Breast Cancer Event Use Request For July 22-24, 2016
Report from Mario Fiorentini, Director of Recreation and Leisure Services

Documents: [5.II.III AVON 39 WALK TO END BREAST CANCER.PDF](#)

- 5.II.iv. Approval Of Necessary Funds For Interested Councilmembers To Attend League Of California Cities Policy Committee Meeting On April 8, 2016 In San Diego, California And Attend The League Of California Cities Annual Conference October 5-7, 2016 In Long Beach, California
Report from Rebecca Vaughn, Town Clerk

Documents: [5.II.IV APPROVAL OF CONFERENCE ATTENDANCE.PDF](#)

- 5.II.v. Transmittal Of December 31, 2015 Summary Financial Report (Interim Reports On Cash Basis)
Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer

Documents: [5.II.V DECEMBER 31, 2015 SUMMARY FINANCIAL REPORT.PDF](#)

- 5.II.vi. Receive And File Investment Transactions Report For Month Of January, 2016
Report from George T. Warman, Jr., Director of Administrative Services/Town
Treasurer

Documents: [5.II.VI INVESTMENT TRANSACTIONS REPORT FOR MONTH OF
JANUARY 2016.PDF](#)

- 5.II.vii. Approve Warrants And Payroll For The Period 2/26/16 Through 3/10/16:
Warrant Check Numbers 213106 through 213208 Payroll Check Numbers 5141
through 5154, Payroll Direct Deposit Numbers 28987 through 29052, Payroll Wire
Transfer Numbers 1978 through 1982 and Wire Transfer of 4/01/16

Report from George T. Warman, Jr., Director of Administrative Services/Town
Treasurer

Documents: [5.II.VII PAYROLL AND DEMANDS 2.26.16 TO 3.10.16.PDF](#)

6. PUBLIC HEARINGS

- 6.I. Public Hearing To Consider Introduction Of An Ordinance To Amend The Town Of Corte
Madera Municipal Code, Modifying Chapter 9.36 - Noise To Restrict The Operation Of
Leaf Blowers

Report from Town Attorney Randy Riddle and Assistant Town Attorney Judith Propp

Documents: [6.I PUBLIC HEARING NOISE ORDINANCE AMENDMENT.PDF](#)

- 6.II. Public Hearing To Consider Adoption Of A General Plan Amendment (GPA 16-001) To
Make Properties Within Existing C-3 Zoning Districts Consistent With Their Existing
General Plan Land Use Designation;

And

Introduction of a Zoning Amendment (ZA 16-001) to Remove Residential Uses As A
Permitted Conditional Use, in C-3 Zoning Districts; and Determination That These
Actions Are Exempt From CEQA Pursuant to CEQA Guidelines Section 15061(B)(3).

Report from Adam Wolff, Director of Planning and Building

Documents: [6.II PUBLIC HEARING GENERAL PLAN AMENDMENT AND C3
ZONING FIX.PDF](#)

7. BUSINESS ITEMS

- 7.I. Review Of Draft April 5, 2016 Town Council Agenda

Documents: [7.I REVIEW OF 4.05.16 DRAFT TOWN COUNCIL AGENDA.PDF](#)

- 7.II. Approval Of Minutes Of March 1, 2016 Town Council Meeting

Documents: [7.II 030116 DRAFT CORTE MADERA COUNCIL MINUTES.PDF](#)

8. ADJOURNMENT

**TOWN COUNCIL STAFF REPORTS ARE USUALLY AVAILABLE BY 5:00 P.M., FRIDAY PRIOR TO THE
COUNCIL MEETING, AND MAY BE OBTAINED AT THE CORTE MADERA TOWN HALL, OR BY CALLING
927-5050. AGENDA ITEMS ARE AVAILABLE FOR REVIEW AT CORTE MADERA LIBRARY, FIRE**

STATION 13 (5600 PARADISE DRIVE) AND THE TOWN HALL. IF YOU CHALLENGE THE ACTION OF THE TOWN COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS AGENDA, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE TOWN CLERK, AT OR PRIOR TO THE PUBLIC HEARING.

Any member of the public may request placement of an item on the agenda by submitting a request to the Town Clerk. The public is encouraged to contact the Town Manager at 415-927-5050 for assistance on any item between Council meetings.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at 415-927-5086. For auxiliary aids or services or other reasonable accommodations to be provided by the Town at or before the meeting please notify the Town Clerk at least 3 business days (the Thursday before the meeting) in advance of the meeting date. If the town does not receive timely notification of your reasonable request, the town may not be able to make the necessary arrangements by the time of the meeting.

To sign up to receive automatic notifications regarding meetings and agendas, please visit the Town's website at <http://www.townofcortemadera.org> and click on "Notify Me" to register, or email the Town Clerk at: rvaughn@tcmmail.org.



DISTRICT MANAGER

**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

REPORT DATE: March 8, 2016
MEETING DATE: March 15, 2016

TO: DISTRICT MANAGER, BOARD PRESIDENT AND BOARD OF DIRECTORS

FROM: NISHA PATEL, SENIOR CIVIL ENGINEER

SUBJECT: APPROVE A MEMORANDUM OF UNDERSTANDING (MoU) BETWEEN CENTRAL MARIN SANITATION AGENCY (CMSA), ROSS VALLEY SANITARY DISTRICT (RVSD), AND SANITARY DISTRICT #2 (SD2) OF MARIN COUNTY FOR WASTEWATER CONVEYANCE ASSET OWNERSHIP, OPERATION, AND MAINTENANCE



SUMMARY:

The CMSA Joint Powers Agency managers, has prepared a draft Memorandum of Understanding (MoU) between CMSA, Ross Valley Sanitary District (RVSD), and Sanitary District #2 (SD2) for the ownership, operation, and maintenance of specific wastewater forcemains and adjacent assets. RVSD’s Board of Directors approved the MoU at their meeting on February 17th. CMSA’s Board of Commissioner’s approved the MoU on March 7th. SD2 is the remaining agency to approve the MoU.

STAFF RECOMMENDATION:

Approve the MoU between Central Marin Sanitation Agency, Ross Valley Sanitary District, and Sanitary District #2 of Marin County for Wastewater Conveyance Asset Ownership, Operation, and Maintenance.

OPTIONS:

1. Approve the MoU between Central Marin Sanitation Agency, Ross Valley Sanitary District, and Sanitary District #2 of Marin County for Wastewater Conveyance Asset Ownership, Operation, and Maintenance.
2. Other Action as determined by the Board; or
3. Take no action at this time.

DISTRICT MANAGER'S RECOMMENDATION:

Support staff's recommendation.

BACKGROUND/DISCUSSION:

CMSA's amended Joint Powers Agreement (JPA) identifies and describes wastewater forcemains that were installed during the 1980's Clean Water Grant Program, and began operation in 1985 to transport wastewater to the new CMSA treatment plant. The forcemain descriptions include their respective ownership and maintenance responsibilities, but they tend to be vague and/ or subject for interpretation. Other wastewater assets in the vicinity of the forcemains that were constructed during the same time period are not defined or mentioned in the amended JPA.

In September 2012, CMSA and San Rafael Sanitation District executed a MoU to define and clarify the ownership and maintenance responsibilities of specific assets that are associated with or in the vicinity of San Rafael interceptor. Shortly after the execution of that MoU, the JPA managers group used it as a template to construct a MoU for the assets associated with the Ross Valley interceptor. Completion of the CMSA/ RVSD/ SD2 MoU was postponed until the San Quentin wastewater service lawsuit was resolved, because the San Quentin forcemain is a JPA listed asset and its ownership was in dispute. In November 2015, the lawsuit was settled and dismissed.

Over the past few months, the JPA managers group has discussed and revised the draft CMSA/ RVSD/ SD2 MoU, to bring it to a final draft state for presentation to each agency's governing board. Noteworthy provisions in the MoU are:

- Removes the City of Larkspur as an owner of the Ross Valley Interceptor with RVSD and SD2, as ownership of the City's wastewater assets were transferred to the RVSD in the 1993 Annexation Agreement.
- Adds the San Quentin Junction Box as a RVSD and SD2 jointly owned asset, and defines CMSA as the entity responsible for its maintenance. The junction box was constructed with the RV interceptor but was not included in the amended JPA.
- Adds the 6" recycled water pipeline and an odor control dosing station as CMSA owned and maintained assets. The 6" pipeline was installed in the RV interceptor trench during its original construction and the chemical dosing station was built by CMSA in 1996.
- States the 16" San Quentin forcemain is owned and operated by the California Department of Corrections as stipulated in the lawsuit's settlement agreement.

ATTACHMENTS:

Memorandum of Understanding between CMSA, RVSD, and SD2 for Wastewater Conveyance Asset Ownership, Operation, and Maintenance.

ATTACHMENT 1

**Memorandum of Understanding between CMSA, RVSD, and SD2 for Wastewater Conveyance Asset
Ownership, Operation, and Maintenance**

**Memorandum of Understanding
Between Central Marin Sanitation Agency, Ross Valley Sanitary District, and
Sanitary District #2 of Marin County
For
Wastewater Conveyance Asset Ownership, Operation, and Maintenance**

This Memorandum of Understanding (MoU) is between the Central Marin Sanitation Agency (“CMSA”), Sanitary District #1 of Marin County (“RVSD”), and Sanitary District #2 of Marin County (“SD2”), together known as the “parties.” The effective date of this MoU is the date it is executed by the last signer. The purpose of this MoU is to clarify ownership, operation, and maintenance responsibilities for specific capital assets.

Whereas, on October 15, 1979, the San Rafael Sanitation District, RVSD, SD2, and the City of Larkspur entered into a joint powers agreement (CMSA JPA) to jointly exercise their powers and form CMSA to plan, administer, and coordinate wastewater treatment and disposal services throughout the CMSA service area; and

Whereas, CMSA is a regional wastewater treatment agency that began operation in 1985 and provides wastewater and biosolids treatment and other environmental services to the residents in San Rafael, Larkspur, Corte Madera, Ross, Fairfax, San Anselmo, and unincorporated areas in the Central Marin County, including San Quentin State Prison; and

Whereas, the amended JPA identifies sole and joint use wastewater conveyance facilities in the CMSA service area with their JPA member ownership and maintenance responsibilities, as presented and described in Exhibit B to the JPA, shown in Attachment 1; and

Whereas, RVSD annexed the City of Larkspur’s wastewater service area and assets in 1993, transferring ownership of and operations and maintenance responsibility for Larkspur’s wastewater assets, including those referenced in the amended CMSA JPA, to RVSD; and

Whereas, RVSD and SD2 are wastewater collection agencies, members of the CMSA JPA, and have been using the regional plant facilities for the treatment and disposal of their respective district’s wastewater, and have contracted with CMSA for other various services; and

Whereas, RVSD and SD2 jointly own the 54" Ross Valley (RV) Interceptor, consisting of Forcemain (FM) IIA-1 and FM IIA-2, and CMSA maintains FM IIA-1 (the RV Interceptor from the treatment plant headworks to the junction with the 16" San Quentin Forcemain); and

Whereas, RVSD is the sole owner of, and maintains and operates, the 12" Pump Station 10 Landing B Forcemain, that connects to the 54" RV Interceptor (Reach FM IIA-2); and

Whereas, in 1987, SD2 abandoned its 20" Corte Madera forcemain and disconnected it from the 54" RV Interceptor, and connected a new forcemain upstream on the 54" RV Interceptor (Reach FM IIA-2); and SD2 is the sole owner and maintains the new Corte Madera Forcemain from the downstream flange of the 24" x 54" fitting; and

Whereas, the San Quentin Junction Box (SQJB) is located on State of California property, is shown on Attachment 2, and contains the 54" RV Interceptor (Reach FM IIA-1) and the 16" San Quentin Forcemain, including their junction fitting and pipeline appurtenances; and

Whereas, the State of California's Department of Corrections and Rehabilitation (CDCR) owns, operates, and maintains the 16" San Quentin forcemain upstream from the RV Interceptor's 54" x 16" fitting; and

Whereas, a recycled water pipeline is located in the same pipeline trench as the 54" RV Interceptor, and an odor control facility is located on the State of California property adjacent to the San Quentin Junction Box; and

Whereas, the JPA does not identify the owner of the odor control dosing facility, recycled water pipeline, SQJB assets, or the specific starting location of the CMSA and RVSD maintenance responsibilities for the 54" RV Interceptor; and

Now, therefore, be it resolved that CMSA, RVSD, and SD2 have reviewed the JPA, visited the chemical dosing station and SQJB, and reached agreement on the asset ownership and maintenance responsibilities as presented below to support and clarify the amended CMSA JPA.

Whereas, the parties accept the following definitions and understanding of the terms which follow, as used in this MoU:

Ownership - the party that owns the identified asset and has the capital replacement responsibilities.

Operations and Maintenance - the party that monitors process parameters, such as wastewater flow and pressure; responds to Underground Service Alert notifications and emergencies (including SSO's); has regulatory and permitting responsibility; maintains and monitors corrosion control systems; and repairs and coordinates any work on the asset.

A. RVSD Ownership, Operation, and Maintenance Responsibilities

1) 54" RV Interceptor (Reach FM IIA-1): RVSD jointly owns, with SD-2, the interceptor and its fittings, connections and other appurtenances, including valves connected to a fitting, from the treatment plant headworks to the downstream side of the flexible coupling connection outside the SQJB (see Attachment 2). RVSD does not have any operation or maintenance responsibility for FM IIA-1.

2) 54" RV Interceptor (Reach FM IIA-2): RVSD jointly owns, with SD-2, the interceptor and its fittings, connections and other appurtenances, including valves connected to a fitting. RVSD solely operates and maintains the interceptor and its pipeline fittings and appurtenances from the upstream side of the flexible coupling connection outside the SQJB to the connection with the 30" Greenbrae Forcemain.

3) 12" Pump Station 10 Landing B Forcemain: RVSD owns, operates, and maintains the forcemain and all its fittings, valves, and other pipeline appurtenances for its entire length, from Pump Station B to the upstream side of the 12" valve flange on the 54" x 12" FM IIA-2 fitting.

4) San Quentin Junction Box: RVSD and SD2 jointly own the SQJB structure, and do not have maintenance responsibility for the structure or the electrical and mechanical equipment within it.

B. CMSA Ownership, Operation, and Maintenance Responsibilities

1) 54" RV Interceptor (Reach FM IIA1): CMSA shall operate and maintain the interceptor, fittings, and appurtenances from the treatment plant headworks to the

upstream side of the SQJB's flexible coupling connection. CMSA will also maintain the interceptor, the 54"x16" connection fitting, the 54" valve, and the other interceptor appurtenances in the SQJB.

2) San Quentin Junction Box: CMSA shall maintain the SQJB structure, and operate and maintain all electrical, mechanical, and instrumentation equipment and systems within the SQJB. CMSA owns all electrical, instrumentation, and mechanical systems within the SQJB.

CMSA grants RVSD and SD2 access to the SQJB to inspect the 54" RV Interceptor and its fittings and appurtenances. Access shall be coordinated with CMSA operations staff.

3) Chemical Dosing Station: CMSA owns, operates, and maintains the hydrogen peroxide chemical dosing station and its piping and appurtenances upstream of the RV Interceptor (Reach IIA-1) connection in the SQJB.

4) Recycled Water Pipeline: CMSA owns, operates, and maintains the 6" recycled water pipeline from the treatment plant to FM 11A-1, and the pipelines and fittings to the chemical dosing station and to Remillard Pond.

C. SD2 Ownership, Operation, and Maintenance Responsibilities

1) 54" RV Interceptor (Reach FM IIA-1): SD2 jointly owns, with RVSD, the interceptor and its fittings, connections and other appurtenances, including valves connected to a fitting, from the treatment plant headworks to the downstream side of the flexible coupling connection outside the SQJB. SD2 does not have any operation or maintenance responsibility for FM IIA-1.

2) 54" RV Interceptor (Reach FM IIA-2): SD2 jointly owns, with RVSD, the interceptor and its fittings, connections and other appurtenances. SD2 does not have any operation or maintenance responsibilities for FM IIA-2.

3) Corte Madera Forcemain (FM IIC-1): SD2 owns, operates, and maintains the forcemain and all its fittings, valves, and other pipeline appurtenances for its entire length, from the Paradise Pump Station to the upstream side of the 24" valve flange on the 54" x 24" FM IIA-2 fitting.

4) San Quentin Junction Box: SD2 and RVSD jointly own the SQJB structure and do not have maintenance responsibility for the structure or the electrical and mechanical equipment within it.

5) Abandoned 20" Corte Madera Forcemain: SD2 owns and maintains the disconnected forcemain.

D. Conflict with the Amended CMSA JPA

CMSA, SD2, and RVSD understand and agree that:

1) CDCR owns and operates the 16" San Quentin forcemain (FM IIF) from the San Quentin Pump Station to the upstream side of the RV Interceptor's 54" x 16" fitting in the SQJB.

2) In the event that specific terms of this MoU differ materially from terms in the Amended CMSA JPA, the terms in the Amended JPA shall supersede those in this MoU.

In Witness Whereof, CMSA, RVSD and SD2 have executed this MoU as of the effective date.

Central Marin Sanitation Agency


Kathy Hartzell, Commission Chair

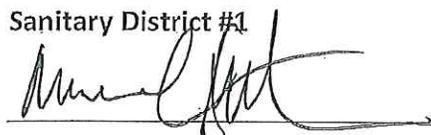
Date: March 10, 2016

Sanitary District #2

Sloan Bailey, Board President

Date: _____

Sanitary District #1


Michael Boorstein, Board President

Date: FEB 29, 2016

Attachments

- 1) Amended JPA - Exhibit B "Description of Sole Use Facilities" (4 pages)
- 2) SQJB Drawing C45.4 from the 1982 Ross Valley Tunnel project (1 page)
- 3) Map of Referenced Facilities

3/26/90

Exhibit "B"

Description of Sole Use Facilities

To be Owned and Maintained by the Member Agencies
 Except San Rafael Sanitation District IA-1 and
 Ross Valley Force Main IIA-1

Sole Use Facilities

No.	Description	Member Owner (Maint. Responsibility)
<u>SAN RAFAEL FORCE MAINS</u>		
IA-1	45" Force Main serving San Rafael from the Central Marin Treatment Plant upstream to the junction with the 10" Force Main to the South Francisco Pump Station (IG)	San Rafael S.D. (CMSA)
IA-2	45" Force Main serving San Rafael from the junction with the 10" Force Main to the South Francisco Pumping Station (IG) upstream to the junction with the 36" Force Main (IB)	San Rafael S.D. (SRSD)
IB	36" Force main serving San Rafael from the junction with the 42" Force Main (IA-2) upstream to the junction with the 27" Force Main from the North Francisco Pumping Station (IE).	San Rafael S.D. (SRSD)
IC	12" Force Main from Force Main IB to the Simms Street Pumping Station (No. 10)	San Rafael S.D. (SRSD)
ID	12" Force Main from Force Main IB to the West Railroad Pumping Station (No. 12)	San Rafael S.D. (SRSD)
IE	27" Force Main from Force Main IB to the North Francisco Pumping Station (No. 7)	San Rafael S.D. (SRSD)
IF	10" Force Main from Force Main IB to the Catalina (Cayes) Pumping Station (No. 13)	San Rafael S.D. (SRSD)
IG	10" Force Main from Force Main IA-1 to the South Francisco Pumping Station (No. 11)	San Rafael S.D. (SRSD)

Exhibit B to JPA
 (as amended)

ROSS VALLEY FORCE MAINS

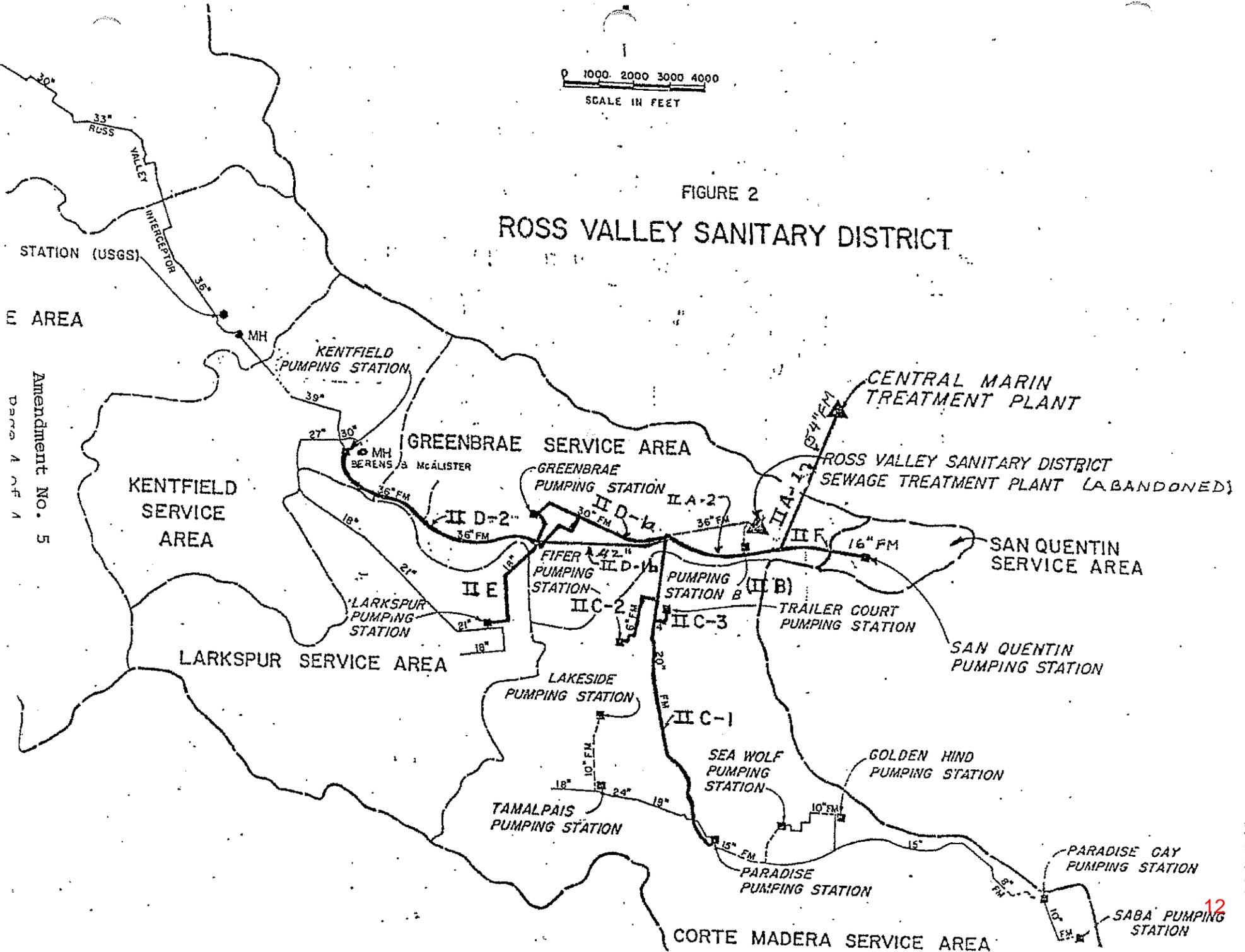
IIA-1	54" Force Main serving the Ross Valley from the Central Marin Treatment Plant upstream to the junction with the Force Main serving San Quentin Force Main (Force Main IIF)	Ross Valley (SD #1) Corte Madera (SD #2) Larkspur (CMSA)
IIA-2	54" Force Main from Force Main 11A-1 upstream to the junction with the Force Main to Corte Madera (Force Main IIC-1) to Greenbrae Force Main IID-1.	Ross Valley (SD #1) Corte Madera (SD #2) Larkspur (SD #1)
IIB	10" Force Main from Force Main IIA-2 to Pumping Station No. B	Ross Valley (SD #1) (SD #1)
IIC-1	20" Force Main from Force Main IIA-1 upstream to the Paradise Pumping Station	Corte Madera (SD #2) (SD #2)
IIC-2	6" Force Main from Force Main IIC-1 upstream to the Fifer Pumping Station	Corte Madera (SD #2) (SD #2)
IIC-3	4" Force Main from Force Main IIC-1 upstream to the Trailer Court Pumping Station	Corte Madera (SD #2) (SD #2)
IID-1a	30" Force Main from the junction of Force Main IIA-2 and Force Main IIC-1 upstream to the Greenbrae Pumping Station	Ross Valley (SD #1) (SD #1)
IID-1b	42" Force Main from the junction of Force Main IIA-2 and Force Main IIC-1 upstream to the junction with the 30" Force Main IID-2 and the 18" Force Main II-D	Ross Valley (SD #1) Larkspur (SD #1)
IID-2	36" Force Main from the junction with Force Main IID-1 to the Kentfield Pumping Station (No. 12)	Ross Valley (SD #1) (SD #1)
IIE	18" Force Main from the connection with Force Main IID-1 upstream to the Larkspur Pumping Station	Larkspur (Larkspur)
IIF	16" Force Main from the connection with Force Main IIA-1 upstream to the San Quentin Prison Pumping Station	Ross Valley (SD #1) (SD #1)

Attachment B to JPA
(as amended)

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SCALE IN FEET

FIGURE 2

ROSS VALLEY SANITARY DISTRICT

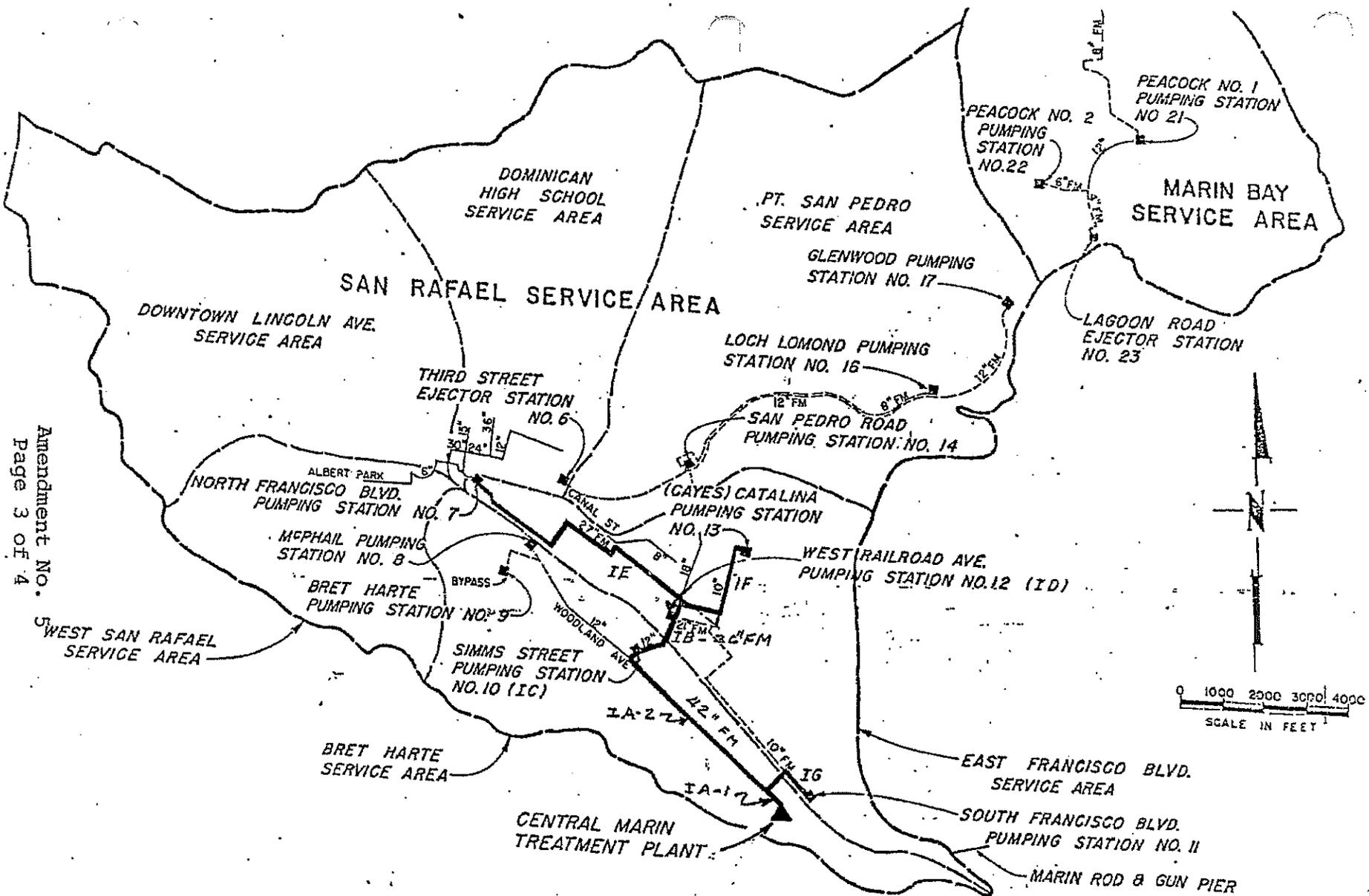


E AREA

Amendment No. 5
DATE 1 OF 1

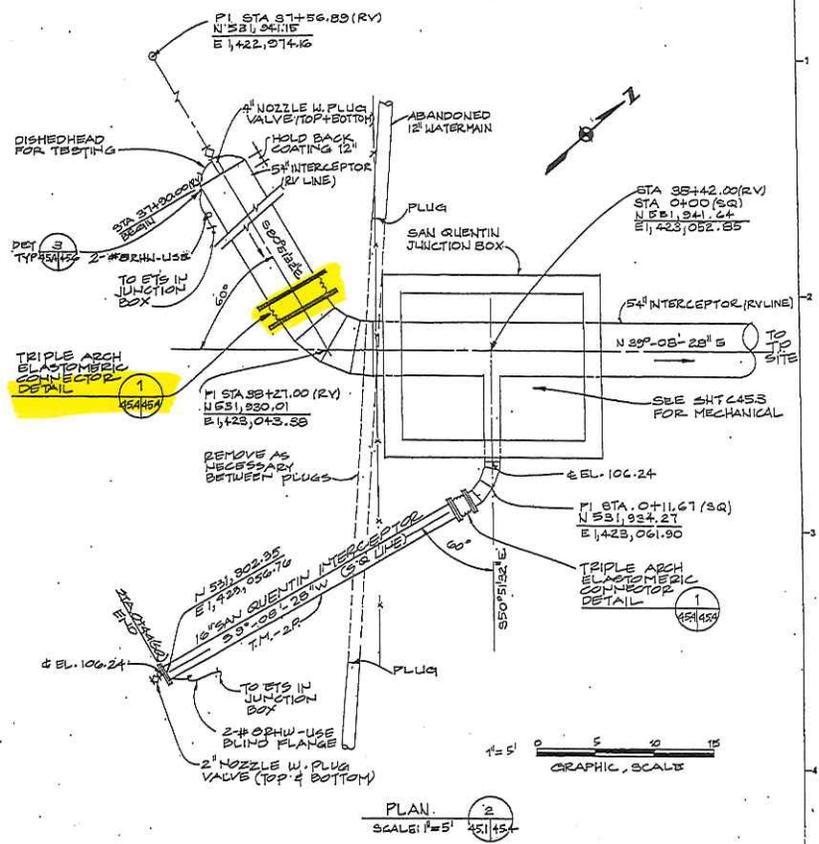
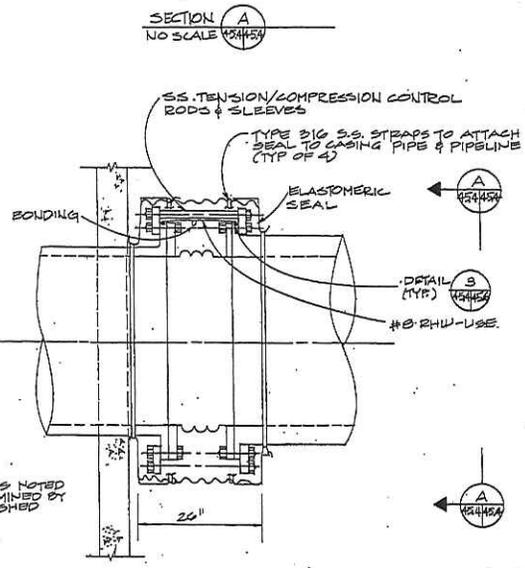
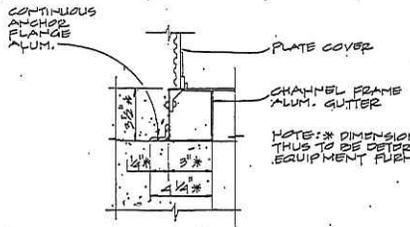
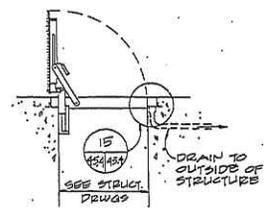
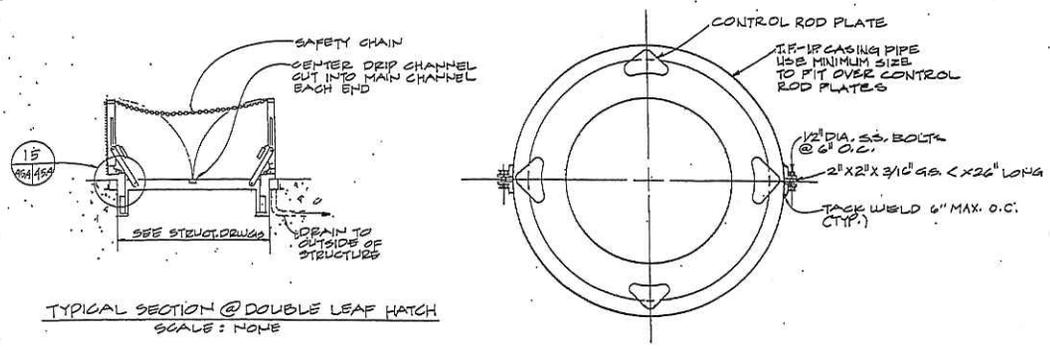
3/26/90

12



Amendment No. 5
Page 3 of 4

FIGURE I
SAN RAFAEL SANITATION DISTRICT



Reference Information and Notes:

- SAN QUENTIN INTERCEPTOR SHALL BE INSTALLED IN TRENCH. SECTION SIMILAR TO SECTION SHOWN ON SHFT CASE. S. CHLORINE SOLUTION LINE IS NOT REQUIRED A MAXIMUM DISTANCE BETWEEN THE PIPE AND THE TRENCH WALL IS 12".

Prepared: HRL
Checked: LNM
Designed: HBT
Date: DEC. 14, '92

Central Marin Sanitation Agency
Marin County, California
Clean Water Grant Project C-06-2487

Kennedy/Jenks Engineers - J. Warren Nute, Inc. Joint Venture
San Francisco

Approved: Joseph H. Reilly

09370

ROSS VALLEY TUNNEL

PLAN AND MISCELLANEOUS DETAILS

Scale: AS SHOWN
Sheet No: 0319
Date: C45.4

ATTACHMENT 2



Document Path: Y:\GIS\Sanitary\Agency Coordination\AP24 Facilities 2016-01.mxd Date Saved: 01/11/16 9:49:02 PM



**ROSS VALLEY
SANITARY DISTRICT**



Location Map

- Legend**
- Pump Stations and Treatment Plant**
- CMSA
 - Pump Station
 - Lift Station

JPA Joint Facilities

This material has been reviewed
by the Town Manager



CORTE MADERA TOWN COUNCIL
STAFF REPORT

Report Date: March 8, 2016
Meeting Date: March 15, 2016

TO: TOWN MANAGER, MAYOR AND TOWN COUNCIL

FROM: GEORGE T. WARMAN, JR., DIRECTOR OF ADMINISTRATIVE SERVICES/
TOWN TREASURER

SUBJECT: ADOPTION OF PROPOSED RESOLUTION NO. 04/2016 ADOPTING THE
ICMA RETIREMENT CORPORATION'S VANTAGECARE RETIREMENT
HEALTH SAVINGS (RHS) PLAN NUMBER 803432 – CORTE MADERA
FIREFIGHTERS ASSOCIATION, LOCAL 1775, INTERNATIONAL
ASSOCIATION OF FIREFIGHTERS

* * * * *

PURPOSE:

To approve becoming a member of the ICMA Retirement Corporation's VantageCare Retirement Health Savings Plan for employees hired after December 31, 2012 of the Corte Madera Firefighters Association, Local 1775, International Association of Firefighters, collective bargaining group.

RECOMMENDATION:

Staff recommends that the Town Council adopt proposed Resolution No. 04/2016 in Attachment #1.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA,
CALIFORNIA, ADOPTING THE ICMA RETIREMENT CORPORATION'S
VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS)
PLAN NUMBER 803432 –
CORTE MADERA FIREFIGHTERS ASSOCIATION, LOCAL 1775,
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

OPTIONS:

This action would implement Section 16.4 Retiree Medical (new employees hired after December 31, 2012) of the Firefighters Labor Contracts approved by Resolution No. 08/2013 (July 1, 2012 through June 30, 2015) on May 21, 2013 and by Resolution No. 50/2015 (July 1, 2015 through June 30, 2018) on December 15, 2015.

TOWN MANAGER’S RECOMMENDATION:

Support Staff’s recommendation.

GENERAL PLAN:

Not applicable.

ENVIRONMENTAL IMPACT:

Not applicable.

FISCAL IMPACTS:

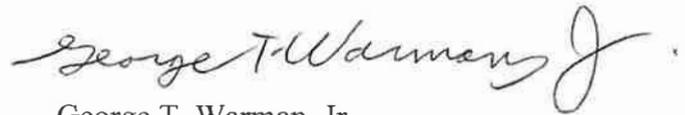
None of the thirteen (13) existing employees in the Corte Madera Firefighters Association are affected by this benefit. There are two vacant positions in the process of being filled that will qualify for a partial yearly payment in January of 2018, depending on their date of hire and when they pass the probationary period.

DISCUSSION:

In early 2011, Staff and the Town Council addressed the increasing cost of retiree health insurance by beginning the implementation of changes to the five (5) collective bargaining groups retiree health insurance provisions to reduce the “Other Post Employment Benefit (OPEB)” liability and the “Annual Required Contribution (ARC)” to fund retiree health insurance. The SEIU collective bargaining group was the first of the five groups to accept the changes. The SEIU Retirement Savings Plan Number 803431 with the International City Management Association Retirement Corporation (ICMA-RC) was approved by Resolution No. 01/2015 on January 6, 2015.

The Corte Madera Firefighters Association met with our salary negotiator, Mr. Glenn Berkheimer, in the Fall of 2015 and approved the Adoption Agreement in Attachment #2. The approval by Local 1775 and the local’s attorney of the Adoption Agreement was given last Tuesday, March 1st. I was notified by the Shop Steward on Wednesday, March 2nd that all approvals had been given. ICMA-RC has found the Adoption Agreement in order.

There are three (3) remaining collective bargaining groups that will each have resolutions and enrollment documents coming up in the future (Fire Mid-Management, Mid-Management and Department Heads/Town Manager).



George T. Warman, Jr.
Director of Administrative Services/
Town Treasurer

ATTACHMENTS:

1. Proposed Resolution No. 04/2016
2. Four (4) Associated Enrollment Documents

i:/word97/resolutions/Staff Report-Reso 04/2016 Adopting ICMA RHS Plan Number 803432 doc

ATTACHMENT 1

PROPOSED RESOLUTION
NO. 04/2016

RESOLUTION NO. 04/2016

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA,
CALIFORNIA, ADOPTING THE ICMA RETIREMENT CORPORATION'S
VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS)
PLAN NUMBER 803432 –
CORTE MADERA FIREFIGHTERS ASSOCIATION, LOCAL 1775,
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

WHEREAS, the Town of Corte Madera (the “Employer”) has employees rendering valuable services;
and

WHEREAS, the establishment of a retiree health savings plan for such employees serves the interests of the Employer by enabling it to provide reasonable security regarding such employees’ health needs during retirement, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the establishment of the retiree health savings plan (the “Plan”) serves the above objectives.

NOW, THEREFORE BE IT RESOLVED, that the Employer hereby adopts the Plan in the form of the ICMA Retirement Corporation’s VantageCare Retirement Health Savings program.

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the ICMA Retirement Corporation serving as trustee for the exclusive benefit of the Plan participants and their survivors, and the assets of the Plan shall not be diverted to any other purpose prior to the satisfaction of all liabilities of the Plan. The Employer has executed the Declaration of Trust in the form of the model trust made available by the ICMA Retirement Corporation.

BE IT FURTHER RESOLVED that the Director of Administrative Services shall be the coordinator and contact for the Plan and shall receive necessary reports, notices, etc.

* * * * *

I HEREBY CERTIFY, that the foregoing resolution was duly and regularly adopted by the Town Council of Corte Madera at a regular meeting held on 15th day of March, 2016 by the following vote, to wit:

AYES, and in favor thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers: -

Sloan C. Bailey, Mayor

ATTEST:

Rebecca Vaughn, Town Clerk

ATTACHMENT 2

FOUR (4) ASSOCIATED
ENROLLMENT DOCUMENTS

EMPLOYER VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN ADOPTION AGREEMENT

Plan Number: 8 03432 Check one: New Plan Amendment to Existing Plan

Employer Retirement Health Savings Plan Name:

I. Employer Name: Town of Corte Madera State: California

II. The Employer hereby attests that it is a unit of a state or local government or an agency or instrumentality of one or more units of a state or local government.

III. Effective Date of the Plan: January 1, 2015

IV. The Employer intends to utilize the Trust to fund only welfare benefits pursuant to the following welfare benefit plan(s) established by the Employer: Retiree Health Insurance

V. Eligible Groups, Participation and Participant Eligibility Requirements

A. Eligible Groups

The following group or groups of Employees are eligible to participate in the VantageCare Retirement Health Savings Plan (check all applicable boxes):

- All Employees
- All Full-Time Employees
- Non-Union Employees
- Public Safety Employees – Police
- Public Safety Employees – Firefighters
- General Employees
- Collectively-Bargained Employees (Specify unit(s)) Corte Madera Firefighters Association, Local 1775, International Association of Firefighters
- Other (specify group(s)) _____

The Employee group(s) specified must correspond to a group(s) of the same designation that is defined in the statutes, ordinances, rules, regulations, personnel manuals or other documents or provisions in effect in the state or locality of the Employer.

B. Participation

Mandatory Participation: All Employees in the covered group(s) are required to participate in the Plan and shall receive contributions pursuant to Section VI.

If the Employer's underlying welfare benefit plan or funding under this VantageCare Retirement Health Savings Plan is in whole or part a non-collectively bargained, self-insured plan, the nondiscrimination requirements of Internal Revenue Code (IRC) Section 105(h) will apply. These rules may impose taxation on the benefits received by highly compensated individuals if the Plan discriminates in favor of highly compensated individuals in terms of eligibility or benefits. The Employer should discuss these rules with appropriate counsel.

C. Participant Eligibility Requirements

1. Minimum service: The minimum period of service required for participation is Probation Completion (write N/A if no minimum service is required).
2. Minimum age: The minimum age required for eligibility to participate is N/A (write N/A if no minimum age is required).

VI. Contribution Sources and Amounts

A. Definition of Earnings

The definition of Earnings will apply to all RHS Contribution Features that reference "Earnings", including Direct Employer Contributions (Section VI.B.1.) and Mandatory Employee Compensation Contributions (Section VI.B.2.).

Definition of earnings: Direct Employer Contributions

B. Direct Employer Contributions and Mandatory Contributions

1. Direct Employer Contributions

The Employer shall contribute on behalf of each Participant

- _____ % of Earnings
 - \$ _____ each Plan Year
 - A discretionary amount to be determined each Plan Year
 - Other (describe) : See attached addendum Section 16.4 of attached MOU
-

2. Mandatory Employee Compensation Contributions

The Employer will make mandatory contributions of Employee compensation as follows:

- Reduction in Salary - _____ % of Earnings or \$ _____ will be contributed for the Plan Year.
- Decreased Merit or Pay Plan Adjustment - All or a portion of the Employees' annual merit or pay plan adjustment will be contributed as follows:

An Employee shall not have the right to discontinue or vary the rate of Mandatory Contributions of Employee Compensation.

3. Mandatory Employee Leave Contributions

The Employer will make mandatory contributions of accrued leave as follows (provide formula for determining Mandatory Employee Leave contributions):

- Accrued Sick Leave _____
 - Accrued Vacation Leave _____
 - Other (specify type of leave) Accrued _____ Leave
-
-

An Employee shall not have the right to discontinue or vary the rate of mandatory leave contributions.

C. Limits on Total Contributions (check one box)

The total contribution by the Employer on behalf of each Participant (including Direct Employer and Mandatory Employee Contributions) for each Plan Year shall not exceed the following limit(s) below. Limits on individual contribution types are defined within the appropriate section above.

- There is no Plan-defined limit on the percentage or dollar amount of earnings that may be contributed.
- _____ % of earnings*
 - *Definition of earnings: Same as Section VI.A.. Other
- \$ _____ for the Plan year.

See Section V.B. for a discussion of nondiscrimination rules that may apply to non-collectively bargained self-insured Plans.

VII. Vesting for Direct Employer Contributions

A. Vesting Schedule (check one box)

- The account is 100% vested at all times.
- The following vesting schedule shall apply to Direct Employer Contributions as outlined in Section VI.B.1.:

Years of Service Completed	Vesting Percentage
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

B. The account will become 100% vested upon the death, disability, retirement*, or attainment of benefit eligibility (as outlined in Section IX) by a Participant.

*Definition of retirement (check one box):

- Retirement as defined in the primary retirement plan of the Employer
- Separation from service
- Other _____

C. Any period of service by a Participant prior to a rehire of the Participant by the Employer shall not count toward the vesting schedule outlined in A above.

VIII. Forfeiture Provisions

Upon separation from the service of the Employer prior to attainment of benefit eligibility (as outlined in Section IX), or upon reversion to the Trust of a Participant's account assets remaining upon the participant's death (as outlined in Section XI), a Participant's non-vested funds shall (check one box):

- Remain in the Trust to be reallocated among all remaining Employees participating in the Plan as Direct Employer Contributions for the next and succeeding contribution cycle(s).
- Remain in the Trust to be reallocated on an equal dollar basis among all Plan Participants.
- Remain in the Trust to be reallocated among all Plan Participants based upon Participant account balances.
- Revert to the Employer.

IX. Eligibility Requirements to Receive Medical Benefit Payments from the VantageCare Retirement Health Savings Plan

A. A Participant is eligible to receive benefits:

- At retirement only (also complete Section B.)
Definition of retirement:
 - Same as Section VII.B.
 - Other _____

- At separation from service with the following restrictions
 - No restrictions
 - Other _____

- At age _____ only
- At retirement and age _____ (also complete section B)
Definition of retirement:
 - Same as Section VII.B.
 - Other _____

- At retirement or age _____
Definition of retirement:
 - Same as Section VII.B.
 - Other _____

- Other, specified as follows (also complete Section B if applicable): _____

B. Termination prior to general benefit eligibility: In the case where the general benefit eligibility as outlined in Section IX.A includes a retirement component, a Participant who separates from the service of the Employer prior to retirement will be eligible to receive benefits:

- Immediately upon separation from service.
- At age _____

C. A Participant that becomes totally and permanently disabled

- as defined by the Social Security Administration
- as defined by the Employer's primary retirement plan
- other _____

will become immediately eligible to receive medical benefit payments from his/her VantageCare Retirement Health Savings Plan account.

D. Upon the death of the Participant, benefits shall become payable as outlined in Section XI.

X. Permissible Medical Benefit Payments

Benefits eligible for reimbursement consist of:

- All Medical Expenses eligible under IRC Section 213* other than (i) direct long-term care expenses, and (ii) expenses for medicines or drugs which are not prescribed drugs (other than insulin).
- The following Medical Expenses eligible under IRC Section 213* other than (i) direct long-term care expenses, and (ii) expenses for medicines or drugs which are not prescribed drugs (other than insulin). Select only the expenses you wish to cover under the VantageCare Retirement Health Savings Plan:
 - Medical Insurance Premiums
 - Medical Out-of-Pocket Expenses*
 - Medicare Part B Insurance Premiums
 - Medicare Part D Insurance Premiums
 - Medicare Supplemental Insurance Premiums
 - Prescription Drug Insurance Premiums
 - COBRA Insurance Premiums
 - Dental Insurance Premiums
 - Dental Out-of-Pocket Expenses*
 - Vision Insurance Premiums
 - Vision Out-of-Pocket Expenses*
 - Qualified Long-Term Care Insurance Premiums
 - Non-Prescription medications allowed under IRS guidance*
 - Other qualifying medical expenses (describe)*

* See Section V.A. for a discussion of nondiscrimination rules which may apply to non-collectively bargained, self-insured Plans.

XI. Benefits After the Death of the Participant

In the event of a Participant's death, the following shall apply:

A. Surviving Spouse and/or Surviving Dependents

The surviving spouse and/or surviving eligible dependents (as defined in Section XII.D.) of the deceased Participant are immediately eligible to maintain the account and utilize it to fund eligible medical benefits specified in Section X above.

Upon notification of a Participant's death, the Participant's account balance will be transferred into Dreyfus Cash Management fund* (or another fund selected by the Employer). The account balance may be reallocated by the surviving spouse or dependents.

**An investment in the Dreyfus Cash Management money market fund is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the fund seeks to preserve the value of your investment at \$1.00 per share, it is possible to lose money by investing in the fund. Investors should consider the investment objectives, risks, charges, and expenses of the fund carefully before investing. You may visit us at www.icmarc.org or call 800-669-7400 to obtain a prospectus that contains this and other information about the fund. Read the prospectus carefully before investing.*

If a Participant's account balance has not been fully utilized upon the death of the eligible spouse, the account balance may continue to be utilized to pay benefits of eligible dependents. Upon the death of all eligible dependents, the account will revert to the Plan to be applied as specified in Section VIII.

B. No Surviving Spouse or Surviving Dependents

If there are no living spouse or dependents at the time of death of the Participant, the account will revert to the Plan to be applied as specified in Section VIII.

XII. The Plan will operate according to the following provisions:

A. Employer Responsibilities

1. The Employer will submit all VantageCare Retirement Health Savings Plan contribution data via electronic submission.
 2. The Employer will submit all VantageCare Retirement Health Savings Plan Participant status updates or personal information updates via electronic submission. This includes but is not limited to termination notification and benefit eligibility notification.
- B.** Participant account administration and asset-based fees will be paid through the redemption of Participant account shares, unless agreed upon otherwise in the Administrative Services Agreement.
- C.** Assignment of benefits is not permitted. Benefits will be paid only to the Participant, his/her Survivors, the Employer, or an insurance provider (as allowed by the claims administrator). Payments to a third-party payee (e.g., medical service provider) are not permitted with the exception of reimbursement to the Employer or insurance provider (as allowed by the claims administrator).
- D.** An eligible dependent is (a) the Participant's lawful spouse, (b) the Participant's child under the age of 27, as defined by IRC Section 152(f)(1) and Internal Revenue Service Notice 2010-38, or (c) any other individual who is a person described in IRC Section 152(a), as clarified by Internal Revenue Service Notice 2004-79.
- E.** The Employer will be responsible for withholding, reporting and remitting any applicable taxes for payments which are deemed to be discriminatory under IRC Section 105(h), as outlined in the VantageCare Retirement Health Savings Plan Employer Manual.

XIII. Employer Acknowledgements

- A.** The Employer hereby acknowledges it understands that failure to properly fill out this Employer VantageCare Retirement Health Savings Plan Adoption Agreement may result in the loss of tax exemption of the Trust and/or loss of tax-deferred status for Employer contributions.
- B.** Check this box if you are including supporting documents that include plan provisions.

EMPLOYER SIGNATURE

By: George T. Warman, Jr.

Date: _____

Title: Director of Administrative Services

Attest: Rebecca Vau9hn

Date: _____

Title: Town Clerk

Accepted: VANTAGEPOINT TRANSFER AGENTS, LLC

Angela C. Montez
Assistant Secretary, ICMA-RC

**ADDENDUM
EMPLOYER VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN
ADOPTION AGREEMENT
Plan Number 803432**

Section VI. Contribution Sources and Amounts

16.4.

Retiree Medical:

- **Employees hired after December 31, 2012 – The Town’s retiree medical contribution shall be limited to the PERS Minimum Employer Contribution (MEC).**
- **In addition to the MEC, the Town shall make the contributions to a Retirement Health Savings Account (RHSA) in accordance with the table below for employees hired after December 31, 2012.**

<u>Years of Service</u>	<u>Town Contribution</u>
0 – Completion of Probation	No contribution
Completion of Probation	4.0% of Fire Engineer/Paramedic

- **The Town shall make its required contribution during the month of January each year.**
- **The Town’s contribution shall only be made to employees who are employed on the date the contribution is made.**
- **The Town’s contribution shall be prorated for employees who have not completed the entire year.**

RESOLUTION NO. 50/2015

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF CORTE MADERA AND THE CORTE MADERA FIREFIGHTERS ASSOCIATION, A MEMBER OF INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 1775, COMMENCING JULY 1, 2015 AND ENDING JUNE 30, 2018

WHEREAS, representatives of the Town of Corte Madera and the Corte Madera Firefighters Association have met and conferred in good faith regarding wages, hours, and other terms and conditions of employment; and

WHEREAS, they have freely exchanged information, opinions and proposals and have endeavored to reach agreement on all matters relating to the employment conditions and employer-employee relations of such employees.

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Corte Madera does hereby approve and accepts the Memorandum of Understanding between the Town of Corte Madera and Corte Madera Firefighters Association, which is attached hereto and incorporated herein by reference as though fully set forth.

* * * * *

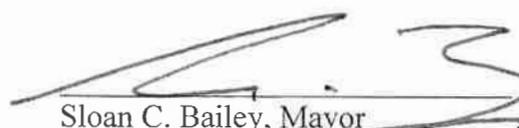
I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Town Council of the Town of Corte Madera, at a regular meeting thereof held on the 15th day of December, 2015, by the following vote, to wit:

AYES: Councilmembers: Andrews, Bailey, Condon, Furst, Lappert

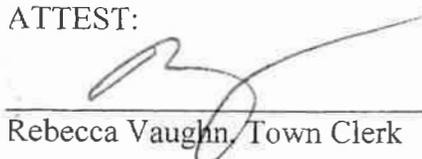
NOES: Councilmembers: - None -

ABSENT: Councilmembers: - None -

ABSTAIN: Councilmembers: - None -


Sloan C. Bailey, Mayor

ATTEST:


Rebecca Vaughn, Town Clerk

MEMORANDUM OF UNDERSTANDING

between

TOWN OF CORTE MADERA

and

CORTE MADERA FIREFIGHTERS ASSOCIATION

July 1, 2015 through June 30, 2018

This Memorandum of Understanding is entered into pursuant to the provisions of Section 3500, et seq of the Government Code of the State of California.

The parties have met and conferred in good faith regarding wages, hours and other terms and conditions of employment for the employees in said representation unit, and have freely exchanged information, opinions and proposals and have endeavored to reach agreement on all matters relating to the employment conditions and employer-employee relations of such employees.

This Memorandum of Understanding shall be presented to the Corte Madera Town Council as the joint recommendation of the undersigned parties for salary and employee benefit adjustments for the period commencing July 1, 2015 and ending June 30, 2018.

Section 1. Recognition

1.1 Association Recognition

The Corte Madera Firefighters Association hereinafter referred to as the "Association," is represented by the International Association of Firefighters, Local 1775 and is recognized as the majority employee organization for the Firefighter Bargaining Unit comprised of those classifications listed in Section 5, certified pursuant to Resolution No. 1567 adopted by the Town Council on March 4, 1974.

1.2 Town Recognition

The Town Manager, or any management representative duly authorized by the Town Manager, is the representative of the Town of Corte Madera, hereinafter referred to as the "Town" in employer-employee relations as provided in Resolution No. 1567 adopted by the Town Council on March 4, 1974.

Section 2. Fair Share/Agency Shop

- 2.1 It is recognized that the Association owes the same responsibilities to all employees in the representation unit and has a duty to provide fair and equal representation to all employees in all classes in the Unit whether or not they are members of the Association.
- 2.2 All employees in the bargaining unit represented by the Association shall become members of the Association or pay a fair share fee beginning the first pay period following Town Council adoption of this Memorandum of Understanding. Payroll deductions for either dues or fair share/agency shop shall then be deducted from all regular employees' paychecks. Association dues shall only be deducted after the Association has presented the Town Manager with valid dues deduction cards. Otherwise fair share/agency shop deductions shall automatically be made from the employee's paycheck.
- 2.3 All new employees hired after the effective date of implementation of agency shop shall, beginning within the first thirty (30) days after such hire date, either:
- (a) Become a member of the Association and pay dues; or
 - (b) Pay to the Association a fair share fee.

- 2.4 During the term of this Agreement, the fair share fee for services shall be equal to IAFF Local 1775 dues, plus CMFFA dues.
- 2.5 The provisions specified above shall not apply during periods of separation from the representation unit by any such employee but shall re-apply to such employee commencing with the next full pay period following the return of the employee to the representation unit. The term separation includes transfer out of the unit, layoff, and leaves of absence with duration of more than five (5) working days.
- 2.6 Temporary and extra hire employees are excluded from this agency fee contract provision. Part-time employees shall pay a pro rata service fee or dues as provided above.
- 2.7 Annually, the Association shall file with the Town Manager an acceptable Association financial statement prepared and certified by a certified public accountant. Such reports shall be made available to employees in the Unit by the parties. The requirement for a financial statement will be waived if all members of the bargaining unit covered by the MOU are members of the Association and therefore, no fair share fee is imposed.
- 2.8 The Association shall provide advance written notice of the amount of the pending fair share service fee to the Town Manager and to a list furnished by the Town of all employees within the Unit.
- 2.9 The parties agree that a failure of an obligated employee hired after the effective date of the implementation of agency shop to pay a fair share fee shall be grounds for the Association to file an action in small claims court subject to the following procedures:
- (a) The Association shall notify the employee (a copy to the Town Manager) of non-compliance by certified mail, return receipt requested. Said notice shall detail the non-compliance by explaining that the employee is delinquent in not tendering a fair share service fee, specifying the amount of the delinquency, and warning the employee that unless such fees are tendered within thirty (30) calendar days, the Association will file an action in small claims court.
 - (b) If the employee fails to comply, the Association may file an action in small claims court.
 - (c) The Town shall not incur any costs due to small claims court appearances by Town staff.
- 2.10 The Association shall defend, indemnify and save the Town harmless against any and all claims, demands, suits, orders, judgments or other forms of liability that shall arise out of or by reason of, action taken or not taken by the Town under this section. This includes not only the Town's attorney fees and costs but the cost of management preparation time as well. The Town shall notify the Association of such costs on a case-by-case basis.
- 2.11 The authorization for payroll deductions described in Section 2.2 (3) shall specifically require the employee to agree to hold the Town harmless from all claims, demands, suits or other forms of liability that may arise against the Town for or on account of any deduction made from the wages of such employee.
- 2.12 In accordance with Section 3502.5 of the Government Code, an election to rescind this provision may be held.
- 2.13 Religious exemption: Rather than pay dues or a fair share/agency fee, an employee may opt to pay a fee to a charity under the following criteria:
- (a) Execute a written declaration with proof that the employee is and has been a member of a bona fide religion, body, or sect which holds a conscientious objection to joining or financially supporting any public employee organization as a condition of employment, and said employee shares that belief; and

(b) Pay a sum equal to the agency fee described in Section 2.2 (4) to a non-religious, non-labor charitable fund chosen by the employee from those charities listed within United Way or CHAD. The employee shall furnish written proof to the Town and the Association that this contribution has been made either on a biweekly payroll deduction basis or as one annual payment made within thirty (30) days of the beginning of each new contract year.

2.14 This agency shop/fee provision expires at the end of this Memorandum of Understanding.

2.15 Association Release Time Bank

Each member of the Corte Madera Firefighter's Association may voluntarily contribute four (4) hours per year of accrued vacation allowance to the Corte Madera Firefighter's Association Release Time Bank and, as needed thereafter to be determined by Association members. The maximum number of hours donated to the Corte Madera Firefighters Association Release Time Bank shall be 72 hours per year. Hours from the Corte Madera Firefighters Association Release Time Bank may be used by the President, officers of the Association, or other Association members designated by the Association and approved by the Director of Emergency Services. Association release time shall not be approved if its use causes overtime.

Section 3. No Discrimination

There shall be no discrimination by the Association or Town or by anyone employed by the Town because of race, creed, color, national origin, sex or legitimate Association or Union activities against any employee or applicant for employment; and to the extent prohibited by applicable state and federal law, there shall be no discrimination because of age. There shall be no discrimination against any handicapped person solely because of such handicap unless that handicap prevents the person from meeting the minimum standards established.

Section 4. Probationary Period

4.1 Duration

All original and promotional appointments shall be tentative and subject to a probationary period of one (1) year actual service. Individual probationary periods may be extended with good cause upon request of the Department Head and concurrence of the Town Manager; provided, however that no probationary period shall exceed eighteen (18) months.

During the original probationary period, an employee may be terminated at any time by the appointing power without the right of appeal in any manner except as mandated by State or Federal law. Notification of termination in writing shall be served on the probationer and a copy filed with the Town Manager.

4.2 Promotional Probation

An employee who has previously completed the requisite probationary period and who is rejected during a subsequent probationary period for a promotional appointment shall be reinstated to the former position from which the employee was appointed unless charges are filed and he/she is discharged.

Section 5. Performance Pay Plan

5.1 Salaries

The salary range of each classification for a fifty-six (56) hour workweek shall be as follows:

COMPENSATION SCHEDULE FIRE PERSONNEL SALARY RANGE

Effective July 6, 2015 +4.0% Wage Increase

		Minimum	Step 2	Midpt	Step 4	Max
Fire Captain/Paramedic	Monthly	\$8,536	\$8,963	\$9,412	\$9,883	\$10,378
	Hourly	(35.18)	(36.94)	38.79)	(40.73)	(42.77)
Fire Engineer/Paramedic	Monthly	\$7,543	\$7,921	\$8,318	\$8,734	\$9,171
	Hourly	(31.09)	(32.65)	(34.28)	(36.00)	(37.80)
Firefighter/Paramedic	Monthly	\$6,562	\$6,891	\$7,236	\$7,598	\$7,978
	Hourly	(27.04)	(28.40)	(29.82)	(31.31)	(32.88)

Effective July 4, 2016 +3.0% Wage Increase

		Minimum	Step 2	Midpt	Step 4	Max
Fire Captain/Paramedic	Monthly	\$8,793	\$9,233	\$9,695	\$10,180	\$10,689
	Hourly	(36.24)	(38.05)	(39.96)	(41.95)	(44.05)
Fire Engineer/Paramedic	Monthly	\$7,770	\$8,159	\$8,567	\$8,996	\$9,446
	Hourly	(32.02)	(33.63)	(35.31)	37.07	(38.93)
Firefighter/Paramedic	Monthly	\$6,759	\$7,097	\$7,452	\$7,825	\$8,217
	Hourly	(27.86)	(29.25)	(30.71)	(32.25)	(33.86)

Effective July 3, 2017 +2.0% Wage Increase

		Minimum	Step 2	Midpt	Step 4	Max
Fire Captain/Paramedic	Monthly	\$8,968	\$9,417	\$9,888	\$10,383	\$10,903
	Hourly	(36.96)	(38.81)	(40.75)	(42.79)	(44.93)
Fire Engineer/Paramedic	Monthly	\$7,925	\$8,322	\$8,739	\$9,176	\$9,635
	Hourly	(32.66)	(34.30)	(36.02)	(37.82)	(39.71)
Firefighter/Paramedic	Monthly	\$6,894	\$7,239	\$7,601	\$7,981	\$8,381
	Hourly	(28.41)	(29.83)	(31.33)	(32.89)	(34.54)

5.2 Application of Wage Rates

Employees shall be assigned a salary or wage by the Town Manager within the range established for the appropriate position. The minimum rate generally shall be assigned to employees upon original appointment; however, the Town Manager may, when circumstances warrant it, appoint, reinstate or promote at other than the minimum rate, but

not more than the maximum rate.

5.3 Advancement Within Salary Range

Salary advancement shall be only at the recommendation of the Department Head and approval of the Town Manager and shall be based on merit as established by record of the employee's performance. The Department Head shall discuss the employee's performance and possible salary advancement with the employee's immediate supervisor, if any, prior to finalizing the recommendation.

No salary advancement shall be made so as to exceed any maximum rate established in the Salary Schedule for the employee's position nor be automatic merely upon completion of a specified period of service.

Employees who have performed at satisfactory levels in a given classification for a period of one (1) year of continuous service after initial appointment shall be eligible for advancement to a higher rate in the salary range for the classification. After the initial salary advancement as specified above, employees who have performed at satisfactory levels may be considered for periodic increases no later than twelve (12) months from the prior increase. The salary advancement within the ranges described above shall be at the sole discretion of the Town Manager and not subject to the grievance procedure. Where an employee is reduced in salary, such action is subject to the provisions of Section 17 of this Memorandum of Understanding.

An employee's performance will be evaluated at least every six (6) months until he/she is receiving the maximum rate for the classification at which time performance evaluations may occur annually. Only performance evaluations which have been designated as "salary review" performance evaluations will be utilized to advance an employee through the salary range. Although performance evaluations are not subject to the grievance procedure, the employee may submit written comments on such performance evaluation for placement in his/her personnel file and may request that the Town Manager review the evaluation.

5.4 Retroactive Pay

Retroactive pay shall be rendered to employees who are employed by the Town on the date this Memorandum of Understanding is adopted. Former employees who have left the Town's employment prior to that date shall not be eligible for any retroactive pay.

Section 6. Hours of Work

6.1 Full Time Personnel Other Than "Shift Personnel"

All full-time employees except "Shift Personnel" covered by this Memorandum of Understanding shall work eight (8) hours per day, five (5) days per week for a total of forty (40) hours within a seven (7) day work period that begins at 0001 hours on Monday and ends at 2400 hours on the immediately following Sunday. These employees shall receive time off duty for lunch. Time so taken shall not be included in the eight (8) hour working day.

6.2 Shift Personnel

Shift personnel shall include those employees assigned to duty schedules which are so designed to insure the presence of on-duty personnel 24 hours a day every day of the year.

Employees employed after October 31, 1978, may have the normal 24-hour duty cycle changed, depending on the Department's needs, from the average fifty-six (56) hour workweek on 24-hour duty shifts to a forty (40) hour workweek on 8, 10, 12 or 14 hour shifts or any combination thereof. The Director of Emergency Services will give reasonable notice when the duty cycle will change from one workweek to another.

6.3 Shift Personnel - Average 56 Hour Workweek

Twenty-four (24) hours per shift arranged in such fashion to average out to fifty-six (56) hours per week on duty over the period of one (1) calendar year. These employees shall

receive time for meals and sleep. Time so taken shall be on-duty time and shall be included in the 24-hour tour of duty.

Section 7. Overtime

7.1 Authorization

All compensable overtime must be authorized by the Department Head or designated representative in advance of being worked. If prior authorization is not feasible because of emergency conditions, a confirming authorization must be made on the next regular working day or shift following the date on which the overtime was worked.

7.2 Definition

Any authorized time worked in excess of the assigned number of hours per day or shift shall be considered overtime and shall be compensable at the rate of one and one-half (1-1/2) times the 56 hour hourly equivalent rate of pay. Employees who work forty (40) hours per week may take compensatory time off in lieu of pay at time and one-half with the prior approval of the Director of Emergency Services. Said time off shall not be allowed to accumulate in excess of forty (40) hours without the employee obtaining written approval of the Director of Emergency Services and in no case shall the amount of time exceed a maximum of eighty (80) hours.

Overtime shall be compensated to the nearest quarter (1/4) hour.

7.3 Minimum Overtime Requirements

Employees shall be compensated for a minimum of two (2) hours at the overtime rate for attendance at any meeting or class required by the Director of Emergency Services or his/her designee for the employee to attend outside the employee's regularly scheduled work hours.

Section 8. Call Back

A Firefighter/Paramedic, Fire Engineer/Paramedic, or a Fire Captain/Paramedic called back to work outside of and not continuous with regularly scheduled hours shall be paid a minimum of one and three-quarters (1-3/4) hours at the rate of one and one-half (1-1/2) the employee's regular rate of pay based on the fifty-six (56) hour workweek, provided that such employee arrives at the Fire Station and signs in within fifteen (15) minutes of the call back alarm or within thirty (30) minutes of an incident that requires in excess of thirty (30) minutes to mitigate.

The actual time worked beyond the first hour on call back shall be paid at two (2) times the employee's regular rate of pay based on the fifty-six (56) hour workweek.

An employee who arrives at the Fire Station and signs in more than fifteen (15) minutes after the call back alarm or more than thirty (30) minutes after a call back for a confirmed incident that requires in excess of thirty (30) minutes to mitigate shall be paid two (2) times the employee's regular rate of pay based on the fifty-six (56) hour workweek for all time actually worked.

Employees will not return to off-duty status until released by the Director of Emergency Services or, in his/her absence, the officer in charge. The Director of Emergency Services is the sole authority for establishing criteria for call back of employees with regard to how many and under what circumstances such as fires, medical aids, and other emergency response incidents. In reporting back to work, employees will respond as quickly as possible, but in so doing, they will observe all speed and traffic safety laws.

Section 9. Acting Pay

A Firefighter/Paramedic, Fire Engineer/Paramedic or a Fire Captain/Paramedic assigned by the Director of Emergency Services or his/her designated representative to perform out of

class duties for an eight (8) hour period or more shall, after three (3) shifts of working in an out-of-class capacity, receive acting pay which shall be computed at six percent (6%) above the employee's current rate of pay for all subsequent shifts worked out of class. When assigned to perform out-of-class duties for periods of less than eight (8) hours, a Firefighter/Engineer, Fire Engineer/Paramedic or a Fire Captain/Paramedic shall receive no compensation.

Section 10. Reduction in Force and Reemployment

10.1 Layoff Procedure

Whenever in the judgment of the Town Council it becomes necessary in the interest of economy or efficiency or in the interest or mandate of the public, the Town Council may abolish any position or employment in the competitive service; and the employee holding such position or employment may be laid off. Layoffs shall be by job classification according to reverse order of seniority as determined by total full-time employment with the Town.

An employee occupying a higher classification, whose position is eliminated, may elect to displace an employee in a lower classification provided that the two classifications are in the same general family of jobs and responsibilities, that the basic qualifications of the lower position are met by the employee electing to fill the lower classification and that the employee has more total Town service than the displaced employee.

10.2 Notice of Layoff

Employees to be laid off shall be given at least fourteen (14) calendar days' prior notice.

10.3 Reemployment

The names of regular and probationary employees who are laid off or demoted in lieu of layoff shall be placed upon reemployment lists for one (1) year for those classes requiring basically the same qualifications, duties and responsibilities of the class from which layoff or demotion in lieu of layoff was made. Placement on the reemployment list for a given class shall be in the reverse order of layoff from the class i.e., the last person laid off shall be first on the list, the second to last person laid off shall be second, and so on. Such reemployment list(s) shall take precedence over all other employment lists for the same classifications when vacancies are to be filled. Persons appointed to permanent positions of the same or similar classifications as that from which laid off or demoted shall, upon such appointment, be dropped from the list. The Town shall notify the person in writing of the offer for reemployment and the date by which he/she must respond. Such notice shall be sent to the last address provided to the Town by the employee.

Should the person not accept the reappointment within seven (7) calendar days after the date of the offer or should the person decline or be unable to begin work within two (2) weeks after the date of the acceptance of the offer, the person shall be considered unavailable for employment, shall forfeit the right to reemployment and be removed from the reemployment list. Whenever a person is unavailable for reemployment, the next person who is eligible on the reemployment list shall be offered reemployment in the same manner and under the same conditions as above.

Permanent employees reappointed to the class from which laid off or demoted will not be required to undergo a new probationary period. Employees who had not completed their probationary period in the class from which laid off or demoted shall upon reappointment to such class:

- (1) Serve the remainder of the probationary period if at the time of layoff or demotion the employee completed six (6) or more months of the probationary period; and,
- (2) Start a new probationary period if at the time of layoff or demotion the employee completed less than six (6) months of the probationary period.

Former employees appointed from a reemployment list shall receive a rate of pay at least equal to the rate received at the time of layoff (provided such rate does not exceed the maximum rate established for the class) and shall be restored all rights accorded prior to being laid off such as credit for years of service, for vacation, and for sick leave. However, such reemployed employees shall not be eligible for benefits for which they received compensation at the time of or subsequent to the date they were laid off.

Section 11. Holidays

11.1 Benefit

The following holidays are recognized by the Town as paid holidays for full time regular and probationary employees:

- (1) July 4th, known as "Independence Day"
- (2) The first Monday in September known as "Labor Day"
- (3) The second Monday in October, known as "Columbus Day"
- (4) November 11th, known as "Veterans' Day"
- (5) The fourth Thursday in November, known as "Thanksgiving Day"
- (6) The Friday following Thanksgiving
- (7) December 25, known as "Christmas Day"
- (8) One floating holiday to be taken on either the last working day prior to Christmas Day or New Year's Day, only after prior approval is obtained from the Director of Emergency Services. Fire Department offices and non-emergency services are to be available to the public on both days.
- (9) January 1st, known as "New Year's Day"
- (10) The third Monday in January, known as "Martin Luther King's Birthday"
- (11) February 12th, known as "Lincoln's Birthday"
- (12) The third Monday in February, known as "Washington's Birthday"
- (13) The last Monday in May, known as "Memorial Day"

*See Sub-Section 11.2 below.

11.2 Exchange of Designated Holidays for Floating Holidays

For employees other than "Shift Personnel" - Columbus Day and Lincoln's Birthday shall be considered floating holidays and may be taken off on the date of the holiday or subsequent to the date of the holiday (i.e., the second Monday in October and February 12 respectively) with prior approval of the Department Head.

Such floating holidays must be taken during the fiscal year in which the holiday was earned and if not taken, shall be forfeited. Employees must be in a pay status at the time the Columbus Day and Lincoln's Birthday holidays occur in order to have earned such holidays.

11.3 Holidays on Saturday or Sunday

When a holiday falls on Sunday, the following Monday shall be observed. When a holiday falls on Saturday, the previous Friday shall be observed.

11.4 "Holiday Pay"

Regular or probationary full-time employees, other than "Shift Personnel," who are required to work on any of the holidays specified in Sub-Section 11.1 shall receive additional pay above their normal hourly wage. Such pay shall be referred to as "holiday pay" and shall be paid at straight time for each hour spent on duty during the holiday. "Holiday pay" shall only be paid for hours actually worked on such holidays.

11.5 "Holiday-In-Lieu Pay" for "Shift Personnel"

"Shift Personnel" assigned to the duty cycles specified in Sub-Section 6.3 are not eligible for holiday leave. In lieu of time off for holidays, "Shift Personnel" shall receive "holiday-in-lieu pay." The "holiday-in-lieu pay" shall be thirteen (13) twelve-hour days per year at straight time (13 x 12 = 156 straight time hours). Such pay shall be received in the amount of six (6)

hours of straight time pay with each regular bi-weekly paycheck.

Section 12. Vacations

12.1 Vacation Allowance

Regular and probationary full-time employees shall be entitled to vacation leave as follows:

Shift Personnel:

0 through 5 years' service	=	5.54 hours bi-weekly
6 through 10 years' service	=	6.93 hours bi-weekly
11 through 15 years' service	=	9.24 hours bi-weekly
16 or more years' service	=	11.54 hours bi-weekly

Non-Shift Personnel

0 through 5 years' service	=	3.70 hours bi-weekly
6 through 10 years' service	=	4.62 hours bi-weekly
11 through 15 years' service	=	6.16 hours bi-weekly
16 or more years' service	=	7.69 hours bi-weekly

After six (6) months of continuous service, employees shall be eligible to use the vacation leave actually accrued.

12.2 Vacation Accumulation

No employee shall be allowed to have an accumulation of more than thirty (30) days or fifteen (15) 24-hour shifts of vacation accrual to his/her credit at any one time unless prior special arrangements have been made with the Department Head and approved by the Town Manager. An employee who is on vacation shall continue to accumulate vacation while using his/her previously earned vacation. An employee who is on leave without pay shall not accumulate vacation credits.

12.3 Vacation Scheduling

The time during a calendar year at which an employee may take his/her vacation shall be determined by the Department Head with due regard for the wishes of the employee and the needs of the Town.

12.4 Holiday During Vacation

When a paid holiday falls within a vacation period assigned to an employee other than "Shift Personnel," by prior arrangement with the employee and with due regard for his/her preference, the Town may extend the vacation period by the length of the paid holiday or may return to the employee's vacation leave balance the length of the paid holiday. This Sub-Section does not pertain to "Shift Personnel."

12.5 Vacation Pay at Termination

After completion of six (6) months of Town service, an employee shall be paid for his/her accrued vacation upon resignation (after giving two (2) weeks' written notice) or upon separation by any other method except dismissal for fraud or other act as a result of which the employee owes the Town money.

Section 13. Sick Leave

13.1 Accrual

Sick leave, with pay, shall be allowed for all full-time regular and probationary employees only in case of necessity and actual personal sickness or disability and for necessary medical and dental appointments. Sick leave shall be accrued in accordance with the schedule below:

Sick Leave Accumulation

Shift Personnel	5.54 hours bi-weekly
Non-Shift Personnel	3.70 hours bi-weekly

13.2 Usage

In order to receive compensation while absent on sick leave as provided above, the employee shall notify his/her immediate supervisor at least 15 minutes prior to beginning his/her daily duties. An employee taking sick leave may be required to file a physician's certificate or other proof of illness with the Town Manager.

13.3 Accumulation

Sick leave accrual is unlimited. An employee who is off on sick leave shall continue to accumulate earned sick leave while using his/her previously earned sick leave. An employee who is on leave without pay shall not accumulate sick leave credits. In no event shall sick leave benefits be convertible to cash bonus.

13.4 Holidays During Absence on Sick Leave

In the event that one or more Town holidays fall within a period of an employee's illness on paid sick leave, with the exception of "Shift Personnel," such holiday shall not be charged against the employee's sick leave balance. This Section does not pertain to "Shift Personnel."

Section 14. Leaves of Absence

14.1 Job Incurred Illness or Injury Leave

Any permanent or probationary employee covered by this Memorandum of Understanding who has suffered any disability arising out of and in the course of his/her employment, as defined by the Workers' Compensation Laws of the State of California, shall be entitled to the period of such disability to a maximum provided under State Law. During the period the employee is paid by the Town, the employee shall assign or endorse to the Town any salary benefit payments received as a result of Workers' Compensation Insurance coverage. In the event that the payment received by the employee is not endorsed to the Town, a payroll deduction for the amount of the payment will be made the payroll period following notification to the Town by Workers' Compensation that the check has been issued to the employee. Until such time as a determination is made as to whether the injury or illness is job incurred, the employee shall be eligible to use his/her accrued sick leave. The benefits of sick leave and job incurred injury leave shall be mutually exclusive.

14.2 Funeral Leave

In the event of a death in the immediate family of an employee, he/she shall, upon request, be granted such time off with pay as is necessary to make arrangements for the funeral and attend same, not to exceed, for Non-Shift Personnel, five (5) working days or, for Shift Personnel, three (3) 24-hour shifts for each such leave. This provision does not apply if the death occurs during the employee's paid vacation, or while the employee is on leave of absence, sick leave, or layoff. "Immediate family" includes father, mother, brother, sister, spouse, spouse's parents, step parents and child of employee or spouse, and grandparent/grandchildren of the employee or spouse. At the request of the Town, the employee shall furnish a death certificate and proof of relationship.

Funeral leave applies only in instances in which the employee attends the funeral, or is required to make funeral arrangements, but is not applicable for other purposes such as settling the estate of the deceased.

The employee may request to use accrued vacation if he/she desires to extend such leave.

14.3 Family Illness Leave

The Town Manager may, upon written request of an employee, grant a leave of absence with pay in case an employee's presence is required elsewhere because of sickness or disability of members of his/her immediate family as defined in Sub-Section 14.2. Such family illness leave shall not exceed, for Non-Shift Personnel, five (5) days, or for Shift Personnel, three (3) 24-hour shifts per calendar year. In each such case the Town Manager

shall grant such leave only when, in his/her opinion, the relationship of the sick or disabled person to the employee and the specific circumstances warrant such leave. Such family illness leave shall be deducted from the employee's sick leave accumulation.

14.4 Personal Leave

The Town Manager may, upon written request of an employee and due consideration of the circumstances, grant a leave of absence without pay. Upon expiration of an approved leave, the employee shall be returned to duty in an equivalent position and at the salary received at the time leave was granted.

Failure on the part of an employee on leave to report for duty at its expiration shall be cause for discharge. The time the employee is on a leave of absence without pay shall not be credited toward length of service in computing sick leave or vacation eligibility.

14.5 Jury Duty

Any employee required for jury service shall be entitled to the difference between jury duty pay and his/her regularly scheduled pay during such period of time. In order to receive compensation while absent on jury duty, the employee shall notify his/her immediate superior in advance that he/she has been selected as a juror and the probable duration of the jury duty if known. Days of jury duty and all fees paid shall be verified by the court official responsible for issuing checks in payment of jury service.

14.6 Family Medical Leave Act

The Town will comply with the Family and Medical Leave Act and the California Family Rights Act of 1993 (This section is not grievable).

An employee, at his/her discretion, may use accumulated sick leave and vacation subject to the requirements of Section 13. Sick Leave and Section 12. Vacation, while covered by the FMLA.

Section 15. Uniforms

The Town shall maintain and replace worn or damaged articles of uniform, which are required by the Town at the existing level of quality.

Damaged and/or worn articles of uniform which condition is a result of performance of duties on the job shall be turned into the Director of Emergency Services who shall determine if the article warrants replacement.

As an exception to the foregoing, the Town will replace in kind those articles of uniform listed above which, in the judgment of the Department Head, have been damaged or destroyed as the result of unusual circumstances beyond the control of the employee, and which occurred in the performance of his/her official duties.

Articles of uniform provided by the Town shall remain the property of the Town and shall be turned into the Director of Emergency Services when replaced in kind or when the employee retires or terminates his/her employment with the Town for any reason. Articles of uniform purchased by the employee shall remain the property of the employee.

Section 16. Health and Welfare & Retirement Plan

16.1 Hospital-Medical-Dental Care-Life Insurance

Flexible Benefit Plan - Active Employees

Under the Flexible Benefit Plan the Town's monthly contribution for the individual employee and the employee's eligible dependents shall be One Hundred and Twenty Two dollars (\$122.00) per month, and shall adjust in accordance with the Minimum Employer Contribution (MEC) established by the Public Employees Medical and Hospital Care Act.

In addition, the Town shall offer an Internal Revenue Code Section 125 Plan that contains the components of benefit allowance and premium conversion.

The Town shall contribute the below-listed amount per month toward each employee's Section 125 Plan benefit allowance components. All contributions listed below include the Minimum Employer Contribution (MEC):

- Employee Only: Up to the Marin Kaiser rate for Employee only
- Employee plus one: Up to the Marin Kaiser rate for Employee plus one
- Employee plus two or more: Up to the Marin Kaiser family rate

An employee may use any benefit allowance stated above toward the cost of employer-provided PERS Health insurance for the employee and eligible dependents. An employee may not use the benefit allowance for other reasons.

Any Employee that enrolls in a Medical Plan that has a higher premium than the Town's contribution, as stated above, will pay the difference via pre-tax payroll deductions.

Dental Plan

The Town shall contribute an amount necessary to pay the full cost for maintaining the existing dental insurance benefit.

The Town will provide the bargaining unit represented by the Corte Madera Firefighters Association with an enhanced dental benefit when 50% of the Town employees are granted the enhanced dental benefit.

Vision Plan

Effective January 2017, the Town will implement a vision benefit program for all employees in the bargaining unit. The Town's contribution shall equal the employee only premium. If an employee selects a plan that exceeds the employee only premium, the employee shall be responsible for the premium that exceeds the employee only premium through payroll deduction.

16.2 Change in Employee Benefit Plans

The Town intends to evaluate the hospital-medical and dental plans currently available to employees to determine if similar or better coverage may be available at lower cost to the Town. The Town may substitute new insurance carriers or arrange for self-insurance provided that the overall coverage is equal to or superior to the present coverage and is acceptable to the Association.

16.3 Retirement Plan

The contract in effect between the Town of Corte Madera and the Public Employees Retirement System (PERS) which provides for eligible employees a retirement program of 3% at 50, shall be continued, providing benefits as follows:

- Full 3% at 50
- Final Compensation Average - 1 year
- 1959 Survivors Benefit (with fourth level)
- Post-retirement Survivor Benefit
- Unused Sick Leave Credit (Employees with unused sick leave at retirement will receive additional service credit at the rate of 0.004 years for each day of sick leave.)
- 1959 Survivor Benefits to Surviving Spouse at Age 60.
- Post-Retirement Survivor Allowance to Continue After Remarriage.

When comparing employees' wages with wages of employees in other jurisdictions, it is

understood that retirement benefits will be considered part of the total compensation for said employees.

Effective January 3, 2005, the employee will pay all nine percent (9%) of the employee's contribution for the foregoing retirement plan. In addition to the employee paying the employee's share of retirement, the employee shall contribute the following amounts towards the employer's share of retirement.

- o Effective May 13, 2013, the employee shall contribute 1.5% towards the employer's share of PERS.
- o Effective July 8, 2013 the employee shall contribute an additional 1.5% towards the employer's share of PERS for a total of 3.0%.
- o Effective July 7, 2014 the employee shall contribute an additional 1.5% towards the employer's share of PERS for a total of 4.5%.
- o Effective July 6, 2015, the employee shall contribute an additional 2.0% towards the employer's share of PERS for a total of 6.5%.
- o Effective July 4, 2016, the employee shall contribute an additional 1.5% towards the employer's share of PERS for a total of 8.0%
- o Effective July 3, 2017, the employee shall contribute an additional 1.0% towards the employer's share of PERS for a total of 9.0%

For employees hired after December 31, 2012, who are **not** "classic members" as defined by CALPERS, the contract between the Town of Corte Madera and the Public Employees Retirement System (PERS) which provides retirement benefits for eligible employees, shall be modified to provide the following benefits:

- o Retirement Formula – Full 2.7% at 57
- o Final Compensation Average – 3 Years
- o Unused Sick Leave Credit
- o The employee contribution shall be done in accordance with Government Code Section 7522.30.

16.4 Retiree Medical

- o Employees hired before January 1, 2013 - The Town shall contribute an amount necessary to provide supplemental hospital and medical care benefits for retired employees and dependents in accordance with the table below who have, at the time of their retirement, at least five (5) years continuous service. All contributions listed below include the Minimum Employer Contribution (MEC).

Family Status	Town Contribution
▪ Employee only	▪ Marin Kaiser Employee Only
▪ Employee + one	▪ Marin Kaiser Employee + One
▪ Family	▪ Marin Kaiser Employee + One
▪ Medicare Eligible Employee Only	▪ Medicare Eligible Marin Kaiser Employee Only
▪ Medicare Eligible Employee + One	▪ Medicare Eligible Marin Kaiser Employee + One
▪ Medicare Eligible Family	▪ Medicare Eligible Marin Kaiser Employee + One

- o Employees hired after December 31, 2012 – The Town's retiree medical contribution shall be limited to the PERS Minimum Employer Contribution (MEC).

In addition to the MEC, the Town shall make the contributions to a Retirement Health Saving Account (RHSA) in accordance with the table below for employees hired after December 31, 2012:

Years of Service	Town Contribution
0 – Completion of Probation	No contribution
Completion of Probation	4.0% of Fire Engineer/Paramedic

- o The Town shall make its required contribution during the month of January each year.

- o The Town's contribution shall only be made to employees who are employed on the date the contribution is made.
- o The Town's contribution shall be prorated for employees who have not completed the entire year.

16.5 Life Insurance

The Town shall contribute an amount necessary to pay the full cost for maintaining Fifty Thousand Dollars (\$50,000) term life-accidental death and dismemberment insurance, and One Thousand Dollars (\$1,000) dependent's life insurance supplement.

Section 17. Disciplinary Action

An employee who has completed the probationary period may be dismissed, suspended, demoted, or reduced in pay only for cause. Written notice of the proposed disciplinary action shall be given to the employee and shall include a statement of the reasons for the proposed action. Appeals of disciplinary action shall be made in accordance with the provisions of Section 18. Grievance Procedure, herein, with the grievance filed initially in writing at the Department Head level.

Section 18. Grievance Procedure

18.1 Definition

A grievance is any dispute, which involves the interpretation or application of any provision of this Memorandum of Understanding. A grievance may be filed by an employee in his/her own behalf, or jointly by a group of employees or by the Association.

18.2 Procedure

A grievance shall be filed according to the following procedures:

(1) Immediate Supervisor. Any employee who believes that he/she has a grievance may, within nine (9) calendar days of the event-giving rise to the grievance, present the grievance informally either orally or in writing to the immediate supervisor directly involved in the event. Grievances not presented within the time period shall be deemed to be waived and the event-giving rise to the grievance shall remain unaltered in any respect. If the grievance is not resolved orally, the supervisor shall give a written answer to the grievant within fifteen (15) calendar days from the receipt of the grievance by the supervisor. When the immediate supervisor is also the Department Head, the grievance shall be presented directly as provided in paragraph (2).

(2) Department Head. If the grievance is not resolved with the immediate supervisor, the grievant may, within nine (9) calendar days from his/her receipt of the supervisor's answer, forward the grievance in writing to his/her Department Head for consideration. If the grievance is not submitted within nine (9) calendar days from the date of receiving the decision from the immediate supervisor, the immediate supervisor's decision shall be final and binding. Answer to the grievance shall be made in writing by the Department Head, after conferring with the grievant, within ten (10) working days from receipt of the grievance.

(3) Town Manager. Any grievance which has not been resolved by the procedures set forth above may be referred to the Town Manager by the grievant in writing within nine (9) calendar days from the receipt of the Department Head's answer and the specific issues involved shall be detailed in such referral together with a statement of the resolution which is desired. The Town Manager or his/her personal representative, shall investigate the merits of the complaint, meet with the grievant and, if the grievant is not the Association itself, meet also with the officials of the Association which has jurisdiction over the position or positions which will be directly affected by the resolution of the grievance, and to settle such grievance (or, if the personal representative of the Town Manager, to make recommendations thereon to the Town Manager) within twenty (20) working days following the meeting(s).

(4) Advisory Board. Any grievance which is not resolved by the procedures set forth above may be appealed in writing within nine (9) calendar days to an Advisory Board consisting of one (1) representative appointed by the Town, one (1) representative appointed by the Association and one (1) representative selected by mutual agreement between the other two (2) Board Members. The decision of this Board shall be in the form of a written recommendation to the Town Council, with a copy to the Association. The Board shall, in no event, entertain, hear, or make recommendations on any dispute involving a position over which a formally recognized employee organization has jurisdiction, unless such dispute falls within the definition of a grievance as hereinabove set forth in Section 13.1.

(5) Town Council. Any grievance, which has not been resolved by the procedures set forth above, may be appealed in writing to the Town Council within nine (9) calendar days from the receipt of the Advisory Board's written recommendation. Upon receipt of an appeal, the Town Council shall discuss the grievance with the employee, the employee's representative, if any, and other appropriate persons. The Council may designate a fact-finding committee, an individual not in the normal line of the employee's supervision, or the Town's Attorney to render advice concerning the appeal. Within twenty (20) working days, the Council shall render a formal final decision, in writing, to the employee.

18.3 Extension of Time Limits

The above-specified time limits may be extended by mutual agreement between the parties. Failure of the employee or the Association to act within the specified time limits, unless extended, shall dismiss and nullify the grievance. Failure by the Town to observe such time limits, unless extended, shall cause the grievance to be moved to the next level of the grievance procedure.

18.4 Compensation Complaints

All complaints involving or concerning the payment of compensation after the effective date of this Memorandum of Understanding shall be initially filed in writing with the Department Head. In such cases no adjustment shall be retroactive for more than sixty (60) calendar days from the date upon which the complaint was filed.

Only complaints, which allege that employees are not being compensated in accordance with the provisions of this Memorandum of Understanding, shall be considered as grievances.

18.5 Suspension and Discharge Grievances

If the Town Manager or the Town Council in pursuance of the procedures outlined in Section 18.2 (3) or (4) above resolves a grievance which involves suspension or discharge, he/she may agree to payment for lost time or to reinstatement with or without payment for lost time.

18.6 No Changes in Memorandum

Proposals to add to or change this Memorandum of Understanding or written agreements or addenda supplementary hereto shall not be considered under this Section 18 and no proposal to modify, amend, or terminate this Memorandum of Understanding, nor any matter or subject arising out of or in connection with such proposal, may be considered under this Section.

Section 19. Wellness Program

The Town contracts for routinely scheduled physical examinations of individual Firefighters and for special physical evaluations of individual Firefighters. These evaluations are conducted to identify opportunities for preventative maintenance in enhancing Firefighter physical fitness and to determine any physical impairments that might limit a Firefighter's ability to function properly.

Section 20. No Smoking

An applicant shall be disqualified for employment if said applicant has smoked tobacco within one (1) year preceding the date of the filing of an application for employment. All employees, as a condition of employment, shall refrain at all times from smoking tobacco.

Section 21. EMT-D

The Town may proceed to implement the EMT-D program, as a new condition of continued employment, through installation of Cardiac Defibrillation equipment in Town emergency response vehicles, and the training and certification of employees in the use of such equipment, subject to the following:

1. The Town and the Union agree that Sections 815.2 and 825 of the Government Code of the State of California are applicable to legal actions arising out of the use of defibrillation equipment so long as the employee was acting within the course and scope of his/her employment.
2. The Town and the Union agree that the "EMS Personnel Disciplinary Guidelines" is applicable in any case involving EMT-D decertification.
3. The parties understand and agree that voice tapes associated with the Cardiac Defibrillation use are used for quality control purposes and will only be utilized for disciplinary purposes under extraordinary circumstances.

Section 22. Educational Incentive Program

Employees will be granted educational incentive pay in accordance with the following:

Level 1:

CPR Instructor
Certified First Aid Instructor
Certified Advanced First Aid Instructor
.5% Incentive Pay for each certification, to maximum 1.5%
Maintenance Required: Must teach at least one class each fiscal year for each certification claimed.

Level 2:

AS Degree in Fire Science except for Battalion Chief = 3%*
BA/BS Degree - 5.0%*
Exceptions to the AS/BA/BS Degree in Fire Science may be approved by the Town Manager.
* No maintenance required

Level 3:

(Firefighter/Paramedics, Fire Engineer/Paramedics and Fire Captain/Paramedics only)

For employees who wish to pursue an educational path beyond the Level 1 and Level 2 basic education, Higher Career Path Counseling will be made available on an individual basis with the Director of Emergency Services. The purpose of such counseling is to identify fire service related career paths which will enhance the employee's career goals in accordance with the employee's abilities and which will comport with the needs of the Town and the Department. Additionally, identification of specific career paths will necessarily consider paths being pursued by other employees, the need and desirability for duplication and diversity. In the event an employee believes that the results of such counseling do not enhance his/her career

goals or are not in accordance with his/her abilities, the employee may take up the matter with the Town Manager.

Available career paths begin with completion of the curriculum leading to Fire Officer Certification (@ 320 hours) through the CSFTES program. Completion of the Fire Officer Certification curriculum with an average grade of 70% or better shall entitle the employee to Education Incentive Pay in the amount of 2.5% (no maintenance required).

Incentive Pay will be awarded only on the pay period closest to July 1 of each fiscal year; however, Incentive Pay earned for obtaining a degree (AA or BA) or Fire Officer Certification shall be awarded on the next pay period after providing the Town evidence of completion.

Level 4:

For Fire Captain/Paramedics who wish to pursue an educational path beyond the Level 1 and Level 2 basic education, Higher Career Path Counseling will be made available on an individual basis with the Director of Emergency Services. The purpose of such counseling is to identify fire service related career paths which will enhance the employee's career goals in accordance with the employee's abilities and which will comport with the needs of the Town and the Department. Additionally, identification of specific career paths will necessarily consider paths being pursued by other employees, the need and desirability for duplication and diversity. In the event an employee believes that the results of such counseling do not enhance his/her career goals or are not in accordance with his/her abilities, the employee may take up the matter with the Town Manager.

SPECIFIC CAREER PATHS: (Firefighter/Paramedic, Fire Engineer/Paramedic and Fire Captain/Paramedic)

A) Investigations, leading to certification at the II level (@ 130 Hours).
2% Incentive Pay.

Attended all level one and two courses leading to certification requirements.
Received certificates for completing and passing course work.
Being an active member and meeting requirements of the Marin County Fire Investigation Unit. This includes being on call to investigate fires throughout Marin County, attending classes and meetings.
Being the lead fire investigator for the Corte Madera Fire department.

B) Instructor, leading to certification at the Master Instructor level (@220 Hours).
2.5% Incentive Pay.

C) Prevention, leading to certification at the III level (@280 Hours).
5% Incentive Pay.

D) Hazardous Materials, leading to certification as Hazmat Specialist (@280 Hours).
5% Incentive Pay.

Level 5:

For Fire Captain/Paramedics only
Chief Fire Officer Certification =5.0%*
*No maintenance required

Miscellaneous Conditions:

A) The maximum combined incentives shall not exceed twelve percent (12%). Nine percent (9%) of the twelve percent (12%) maximum shall count when the Town

conducts compensation surveys.

B) In order to maintain any Level 4 Incentive Pay, the employee will be required to attend at least twenty-four (24) hours of related educational classes annually as approved by the Director of Emergency Services.

In no case shall an employee be required to attend more than thirty (30) hours of related educational classes annually to maintain the Employees' Educational Incentive Pay.

C) For an employee receiving Level 4 Incentive Pay, the hours spent in attendance at monthly/regular meetings of the Fire Prevention Officers Association, Fire Investigation Team, Hazmat Team, Training Officers Association or Public Education Committee will be counted toward completion of the required educational maintenance provision of B above, provided that attendance at such meetings is in accordance with the employee's career path and is approved by the Director of Emergency Services.

D) Incentive Pay will be awarded only on the pay period closest to July 1 of each fiscal year; however, Incentive Pay earned for obtaining a degree (AA or BA) or Chief Fire Officer Certification shall be awarded on the next pay period after providing the Town evidence of completion.

Section 23. Past Practices

It is understood and agreed that any benefits and or working conditions within the scope of representation presently in effect and not modified by this Memorandum of Understanding shall remain unchanged until the Town and the Association meet and confer pursuant to the provisions of the Government Code Section 3500, et seq and the Town's Employee Relations Resolution concerning any proposed changes.

This Memorandum of Understanding shall supersede all existing memoranda of understanding between the Town and the Association.

Section 24. Separability of Provisions

In the event that any provision of this Memorandum of Understanding is declared by a court of competent jurisdiction to be illegal or unenforceable, that provision of the Memorandum of Understanding shall be null and void but such nullification shall not affect any other provisions of this Memorandum of Understanding, all of which other provisions shall remain in full force and effect.

Section 25. Scope of Memorandum of Understanding

Except as otherwise specifically provided herein, this Memorandum of Understanding fully and completely incorporates the understanding of the parties hereto and constitutes the sole and entire understanding between the parties on any and all matters subject to meeting and conferring; provided, however, that nothing herein shall prohibit the parties from changing the terms of this Memorandum by mutual agreement.

Section 26. Duration

This Memorandum of Understanding shall be effective July 1, 2015, except for those provisions of the Memorandum of Understanding which have been assigned other effective dates as hereinabove set forth and shall remain in full force and effect to and including June 30, 2018, and shall continue thereafter from year to year unless at least one hundred and twenty (120) days prior to the first day of July 2018, or to the first day of July of any

subsequent year either party shall file written notice with the other of its desire to amend, modify, or terminate this Memorandum of Understanding.

IN WITNESS WHEREOF, the parties hereby have executed this Memorandum of Understanding this 17TH day of DECEMBER, 2015.

CORTE MADERA FIREFIGHTERS
ASSOCIATION, IAFF LOCAL 1775

TOWN OF CORTE MADERA

By N. AM 12/17/15

By David Bracken

By Nick Gabbard

By David Bracken



VantageCare Retirement Health Savings Plan Implementation Data Form – Page 1

Instructions to Employer: Provide necessary information to establish your plan properly.
Please contact your New Business Analyst at 1-800-326-7272, if you have any questions.

ICMA-RC Use Only: Employer # 803432

<p>General Information</p>	<ol style="list-style-type: none"> 1. (902) Employer's Full Name: <u>Town of Corte Madera</u> 2. (924) Street Address: <u>300 Tamalpais Drive</u> (925) _____ 3. (918) City: <u>Corte Madera</u> (919) State: <u>CA</u> (920) Zip Code: <u>94925</u> 4. (633) Primary Contact: <u>George T. Warman, Jr.</u> 5. (634) Primary Contact Title: <u>Director of Administrative Services</u> 6. (631) Primary Contact Telephone #: (<u>415</u>) <u>927-5054</u> 7. (632) Fax #: (<u>415</u>) <u>927-5087</u> 8. (PT00) E-mail Address: <u>gwarman@tcmmail.org</u> <i>This email will be used to provide an electronic copy of your plan summary.</i> 9. (882) Employer's Federal Tax Identification Number: <u>94-6001432</u> 10. # of Employees: <u>45</u> 11. # of Employees Eligible for Plan Participation: <u>15</u> 12. # of Employees Eligible to Receive Medical Benefits upon plan implementation: <u>None</u> 																		
<p>Plan Implementation Information</p>	<ol style="list-style-type: none"> 13. (611) Contribution Information: (Note: * = default) <ol style="list-style-type: none"> a. Frequency: (check one): <table style="display: inline-table; vertical-align: top;"> <tr> <td><input type="checkbox"/> (0) Bi-weekly*</td> <td><input type="checkbox"/> (4) Monthly</td> <td><input type="checkbox"/> (8) Semi-quarterly</td> </tr> <tr> <td><input type="checkbox"/> (1) Weekly</td> <td><input type="checkbox"/> (5) Semi-Monthly</td> <td><input type="checkbox"/> (9) Bi-annually</td> </tr> <tr> <td><input type="checkbox"/> (2) Semi-weekly</td> <td><input type="checkbox"/> (6) Bi-quarterly</td> <td><input type="checkbox"/> (10) Annually</td> </tr> <tr> <td><input type="checkbox"/> (3) Bi-monthly</td> <td><input type="checkbox"/> (7) Quarterly</td> <td><input type="checkbox"/> (11) Semi-annually</td> </tr> <tr> <td colspan="3"><input type="checkbox"/> () Other: _____</td> </tr> </table> b. Deposit Medium: (624) <table style="display: inline-table; vertical-align: top;"> <tr> <td><input type="checkbox"/> Check *</td> <td><input type="checkbox"/> Wire</td> <td><input type="checkbox"/> EFT</td> </tr> </table> c. Data Medium: EZLink Required to participate in RHS Plan d. First Contribution Date Following Implementation: <u>January 2017</u> 	<input type="checkbox"/> (0) Bi-weekly*	<input type="checkbox"/> (4) Monthly	<input type="checkbox"/> (8) Semi-quarterly	<input type="checkbox"/> (1) Weekly	<input type="checkbox"/> (5) Semi-Monthly	<input type="checkbox"/> (9) Bi-annually	<input type="checkbox"/> (2) Semi-weekly	<input type="checkbox"/> (6) Bi-quarterly	<input type="checkbox"/> (10) Annually	<input type="checkbox"/> (3) Bi-monthly	<input type="checkbox"/> (7) Quarterly	<input type="checkbox"/> (11) Semi-annually	<input type="checkbox"/> () Other: _____			<input type="checkbox"/> Check *	<input type="checkbox"/> Wire	<input type="checkbox"/> EFT
<input type="checkbox"/> (0) Bi-weekly*	<input type="checkbox"/> (4) Monthly	<input type="checkbox"/> (8) Semi-quarterly																	
<input type="checkbox"/> (1) Weekly	<input type="checkbox"/> (5) Semi-Monthly	<input type="checkbox"/> (9) Bi-annually																	
<input type="checkbox"/> (2) Semi-weekly	<input type="checkbox"/> (6) Bi-quarterly	<input type="checkbox"/> (10) Annually																	
<input type="checkbox"/> (3) Bi-monthly	<input type="checkbox"/> (7) Quarterly	<input type="checkbox"/> (11) Semi-annually																	
<input type="checkbox"/> () Other: _____																			
<input type="checkbox"/> Check *	<input type="checkbox"/> Wire	<input type="checkbox"/> EFT																	



VantageCare Retirement Health Savings Plan Implementation Data Form – Page 2

<p>Default Investment Option</p>	<p>The default fund will be used if a participant does not provide valid allocation instructions.</p> <p>If you do not make an election in this section, the Milestone Fund with the target date closest to a participant's 60th birthday will be used as your plan's default option.</p> <p>You may select the "Alternative Default" option if you would like to use a fund (or funds) other than the Milestone Funds as your plan's default option. Please see ICMA-RC's Standard Plan Fund Lineup at www.icmarc.org to complete this section.</p> <p>Note: Prior to selecting the "Alternative Default" option, employers should carefully review the Department of Labor's final regulations on qualified default investment alternatives (QDIAs). More information is available online at www.dol.gov or www.icmarc.org/ppa.</p> <p>Default Fund for Investment Allocations (Select one option):</p> <p><input checked="" type="checkbox"/> The Milestone Funds (Default) with a target retirement age of:</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> Age 60 (Default)</p> <p style="padding-left: 20px;"><input type="checkbox"/> Age _____ (Input the Target Retirement Age to be used for your plan)</p> <p><input type="checkbox"/> Alternative Default _____</p> <p style="padding-left: 20px;">(Input the fund name that will be used as the plan's default investment option)</p>
<p>Claims Contact Information</p> <p>Please indicate alternate addresses in Comments Section</p>	<p>Plan Contacts (Complete item #18. If item #14-17 and 19 are left blank, the Primary Contact in #4 will receive mailings.)</p> <p>14. PT01 Contact Signature: _____ (200) Contact Name: <u>Jonna Intoschi jintoschi@tcmmail.org</u> (210) Contact Title: <u>Financial Analyst II</u> (420) Telephone: (<u>415</u>) <u>927-5055</u> (421) Fax: (<u>415</u>) <u>927-5087</u></p> <p>15. PT08 Contact Signature: _____ (200) Contact Name: _____ (210) Contact Title: _____ (420) Telephone: (_____) _____ (421) Fax: (_____) _____</p> <p>16. PT09 Contact Signature: _____ (200) Contact Name: _____ (210) Contact Title: _____ (420) Telephone: (_____) _____ (421) Fax: (_____) _____</p>
<p>Contribution Contact Information</p>	<p>17. PT02 (200) Contact Name: <u>Jonna Intoschi jintoschi@tcmmail.org</u> (210) Contact Title: <u>Financial Analyst II</u> (420) Telephone: (<u>415</u>) <u>927-5055</u> (421) Fax: (<u>415</u>) <u>927-5087</u></p>



VantageCare Retirement Health Savings Plan Implementation Data Form – Page 3

Plan Contacts (Continued)

(Complete item #18. If item #14-17 and 19 are left blank, the Primary Contact in #4 will receive mailings.)

Trustee Contact Information	<p>18. PT10 (200) Trustee Name: <u>Town of Corte Madera</u></p> <p>(210) Trustee Title: <u>Director of Administrative Services</u></p> <p>(215) Trustee: <u>George T. Warman, Jr.</u></p> <p>(310) Trustee Address: _____</p> <p>(305) Street <u>300 Tamalpais Drive</u></p> <p>(320) City <u>Corte Madera</u> (325) State <u>CA</u> (330) Zip <u>94925</u></p> <p>(401) Y / N (402) Y / N</p> <p>(420) Telephone: (<u>415</u>) <u>927-5054</u> (421) Fax: (<u>415</u>) <u>927-5087</u></p>
Billing (Fees) Contact Information	<p>19. PT06 (200) Contact Name: <u>Jonna Intoschi jintoschi@tcmmail.org</u></p> <p>(210) Contact Title: <u>Financial Analyst II</u></p> <p>(420) Telephone: (<u>415</u>) <u>927-5055</u> (421) Fax: (<u>415</u>) <u>927-5087</u></p>
Comments: (Alternate Addresses for #14-19)	<hr/>
Internal Use Only	<p>641 _____ 912 _____ 608 _____ 074 _____</p>

ADMINISTRATIVE SERVICES AGREEMENT

Between

ICMA Retirement Corporation

and

Town of Corte Madera

Type: VantageCare RHS

Account Number: 803432

ADMINISTRATIVE SERVICES AGREEMENT

This Agreement, made as of the 1st day of January, 20 17 (herein referred to as the "Inception Date"), between The International City Management Association Retirement Corporation ("ICMA-RC"), a nonprofit corporation organized and existing under the laws of the State of Delaware; and the Town of Corte Madera ("Employer") a local governmental instrumentality organized and existing under the laws of the State of California with an office at 300 Tamalpais Drive, Corte Madera, California 94976.

RECITALS

Employer acts as a public plan sponsor for a retiree health plan with responsibility to obtain investment alternatives and services for employees participating in that plan;

Employer desires to make the VantageCare Retirement Health Savings Plan ("RHS Plan" or "Plan") provided by ICMA-RC available to its employees;

ICMA-RC makes available the Vantagepoint Funds, a no-load, diversified mutual fund, for investment of public employer plan assets, including RHS Plan assets;

ICMA-RC provides a complete offering of services to public employers for the operation of employee retirement and retiree health savings plans including, but not limited to, communications concerning investment alternatives, account maintenance, account record-keeping, investment and tax reporting, form processing, benefit disbursement and asset management.

AGREEMENTS

1. Acceptance of RHS Plan

Employer agrees to make the RHS Plan provided by ICMA-RC available to its employees. The details of the RHS Plan shall be as mutually agreed between the Employer and ICMA-RC, and in general shall be as set forth in the RHS Plan materials developed by ICMA-RC and provided to Employer. The RHS Plan materials are hereby incorporated by reference and made a part of this Agreement, except that Employer and ICMA-RC may from time to time mutually agree in writing to terms that vary from the RHS Plan materials. RHS plan materials shall include the *VantageCare RHS Employer Manual*, available electronically through the EZ Link System upon plan adoption.

The functions to be performed by ICMA-RC and its agents include:

- (a) allocation in accordance with participant direction of individual accounts to investment funds ("Funds") made available to Plan participants;
- (b) maintenance of individual accounts for participants reflecting amounts contributed,

- income, gain, or loss credited, and amounts disbursed as benefits;
- (c) provision of periodic reports to the Employer and participants of the status of Plan investments and individual accounts;
 - (d) communication to participants of information regarding their rights and elections under the Plan;
 - (e) disbursement of benefits as agent for the Employer in accordance with terms of the Plan; and
 - (f) performance of tax withholding and reporting in conjunction with the Employer for each RHS account.

2. Employer Duty to Furnish Information

Employer agrees to furnish to ICMA-RC on a timely basis such information as is necessary for ICMA-RC to carry out its responsibilities with respect to the Plan, including information needed to allocate individual participant accounts to Funds, and information as to the benefit eligibility and employment status of participants, and participants' ages, addresses, dependents, spouses and other identifying information (including tax identification numbers). Employer also agrees that it will notify ICMA-RC in a timely manner regarding changes in staff as it relates to various roles. This is to be completed through the online EZLink employer contact options. ICMA-RC shall be entitled to rely upon the accuracy of any information that is furnished to it by a responsible official of the Employer or any information relating to an individual participant, spouse or dependent that is furnished by such participant, spouse or dependent, and ICMA-RC shall not be responsible for any error arising from its reliance on such information. ICMA-RC will provide reports, statements and account information to the Employer through EZLink, the online plan administrative tool.

3. ICMA-RC Representations and Warranties

ICMA-RC represents and warrants to Employer that:

- (a) ICMA-RC is a non-profit corporation with full power and authority to enter into this Agreement and to perform its obligations under this Agreement.
- (b) ICMA-RC is an investment adviser registered as such with the Securities and Exchange Commission under the Investment Advisers Act of 1940, as amended. ICMA-RC Services, LLC (a wholly owned subsidiary of ICMA-RC) is registered as a broker-dealer with the Securities and Exchange Commission (SEC) and is a member in good standing of the Financial Industry Regulatory Authority (FINRA).

4. Employer Representations and Warranties

Employer represents and warrants to ICMA-RC that:

- (a) Employer is organized in the form and manner recited in the opening paragraph of this Agreement with full power and authority to enter into and perform its obligations under this Agreement and to act for the Plan and participants in the manner contemplated in this Agreement. Execution, delivery, and performance of this Agreement will not conflict with any law, rule, regulation or contract by which the Employer is bound or to which it is a party.
- (b) Information required to be retained by the Employer shall be set forth in the RHS plan materials developed by ICMA-RC and provided to the Employer.
- (c) Employer is responsible for determining that there are no state or local laws that would prohibit it from establishing ICMA-RC's VantageCare RHS program. Employer is also responsible for determining that the investments selected for the RHS plan fall within state or local requirements. ICMA-RC shall not be responsible for monitoring state or local law or for administering the Plan in compliance with local or state requirements unless Employer notifies ICMA-RC of any such local or state requirements.
- (d) Employer acknowledges that the RHS plan may be treated as a "health plan" for Health Insurance Portability and Accountability Act ("HIPAA") purposes and therefore may be subject to HIPAA privacy rules. If it is determined that the RHS plan is considered a "health plan", an employer sponsoring RHS would be responsible for complying with the HIPAA privacy and security rules regarding protected health information of RHS plan participants.
- (e) Employer acknowledges that certain such services to be performed by ICMA-RC under this Agreement may be performed by an affiliate or agent of ICMA-RC pursuant to one or more other contractual arrangements or relationships, and that ICMA-RC reserves the right to change vendors with which it has contracted to provide services in connection with this Agreement without prior notice to Employer.
- (f) Employer acknowledges and agrees that ICMA-RC does not assume any responsibility with respect to the selection or retention of the Plan's investment options. Employer shall have exclusive responsibility for the selection and retention of the Plan's investment options, including the selection of the applicable mutual fund share class.

5. Participation in Certain Proceedings

The Employer hereby authorizes ICMA-RC to act as agent, to appear on its behalf, and to join the Employer as a necessary party in all legal proceedings involving the garnishment of benefits or the transfer of benefits pursuant to a medical child support order. Unless Employer notifies

ICMA-RC otherwise, Employer authorizes ICMA-RC to determine whether disbursement of benefits to a spouse or child pursuant to a medical child support order is appropriate.

6. Compensation and Payment

(a) Absent an explicit agreement to the contrary between ICMA-RC and Employer, participant fees and expenses shall be payable from RHS assets, in accordance with the requirements of the RHS Plan as set forth below.

(i) Employer with ICMA-RC §401 and §457 retirement plan average participant account balances of \$25,000 or more:

An annual asset fee of 0.30% (30 basis points) will be charged on a quarterly basis, based on the balance in the account on the last day of the previous quarter.

In addition to the annual asset fee, a \$25 annual account administration fee will be charged quarterly to each Accountholder's account.

(ii) Employer with ICMA-RC §401 and §457 retirement plan average participant account balances of less than \$25,000, or Employer who does not currently have a retirement plan with ICMA-RC:

An annual asset fee of 0.40% (40 basis points) will be charged on a quarterly basis, based on the balance in the account on the last day of the previous quarter.

When the average participant account balance of the Employer's §401 and §457 retirement plans with ICMA-RC totals \$25,000 or more (based on the balances in the Employer's retirement plans on the last day of the previous quarter), the pricing detailed in paragraph 5.a. shall apply beginning in the subsequent quarter.

In addition to the annual asset fee, a \$ 25 annual account administration fee will be charged quarterly to each Accountholder's account.

(iii) Account administration fees are subject to change with appropriate prior notification.

(b) Account administration fees are subject to change with appropriate prior notification.

(c) **Compensation for Advisory and other Services to the Vantagepoint Funds.** Employer acknowledges that certain wholly-owned subsidiaries of ICMA-RC receive compensation from the Vantagepoint Funds for advisory and other services furnished to the Vantagepoint Funds. The fees referred to in this subsection are disclosed in the Vantagepoint Funds Prospectus and Statement of Additional Information.

7. Contribution Remittance

Employer understands that amounts contributed to the RHS plan are to be remitted directly to Vantagepoint Transfer Agents in accordance with instructions provided to Employer in the RHS plan materials and are not to be remitted to the ICMA Retirement Trust or ICMA-RC. In the event that any check or wire transfer is incorrectly labeled or transferred, ICMA-RC will return it to Employer with proper instructions.

8. Responsibility

- (a) ICMA-RC shall not be responsible for any acts or omissions of any person other than ICMA-RC in connection with the administration or operation of the Plan.
- (b) The Employer understands that, as a general matter, the Internal Revenue Service (“IRS”) may decline to rule on certain design features or provisions that the Employer may request to have added to the RHS plan materials. The Employer agrees to hold ICMA-RC harmless in connection with the addition and administration of any RHS plan feature or provision requested by the Employer for which the IRS will not provide express interpretive guidance.

9. Indemnification

ICMA-RC shall not be responsible for any acts or omissions of any person with respect to the Plan or related Trust, other than ICMA-RC in connection with the administration or operation of the Plan. Employer shall indemnify ICMA-RC against, and hold ICMA-RC harmless from, any and all loss, damage, penalty, liability, cost, and expense, including without limitation, reasonable attorney’s fees, that may be incurred by, imposed upon, or asserted against ICMA-RC by reason of any claim, regulatory proceeding, or litigation arising from any act done or omitted to be done by any individual or person with respect to the Plan or related Trust, excepting only any and all loss, damage, penalty, liability, cost or expense resulting from ICMA-RC’s negligence, bad faith, or willful misconduct.

9. Term

This Agreement shall be in effect for an initial term beginning on the Inception Date and ending 5 years after the Inception Date. This Agreement will be renewed automatically for each succeeding year unless written notice of termination is provided by either party to the other no less than 60 days before the end of such Agreement year.

10. Amendments and Adjustments

- (a) This Agreement may be amended by written instrument signed by the parties.
- (b) The parties agree that only an adjustment to compensation or administrative and operational services under this Agreement may be implemented by ICMA-RC through a

proposal to the Employer via correspondence or the Employer Bulletin. The Employer will be given at least 60 days to review the proposal before the effective date of the adjustment. Such adjustment shall become effective unless, within the 60 day period before the effective date, the Employer notifies ICMA-RC in writing that it does not accept such adjustment, in which event the parties will negotiate with respect to the adjustment.

- (c) No failure to exercise and no delay in exercising any right, remedy, power or privilege hereunder shall operate as a waiver of such right, remedy, power or privilege.

11. Notices

All notices required to be delivered under Section 10 of this Agreement shall be delivered personally or by registered or certified mail, postage prepaid, return receipt requested, to (i) Legal Department, ICMA Retirement Corporation, 777 North Capitol Street, N.E., Suite 600, Washington, D.C, 20002-4240; (ii) Employer at the office set forth in the first paragraph hereof, or to any other address designated by the party to receive the same by written notice similarly given.

12. Complete Agreement

This Agreement shall constitute the sole agreement between ICMA-RC and Employer relating to the object of this Agreement and correctly sets forth the complete rights, duties and obligations of each party to the other as of its date. Any prior agreements, promises, negotiations or representations, verbal or otherwise, not expressly set forth in this Agreement are of no force and effect.

13. Governing Law

This agreement shall be governed by and construed in accordance with the laws of the State of California applicable to contracts made in that jurisdiction without reference to its conflicts of laws provisions.

In Witness Whereof, the parties hereto have executed this Agreement as of the Inception Date first above written.

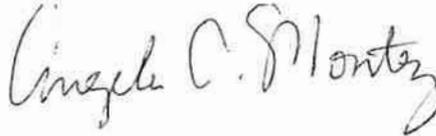
TOWN OF CORTE MADERA

By: _____

Print Name: George T. Warman, Jr.

Title: Director of Administrative Services

INTERNATIONAL CITY MANAGEMENT
ASSOCIATION RETIREMENT CORPORATION



By _____

Angela C. Montez
Assistant Corporate Secretary



EZLINK ACCESS FORM – PAGE 1 OF 2

Plan Name* CMFF - RHSA
 Number* 803432
 Other Plan Number(s) (If Applicable) _____
 (*This information must be completed to avoid processing delays)

1	Plan Coordinator Information Plan Coordinator Name: <u>George T. Warman, Jr.</u> Title: <u>Director of Administrative Services</u> Phone Number: <u>(415) 927-5054</u> Fax: <u>(415) 927-5087</u> Email Address: <u>gwarman@tcmmail.org</u> Mailing Address: <u>P.O. Box 159</u> City: <u>Corte Madera</u> State: <u>CA</u> Zip: <u>94976-0159</u>						
2	Adoption of Online Withdrawal Approval <input type="checkbox"/> We hereby adopt Online Withdrawals and authorize ICMA-RC to permit disbursements from participant accounts upon receipt of termination dates. Additionally, we understand Online Withdrawals are only available for 401 and 457 plans, termination dates should be submitted in a timely manner, and employer approval is not required for individual disbursement requests. (Note: Please contact an EZLink Specialist at 1-800-326-7272, for information on submitting termination dates)						
3	Password Holder Information <i>You must provide the "Password Holder Information" to establish User ID's and passwords for additional members of your staff</i>						
<p>Select One: <input checked="" type="checkbox"/> Add New User ID <input type="checkbox"/> Reassign User ID <input type="checkbox"/> Update User ID <input type="checkbox"/> Remove User ID</p> <p>Name: <u>George T. Warman, Jr.</u> Current User ID: _____</p> <p>Title: <u>Director of Administrative Services</u></p> <p>Phone #: <u>(415) 927-5054</u> Email Address: <u>gwarman@tcmmail.org</u></p> <p>Access:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Inquiry – Balances & Reports <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</td> <td style="width: 50%;">Contributions & Loan Repays <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</td> </tr> <tr> <td>Enrollments/Rehires <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</td> <td>Participant Data Transfer: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</td> </tr> <tr> <td>Participant Changes (name, address, etc.) <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</td> <td></td> </tr> </table>		Inquiry – Balances & Reports <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Contributions & Loan Repays <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Enrollments/Rehires <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Participant Data Transfer: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Participant Changes (name, address, etc.) <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
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Please fax your completed EZLink Access Form to the "EZLink Administrator" at 1-202-962-4601.

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EZLINK ACCESS FORM – PAGE 2 OF 2

<p>3 Password Holder Information</p> <p><i>(continued)</i></p>	<p>Select One: <input type="checkbox"/> Add New User ID <input type="checkbox"/> Reassign User ID <input type="checkbox"/> Update User ID <input type="checkbox"/> Remove User ID</p> <p>Name: _____ Current User ID: _____</p> <p>Title: _____</p> <p>Phone #: _____ Email Address: _____</p> <p>Access:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Inquiry – Balances & Reports <input type="checkbox"/> Y <input type="checkbox"/> N</td> <td style="width: 50%;">Contributions & Loan Repays <input type="checkbox"/> Y <input type="checkbox"/> N</td> </tr> <tr> <td>Enrollments/Rehires <input type="checkbox"/> Y <input type="checkbox"/> N</td> <td>Participant Data Transfer: <input type="checkbox"/> Y <input type="checkbox"/> N</td> </tr> <tr> <td>Participant Changes <input type="checkbox"/> Y <input type="checkbox"/> N</td> <td></td> </tr> </table> <p><i>(name, address, etc.)</i></p>	Inquiry – Balances & Reports <input type="checkbox"/> Y <input type="checkbox"/> N	Contributions & Loan Repays <input type="checkbox"/> Y <input type="checkbox"/> N	Enrollments/Rehires <input type="checkbox"/> Y <input type="checkbox"/> N	Participant Data Transfer: <input type="checkbox"/> Y <input type="checkbox"/> N	Participant Changes <input type="checkbox"/> Y <input type="checkbox"/> N	
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<p>4 Plan Coordinator Approval</p> <p><i>(Plan coordinator User ID and password automatically generated.)</i></p>	<p>ICMA-RC considers participant information to be highly confidential, and we go to great lengths to avoid breaching that confidentiality. For this reason, ICMA-RC cannot be responsible for (i) negligent or intentional misuse of the password by the municipality's officers, employees, agents or contractors, (ii) a breach of confidentiality that may occur as a result of such negligent or intentional misuse of the password, or (iii) a breach of confidentiality that may occur as a proximate result of the municipality's access to the participant database. If the municipality uses EZLink online transaction processing, please remember to review all financial information you have entered for your participants, as ICMA-RC is not responsible for incorrect data transmitted by the municipality. ICMA-RC recommends that you encourage all participants to review statements and confirmations for accuracy.</p> <p>ICMA-RC's Web site is normally available 24 hours a day, seven days a week. However, service availability is not guaranteed. Neither ICMA-RC or its affiliates, the VantageTrust Company, nor The Vantagepoint Funds will be responsible for any loss (or forgone gain) you may incur as a result of service being unavailable.</p> <p>Please signify your agreement to these terms by signing in the space indicated below. You may fax this signed form to the EZLink Administrator at 1-202-962-4601. We will provide you with User ID(s) and Password(s) to begin using EZLink. Should you have questions regarding EZLink, please contact an EZLink Specialist at 1-800-326-7272.</p> <p>Agreed: _____ Date: _____</p> <p style="text-align: center;">Plan Coordinator</p> <p>Print Your Name <u>George T. Warman, Jr.</u></p>						

Please fax your completed EZLink Access Form to the "EZLink Administrator" at 1-202-962-4601.

FRM000-019-200508

This material has been reviewed
by the Town Manager

Do

CORTE MADERA TOWN COUNCIL
STAFF REPORT

Report Date February 23, 2016
Meeting Date: March 15, 2016

TO: TOWN MANAGER, MAYOR AND TOWN COUNCIL

FROM DIRECTOR OF RECREATION AND LEISURE SERVICES,
MARIO FIORENTINI

SUBJECT: AVON 39 THE WALK TO END BREAST CANCER

* * * * *

PURPOSE:

Seeking approval of AVON 39 The Walk to end Breast Cancer Event at Town Park, July 22-24

RECOMMENDATION:

Approve the event.

OPTIONS:

The following options are available to the Council:

1. Approve the event as presented
2. Approve the event with conditions or modifications
3. Table issue for further consideration at a later date

TOWN MANAGER'S RECOMMENDATION:

Supports Staff's Recommendation

CEQA STATUS:

This is not a "project" as defined by CEQA

FISCAL IMPACTS:

AVON will pay the Town of Corte Madera \$32,500 for the use of the community center and town park facilities. This is an increase of 10% from the previous years.

BACKGROUND / DISCUSSION:

The Avon Walk for Breast Cancer has held their event in Corte Madera Town Park since 2011. They have approached us again for their 2016 event which will be held this July from the 22nd to the 24th. Town staff has had a very good experience with the event staff,

Staff fully supports the event. Noticing will go out to the surrounding community about the event. Details of the event will be worked out with our public works department, Central Marin Police, the Corte Madera Fire Department and other departments as needed.

CONCLUSION:

Staff believes that the event is a positive addition to the Town of Corte Madera and looks forward to working with the AVON Walk coordinators in 2016.

DD

CORTE MADERA TOWN COUNCIL
STAFF REPORT

Report Date: March 10, 2016
Meeting Date: March 15, 2016

TO: MAYOR AND MEMBERS OF THE TOWN COUNCIL

FROM: REBECCA VAUGHN
TOWN CLERK

SUBJECT: APPROVAL OF NECESSARY FUNDS TO ATTEND LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE MEETING ON APRIL 8, 2016 IN SAN DIEGO, CALIFORNIA AND ATTEND THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE OCTOBER 5-7, 2016 IN LONG BEACH, CALIFORNIA

RECOMMENDATION:

That the Town Council approve the attendance of Councilmember Carla Condon at the League of California Cities Policy Committee Meeting on April 8, 2016 and approve the attendance of any interested Councilmembers at the League of California Cities Annual Conference October 5-7, 2016 in Long Beach, California

TOWN MANAGER'S RECOMMENDATION:

Support staff's recommendation.

BACKGROUND:

On April 6, 2006, the Town Council adopted Resolution 3435, adopting a travel and reimbursement policy pursuant to AB 1234.

Stated in that resolution is the requirement that prior Town Council approval is needed for items such as expenses exceeding \$300.00 per trip, or any travel and stay exceeding 72 hours. As attendance at either of these League of Cities meetings will meet the expense limit, approval is needed.

This report is being brought forth at this time as it is the desire of Councilmember Condon to attend the League of California Cities Policy Committee meeting and the Annual League Conference, both of which are being held in Southern California. If approved, any interested Councilmembers are welcome to register to attend the League of California Cities Annual Conference in October.

ATTACHMENTS:

1. 2016 Housing, Community and Economic Development Policy Committee Schedule
2. Resolution No. 3435

ATTACHMENT 1:

**2016 Housing, Community and Economic Development
Policy Committee Schedule**

*Strengthening California Cities
through Advocacy & Education*



[Home](#) > [Policy & Advocacy](#) > [Policy Development](#) > Housing, Community and Economic Development Policy Committee

Housing, Community and Economic Development Policy Committee

The Housing, Community and Economic Development (HCED) Policy Committee reviews issues related to general plans and zoning, housing, rent control, Subdivision Map Act, residential care facilities, other land use regulation, development fees including school fee adequacy, annexation and incorporation policy, development agreements, building standards including seismic safety standards, economic development policy including redevelopment and enterprise zones, military base closure and reuse, mobile home regulation, and sign regulation. The principle behind the policies reviewed by this Committee is to foster local control of community planning decisions as they relate to land use and economic development.

Meetings [Agendas & Highlights](#) [Committee Roster](#) [Resources](#)

Policy committees generally meet quarterly. The 2016 Housing, Community and Economic Development Policy Committee meetings are as follows:

- Friday, January 22 - Sacramento
- Friday, April 8 - San Diego
- Friday, June 3 - Sacramento

Meetings begin at 10:00 a.m. and end by 3:00 p.m.

ATTACHMENT 2:

Resolution No. 3435, Dated 4/04/06
Travel and Reimbursement Policy

RESOLUTION NO. 3435

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA
ADOPTING A TRAVEL AND REIMBURSEMENT POLICY
PURSUANT TO AB 1234

WHEREAS, AB 1234 became effective January 1, 2006, and requires the adoption of a travel and expense reimbursement policy as a condition precedent to the Town's reimbursement of expenses incurred by a Council member on or after January 1, 2006; and

WHEREAS, the Council determines it is in the best interest of the Town to provide the Council and the citizens of the Town clear standards and criteria to govern the circumstances under which Councilmembers are entitled to be reimbursed for Town expenses properly incurred by the Councilmember's:

NOW, THEREFORE, THE TOWN COUNCIL FOR THE TOWN OF CORTE MADERA RESOLVES:

1. That the Travel and reimbursement Policy attached hereto as Exhibit A is hereby approved and adopted.
2. The Town Manger is directed to forthwith prepare the necessary expense report forms said policy required Councilmember's to use in seeking reimbursement pursuant to said policy.

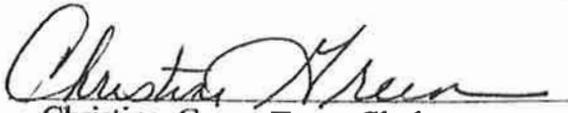
I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Town Council of the Town of Corte Madera, Marin County, California, at a regular meeting hereof, held on the 4th day of April, 2006, by the following vote, to wit:

AYES: Council Members Condon, Dupar, Gill, Lappert

NOES: Council Members - None -

ABSTAIN: Council Members - None -

ABSENT: Council Members Yang


Christine Green, Town Clerk

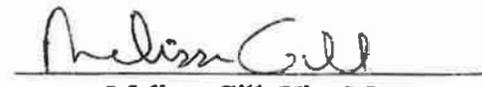

Melissa Gill, Vice Mayor

EXHIBIT A

CORTE MADERA TOWN COUNCIL TRAVEL AND REIMBURSEMENT POLICY

A. AUTHORIZED EXPENSES

General Statement. Town funds, equipment, supplies (including letterhead), titles, and staff time must only be used for authorized Town business. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:

1. Communicating with representatives of regional, state and national government on Town adopted policy positions;
2. Attending educational seminars designed to improve officials' skill and information levels;
3. Participating in regional, state and national organizations whose activities affect the Town's interests;
4. Recognizing service to the Town (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
5. Attending Town events;
6. Implementing a Town-approved strategy for attracting or retaining businesses to the Town, which will typically involve at least one staff member; and
7. Meetings such as those listed above for which a meeting stipend is expressly authorized under law and/or this policy.

In addition, the following expenses also require prior Town Council approval:

1. Out-of-state travel;
2. Expenses which exceed the any annual limits established for each office holder; and
3. Expenses exceeding \$300 per trip.
4. Any travel and stay exceeding 72 hours.

Personal Expenses not Authorized. Examples of personal expenses that the Town will not reimburse include, but are not limited to:

1. The personal portion of any trip;

2. Political or charitable contributions or events;
3. Family expenses, including partner's expenses when accompanying official on agency-related business, as well as children- or pet-related expenses;
4. Except for cultural events that are provided as part of and cannot be segregated from the cost or charge for an expense that is otherwise reimbursable under this policy, entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf related expenses), or other cultural events;
5. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
6. Personal losses incurred while on Town business. Any questions regarding the propriety of a particular type of expense should be resolved by the approving authority before the expense is incurred.

B. COST CONTROL

To conserve Town resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. In the event that expenses are incurred which exceed these guidelines, the cost borne or reimbursed by the Town will be limited to the costs that fall within the guidelines.

1. Transportation

The most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements must be used, using the most direct and time-efficient route. Government and group rates must be used when available.

a. Airfare. Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered through the League of California Cities (www.cacities.org/travel), the California State Association of Counties (<http://www.csac.counties.org/default.asp?id=635>) and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.

b. Automobile. Automobile mileage is reimbursed at Internal Revenue Service rates presently in effect (*see* www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable.

c. Car Rental. Rental rates that are equal or less than those available through the State of California's website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

d. Taxis/Shuttles. Taxis or shuttles fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

2. Lodging

Lodging expenses will be reimbursed or paid for when travel on official Town business reasonably requires an overnight stay. If travel is out of the State of California, a written report shall be submitted with the expense report. The written report must state the purpose of the trip and any and all observations and/or knowledge acquired that may be of value to the citizens of the Town of Corte Madera.

a. Conferences/Meetings. If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, see next section.

b. Other Lodging. Travelers must request government rates, when available. A listing of hotels offering government rates in different areas is available at <http://www.catravelsmart.com/lodguideframes.htm>. Lodging rates that are equal or less to government rates are presumed to be reasonable and hence reimbursable for purposes of this policy. In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates (set forth in IRS Publications 463 and/or 1542) for a given area are presumed reasonable and hence reimbursable.

3. Meals

Meal expenses and associated gratuities will be reimbursed at the following rates:

Breakfast	\$15
Lunch	\$25
Dinner	\$50

The Town will not pay for alcohol/personal bar expenses. If an event includes alcohol, the City shall reimburse only that portion of the expenses for said event that do not include charges for alcohol. Any expenses exceeding the above rate shall be submitted to the Town Council by the Council member after the expense is incurred and upon the Council member's return from the event for consideration of reimbursement, accompanied by the proper receipts for the actual costs.

4. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on Town

business. Telephone bills documenting the charges sought to be reimbursed must be submitted along with the appropriate expense report form (see ¶D below). Telephone bills shall identify which calls were made on Town business. For cellular calls when the official has a particular number of minutes included in the official's plan, the official is permitted to identify the percentage of calls made on public business in lieu of identifying specific Town business calls.

5. **Airport Parking**

Long-term parking must be used for travel exceeding 24 hours.

6. **Other**

Baggage handling fees of up to \$1 per bag and gratuities of up to 15 percent will be reimbursed.

7. **Reimbursement by Another Agency**

Expenses for which Town officials receive reimbursement from another agency are not reimbursable.

C. **CASH ADVANCE POLICY**

From time to time, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the Town's behalf. Such request for an advance should be submitted to the Town Manager ten (10) days prior to the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of Town;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

Any unused advance must be returned to the Town treasury within two (2) business days of the official's return, along with an expense report and receipts documenting how the advance was used in compliance with this expense policy.

In the event the Town Manager is uncertain as to whether a request complies with this policy, such individual must seek resolution from the Town governing board.

D. **EXPENSE REPORTS**

All cash advance expenditures and expense reimbursement requests must be submitted on an

expense report form provided by the Town. This form shall include the following advisory:

All expenses reported on this form must comply with the Town's policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the Town's policies include loss of reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability.

Expense reports must document that the expense in question met the requirements of this policy. For example, if the meeting is with a legislator, the local agency official should explain whose meals were purchased, what issues were discussed and how those relate to the Town's adopted legislative positions and priorities.

Officials must submit their expense reports within 30 days of an expense being incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation.

Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.

All expenses are subject to verification that they comply with this policy.

At the next Town Council meeting, each official shall briefly report on meetings attended at Town expense. If multiple officials attended, a joint report may be made.

E. COMPLIANCE WITH LAWS

Town officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All city expenditures are public records subject to disclosure under the Public Records Act and any other relevant law.

F. VIOLATIONS OF THIS POLICY

Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the Town, 3) the agency's reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties of up to \$1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.



CORTE MADERA TOWN COUNCIL
TRANSMITTAL REPORT

Report Date: March 7, 2016
Meeting Date: March 15, 2016

TO: TOWN MANAGER, MAYOR AND TOWN COUNCIL
FROM: GEORGE T. WARMAN, JR., DIRECTOR OF ADMINISTRATIVE SERVICES/TOWN TREASURER
SUBJECT: TRANSMITTAL OF DECEMBER 31, 2015 SUMMARY FINANCIAL REPORT (INTERIM REPORTS ON CASH BASIS)

BACKGROUND

Attachment #1 contains the Summary Financial Report for the period July 1, 2015 through December 31, 2015. Interim Financial Reports are on a cash basis. After fiscal year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis. This report includes payrolls through December 20th, cash receipts through December 31st, cash disbursements through December 30th, and journal entries through December 31st.

The Summary Financial Report summarizes the accounting system’s “General Ledger Trail Balance Report” (presently 77 pages), the “Revenue Status Report” (presently 39 pages), and the “Expenditure Status Report” (presently 91 pages). The Report is referenced in the Audited Financial Statements (present references on pages 113, 117, and 119 of June 30, 2014 Audited Financial Statements).

ORGANIZATION OF REPORT

The Report is divided into six sections as follows:

General Fund Grouping (Pages 1-3)

This includes all funds that close at year end to the General Fund.

Capital Projects Fund Grouping (Pages 4-6)

This includes all Capital Project Funds except Sewer Fund Capital Projects and projects that include General Fund Street Impact Fees, Park & Recreation Capital Fees, and Sales Tax Override projects.

Corte Madera Sales Tax Override Fund (Page 7)

This page shows detail on the Sales Tax Override which closes to the General Fund.

Sewer Fund Grouping (Pages 8-9)

This includes all Sewer Funds.

Other Funds Grouping (Pages 10-11)

This includes the Corte Madera Chamber of Commerce Transient Tax, the Park Madera Center Funds, The Age-Friendly Corte Madera Independent Activity, and the Self-Insurance Funds.

Reconciliation Section (Pages 12-14)

This section reconciles the Summary Report to the Revenue Status Report (page 12), the Expenditure Status Report (Page 13), and the Opening Fund Balances to Closing Fund Balances (page 14).

ORGANIZATION WITHIN FUND GROUPING

Each fund grouping begins with “Opening Fund Balance” which is followed by “Revenues”, then “Expenditures”, then “Transfers & Adjustments” and finally “Closing Fund Balance”. The detail of both Opening and Closing Fund Balances is shown in each grouping.

ANALYSIS OF OPENING FUND BALANCES

The FY 2015-2016 and FY 2016-2017 Adopted Operating Budgets estimate the Operating Budgets Opening Fund Balances for FY 2015-2016 on Pages S2 & S3. These estimates are based on the worksheet on Page S6. The Adopted Capital Projects Budgets for FY 2015-2016 and FY 2016-2017 estimate the Capital Projects Opening Fund Balances on Page 11 of the Capital Projects Budget for FY 2015-2016. Below is the comparison between estimates and actual opening balances.

	<u>Estimate</u>	<u>Actual</u>	<u>Variance</u>
General Fund Grouping	5,891,000	6,602,688	711,688
Capital Projects Fund Grouping	1,484,000	1,552,759	68,759
Sewer Fund Grouping	4,820,000	4,497,856	(322,144)
All Other Funds Grouping	<u>(1,845,000)</u>	<u>(1,806,676)</u>	<u>38,324</u>
TOTAL	10,350,000	10,846,627	496,627

The new Sales Tax Override, the improving economy and associated development projects are the primary cause of the improving fund balances of the General Fund Grouping. The June 30, 2015 Summary Financial Report is on the website if one wishes to examine the variances.

ANALYSIS OF REVENUES

	<u>Original Budget</u>	<u>Adjusted Budget</u>	<u>Total Received</u>	<u>% Received</u>	<u>Remaining Balance</u>
General Fund Grouping	20,174,000	21,269,000	8,311,855	39.1	12,957,145
Capital Projects Fund Grouping	2,021,100	2,026,600	538,243	26.6	1,488,357
Sewer Fund Grouping	5,908,000	7,483,200	4,702,639	62.9	2,780,561
All Other Funds Grouping	<u>1,366,500</u>	<u>1,375,000</u>	<u>687,580</u>	<u>50.0</u>	<u>687,420</u>
TOTAL	29,469,600	32,153,800	14,240,317	44.3	17,913,483

The Town does not start receiving the bulk of its revenue until December 15th when the first installment of Property Taxes, Special Taxes and the Sewer Service Charge are received from the County of Marin as well as the collection of other locally administered revenues. The lag in the Capital Projects Fund Grouping reflects grant funded projects that are pending.

ANALYSIS OF EXPENDITURES

	<u>Original Budget</u>	<u>Adjusted Budget</u>	<u>Total Expended/ Encumbered</u>	<u>% Expended</u>	<u>Remaining Balance</u>
General Fund Grouping	19,346,600	20,055,000	10,380,307	51.8	9,674,693
Capital Projects Fund Grouping	1,895,100	1,900,600	140,291	7.4	1,760,309
Sewer Fund Grouping	4,368,300	6,388,900	2,256,836	35.3	4,132,064
All Other Funds Grouping	<u>1,483,100</u>	<u>1,523,900</u>	<u>501,762</u>	<u>32.9</u>	<u>1,022,138</u>
TOTAL	27,093,100	29,868,400	13,279,196	44.5	16,589,204

The Capital Projects Budget was adopted on October 6th and the loading into the Accounting System was done on October 28th. This explains why few transactions are reflected in those items shown in the Capital Projects sections.

ANALYSIS OF TRANSFERS & ADJUSTMENTS

	<u>Original Budget</u>	<u>Adjusted Budget</u>	<u>Total Transferred</u>	<u>% Transferred</u>	<u>Remaining Balance</u>
From General Fund					
To Capital Improvement Fund	145,000	145,000	0	0.0	145,000
From General Fund					
To Park Madera Center Fund	<u>138,600</u>	<u>170,900</u>	<u>170,900</u>	<u>100.0</u>	<u>0</u>
TOTAL	283,600	315,900	170,900	54.1	145,000

The \$32,300 adjustment covers the \$22,000 for appraisal services for the Park Madera Center bonds refinance and \$10,300 for the gravel lot appraisal.

ANALYSIS OF CLOSING FUND BALANCE

Page 14 of the Report shows the Total Fund Balance increasing from \$10,846,627 to \$11,807,748 or by \$961,121. This is primarily caused by pending Capital Projects.

BUDGET ADJUSTMENTS

<u>Item</u>	<u>Amounts</u>
Marin Audubon Society Land Acquisition July 7 th	
Expenditures:	10,000
Reed School District Bussing August 18 th	
Expenditures:	25,000
Battalion Chief's Compensation Increase August 18 th	
Expenditures:	13,000
Town Manager Compensation Increase September 15 th	
Expenditures:	15,500
Department Heads Compensation Increase October 20 th	
Expenditures:	14,900
Mid-Management Compensation Increase December 1 st	
Expenditures:	31,500
Part-time Employees of Fire & Recreation Departments Compensation Increase December 1 st	
Expenditures:	5,000
Fire Association Compensation Increase December 15 th	
Expenditures:	44,500
Staff Report of March 1 st	
Revenue:	2,684,200
Expenditures:	2,615,900
Totals:	
Revenue Increase (Page 12):	2,684,200
Expenditure Increase (Page 13):	2,775,300

CLOSING COMMENT

Attachment #2 contains brief explanations by the six Department Heads.

This transmittal and Report are also on the Town website.



George T. Warman, Jr.
Director of Administrative Services/Town Treasurer

ATTACHMENT:

1. Summary Financial Report December 31, 2015
2. Reports of Department Heads
 - a. Director Administrative Services
 - b. Director of Emergency Services
 - c. Director of Planning & Building
 - d. Director of Public Works (Engineering & Administration)
 - e. Director of Public Works (Field Maintenance & Operations)
 - f. Director of Recreation & Leisure Services

ATTACHMENT #1

Summary Financial Report December 31, 2015

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
GENERAL FUND

	I	II	III	IV	V Total Received/ Expend/Encum	VI Percentage Received Or Used	VII Remaining Balance
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered			
OPENING BALANCE July 1, 2015	5,891,000	6,602,700	6,602,688	0	6,602,688	100.0	12
TOTAL REVENUES	20,174,000	21,269,000	8,311,855	0	8,311,855	39.1	12,957,145
TOTAL EXPENDITURES	(19,346,600)	(20,055,000)	(10,132,859)	(247,448)	(10,380,307)	51.8	(9,674,693)
TRANSFERS & ADJUSTMENTS							
To Capital Improve Fund	(145,000)	(145,000)	0	0	0	0.0	(145,000)
To Park Madera Center Fund	(138,600)	(170,900)	(170,900)	0	(170,900)	100.0	0
Inventory Adjustment	0	0	0	0	0	0.0	0
ACTUAL CLOSING							
BALANCE DECEMBER 31, 2015	6,434,800	7,500,800	4,610,784	(247,448)	4,363,336	58.2	3,137,464

COLUMN III + IV = V: 4,610,784 + (247,448) = 4,363,336 COLUMN V + VII = COLUMN II: 4,363,336 + 3,137,464 = 7,500,800

		SEGREGATION OF TOTAL FUND BALANCE					
FUND #	FUND TITLE	AT 07/01/15	AT 12/31/15	FUND #			
				101	(5,992,238.80)	Open Balance	(3,875,862.47)
101	General Fund Reserve	1,500,000	1,500,000	102	0.00	Revenue Control	6,774,306.01
101	General Fund-Operations	(3,875,863)	(6,293,769)	105	0.00	Expend Control	(8,719,782.34)
101	Inventories & Cash On Hand	3,556	3,556	111	(12,350.40)	Trans Equip	0.00
104	Equipment Replacement	4,686,436	4,613,320	115	723.00	Trans Park Madera	(170,900.00)
104	Encumbrances	0	(23,611)	116	(7,899.71)		
120	Sales Tax Override	3,065,872	3,371,109	301	(126,301.98)		
120	Encumbrances	0	(223,837)	401	3,506.00		
188	Street Impact Fees	415,066	496,821	501	(59,157.06)		
303	Park & Recreation Capital Fees	807,621	919,747	601	(39,281.49)		
				701	(60,768.90)		
		6,602,688	4,363,336		(6,293,769.34)		
							(5,992,238.80)

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
GENERAL FUND

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
REVENUES							
Property Taxes	4,510,000	4,570,000	2,494,618	0	2,494,618	54.6	2,075,382
Swapped MVLFF Backfill	837,000	887,000	0	0	0	0.0	887,000
Sales Taxes	6,300,000	6,500,000	1,608,321	0	1,608,321	24.7	4,891,679
Sales Tax Override	2,500,000	2,500,000	828,964	0	828,964	33.2	1,671,036
Transient Occupancy Taxes	737,000	771,000	387,150	0	387,150	50.2	383,850
Franchise Taxes	1,106,000	1,106,000	238,416	0	238,416	21.6	867,584
Business License Taxes	515,000	515,000	261,508	0	261,508	50.8	253,492
Real Property Transfer Taxes	90,000	90,000	76,371	0	76,371	84.9	13,629
Paramedic Special Tax	496,000	496,000	264,127	0	264,127	53.3	231,873
Fines	30,000	30,000	11,149	0	11,149	37.2	18,851
Interest Earnings	0	0	0	0	0	0.0	0
Leases	49,000	49,000	29,003	0	29,003	59.2	19,997
State Property Tax Relief	22,000	22,000	3,350	0	3,350	15.2	18,650
State Mandated Cost Reimb	0	12,000	12,226	0	12,226	101.9	(226)
State Excess MVLFF'S	0	4,000	3,829	0	3,829	95.7	171
State Gas Tax 2107 & 2107.5	72,000	72,000	27,311	0	27,311	37.9	44,689
State Public Safety Sales Tax	81,000	81,000	40,200	0	40,200	49.6	40,800
State Disability Access Fee	3,000	3,000	723	0	723	24.1	2,277
State Fire Disaster Reimb	0	627,000	602,809	0	602,809	96.1	24,191
Building Charges	404,000	404,000	239,949	0	239,949	59.4	164,051
Engineering Charges	125,000	125,000	62,156	0	62,156	49.7	62,844
Planning Charges	120,000	120,000	48,543	0	48,543	40.5	71,457
Recreation Charges	868,000	868,000	438,980	0	438,980	50.6	429,020
Park/Rec Facilities Capital Fees	150,000	150,000	112,127	0	112,127	74.8	37,873
Fiscal Services - Sewer Fund	50,000	50,000	25,002	0	25,002	50.0	24,998
Ambulance Charges	820,000	820,000	289,554	0	289,554	35.3	530,446
Fire Charges	50,000	50,000	14,474	0	14,474	28.9	35,526
Other Service Charges	0	0	750	0	750	0.0	(750)
Finance Cost Recovery	6,000	6,000	3,344	0	3,344	55.7	2,656
Finance Assessment Districts	7,000	7,000	6,875	0	6,875	98.2	125
Public Works Cost Recovery	0	0	6,050	0	6,050	0.0	(6,050)
Parks Maintenance & Operation	15,000	15,000	11,027	0	11,027	73.5	3,973
Street Impact Fees	200,000	200,000	81,760	0	81,760	40.9	118,240
Other Revenue	11,000	119,000	81,189	0	81,189	68.2	37,811
Annual Adjust Compensated Absences	0	0	0	0	0	0.0	0
Marking Investments to Market (Paper Transaction Only)	0	0	0	0	0	0.0	0
TOTAL GENERAL FUND REVENUES	20,174,000	21,269,000	8,311,855	0	8,311,855	39.1	12,957,145

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
GENERAL FUND

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
EXPENDITURES							
Mayor & Council	(92,500)	(127,500)	(85,235)	0	(85,235)	66.9	(42,265)
Legal Services	(130,000)	(160,000)	(43,857)	0	(43,857)	27.4	(116,143)
Administration	(538,100)	(555,700)	(286,600)	0	(286,600)	51.6	(269,100)
Administrative Services	(722,800)	(730,000)	(379,759)	0	(379,759)	52.0	(350,241)
Property Tax Collection	(57,000)	(53,000)	(26,693)	0	(26,693)	50.4	(26,307)
"OPEB" Liability	(930,000)	(930,000)	(693,239)	0	(693,239)	74.5	(236,761)
Marin Emergency Radio Authority	(62,500)	(62,500)	(62,427)	0	(62,427)	99.9	(73)
Marin Telecommunications Agency	(24,000)	(28,000)	(18,770)	0	(18,770)	67.0	(9,230)
Transportation Authority of Marin	(16,000)	(20,000)	(19,973)	0	(19,973)	99.9	(27)
Marin LAFCO	(10,000)	(10,600)	(10,563)	0	(10,563)	99.7	(37)
Marin General Services Authority	(10,000)	(8,500)	(8,529)	0	(8,529)	100.3	29
Marin Housing Authority	(22,000)	(18,500)	(18,507)	0	(18,507)	100.0	7
Animal Control Services	(85,000)	(84,000)	(83,852)	0	(83,852)	99.8	(148)
Police Services	(3,003,000)	(3,003,000)	(1,751,750)	0	(1,751,750)	58.3	(1,251,250)
Police Facility Land	(79,400)	(79,400)	(39,707)	0	(39,707)	50.0	(39,693)
4th of July Program	(11,000)	(11,000)	(10,351)	0	(10,351)	94.1	(649)
100th Town Anniversary	(50,000)	(50,000)	(2,698)	0	(2,698)	5.4	(47,302)
Fire Department	(4,995,300)	(5,561,700)	(3,267,161)	0	(3,267,161)	58.7	(2,294,539)
Disaster Preparedness	(30,800)	(30,800)	(8,381)	0	(8,381)	27.2	(22,419)
Planning	(605,600)	(617,000)	(289,742)	0	(289,742)	47.0	(327,258)
Building Regulation	(484,600)	(505,300)	(242,174)	0	(242,174)	47.9	(263,126)
Engineering & Public Works Admin	(491,300)	(497,500)	(228,801)	0	(228,801)	46.0	(268,699)
Flood Control & Storm Drainage	(719,600)	(723,800)	(300,212)	0	(300,212)	41.5	(423,588)
Parks & Beautification	(1,129,000)	(1,129,600)	(543,602)	0	(543,602)	48.1	(585,998)
Street Maintenance	(630,300)	(630,900)	(247,718)	0	(247,718)	39.3	(383,182)
Traffic Signals, Signs, Stripping	(121,000)	(121,000)	(25,049)	0	(25,049)	20.7	(95,951)
Street Sweeping	(88,400)	(88,400)	(40,661)	0	(40,661)	46.0	(47,739)
Street Lighting	(80,600)	(80,600)	(22,880)	0	(22,880)	28.4	(57,720)
NPDES	(81,200)	(81,200)	(56,141)	0	(56,141)	69.1	(25,059)
State Disability Access Fee	0	(3,000)	0	0	0	0.0	(3,000)
Community Center	(634,600)	(641,500)	(246,233)	0	(246,233)	38.4	(395,267)
Outdoor Facilities	(222,500)	(222,500)	(182,598)	0	(182,598)	82.1	(39,902)
Neil Cummins Gym	(135,700)	(135,700)	(64,786)	0	(64,786)	47.7	(70,914)
Afterschool Program	(124,800)	(124,800)	(60,956)	0	(60,956)	48.8	(63,844)
Summer Program	(257,700)	(257,700)	(166,411)	0	(166,411)	64.6	(91,289)
Equipment & Machinery Replacement	(170,000)	(170,000)	(73,116)	(23,611)	(96,727)	56.9	(73,273)
Street Impact Fees	0	0	0	0	0	0.0	0
Surface Repairs	0	0	0	0	0	0.0	0
Overlays 15-005 (110,000 in CP)	(435,000)	(435,000)	0	0	0	0.0	(435,000)
Slurry Seals	0	0	0	0	0	0.0	0
GIS	0	0	0	0	0	0.0	0
Pavement Management Update	0	0	0	0	0	0.0	0
Park & Recreation Capital Fees	(265,000)	(265,000)	0	0	0	0.0	(265,000)
Sales Tax Override	(1,800,300)	(1,800,300)	(523,727)	(223,837)	(747,564)	41.5	(1,052,736)
TOTAL GENERAL FUND EXPENDITURES	(19,346,600)	(20,055,000)	(10,132,859)	(247,448)	(10,380,307)	51.8	(9,674,693)

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015

CAPITAL PROJECTS (EXCLUDES SEWER FUND CAPITAL PROJECTS)

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
OPENING BALANCE July 1, 2015	1,484,000	1,552,800	1,552,759	0	1,552,759	100.0	41
REVENUES							
Interest Earnings**	2,500	2,500	2,038	0	2,038	81.5	462
Gas Tax 2103	135,000	135,000	18,715	0	18,715	13.9	116,285
Gas Tax 2105	60,000	60,000	21,958	0	21,958	36.6	38,042
Gas Tax 2106	50,000	50,000	16,861	0	16,861	33.7	33,139
TAM Sales Tax Override	110,000	110,000	108,972	0	108,972	99.1	1,028
Affordable Housing Fees	0	0	0	0	0	0.0	0
Storm Drainage Special Tax	640,000	640,000	345,178	0	345,178	53.9	294,822
Safe Pathways To School (10) (TAM)	244,000	244,000	0	0	0	0.0	244,000
San Clemente Access (SF Bay Trail) (TAM)	128,000	128,000	0	0	0	0.0	128,000
State Bike Transportation	170,000	170,000	0	0	0	0.0	170,000
State Beverage Container	5,000	5,000	5,000	0	5,000	100.0	0
Zero Waste Marin County	14,000	14,000	14,021	0	14,021	100.2	(21)
Safe Pathways to School (15) (TAM)	90,000	90,000	0	0	0	0.0	90,000
Marin Parks Measure "A"	70,000	70,000	0	0	0	0.0	70,000
Entry Sign Donation	30,000	30,000	0	0	0	0.0	30,000
P G & E Rebate Funding	272,600	272,600	0	0	0	0.0	272,600
Westside Park-In-Lieu Fees	0	5,500	5,500	0	5,500	100.0	0
Traffic Mitigation Fees	0	0	0	0	0	0.0	0
TOTAL CAPITAL PROJECTS							
REVENUES	2,021,100	2,026,600	538,243	0	538,243	26.6	1,488,357

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis.

** INTEREST BREAKOUT

#108	0	0	220.65
#140	2,500	2,500	1,817.03
TOTAL	2,500	2,500	2,037.68

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015

CAPITAL PROJECTS (EXCLUDES SEWER FUND CAPITAL PROJECTS)

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
EXPENDITURES							
Slurry Seal 15-026	(80,000)	(80,000)	0	0	0	0.0	(80,000)
Overlay 15-005 (435,000 In SIF)	(110,000)	(110,000)	0	0	0	0.0	(110,000)
Barrier Removal Implementation 15-022	(35,000)	(35,000)	(578)	0	(578)	1.7	(34,422)
Sidewalk, Curb & Gutter Repairs 15-808	(50,000)	(50,000)	(9,475)	0	(9,475)	19.0	(40,525)
High Canal Bridge Pathway 14-003	(170,000)	(170,000)	0	0	0	0.0	(170,000)
Street Repairs 15-809	(75,000)	(75,000)	(10,830)	0	(10,830)	14.4	(64,170)
Guard Rail Replacements 15-810	(20,000)	(20,000)	0	0	0	0.0	(20,000)
Pedestrian Stairs & Pathways 15-811	(25,000)	(25,000)	0	0	0	0.0	(25,000)
CM Ave Path Improve 15-010	(20,000)	(20,000)	0	0	0	0.0	(20,000)
FEMA Loma Out Mailer 15-704	(7,500)	(7,500)	0	0	0	0.0	(7,500)
Mariner Cove/Marina Village 15-001	0	0	(30,000)	0	(30,000)	0.0	30,000
33-42 El Camino St Dr Repl 15-020	(60,000)	(60,000)	0	0	0	0.0	(60,000)
Golden Hind/Ebbtide Gate 13-002	(10,000)	(10,000)	0	0	0	0.0	(10,000)
Golden Hing/Cay Psg Imp 15-014	(25,000)	(25,000)	(3,879)	(10,800)	(14,679)	58.7	(10,321)
Corrugated Metal Pipe Replacement 15-807	(50,000)	(50,000)	0	0	0	0.0	(50,000)
Flood Hazard Mailer 15-705	(5,000)	(5,000)	(5,557)	0	(5,557)	111.1	557
Infrastructure Management-GIS 15-706	(5,000)	(5,000)	0	0	0	0.0	(5,000)
Emergency Drainage Repairs 15-801	(65,000)	(65,000)	(2,655)	0	(2,655)	4.1	(62,345)
Paradise Dr Bike Way 15-025	(244,000)	(244,000)	0	0	0	0.0	(244,000)
General Plan Maint. Fee 15-410	(15,000)	(15,000)	0	0	0	0.0	(15,000)
Tamal Vista East Corridor Study 15-408	(75,000)	(75,000)	(8,066)	0	(8,066)	10.8	(66,934)
Zero Waste Cycle 1-4 15-002	(56,000)	(56,000)	(6,262)	(49,951)	(56,213)	100.4	213
Zero Waste Cycle 5 15-018	(14,000)	(14,000)	0	0	0	0.0	(14,000)
Beverage Container 15-017	(10,000)	(10,000)	0	0	0	0.0	(10,000)
Tamalpais Dr Ped Cross 15-003	(90,000)	(90,000)	0	0	0	0.0	(90,000)
LED Lighting Conversion 14-006	(272,600)	(272,600)	0	0	0	0.0	(272,600)
Long Term Financial Plan	(25,000)	(25,000)	0	0	0	0.0	(25,000)
Entry Sign at Town Center	(30,000)	(30,000)	0	0	0	0.0	(30,000)
Town Park Irrigation Control 15-805	(30,000)	(30,000)	0	0	0	0.0	(30,000)
Pixley Lagoon Restore 15-012	(15,000)	(15,000)	0	0	0	0.0	(15,000)
Green Room Stairs 15-806	(15,000)	(15,000)	(2,238)	0	(2,238)	14.9	(12,762)
Water Fountains 15-403	(8,000)	(8,000)	0	0	0	0.0	(8,000)
Skate Park Improve 15-407	(25,000)	(25,000)	0	0	0	0.0	(25,000)
Paradise Dr Sidewalk 15-007	(128,000)	(128,000)	0	0	0	0.0	(128,000)
Transportation Impact Fee Update 15-409	(30,000)	(30,000)	0	0	0	0.0	(30,000)
Westside Park-In-Lieu	0	(5,500)	0	0	0	0.0	(5,500)
TOTAL CAPITAL PROJECTS EXPENDITURES	(1,895,100)	(1,900,600)	(79,540)	(60,751)	(140,291)	7.4	(1,760,309)

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TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015

CAPITAL PROJECTS (EXCLUDES SEWER FUND CAPITAL PROJECTS)

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
TRANSFERS & ADJUSTMENTS							
To Capital Improve Fund							
From General Fund	145,000	145,000	0	0	0	0.0	145,000
ACTUAL CLOSING							
BALANCE DECEMBER 31, 2015	1,755,000	1,823,800	2,011,462	(60,751)	1,950,711	107.0	(126,911)

COLUMN III + IV = V: 2,011,462 + (60,751) = 1,950,711 COLUMN V + VII = COLUMN II: 1,950,711 + (126,911) = 1,823,800

SEGREGATION OF TOTAL FUND BALANCE

FUND #	FUND TITLE	AT 07/01/15	AT 12/31/15
108	Gas Tax 2103	105,566	113,671
109	Gas Tax 2105	0	21,381
110	Gas Tax 2106	0	7,386
114	TAM Sales Tax Override	0	108,972
124	Affordable Housing Fund	165,391	165,391
140	Storm Drainage Tax Fund	1,060,245	1,365,149
140	Encumbrances	0	(10,800)
170	Capital Improvement Fund	61,213	65,906
170	Encumbrances	0	(49,951)
176	Westside Park-In-Lieu Fund	0	5,500
178	Traffic Improvement Fund	(49,524)	(49,524)
179	Village Traffic Improvement Fund	133,000	133,000
304	Marin Parks Measure "A"	76,868	74,630
	TOTAL FUND BALANCE	1,552,759	1,950,711

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the CASH Accounting Basis.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
CORTE MADERA SALES TAX OVERRIDE FUND

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	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
OPENING BALANCE (In General Fund) JULY 1, 2015	3,000,000	3,065,900	3,065,872	0	3,065,872	100.0	28
REVENUE							
Corte Madera Sales Tax Override	2,500,000	2,500,000	828,964	0	828,964	33.2	1,671,036
EXPENDITURES							
Casa Buena St Imp 15-021	(50,000)	(50,000)	0	0	0	0.0	(50,000)
High Canal Bridge Path 14-003	(30,000)	(30,000)	0	0	0	0.0	(30,000)
Pedestrian Cross Time 15-019	(6,000)	(6,000)	0	0	0	0.0	(6,000)
Paradise/Golden Hind Turn 15-006	(110,000)	(110,000)	(39,831)	0	(39,831)	36.2	(70,169)
Paradise/Prince Royal Cross 15-024	(30,000)	(30,000)	0	0	0	0.0	(30,000)
Pave Manage Plan 16-002	(4,000)	(4,000)	0	0	0	0.0	(4,000)
Push Button LED Red Sign 15-019	(13,300)	(13,300)	(12,000)	0	(12,000)	90.2	(1,300)
Paradise/El Camino/Seawolf 15-019	(10,000)	(10,000)	0	0	0	0.0	(10,000)
Tamalpais/Sanford Traffic 15-015	(20,000)	(20,000)	0	0	0	0.0	(20,000)
Tamalpais Ped Cross Enhance 15-003	(30,000)	(30,000)	(226)	(4,600)	(4,826)	16.1	(25,174)
AQMD Bike Rack Install 15-030	(20,000)	(20,000)	0	0	0	0.0	(20,000)
Cap Proj Develop/Review 15-028	(75,000)	(75,000)	0	0	0	0.0	(75,000)
Fire Dept Vehicle Replacements	(480,000)	(480,000)	(448,383)	0	(448,383)	93.4	(31,617)
Disaster Preparedness	(20,000)	(20,000)	0	0	0	0.0	(20,000)
Robin Dr Gate Replace 15-802	(25,000)	(25,000)	0	0	0	0.0	(25,000)
Pump Station Lighting 15-803	(7,000)	(7,000)	(2,708)	0	(2,708)	38.7	(4,292)
Tamalpais/Pixley St Light 15-804	(20,000)	(20,000)	0	0	0	0.0	(20,000)
Flood Control Machinery Replace	(460,000)	(460,000)	(20,579)	0	(20,579)	4.5	(439,421)
Parks Vehicle Replacements	(105,000)	(105,000)	0	0	0	0.0	(105,000)
Streets Vehicle Replacements	(85,000)	(85,000)	0	0	0	0.0	(85,000)
Street Sweeper Replacement	(200,000)	(200,000)	0	(219,237)	(219,237)	109.6	19,237
TOTAL EXPENDITURES	(1,800,300)	(1,800,300)	(523,727)	(223,837)	(747,564)	41.5	(1,052,736)
ACTUAL CLOSING BALANCE DECEMBER 31, 2015 (In General Fund)	3,699,700	3,765,600	3,371,109	(223,837)	3,147,272	83.6	618,328
TRANSFERS TO GENERAL FUND							
Revenue	(2,500,000)	(2,500,000)	(828,964)	0	(828,964)	33.2	(1,671,036)
Expenditures	1,800,300	1,800,300	523,727	223,837	747,564	41.5	1,052,736

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *

Period 06
December 2015

SEWER FUND (INCLUDES SEWER FUND CAPITAL PROJECTS)

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
OPENING BALANCE July 1, 2015	4,820,000	4,497,900	4,497,856	0	4,497,856	100.0	44
REVENUES							
Property Taxes	2,753,000	2,824,000	1,547,784	0	1,547,784	54.8	1,276,216
Interest Earnings	15,000	15,000	6,227	0	6,227	41.5	8,773
Property Tax Relief	15,000	15,000	2,201	0	2,201	14.7	12,799
Sewer Service Charges	3,104,000	3,104,000	1,628,525	0	1,628,525	52.5	1,475,475
Other Service Charges	21,000	21,000	13,695	0	13,695	65.2	7,305
Legal Settlement	0	1,500,000	1,500,001	0	1,500,001	100.0	(1)
Sewer Connection Fees	0	4,200	4,206	0	4,206	100.1	(6)
TOTAL SEWER FUND REVENUES	5,908,000	7,483,200	4,702,639	0	4,702,639	62.8	2,780,561
TOTAL SEWER EXPENDITURES	(4,368,300)	(6,388,900)	(2,178,147)	(78,689)	(2,256,836)	35.3	(4,132,064)
ACTUAL CLOSING BALANCE DECEMBER 31, 2015	6,359,700	5,592,200	7,022,348	(78,689)	6,943,659	124.2	(1,351,459)

COLUMN III + IV = V: 7,022,348 + (78,689) = 6,943,659 COLUMN V + VII = COLUMN II: 6,943,659 + (1,351,459) = 5,592,200

SEGREGATION OF TOTAL FUND BALANCE

FUND #	FUND TITLE	AT 07/01/15	AT 12/31/15		
201	Sewer Operating Fund	0	0	Open Balance	4,497,855.57
201	Sewer Capital Equipment Replacement	315,002	315,002	Revenue Control	4,698,432.01
260	Sewer Capital Projects Fund	4,182,854	6,707,346	Expend Control	(1,758,493.68)
260	Encumbrances	0	(78,689)	Expend Control	(415,444.58)
270	Sewer Connection Fee Project Fund	0	0	Expend Control	0.00
	TOTAL FUND BALANCE	4,497,856	6,943,659	Encumbrances	(78,689.00)
					6,943,660.32

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *

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Period 06
December 2015

SEWER FUND (INCLUDES SEWER FUND CAPITAL PROJECTS)

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
OPERATIONAL EXPENDITURES							
Property Tax Collection	(38,000)	(35,000)	(17,511)	0	(17,511)	50.0	(17,489)
Administration	(386,800)	(388,800)	(110,532)	0	(110,532)	28.4	(278,268)
Maintenance	(1,198,500)	(1,199,100)	(660,795)	(78,689)	(739,484)	61.7	(459,616)
Central Marin Sanitation Agency		0					
Pump Station Maintenance	(300,000)	(300,000)	(108,070)	0	(108,070)	36.0	(191,930)
Treatment & Disposal	(825,000)	(825,000)	(450,255)	0	(450,255)	54.6	(374,745)
Debt Service-WWIP	(650,000)	(650,000)	(408,233)	0	(408,233)	62.8	(241,767)
"FOG" Source Control	(10,000)	(10,000)	(3,100)	0	(3,100)	31.0	(6,900)
SUB-TOTAL	(3,408,300)	(3,407,900)	(1,758,496)	(78,689)	(1,837,185)	53.9	(1,570,715)
CAPITAL PROJECTS							
Paradise West Sewer Improvement	(100,000)	(2,121,000)	0	0	0	0.0	(2,121,000)
CCTV Inspection Sewer Mains	(100,000)	(100,000)	(47,628)	0	(47,628)	47.6	(52,372)
Assessment/Master Plan Updates	(50,000)	(50,000)	(12,335)	0	(12,335)	24.7	(37,665)
Infrastructure Management-GIS	(10,000)	(10,000)	0	0	0	0.0	(10,000)
Emergency Repairs	(200,000)	(200,000)	0	0	0	0.0	(200,000)
Panagotacos Litigation	0	0	(149,878)	0	(149,878)	0.0	149,878
CCTV Inspection Emergency Repairs	(500,000)	(500,000)	(209,810)	0	(209,810)	42.0	(290,190)
SUB-TOTAL	(960,000)	(2,981,000)	(419,651)	0	(419,651)	14.1	(2,561,349)
TOTAL SEWER FUND EXPENDITURES	(4,368,300)	(6,388,900)	(2,178,147)	(78,689)	(2,256,836)	35.3	(4,132,064)

* Subsequent to year end, conversion to the Modified Accrual Basis is done. The Budget is presented on the Modified Accrual Accounting Basis.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
ALL OTHER FUNDS

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
OPENING BALANCE July 1, 2015	(1,845,000)	(1,806,700)	(1,806,676)	0	(1,806,676)	100.0	(24)
REVENUES							
Chamber Transient Taxes	184,000	192,500	96,788		96,788	50.3	95,712
Interest Earnings **	0	0	605		605	0.0	(605)
Leases - Park Madera Center	755,500	755,500	376,687		376,687	49.9	378,813
Age-Friendly Corte Madera	0	0	0		0	0.0	0
Allocation To Self- Insurance Funds	427,000	427,000	213,500		213,500	50.0	213,500
TOTAL ALL OTHER FUNDS REVENUES	1,366,500	1,375,000	687,580	0	687,580	50.0	687,420
** INTEREST BREAKOUT							
#810	0	0	141.77				
#820	0	0	463.35				
TOTAL	0	0	605.12				

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TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
ALL OTHER FUNDS

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
EXPENDITURES							
Chamber Of Commerce	(184,000)	(192,500)	(96,788)	0	(96,788)	50.3	(95,712)
Park Madera Center-Debt Service	(775,000)	(807,300)	(22,100)	0	(22,100)	2.7	(785,200)
Park Madera Center-Property Manager	(119,100)	(119,100)	(127,074)	0	(127,074)	106.7	7,974
Age-Friendly Corte Madera	0	0	0	0	0	0.0	0
Workers' Comp Self-Insurance	(155,000)	(155,000)	(94,425)	0	(94,425)	60.9	(60,575)
General & Auto Liability Self-Insurance	(219,000)	(219,000)	(133,516)	0	(133,516)	61.0	(85,484)
Property & Vehicle Damage Self-Insurance	(31,000)	(31,000)	(27,859)	0	(27,859)	89.9	(3,141)
TOTAL ALL OTHER FUNDS EXPENDITURES	(1,483,100)	(1,523,900)	(501,762)	0	(501,762)	32.9	(1,022,138)
TRANSFERS & ADJUSTMENTS							
To Park Madera Center Fund From General Fund	138,600	170,900	170,900	0	170,900	100.0	0
ACTUAL CLOSING BALANCE DECEMBER 31, 2015	(1,823,000)	(1,784,700)	(1,449,958)	0	(1,449,958)	81.2	(334,742)

COLUMN III + IV = V: (1,449,958) + 0 = (1,449,958) COLUMN V + VII = COLUMN II: (1,449,958) + (334,742) = (1,784,700)

SEGREGATION OF TOTAL FUND BALANCE		AT 07/01/15	AT 12/31/15
FUND #	FUND TITLE		
102	Chamber of Commerce	0	0
106	Park Madera Center (Modified Accrual Basis)	(2,235,800)	(1,837,387)
305	Age-Friendly Corte Madera	2,083	2,083
810	Workers' Comp. Self-Insure (Modified Accrual Basis)	101,431	92,148
820	Gen. & Auto Liability Self-Insure (Modified Accrual Basis)	314,704	296,651
830	Property & Vehicle Self-Insure (Modified Accrual Basis)	10,906	(3,453)
TOTAL FUND BALANCE		(1,806,676)	(1,449,958)

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis. Excludes debt service and operational funds of assessment districts.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
REVENUE REPORT RECONCILIATION

	I	II	III	IV	V	VI	VII
	Original Budget	Adjusted Budget	Received Or Expended	Encumbered	Total Received/ Expend/Encum	Percentage Received Or Used	Remaining Balance
Period 06-DECEMBER , 2015	29,469,600	32,153,800	14,333,995.61		14,333,995.61	44.6	17,819,804.39
REVENUE STATUS REPORT							
Less Shoreline Debt Service	0	0	(59,930.98)	0	(59,930.98)	0.0	59,930.98
Less Shoreline Maintenance	0	0	(5,500.00)	0	(5,500.00)	0.0	5,500.00
Less Old Landing Road Debt Service	0	0	(28,244.35)	0	(28,244.35)	0.0	28,244.35
TOTAL REVENUE PER LEDGER	29,469,600	32,153,800	14,240,320.28	0	14,240,320.28	44.3	17,913,479.72
Period 06-DECEMBER , 2015							
SUMMARY FINANCIAL REPORT REVENUE							
General Fund	20,174,000	21,269,000	8,311,855	0	8,311,855	39.1	12,957,145
Capital Projects	2,021,100	2,026,600	538,243	0	538,243	26.6	1,488,357
Sewer Fund	5,908,000	7,483,200	4,702,639	0	4,702,639	62.8	2,780,561
All Other Funds	1,366,500	1,375,000	687,580	0	687,580	50.0	687,420
TOTAL REVENUE PER SUMMARY FINANCIAL REPORT	29,469,600	32,153,800	14,240,317	0	14,240,317	44.3	17,913,483

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TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
EXPENDITURE REPORT RECONCILIATION

	I Original	II Adjusted	III Received	IV	V Received/	VI Received	VII Remaining
Period 06-DECEMBER , 2015							
EXPENDITURE STATUS REPORT	(28,574,100)	(31,349,400)	(13,007,429.38)	(386,887.77)	(13,394,317.15)	42.7	(17,955,082.85)
Less Park Madera Center							
Depreciation	138,000	138,000	0.00	0	0.00	0.0	138,000.00
Less Shoreline Debt Service	0	0	72,562.31	0	72,562.31	0.0	(72,562.31)
Less Shoreline Maintenance	0	0	53.74	0	53.74	0.0	(53.74)
Less General Fixed Assets							
Depreciation	0	0	0.00	0	0.00	0.0	0.00
Less Sewer Fund							
Depreciation	1,300,000	1,300,000	0.00	0	0.00	0.0	1,300,000.00
Less Old Landing Road							
Debt Service	0	0	42,512.08	0	42,512.08	0.0	(42,512.08)
Less Recreation Center							
Depreciation	26,000	26,000	0.00	0	0.00	0.0	26,000.00
Less Neil Cummings Gym							
Depreciation	17,000	17,000	0.00	0	0.00	0.0	17,000.00
Less Self Insurance Funds							
Actuarial Adjustments	0	0	0.00	0	0.00	0.0	0.00
TOTAL EXPENDITURES PER LEDGER	(27,093,100)	(29,868,400)	(12,892,301.25)	(386,887.77)	(13,279,189.02)	44.5	(16,589,210.98)
Period 06-DECEMBER , 2015							
SUMMARY FINANCIAL REPORT EXPENDITURES							
General Fund	(19,346,600)	(20,055,000)	(10,132,859)	(247,448)	(10,380,307)	51.8	(9,674,693)
Capital Projects	(1,895,100)	(1,900,600)	(79,540)	(60,751)	(140,291)	7.4	(1,760,309)
Sewer Fund	(4,368,300)	(6,388,900)	(2,178,147)	(78,689)	(2,256,836)	35.3	(4,132,064)
All Other Funds	(1,483,100)	(1,523,900)	(501,762)	0	(501,762)	32.9	(1,022,138)
TOTAL EXPENDITURES PER SUMMARY FINANCIAL REPORT	(27,093,100)	(29,868,400)	(12,892,308)	(386,888)	(13,279,196)	44.5	(16,589,204)

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis. Excludes debt service and operational funds of assessment districts.

TOWN OF CORTE MADERA
SUMMARY FINANCIAL REPORT
CASH ACCOUNTING BASIS *
Period 06
December 2015
FUND BALANCE RECONCILIATION

SEGREGATION OF TOTAL FUND BALANCE

FUND#	FUND TITLE	AT 07/01/15	AT 12/31/15
101	General Fund Reserve	1,500,000	1,500,000
101	General Fund - Operations	(3,875,863)	(6,293,769)
101	Inventories & Cash On Hand	3,556	3,556
104	Equipment Replacement	4,686,436	4,613,320
104	Encumbrances	0	(23,611)
120	Corte Madera Sales Tax Override	3,065,872	3,371,109
120	Encumbrances	0	(223,837)
188	Street Impact Fees	415,066	496,821
303	Park & Recreation Capital Fees	807,621	919,747
108	Gas Tax 2103	105,566	113,671
109	Gas Tax 2105	0	21,381
110	Gas Tax 2106	0	7,386
114	TAM Sales Tax Override	0	108,972
124	Affordable Housing Fund	165,391	165,391
140	Storm Drainage Tax Fund	1,060,245	1,365,149
140	Encumbrances	0	(10,800)
170	Capital Improvement Fund	61,213	65,906
170	Encumbrances	0	(49,951)
176	Westside Park-In-Lieu Fund	0	5,500
178	Traffic Improvement Fund	(49,524)	(49,524)
179	Village Traffic Improvement Fund	133,000	133,000
304	Marin Parks Measure "A"	76,868	74,630
201	Sewer Operating Fund	0	0
201	Sewer Capital Equipment Replacement	315,002	315,002
260	Sewer Capital Projects Fund	4,182,854	6,707,346
260	Encumbrances	0	(78,689)
270	Sewer Connection Fee Project Fund	0	0
102	Chamber of Commerce	0	0
106	Park Madera Center	(2,235,800)	(1,837,387)
305	Age-Friendly Corte Madera	2,083	2,083
810	Workers' Comp. Self-Insure	101,431	92,148
820	Gen. & Auto Liability Self-Insure	314,704	296,651
830	Property & Vehicle Self-Insure	10,906	(3,453)
	TOTAL FUND BALANCE	10,846,627	11,807,748

RECONCILIATION OF TOTALS

TOTAL OPENING BALANCE	10,846,627
TOTAL REVENUES	14,240,317
TOTAL EXPENDITURES	(13,279,196)
TOTAL CLOSING BALANCE	11,807,748

* Subsequent to year end, conversion to the Modified Accrual Accounting Basis is done. The Budget is presented on the Modified Accrual Accounting Basis. Excludes debt service and operational funds of assessment districts.

Reports of Department Heads

- a. Director Administrative Services
- b. Director of Emergency Services
- c. Director of Planning & Building
- d. Director of Public Works (Engineering & Administration)
- e. Director of Public Works (Field Maintenance & Operations)
- f. Director of Recreation & Leisure Services

MEMORANDUM

TO: Town Manager, Mayor and Town Council
FROM: George T. Warman, Jr., Director of Administrative Services/Town Treasurer
DATE: March 7, 2016
SUBJECT: Status of Finance Department Budget Activities As of December 31, 2015
(Cash Basis)

* * * * *

Mayor & Council – 66.9%
Appears OK at this time.

Legal Services – 27.4%
Appears OK at this time.

Administration – 51.6%
Appears OK at this time.

Administrative Services – 52.0%
Appears OK at this time.

Town Property Tax Collection – 50.4%
Appears OK at this time.

“OPEB” Liability – 74.5%
Appears OK at this time.

Marin Emergency Radio Authority – 99.9%
Total amount due for the fiscal year has been paid.

Marin Telecommunications Agency – 67.0%
Appears OK at this time.

Transportation Authority of Marin – 99.9%
Total amount due for the fiscal year has been paid.

Marin LAFCO – 99.7%
Total amount due for the fiscal year has been paid.

Marin General Services Authority – 100.3%
Total amount due for the fiscal year has been paid.

Marin Housing Authority – 100.0%
Total amount due for the fiscal year has been paid.

Animal Control Services – 99.8%

Total amount due for the fiscal year has been paid.

Police Services – 58.3%

Seven months of the amount due for the fiscal year has been paid.

Police Facility Land – 50.0%

One half of the amount due for the fiscal year has been paid.

4th of July Program – 94.1%

Total amount due for the fiscal year has been paid.

100th Town Anniversary – 5.4%

Appears OK at this time.

State Disability Access Fee – 0.0%

Appears OK at this time.

Equipment & Machinery Replacement – 56.9%

Appears OK at this time.

Long-Term Financial Plan – 0.0%

Study began in January, 2016.

Sanitary District Property Tax Collection – 50.0%

Appears OK at this time.

Sanitary District Wet Weather Improvement Project Debt Service – 62.8%

Appears OK at this time.

Chamber of Commerce – 50.3%

A year end budget adjustment will put this at 100% of the 2% received and due to the Chamber of Commerce.

Park Madera Center – Debt Service – 2.7%

Semi-Annual billing not yet received.

Park Madera Center – Property Manager – 106.7%

This budget is on a Cash Basis.

This will require a budget adjustment of \$67,900 at a later date after the refinance of the bonds is done. The Property Manager budgeted the full exterior painting of the Center at \$20,000. The actual cost of the painting was \$29,100. The painting necessitated several repairs and completion of the Tenant Master Signage. The repairs prior to the painting included: exterior repairs to rear side of main building - \$3,800; exterior repair to the metal shed - \$3,600; dry rot repair - \$3,300. Completion of the Tenant Master Signage - \$19,000. Some of the Center HVAC units that were on the side-not roof-of the main building were relocated to the roof as part of the exterior painting and replaced - \$12,300. All this work was completed prior to the reappraisal of the Center in December to

positively affect the results of the appraisal. The recent 5 year fire protection systems inspection required several corrections to the main building and upgrades-\$6,300. Various other repairs occurred: main building water leak-\$1,600; main building grease trap-\$1,900; new painting of Yoga Studio-\$1,400-associated with lease renewal; replaced electric panel in Hair Studio-\$1,200-associated with lease extension. Lastly, leasing commissions total \$4,400.

The FY 2015-2016 estimated shortfall of the Center was estimated at \$138,600. In FY 2013-2014, the shortfall was \$192,100 and in FY 2014-2015, the shortfall was \$213,600. I was inclined to ignore the \$138,600 estimate by the Property Manager for the year during budget preparation and put it at \$200,000. Obviously, that is the number that should have been used. The Center has old buildings which are in the constant need of maintenance. The \$67,900 does not include the two property appraisals of \$32,300 which were approved by the Council at the March 1, 2016 meeting.

The refinance of the original 30 year bonds is estimated to save \$50,000 per year over the remaining 20 years of the issue by the financial consultant. The current appraisal (December 2015-see Weekly Report of December 23rd) was necessary for the refinance.

Age-Friendly Corte Madera – 0.0%

A year end budget adjustment will put this at 100% of the organization's activities. Age-Friendly Corte Madera operates separately from the Town's fiscal office. To put itself in a far better position to qualify for grants, the organization should completely divorce itself from the Town and reorganize as a non-profit. It is presently a governmental activity which limits its ability to qualify for grants.

Workers' Compensation Self-Insurance – 60.9%

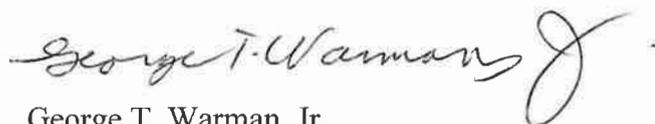
Appears OK at this time.

General & Auto Liability Self-Insurance – 61.0%

Appears OK at this time.

Property & Vehicle Damage Self-Insurance – 89.9%

Appears OK at this time.



George T. Warman, Jr.
Director of Administrative Services/
Town Treasurer

MEMORANDUM

TO: Town Manager, Mayor and Town Council

FROM: Kenny Prete, Battalion Chief

SUBJECT: Fire Department Budget Activities through December 31, 2015

DATE: March 7, 2016

Fire Department Expenditures

- Fire Department Total Expenditures: 58.74%
- Suppression Expenditures: 61.83%
- Emergency Medical Services Expenditures: 55.69%
- Administration Expenditures: 54.28%
- Prevention Expenditures: 49.13%
- Disaster Preparedness Expenditures: 27.21%

This is not included in the overall fire department expenditures.

Fire Department Revenue

- Paramedic Tax: 53.3%
- Ambulance Charges: 35.3%
- State Fire Reimbursement: 96.1%

MEMORANDUM

TO: Town Manager, Mayor and Town Council
FROM: George T. Warman, Jr., Director of Administrative Services/Town Treasurer
DATE: March 7, 2016
SUBJECT: Status of Fire Department Budget Activities As of December 31, 2015
(Cash Basis)

* * * * *

Fire Department– 58.7%

The CalPERS Unfunded Pension Liability payment for FY 2015-2016 was paid in July of 2015 for the fiscal year totaling \$615,097, which overstates the percentage. Budget appears OK at this time.

Disaster Preparedness– 27.2%

Appears OK at this time.



George T. Warman, Jr.
Director of Administrative Services/
Town Treasurer

MEMORANDUM

TO: Town Manager, Mayor and Town Council
FROM: Adam Wolff, Director of Planning and Building
DATE: March 10, 2016
SUBJECT: 2015-2016 Second Quarter Summary Financial Report (through December 31, 2015)

DEPARTMENT EXPENDITURES

Building Department - Account 101-512

Total Department Expenditure Accounts	47.9% expended
(\$505,300 adjusted)	

Planning Department - Account 101-511

Total Department Expenditure Accounts	47.0% expended
(\$617,000 adjusted)	

CAPITAL PROJECTS

Tamal Vista Corridor Study

10.8% expended

FY 15-16 budget of \$75,000

DEPARTMENT REVENUE

Building Charges

\$239,949	59.4%
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Planning Charges

\$48,543	40.5%
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PUBLIC WORKS ENGINEERING MEMORANDUM



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

To: David Bracken, Town Manager
 From: Nisha Patel, P.E., Senior Civil Engineer
 Date: 3/9/16
 Subject: PWE FY 2015-16 Q2 Finance Notes

The Public Works Engineering and Sanitary District 2 costs listed in the Summary Financial Report on pages 3, 5 (Town) and 9 (SD2) are at levels expected with the second quarter of the fiscal year, especially given the Town Capital Projects Budget was not approved until October 6, 2015. The Finance Director requested departments not expend capital funds until after the budget was approved. The following table includes the operational (Engineering Public Works Administration and Sewer District Administration) and capital line items for the Town and the Sanitary District 2 with notes regarding their respective expenditure levels and status.

PG#	Item	%	Notes
3	Engineering & Public Works Administration	46.0	A reduction in staffing has kept expenditure amounts at or slightly below expected amounts for mid-fiscal year.
5	Slurry Seal (15-026)	0.0	Construction will follow Larkspur's Doherty Drive Improvements Project. Design of Larkspur's project is not yet complete.
3 & 5	Overlay (15-005)	0.0	Design is underway and invoices were paid after Q2 end. Bidding is planned for Q3 FY15-16, and bid award and construction will be in Q1 FY16-17.
5	Barrier Removal Implementation Plan Improvement Projects (15-022)	1.7	Accessibility locations have been prioritized. Work will coordinate with the Tamalpais Drive Pedestrian Crossing Improvements. Conceptual design is underway, but an invoice has not yet been processed. Plaintiff and Town Attorney coordinated on consent decree requirements. Annual Report was submitted to Plaintiff's attorney in January 2016.
5	Sidewalk, Curb & Gutter Repairs (15-808)	19.0	A few minor repairs were performed.
5 & 7	High Canal Bridge Pathway (14-003)	0.0	Scope change to submit for approval by the funding agency (the State) is under discussion.
5	Street Repairs (15-809)	14.4	Small number of minor repairs were performed.
5	Guard Rail Replacements (15-810)	0.0	Guard Rail Replacements have not yet been needed.
5	Pedestrian Stairs & Pathways (15-811)	0.0	Repairs are made as needed.
5	Corte Madera Ave. Pathway Improvements Project (15-010)	0.0	A prelim. conceptual plan has been developed by a consultant.
5	FEMA LOMA Out as Shown Mailer (15-704)	0.0	Mailer was sent Q2.
5	Mariner Cove/ Marina Village Drainage Improvements (15-001)	0.0	Design is 95% complete. Bidding is planned for Q3 FY15-16, and bid award and construction will be in Q4 FY. We have incurred design consultant services expenses, but in error, were not budgeted for this fiscal year. A pending budget amendment would transfer the funds from the project budget of FY 16-17.

5	33-42 El Camino Storm Drain Replacement (15-020)	0.0	Staff investigations were performed. Operations and Maintenance will lead this project.
5	Golden Hind/Ebbtide Gate (13-002)	0.0	Staff is analyzing the situation.
5	Golden Hind/ Cay Passage Improvement- Curb Drains & Pump Station (15-014)	58.7	Design has been completed. Construction is underway, and expected to be completed in March.
5	Corrugated Metal Pipe Replacement (15-807)	0.0	Corrugated metal pipe replacements will be replaced as needed as part of the current 2015/ 2016 Pavement Improvements Project.
5	Flood Hazard Mailer (15-705)	111.1	Flood Hazard Mailer was sent out Q2 FY 15-16.
5	Flood Control Infrastructure Management- GIS Management (15-706)	0.0	None required in Q1.
5	Emergency Drainage Repairs (15-801)	4.1	Minor repairs were made as required.
5	Paradise Drive Bikeway Extension- Westward Drive to Upland Circle (15-025)	0.0	Preparing proposal for design consultant services.
5	Zero Waste Implementation Plan (Cycle 1-4) (15-002)	100.4	Under contract with R3. Encumbrance (PO issued) shows as 100% expended.. Development of the plan is underway.
5	Zero Waste Projects (Cycle 5) (15-018)	0.0	Work will start in Q4.
5	Beverage Container Recycling (15-017)	0.0	Received grants in the amount of \$10,000. Staff has collected invoices to submit to CalRecycle to confirm compliance and perform reporting as required by the grant requirement.
5 & 7	Tamalpais Drive Pedestrian Crossing Enhancements (15-003)	16.1	Consultant contract issued for concept plan, and work started in Q2 and is complete. In the final design stage now.
5	LED Lighting Conversion Project (14-006)	0.0	Fixtures required and locations have been identified. Cost Estimate has been performed. Staff is working on the plans and specs.
5	Pixley Lagoon Restoration (15-012)	0.0	Plans and specs. were approved by Council. MOU was executed with the Beautification Committee (BC). The Parks Dept. provided \$15,000 to BC for the project, but they have now decided they do not want to construct the project.
5	Paradise Drive Sidewalk Replacement- San Clemente to Seawolf Passage (15-007)		Transfer of Measure A funds from the Bay Trail project were applied for and approved by TAM. A RFP for design services is being developed.
7	Casa Buena Street Improvements (15-021)	0.0	A preliminary conceptual plan has been prepared by a consultant.
7	Modification of Pedestrian Crossing Timing (15-019)	0.0	The calculations to update the timing at 14 intersections was completed and reviewed by Town staff, and implemented in Q2. The billing and payment was made in Q3. This project is now complete.
7	Paradise Drive at Golden Hind Left Turn and Pedestrian Crossing Improvements (15-006)	36.2	This project was constructed in the end of Q1 and completed in Q2. Permanent thermoplastic striping will be installed when the area is paved or slurry sealed later in the year.
7	Paradise at Prince Royal Pedestrian Crossing Enhancements (15-024)	0.0	This work needs further analysis and input from the BPAC before design can initiated.

7	Pavement Management Plan Forecasting Schedule (15-027)	0.0	A request for a proposal was sent out, and a proposal was received to perform the engineering services. However this project will start in FY 16-17, and proj. No. 16-002 has started this fiscal year. A grant application for the Pavement Management Plan (16-002) was submitted, and funding for 80% of the consultant costs was approved. The Town paid for 20% of the consultant costs in Q3.
7	Removal/ Replacement of Push Buttons, and Installation of LED Countdown Signs (15-019)	90.2	The LED countdown signs have been installed. Most of the push buttons were replaced by Q2. The remaining ones were replaced in Q3. The project is now complete.
7	Replacement of Old Signal Head and Framework on Paradise/ El Camino/ Seawolf (15-019)	0.0	The equipment was ordered but not installed in Q2. It was installed in February 2016 (Q3). The project is now complete.
7	Tamalpais at Sanford (Casa Buena and Meadowsweet) Traffic Congestion Relief Improvements (15-015)	0.0	Project has not started because of staff availability.
7	AQMD Bike Rack Installation (15-030)	0.0	Staff is looking for more useful and feasible bike rack locations than the originally planned locations.
7	Capital Project Development and Review (15-028)	0.0	Conceptual plans to add bike lanes on Tamal Vista from Madera to Fifer were prepared and paid for in Q3.
7	Tamalpais at Pixley Avenue Electric Replacement (15-804)	0.0	Project has not started because of staff availability.
9	Sewer Administration	28.4	A reduction in staffing has kept expenditure amounts at or below expected amounts for the quarter.
9	Paradise West Sewer Improvements (13-201)	0.0	Plans have been prepared by the design consultant. Staff and consultant are further reviewing the plans to finalize the bid set. Bidding and contract award is scheduled for April and May, 2016, resp. with construction planned to start in June.
9	CCTV Inspection Sewer Mains	47.6	5% of the Town's sewer lines were inspected this FY.
9	Assessment/ Master Plan Updates	24.7	Assessment and draft Master Plan were completed in Q2. Final Sewer Master Plan will go to Council in Q4.
9	Infrastructure Management- GIS	0.0	GIS services are used as needed.
9	Emergency Repairs	0.0	Repairs are made as needed.
9	CCTV Inspection Emergency Repairs	42.0	Repairs identified through CCTV Inspection were constructed.

MEMORANDUM

DATE: 8 March 2016

TO: Town Manager, Mayor and Town Council

FR: Kevin G. Kramer, Director of Public Works: Field Maintenance and Operations

RE: Status of Public Works Field Maintenance and Operations Activities of Period Ending
31 December 2015

- Flood Control & Storm Drain Maintenance: 41.5%, ok at this time
- Parks, Landscaping Maintenance & Beautification: 48.1% of the budget has been expended at this time, however with the annual rehabilitation of the Town Park Playground, which is performed in late April/early May, we may exceed our budget. In addition, the \$125,000 for San Clemente Park maintenance/repairs/upgrades, which was deferred to a future year, may need to be re-budgeted for FY 2016-17. Staff will come back to the Town Council at a future date to consider a supplemental appropriation for San Clemente Park Maintenance and for Playground Capital Maintenance.
- Street Maintenance: 39.3%, ok at this time
- Traffic Signals, Signs & Roadway Striping: 20.7%, ok at this time
- Street Sweeping: 46.0%, ok at this time
- Street Lighting: 28.4%, ok at this time
- NPDES (National Pollution Discharge Elimination System): 69.1%, ok at this time; however, look for this item to increase sharply in the next two-four years due to ever-increasing regulatory activity. Here's where the hockey-stick analogy could be appropriately and legitimately applied
- Sanitary Sewer Maintenance: 61.7%, ok at this time



**CORTE MADERA
RECREATION AND LEISURE SERVICES
QUARTERLY FINANCIAL UPDATE**

TO: TOWN MANAGER, MAYOR AND TOWN COUNCIL

FROM: MARIO FIORENTINI – DIRECTOR OF RECREATION LEISURE SERVICES

DATE: MARCH 10, 2016

SUBJECT: STATUS OF RECREATION AND LEISURE SERVICES BUDGET AS OF DECEMBER 31, 2015

RECREATION CHARGES (REVENUE) PAGE -2-

REVENUE SO FAR RECEIVED IS 50.6% OF PROJECTED TOTAL.

PARK/REC FACILITIES CAPITAL FEES PAGE -2-

MONEY IS ACCUMULATED IN THIS ACCOUNT OVER THE YEAR AND TRANSFERRED IN TWICE A YEAR (JANUARY AND JUNE). IT FLUCTUATES WITH REVENUE. CURRENTLY AT 74.8%, AS THE FIRST TRANSFER OF THE YEAR HAS BEEN DONE.

COMMUNITY CENTER EXPENDITURES PAGE-3-

EXPENDITURE ARE LOWER AT THE BEGINNING OF THE FISCAL YEAR, AS MOST OF OUR ACTIVITY IN THE SUMMER IS CONTAINED TO SUMMER PLAYGROUND AND OUTDOOR ACTIVITIES CURRENTLY AT 38.4% OF TOTAL.

OUTDOOR FACILITIES EXPENDITURES PAGE -3-

OUTDOOR EXPENDITURES WERE HIGHER THAN EXPECTED DUE TO THE EXPANDED SOCCER PROGRAM WE OFFERED THIS YEAR, CURRENTLY AT 82.1% OF TOTAL EXPECTED.

NEIL CUMMINS GYM EXPENDITURES PAGE-3-

CURRENTLY ON PACE AT 47.7%

AFTERSCHOOL PROGRAM EXPENDITURES PAGE -3-

CURRENTLY ON PACE AT 48.8%

SUMMER PROGRAM

PAGE-3-

CURRENTLY ON PACE AT 64.6%, WILL STAY ROUGHLY AT THIS LEVEL UNTIL THE BEGINNING OF APRIL / MAY OF 2016 WHEN PLANNING FOR THE UPCOMING SESSION IS WELL UNDER WAY.

PARK & RECREATION CAPITAL FEES

PAGE-3-

CURRENTLY AT 0%

DIGITAL MARQUEE – NEED TO GO TO PLANNING COMMISSION AND COUNCIL FOR FINAL APPROVAL

GENERAL MAINTENANCE - PROJECTS HAVE BEEN IDENTIFIED FOR CURRENT FISCAL YEAR BUDGET AND WILL BE FINISHED BY THE END OF CURRENT FISCAL YEAR.

MARIN PARKS MEASURE “A”

PAGE -4 AND 5-

CURRENTLY AT 0% MEASURE “A” MONEY WILL BE USED FOR UPCOMING PROJECTS IDENTIFIED IN THE CAPITAL BUDGET. SOME PROJECTS INCLUDE: IRRIGATION CONTROLLERS, GREEN ROOM STAIRS, WATER FOUNTAINS, AND SKATE PARK IMPROVEMENTS.

THIS MATERIAL HAS BEEN REVIEWED BY
THE TOWN MANAGER

DB

TOWN OF CORTE MADERA
SANITARY DISTRICT NO. 2 OF MARIN COUNTY,
A SUBSIDIARY DISTRICT TO THE TOWN OF CORTE MADERA
INVESTMENT TRANSACTIONS
FOR THE MONTH OF JANUARY, 2016

Type of Investment Instrument	Institution	Beginning Date of Investment	Date of Maturity	Total Number of Days	Call Provisions	Total Number of Days This Month	Amount of Investment	Market Value For Securities With A Maturity Over 12 Months	Interest Rate	Interest Accrued This Month	Interest Due
Certificate of Deposit (CD)	GE Capital Bank, Draper, Utah (Semi)	02/28/14	02/28/17	1,096	None	31	247,000	247,674.31	1.05%	220.41	1,118.74
Certificate of Deposit (CD)	Goldman Sachs, New York, NY (Semi)	03/05/14	03/06/17	1,096	None	31	247,000	247,264.29	1.00%	209.87	1,010.31
Certificate of Deposit (CD)	United Banker's Bank Bloomington, Minn (Monthly)	8/29/2014	11/29/17	1,185	None	31	245,000	244,894.65	1.15%	239.32	269.93

TOWN OF CORTE MADERA
 SANITARY DISTRICT NO. 2 OF MARIN COUNTY,
 A SUBSIDIARY DISTRICT TO THE TOWN OF CORTE MADERA
 INVESTMENT TRANSACTIONS
 FOR THE MONTH OF JANUARY, 2016

Type of Investment Instrument	Institution	Beginning Date of Investment	Date of Maturity	Total Number of Days	Call Provisions	Total Number of Days This Month	Amount of Investment	Market Value For Securities With A Maturity Over 12 Months	Interest Rate	Interest Accrued This Month	Interest Due
Local Agency Inv Fund	St Treasurers Off	Jan, 16 LAIF Trans	N/A	N/A	N/A	N/A	N/A	N/A	0.446	0.00	0.00
Local Agency Inv Fund	St Treasurers Off	Feb, 16 LAIF Trans	N/A	N/A	N/A	N/A	N/A	N/A	0.000	0.00	0.00
Local Agency Inv Fund	St Treasurers Off	Jan-Mar, LAIF Adjust	N/A	N/A	N/A	N/A	N/A	N/A	0.000	0.00	0.00
Local Agency Inv Fund	St Treasurers Off	12/28/15	01/05/16	8	N/A	4	11,240,000.00	N/A	0.446	549.40	549.40
Local Agency Inv Fund	St Treasurers Off	01/05/16	01/08/16	3	N/A	3	10,990,000.00	N/A	0.446	402.87	402.87
Local Agency Inv Fund	St Treasurers Off	01/08/16	01/11/16	3	N/A	3	10,800,000.00	N/A	0.446	395.91	395.91
Local Agency Inv Fund	St Treasurers Off	01/11/16	01/15/16	4	N/A	4	10,390,000.00	N/A	0.446	507.84	507.84
Local Agency Inv Fund	St Treasurers Off	01/15/16	01/22/16	7	N/A	7	10,050,000.00	N/A	0.446	859.67	859.67
Local Agency Inv Fund	St Treasurers Off	01/22/16	01/26/16	4	N/A	4	9,950,000.00	N/A	0.446	486.32	486.32
Local Agency Inv Fund	St Treasurers Off	01/26/16	01/29/16	3	N/A	3	10,740,000.00	N/A	0.446	393.72	393.72
Local Agency Inv Fund	St Treasurers Off	01/29/16	02/17/16	19	N/A	3	10,440,000.00	N/A	0.446	382.71	382.71
TOTALS							11,179,000.00	739,833.25		4,648.04	6,377.42

Total interest earned for the month of January was \$4,648.04.
 Total cash in investment on January 1, 2016 was \$11,979,000.00.
 Total cash in investment on January 31, 2016 was \$11,179,000.00.
 Effective yield for the month January, 2016 was 0.487%.

LAIF	10,440,000.00
CDs	739,833.25
Market Variance	(833.25)
	<u>11,179,000.00</u>

Submitted herewith is the monthly report of investment transactions pertaining to the Town of Corte Madera and Sanitary District No. 2 of Marin County, a Subsidiary District to the Town of Corte Madera, in accordance with Government Code Section 53600 et.seq. and Section 53646. The subject investment transactions are in accordance with the Annual Statement of Investment Policy dated January 1, 2016.

Pursuant to State Law, the following statement is required: Sufficient funds will be available to meet expenditure requirements for the next six (6) months.

George T. Warman, Jr.
 Director of Administrative Services
 March 3, 2016

Investment Transactions
January, 2016

Calculation of Effective Yield

Amount Invested Times	Number of Days	Equals Denominator and Times	Interest Rate	Equals Numerator
247,000	31	7,657,000	1.050	8,039,850
247,000	31	7,657,000	1.000	7,657,000
245,000	31	7,595,000	1.150	8,734,250
11,240,000	4	44,960,000	0.446	20,052,160
10,990,000	3	32,970,000	0.446	14,704,620
10,800,000	3	32,400,000	0.446	14,450,400
10,390,000	4	41,560,000	0.446	18,535,760
10,050,000	7	70,350,000	0.446	31,376,100
9,950,000	4	39,800,000	0.446	17,750,800
10,740,000	3	32,220,000	0.446	14,370,120
10,440,000	3	31,320,000	0.446	13,968,720
		348,489,000		169,639,780

169,639,780

348,489,000 = effective yield of 0.487%



George T. Warman, Jr.
Director of Administrative Services
March 3, 2016

PAGE 4 OF 6

	Cash	Investments	Fund Total
101 GENERAL FUND	347,873.13	4,729,900.60 CR	4,382,027.47 CR →
102 GENERAL FUND NON-OPERATIONS FD	0.00	26,326.16	26,326.16 →
104 CAPITAL EQUIP. REPLACE FUND	0.00	4,604,855.41	4,604,855.41 →
105 TRAFFIC SAFETY FUND	0.00	0.00	0.00 →
106 PARK MADERA CENTER FUND	0.00	2,502,524.15 CR	2,502,524.15 CR →
108 GAS TAX 2103 FUND	0.00	117,535.83	117,535.83 →
109 GAS TAX 2105 FUND	0.00	21,885.15	21,885.15 →
110 GAS TAX 2106 FUND	0.00	11,082.31	11,082.31 →
111 GAS TAX 2107 FUND	0.00	19,312.74 CR	19,312.74 CR →
112 GAS TAX 2107.5 FUND	0.00	0.00	0.00 →
114 TAM SALES TAX OVERRIDE FUND	0.00	108,972.00	108,972.00 →
115 STATE DISABILITY ACCESS FEE FUND	0.00	1,092.10	1,092.10 →
116 BEAUTIFICATION FUND	0.00	7,899.71 CR	7,899.71 CR →
120 CORTE MADERA SALES TAX OVERRIDE	0.00	3,319,760.32	3,319,760.32 →
124 AFFORDABLE HOUSING FUND	0.00	165,390.78	165,390.78 →
140 STORM DRAINAGE SPECIAL TAX FUND	0.00	1,348,785.81	1,348,785.81 →
159 SHORELINE PARKING DEBT SERVICE	0.00	149,781.15	149,781.15 →
160 CAPITAL MAINTENANCE FUND	0.00	0.00	0.00 →
165 SHORELINE PARKING MAINT. DIST.	0.00	12,577.67	12,577.67 →
170 CAPITAL IMPROVEMENT FUND	0.00	50,017.91	50,017.91 →
176 WESTSIDE PARK-IN-LIEU FUND	0.00	5,500.00	5,500.00 →
178 TRAFFIC IMPROVEMENT FUND	0.00	49,524.39 CR	49,524.39 CR →
179 VILLAGE TRAFFIC IMPROVEMENT FUND	0.00	133,000.00	133,000.00 →
180 2016 IRC 125 FLEX BENEFIT FUND	0.00	8,835.07	8,835.07 →
186 2015 IRC 125 FLEX BENEFIT FUND	0.00	65,660.83	65,660.83 →
187 DEVELOPERS DEPOSIT AGENCY FUND	0.00	253,361.13	253,361.13 →
188 AB 1600 DEVELOPMENT FEES FUND	0.00	503,971.84	503,971.84 →
201 SEWER GENERAL OPERATING FUND	0.00	6,999,837.08	6,999,837.08 →
255 SAUSALITO ST SEWER ASSESS DIST	0.00	0.00	0.00 →
257 OLD LANDING ROAD DEBT SERVICE	0.00	60,758.40	60,758.40 →
260 SEWER CAPITAL MAINTENANCE FUND	0.00	599,153.72 CR	599,153.72 CR →
270 SEWER CONNECTION FEE PROJ FUND	0.00	0.00	0.00 →
301 RECREATION CENTER FUND	0.00	150,909.85 CR	150,909.85 CR →
302 PARKS & REC REVENUE TRUST FUND	0.00	6,800.00	6,800.00 →
303 PARKS & REC FACILITY TRUST FUND	0.00	807,620.64	807,620.64 →
304 MARIN PARKS MEASURE "A" FUND	0.00	74,630.52	74,630.52 →
401 RECREATION OUTDOOR FACILITY FUND	0.00	85,049.36	85,049.36 →
501 NEIL CUMMINS GYM FUND	0.00	70,051.68 CR	70,051.68 CR →
601 AFTERSCHOOL PROGRAMS FUND	0.00	45,322.28 CR	45,322.28 CR →
701 SUMMER CAMPS & PLAYGROUND FUND	0.00	47,558.43 CR	47,558.43 CR →
810 WORKERS' COMP SELF-INSURE FUND	0.00	103,158.07	103,158.07 →
820 GEN & AUTO LIAB SELF-INSURE FD	0.00	351,904.64	351,904.64 →
830 PROP & VEH DAMG SELF-INSURE FD	0.00	3,007.37	3,007.37 →
Grand Total:	347,873.13	11,179,000.00	11,526,873.13

2,779,511.80
 347,873.13

3,127,384.93

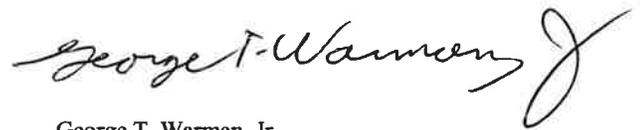
6,461,441.76

660,258.28 →

03/03/16

Interest Distribution
 Month of January, 2016
 Posted to Financial Records in February, 2016

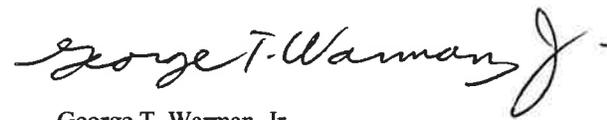
Fund	De-Pooled Interest Earnings	Opening Cash Balances Less De-Pooled 02/01/2016	Percentage of Total Pooled Cash	Pooled Interest Earnings	Total Interest Earnings
#101-General & All Others Not Detailed	N/A	3,127,384.93	27.14	1,261.48	1,261.48
#108-Gas Tax	N/A	131,190.55	1.14	52.99	52.99
#140 Storm Drainage Tax	N/A	1,348,785.81	11.71	544.29	544.29
#201-Sewer	N/A	6,461,441.76	56.02	2,603.82	2,603.82
#810-Workers' Comp Self-Insure	N/A	106,165.44	0.93	43.23	43.23
#820-Gen & Auto Liab Self-Insure	N/A	351,904.64	3.06	142.23	142.23
	0.00	11,526,873.13	100.00	4,648.04	4,648.04



George T. Warman, Jr.
 Director of Administrative Services
 March 3, 2016

CASH BALANCES AS OF JANUARY 31, 2016
(NOT FUND BALANCES ON AN ACCRUAL BASIS)

Fund Number	Fund Title	Cash In Investment	Booked Cash In Commerical Account	Total Booked Cash
#101	General	2,779,511.80	347,873.13	3,127,384.93
#108	Gas Tax	131,190.55	0.00	131,190.55
#140	Storm Drainage Tax	1,348,785.81	0.00	1,348,785.81
#201	Sewer	6,461,441.76	0.00	6,461,441.76
#810	Workers' Comp Self-Insure	106,165.44	0.00	106,165.44
#820	Gen & Auto Liab Self-Insure	351,904.64	0.00	351,904.64
TOTALS		11,179,000.00	347,873.13	11,526,873.13



George T. Warman, Jr.
Director of Administrative Services
March 3, 2016

TOWN OF CORTE MADERA

**RATIFICATION AND APPROVAL OF
PAYROLL AND DEMANDS (ACCOUNTS PAYABLE)
PERIOD 02/26/16 – 03/10/16**

Submitted herewith are the Payroll and Demands (Accounts Payable) paid during the period of 02/26/16 through and including 03/10/16 in accordance with Corte Madera Municipal Code Section 2.12.145 and Chapter 2.28(Statutory provisions contained in Government Code Sections 37202 through 37209 and Sections 40802 through 40805 and Section 40805.5).

Payroll (02/15/16 – 02/28/16)		
Payroll Check Numbers	5141 – 5154	\$ 25,340.64
Payroll Direct Deposit Numbers	28987 – 29052	162,061.95
Payroll Wire Transfer Numbers	1978 – 1982	<u>165,168.53</u>
<u>Total Payroll</u>		\$ 352,571.12
Warrant Check Numbers	213106 – 213208	\$ 301,066.46
Wire- Central Marin Police Monthly Payment (04/01/16)		250,250.00
Wire- CalPERS Fire Classic Annual Unfunded Liability Payment (00/00/00)		0.00
Wire- CalPERS Misc. Classic Annual Unfunded Liability Payment (00/00/00)		0.00
Wire- MERA Annual Bond Payment (00/00/00)		0.00
Wire- Park Madera Semi-Annual Debt (00/00/00)		<u>0.00</u>
<u>Total Demands (Accounts Payable)</u>		\$ 551,316.46
TOTAL PAYROLL AND DEMANDS		\$ 903,887.58

David James Bracken
Town Manager

3/10/16
Date

George T. Warman, Jr. 03/10/16
George T. Warman, Jr. Date
Director of Administrative Services/
Town Treasurer

APPROVED AT MEETING OF 03/15/16

SLOAN C. BAILEY, MAYOR

DIANE FURST, VICE MAYOR

JAMES ANDREWS, COUNCIL MEMEBER

CARLA CONDON, COUNCIL MEMBER

MICHAEL LAPPERT, COUNCIL MEMBER

*Checks listed do not correspond to a month or an accounting period because of overlap between months and accounting periods. Questions concerning the check register should be directed to George Warman at 927-5055. In his absence, ask for Jonna Intoschi or Lina Azevedo.
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Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213106	3/3/2016	ad024c ADAMS, MARK	16016_CMFD		PICTURES PICTURES PICTURES	1,000.00 500.00 Total : 1,500.00
213107	3/3/2016	ai101c AIR TECHNOLOGY WEST	20136 20137		EQUIPMENT, MACHINERY MAINTEA EQUIPMENT, MACHINERY MAINTEA EQUIPMENTS MACHINERY MAINTEA EQUIPMENTS MACHINERY MAINTEA	315.20 425.98 Total : 741.18
213108	3/3/2016	ai050c ALHAMBRA AND SIERRA SPRINGS, 28779	5139740 02212016		WATER WATER	48.46 Total : 48.46
213109	3/3/2016	ai047c ALHAMBRA AND SIERRA SPRINGS, 32748	6037959 022116		WATER WATER WATER WATER WATER	8.75 8.75 8.75 8.75 8.76 Total : 43.76
213110	3/3/2016	am114c AMERICAN MESSAGING	W4101516QC		RADIO MAINTENANCE RADIO MAINTENANCE	21.11 Total : 21.11
213111	3/3/2016	at110c AT & T MOBILITY-287016673845	287016673845x022316		UTILITIES - TELEPHONE UTILITIES - TELEPHONE UTILITIES - TELEPHONE	129.46 74.11 Total : 203.57
213112	3/3/2016	at114c AT & T MOBILITY-876700579	876700579x022316		UTILITIES - TELEPHONE UTILITIES - TELEPHONE UTILITIES - TELEPHONE	55.87 60.00

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213112	3/3/2016	at114c AT & T MOBILITY-876700579	(Continued)		UTILITIES - TELEPHONE	60.00
					UTILITIES - TELEPHONE	60.00
					UTILITIES - TELEPHONE	60.00
					Total :	295.87
213113	3/3/2016	at079c AT&T - 119112770-7	01/16/16-02/15/16		PROGRAMMING SERVICES	
					PROGRAMMING SERVICES	90.00
					Total :	90.00
213114	3/3/2016	at050c ATHENS ADMINISTRATORS, WORKERS' (03/01/2016STMT			W.C. CLAIM PAYMENT EXPENSE	
					W.C. CLAIM PAYMENT EXPENSE	1,401.51
					Total :	1,401.51
213115	3/3/2016	ba036c BARBIER SECURITY GROUP	R-35034		MARCH 12TH BEER GARDEN	
					MARCH 12TH BEER GARDEN	224.00
					Total :	224.00
213116	3/3/2016	ba550c BAY AREA BARRICADE SERVICE,INC	0335615-IN		MISC. SUPPLIES	
					MISC. SUPPLIES	239.04
					SIGNS	3,000.00
					Total :	3,239.04
213117	3/3/2016	br150c BRANDON TIRE SUPPLY, INC.	IN00151551		TIRE DISPOSAL	
					TIRE DISPOSAL	32.00
					Total :	32.00
213118	3/3/2016	ch250c CHEVRON & TEXACO BUSINESS CARD	02/22/2016STMT		FUEL - GASOLINE	
					FUEL - GASOLINE	238.95
					FUEL - GASOLINE	240.77
					FUEL - GASOLINE	66.45
					FUEL - GASOLINE	463.59
					FUEL - GASOLINE	1,079.25
					FUEL - GASOLINE	309.17
					FUEL - GASOLINE	849.52
					FUEL - GASOLINE	442.92

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213118	3/3/2016	ch250c CHEVRON & TEXACO BUSINESS CARD	(Continued)		FUEL - DIESEL	262.44
					FUEL - DIESEL	589.49
					TAX FEES	45.43
					Total :	4,587.98
213119	3/3/2016	co136c CODE SOURCE	8603		602 CHAPMAN AVE - DECK REPLAC	580.00
			8710		602 CHAPMAN AVE - DECK REPLAC	
			8711		FEB 1-14, 2016 FIELD INSPECTION	3,620.00
			8712		FEB 1-14, 2016 FIELD INSPECTION	880.00
			8713		FEB1-14, 2016 FIELD INSPECTION	380.00
			8714		FEB 1-14, 2016 FIELD INSPECTION	140.00
			8715		JAN-15-31,2016 FIELD INSPECTION	3,500.00
					JAN 15-31 FIELD INSPECTION	100.00
					Total :	9,200.00
213120	3/3/2016	co121c COMCAST- 028617, 0208847, 5594, 0010	02/14/2016STMT		REC. CTR. "DSL" LINE	
					REC. CTR. "DSL" LINE	111.20
					Total :	111.20
213121	3/3/2016	co195c CORPORATE PAYMENT SYSTEMS	02/14/2016STMT		MEETING EXPENSE	228.73
					MEETING EXPENSE	23.88
					OFFICE SUPPLIES	1,272.28
					TRAINING/EDUCATION	529.45
					OFFICE SUPPLIES	333.23
					MARKETING	36.30
					MISC. SUPPLIES	322.00
					TELEPHONE	534.32
					MISC. SUPPLIES	

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213121	3/3/2016	co195c	CORPORATE PAYMENT SYSTEMS	(Continued)		
					TRAINING/EDUCATION	724.40
					RECREATION SUPPLIES	403.59
					OFFICE SUPPLIES	39.86
					MARKETING	49.99
					GASOLINE	163.06
					MISC. SUPPLIES	38.14
					AUTO PARTS	41.49
					BLDG MAINT. SUPPLIES	114.34
					FOOD	27.20
					EQUIPMENT SUPPLIES	667.20
					SAFETY SUPPLIES	184.48
					MEETINGS	37.00
					TOOLS & EQUIP.	26.85
					IJ SUBSCRIPTION	306.44
					FOOD	158.15
					SERVICES	49.00
					RECREATION SUPPLIES	687.67
					REFERENCE MATERIALS	92.14
					CONFERENCE EXPENSE	300.00
					MEETING	35.82
					CONFERENCE EXPNESE	429.00
					MISC. SUPPLIES	21.60
					MISC. SUPPLIES	200.33
					SENIOR PROGRAMS	489.85
					RECREATION SUPPLIES	31.46
					OFFICE SUPPLIES	185.70
					OFFICE SUPPLIES	22.07
					RECREATION SUPPLIES	604.69
					SENIOR PROGRAMS	222.38
					MARKETING	50.00
					VEHICLE MAINT.	253.62
					GATE REPAIRS	21.12
					PLAYGROUND	135.00

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213121	3/3/2016	co195c	CORPORATE PAYMENT SYSTEMS	(Continued)		
					MISC. SUPPLIES	158.84
					OFFICE SUPPLIES	496.36
					AGGREGATES & BINDERS	1,094.63
					MISC. SUPPLIES	269.88
					PLANTING SUPPLIES	507.13
					MEETING	16.00
					MISC. SUPPLIES	13.09
					MISC. SUPPLIES	97.58
					MISC. SUPPLIES	-157.00
					MAILINGS	97.54
					TEAM BUILDING	107.21
					TEAM BUILDING	37.21
					RECREATION SUPPLIES	317.40
					MISC. SUPPLIES	197.83
					BLDG MAINT.	27.75
					BLDG MAINT. SUPPLIES	55.69
					RECREATION SUPPLIES	57.60
					GASOLINE	4.01
					RECREATION SUPPLIES	-431.56
					SENIOR PROGRAMS	241.30
					MARKETING	314.18
					BLDG. MAINT.	159.63
					Total :	13,776.13
213122	3/3/2016	co755c	CORTE MADERA CHAMBER OF COMM., JANUARY 2016			
					CONTRIBUTION & SUBSIDIES	
					CONTRIBUTION & SUBSIDIES	12,157.55
					ADMIN	172.00
					FINANCE DEPT COST RECOVERY	-172.00
					Total :	12,157.55
213123	3/3/2016	pe176c	CORTE MADERA-PERS HEALTH BENEF 03/01/2016STMT			
					SERVICE CHARGE	
					SERVICE CHARGE	355.66
					RETIRED	6,000.00

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213123	3/3/2016	pe176c CORTE MADERA-PERS HEALTH BENEF	(Continued)		LAPPERT, MICHAEL	746.47
					PRETE	-133.53
					QUADROS	-133.53
					LAMBERT, DAVID	-1,940.82
					Total :	4,894.25
213124	3/3/2016	ma120c COUNTY OF MARIN	JANUARY 2016		MARIN TOURISM IMPROVE DISTRIK	
					MARIN TOURISM IMPROVE DISTRIK	12,157.55
					ADMIN	172.00
					FINANCE DEPT COST RECOVERY	-172.00
					Total :	12,157.55
213125	3/3/2016	da025c D & K AUTO SERVICES	49657		2014 - HONDA RIDGELINE - S72 MC	
			49714		2014 - HONDA RIDGELINE - S72 MC	120.89
			49738		2001 DOGE - S54 - MOTOR VEHICL	
			49739		2001 DOGE - S54 - MOTOR VEHICL	104.60
			49740		ANTI-FREEZE COOLANT	
					ANTI-FREEZE COOLANT	137.01
					OIL FILTER	
					OIL FILTER	54.50
					HYDRAULIC STRUT	
					HYDRAULIC STRUT	58.75
					Total :	475.75
213126	3/3/2016	dc115c DC ELECTRIC GROUP, INC.	25397		M5005-SL ROUTINE	
			25423		M5005-SL ROUTINE	1,085.76
					1872 REDWOOD HWY DAMGE DEF	
					1872 REDWOOD HWY DAMGE DEF	212.55
			25424		M1005-TS ROUTINE	1,960.07
					M1006-TS RESPONSE	
					M1006-TS RESPONSE	654.41
			25441		BANNER INSTALLATION FOR THE	
					BANNER INSTALLATION FOR THE	787.20
					Total :	4,699.99

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213127	3/3/2016	de105c DE FRANCIS, TONI	02/29/2016STMT		MINUTES CLERK MINUTES CLERK	320.00
					Total :	320.00
213128	3/3/2016	de305c DELTA DENTAL OF CALIFORNIA	MARCH 2016-PREMIUM		RETIREE HEALTH INSURANCE RETIREE HEALTH INSURANCE	1,560.09
					Total :	1,560.09
213129	3/3/2016	em112c EMERGENCY VEHICLE GRP, INC	R-35736		MOTOR VEHICLE REPLACEMENT F MOTOR VEHICLE REPLACEMENT F	30.42
					Total :	30.42
213130	3/3/2016	ev109c EVERBANK COMMERCIAL FINANCE	3592835		PHOTOCOPYING EQUIPMENT MAIN PHOTOCOPYING EQUIPMENT MAIN	25.33
					Total :	25.33
213131	3/3/2016	fa110c FASTENAL	CASAR18655		HAND TOOLS, MINOR EQUIPMENT HAND TOOLS, MINOR EQUIPMENT	12.04
					Total :	12.04
213132	3/3/2016	fo185c FORSTER & KROEGER LANDSCAPE, MA 5365			JANUARY 2016 - FLOOD CONTROL JANUARY 2016 - FLOOD CONTROL JANUARY 2016- PARKS JANUARY 2016 - SEWER /SANITAR' JANUARY 2016- STREETS	15,675.00 11,400.00 9,405.00 7,125.00
					Total :	43,605.00
213133	3/3/2016	go410c GOLDEN STATE CHEMICAL & SUPPLY	888786		PLASTIC SOUP SPOONS/CLOROX' PLASTIC SOUP SPOONS/CLOROX'	267.44
			888787		VIONEX ANTI- HANDSOAP VIONEX ANTI- HANDSOAP	237.30
			888795		MISC. SUPPLIES MISC. SUPPLIES	400.00
					JANITORIAL SUPPLIES	1,130.81
			888796		DOGI LINERS DOGI LINERS	1,511.08

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213133	3/3/2016	go410c GOLDEN STATE CHEMICAL & SUPPLY	(Continued) 888797		JANITORIAL SUPPLIES JANITORIAL SUPPLIES SAFETY & PROTECTIVE ITEMS	2,000.00 338.78
					Total :	5,885.41
213134	3/3/2016	gr027c GREEN VALLEY TRACTOR, INC.	121739		EQUIPMENT, MACHINERY & REPLA EQUIPMENT, MACHINERY & REPLA	367.69
					Total :	367.69
213135	3/3/2016	he125c HEPPNER RISK MGMT., DARRELL	03/01/2016STMT		RISK MGMT - HEPPNER RISK MGMT - HEPPNER RISK MGMT - HEPPNER RISK MGMT - HEPPNER	1,784.25 1,785.00 397.00
					Total :	3,966.25
213136	3/3/2016	jo124c JOHNSON, ROBERT B.	6522		LAGOON 2 - NEW LED LIGHT AT PS LAGOON 2 - NEW LED LIGHT AT PS	750.00
					Total :	750.00
213137	3/3/2016	ko200c KOCH, JANICE	JAN-FEB, 2016		ADVERTISING FOR CSR ADVERTISING FOR CSR JOB AD PERMIT TECH 2ND CUSTOMER SERVICE REP RE F/P RECRUITMENT	199.00 105.00 31.00 877.14
					Total :	1,212.14
213138	3/3/2016	ln075c L.N. CURTIS & SONS	1383114-00 1385753-01		HAND TOOLS AND MINOR EQUIPM HAND TOOLS AND MINOR EQUIPM CLOTHING, UNIFORMS CLOTHING, UNIFORMS	223.45 306.30
					Total :	529.75
213139	3/3/2016	la275c LARKSPUR, CITY OF	02/23/2016STMT		FUEL - DIESEL FUEL - DIESEL	342.42

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213139	3/3/2016	la275c la275c LARKSPUR, CITY OF	(Continued)			Total : 342.42
213140	3/3/2016	le115c LEHR AUTO ELECTRIC	01 120010		MOTOR VEHICLE REPLACEMENT F MOTOR VEHICLE REPLACEMENT F	136.71 Total : 136.71
213141	3/3/2016	ma950c MARIN H2O, INC.	65767		SALTBAG SALTBAG	218.00 Total : 218.00
213142	3/3/2016	ma026c MARIN HUMANE SOCIETY	02/25/2016STMT		CONTRACT INSTRUCTOR CONTRACT INSTRUCTOR	1,931.50 Total : 1,931.50
213143	3/3/2016	mu114c MUNICIPAL CODE CORPORATION	0107307-IN		EQUIPMENT, MACHINERY REPLAC EQUIPMENT, MACHINERY REPLAC	137.89 Total : 137.89
213144	3/3/2016	ne040c NELSON PERSONNEL SERVICES	6107674		PART TIME HELP - LISA HARPER PART TIME HELP - LISA HARPER PART TIME HELP - JOANNE OHEHII PART TIME HELP - LISA HARPER - / PART TIME HELP - JOANNE OHEHII	552.75 868.75 1.25 5.00 Total : 1,427.75
213145	3/3/2016	of026c OFFICE DEPOT - TOWN HALL	826294223001		OFFICE SUPPLIES OFFICE SUPPLIES MEETINGS MEETINGS MEETINGS MEETINGS MEETINGS MEETINGS	83.90 24.42 24.42 24.42 24.42 24.42 24.36 Total : 230.36
213146	3/3/2016	of029c OFFICE DEPOT-FIRE-89507905, FILE #81	825360286001		OFFICE SUPPLIES	

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213146	3/3/2016	of029c OFFICE DEPOT-FIRE-89507905, FILE #81 (Continued)				
					OFFICE SUPPLIES	158.41
					OFFICE SUPPLIES	13.45
					OFFICE SUPPLIES	168.78
			825360479001		OFFICE SUPPLIES	
					OFFICE SUPPLIES	98.09
					Total :	438.73
213147	3/3/2016	on025c ONGARO & SONS, INC., ERNEST	163036		ADJUST REFRIGERANT CHARGE	
					ADJUST REFRIGERANT CHARGE	388.96
					Total :	388.96
213148	3/3/2016	pa175c PACIFIC GAS & ELECTRIC	02/22/2016STMT		UTILITIES - ELECTRICITY	
					UTILITIES - ELECTRICITY	603.14
					UTILITIES - ELECTRICITY	543.07
					UTILITIES - ELECTRICITY	344.64
					UTILITIES - ELECTRICITY	3,863.49
					UTILITIES - ELECTRICITY	240.19
					UTILITIES - ELECTRICITY	505.87
					UTILITIES - ELECTRICITY	687.56
					UTILITIES - ELECTRICITY	2,306.71
					UTILITIES - ELECTRICITY	7,293.28
					UTILITIES - NATURAL GAS	122.38
					UTILITIES - NATURAL GAS	496.92
					UTILITIES - NATURAL GAS	28.41
					UTILITIES - NATURAL GAS	419.44
					MARIN CLEAN ENERGY	345.71
					MARIN CLEAN ENERGY	310.77
					MARIN CLEAN ENERGY	176.35
					MARIN CLEAN ENERGY	2,055.44
					MARIN CLEAN ENERGY	94.93
					MARIN CLEAN ENERGY	219.00
					MARIN CLEAN ENERGY	344.12
					MARIN CLEAN ENERGY	2,170.00
					MARIN CLEAN ENERGY	2,647.58

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213148	3/3/2016	pa175c PACIFIC GAS & ELECTRIC	(Continued)		MARIN CLEAN ENERGY	363.41
					UTILITIES - ELECTRICITY	661.04
					UTILITIES - NATURAL GAS	250.33
					UTILITIES - NATURAL GAS	318.36
					Total :	27,412.14
213149	3/3/2016	ri042c RICOH USA, INC., (FIRE)	96358955		CANNON LEASE	
					CANNON LEASE	313.52
					Total :	313.52
213150	3/3/2016	ro450c ROY'S SEWER SERVICE, INC.	192681		MONTECITO - CLEARED CLOGGED	
					MONTECITO - CLEARED CLOGGED	435.00
					Total :	435.00
213151	3/3/2016	ti124c TIFCO INDUSTRIES	71126329		MISC. SUPPLIES	
					MISC. SUPPLIES	103.75
					TIRES	100.00
					TIRES	100.00
					TIRES	100.00
					Total :	403.75
213152	3/3/2016	tu200c TURF STAR, INC.	6926882-00		EQUIPMENT, MACHINERY & REPLA	
					EQUIPMENT, MACHINERY & REPLA	500.00
					EQUIPMENT, MACHINERY & REPLA	342.26
					Total :	842.26
213153	3/3/2016	jo135c VICTOR M. ROJAS, DBA JON'S BUILDING	FEB, 2016 - ENG		JANITORIAL SERVICE - ENG OFFIC	
			FEB-2016, TH		JANITORIAL SERVICE - ENG OFFIC	750.00
					JANITORIAL SERVICE - TOWN HAL	
					JANITORIAL SERVICE - TOWN HAL	1,600.00
					Total :	2,350.00
213154	3/3/2016	vi100c VSP (CA) #00 114728 0001 MAPE, ATTN: /	MARCH 2016 - PREMIUM		MEJIA, GUILLERMO	
					MEJIA, GUILLERMO	17.01
					SANTOS, VERNON	17.01

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213154	3/3/2016	vi100c VSP (CA) #00 114728 0001 MAPE, ATTN: / (Continued)			DOWNING, GARY VELAZQUEZ, ODILON RAVINA, JAMES MITCHELL, MATTHEW PAYES, EDWIN	17.01 17.01 17.01 17.01 17.01
					Total :	119.07
213155	3/3/2016	vi099c VSP (CA) ACCT: 12 220077 0001, ATTN: A MARCH 2016			RETIREE VISION INSURANCE RETIREE VISION INSURANCE	280.11 280.11
					Total :	280.11
213156	3/3/2016	wa295c WATER COMPONENTS	30405366		GATES & PUMPS REPAIR GATES & PUMPS REPAIR	423.56 423.56
					Total :	423.56
213157	3/3/2016	wi028c WILLOUGHBY, HELISANGELA	120		CONTRACT INSTRUCTOR CONTRACT INSTRUCTOR	802.35 802.35
					Total :	802.35
213158	3/3/2016	sm105c WORLD TREE SERVICE, INC.	5985 5986		TREE MAINTENANCE - FIRE BLIGH TREE MAINTENANCE - FIRE BLIGH TREE MAINTENANCE - VALLEY OAI TREE MAINTENANCE - VALLEY OAI	4,275.00 950.00
					Total :	5,225.00
213159	3/3/2016	zi101c ZIONS BANK	02/29/2016STMT		PRINCIPAL RETIREMENT PRINCIPAL RETIREMENT INTEREST EXPENSE	19,467.71 20,238.83
					Total :	39,706.54
54 Vouchers for bank code : bom					Bank total :	211,730.64
54 Vouchers in this report					Total vouchers :	211,730.64

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
213160	3/10/2016	aa101c A & S LANDSCAPE MATERIALS, INC	02/29/2016STMT		TURF - MAINT TOWN PARK TURF - MAINT TOWN PARK TURF - MANIT SAN CLEMENTE	208.94 215.77	
						Total :	424.71
213161	3/10/2016	aa100c A AND P MOVING, INC.	4045286		MONTHLY RECORD STORAGE FEE MONTHLY RECORD STORAGE FEE	35.00	
						Total :	35.00
213162	3/10/2016	ad100c ADTS ALCOHOL AND DRUG, TESTING S	158083		ANNUAL RANDON TESTING ANNUAL RANDON TESTING	696.00	
						Total :	696.00
213163	3/10/2016	ai560c AIRGAS	9048582591		CHEMICALS, GASES CHEMICALS, GASES	278.70	
						Total :	278.70
213164	3/10/2016	am035c AMY SKEWES-COX, AICP	143/24		CORTE MADERA INN REBUILD EIR CORTE MADERA INN REBUILD EIR	4,539.88	
						Total :	4,539.88
213165	3/10/2016	at113c AT & T MOBILITY - 436034976606	01/25/16-02/24/16		UTILITISE - TELEPHONE UTILITISE - TELEPHONE	139.02	
						Total :	139.02
213166	3/10/2016	bo105c BOUND TREE MEDICAL, LLC	82069080 82071959		MEDICAL SUPPLIES MEDICAL SUPPLIES MEDICAL SUPPLIES MEDICAL SUPPLIES	3,033.18 74.22	
						Total :	3,107.40
213167	3/10/2016	bu050c BUCK'S SAW SERVICE	314269		EQUIPMENT, MACHINERY MAINTENANCE EQUIPMENT, MACHINERY MAINTENANCE	83.65	
						Total :	83.65
213168	3/10/2016	cl107c CLIA LABORATORY PROGRAM	02/23/2016STMT		CERTIFICATE FEE		

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213168	3/10/2016	cl107c CLIA LABORATORY PROGRAM	(Continued)		CERTIFICATE FEE	150.00
					Total :	150.00
213169	3/10/2016	co008c COASTLAND CIVIL ENG., INC.	38820	1866	FY 2015-16 PAVEMENT REHABILITA ENGINEERING DESIGN SERVICES-	25,480.53
					Total :	25,480.53
213170	3/10/2016	co136c CODE SOURCE	8717		EXTERIOR SITE IMPROVEMENTS - EXTERIOR SITE IMPROVEMENTS -	700.00
			8739		TI - 5627 PARADISE DR - NUGGET I TI - 5627 PARADISE DR - NUGGET I	500.00
					Total :	1,200.00
213171	3/10/2016	co121c COMCAST- 028617, 0208847, 5594, 0010(02/20/2016STMT			CABLE TV CABLE TV	126.05
					Total :	126.05
213172	3/10/2016	co196c COSTELLO, HEATHER	R-35803		MEMBERSHIP, DUES & SUBSCRIPT MEMBERSHIP, DUES & SUBSCRIPT MEMBERSHIP, DUES & SUBSCRIPT	100.00 100.00 100.00
					Total :	200.00
213173	3/10/2016	cr066c CROPPER ACCOUNTANCY CORP.	1130		AUDIT FOR FINANCIAL STATEMENT AUDIT FOR FINANCIAL STATEMENT MARIN SANITARY DISTRICT #2	5,000.00 500.00
					Total :	5,500.00
213174	3/10/2016	pc101c DANG, MICHAEL	9049		DATA PROCESSING SUPPLIES DATA PROCESSING SUPPLIES DATA PROCESSING SUPPLIES DATA PROCESSING SUPPLIES DATA PROCESSING SUPPLIES DATA PROCESSING SUPPLIES DATA PROCESSING SUPPLIES TOWN WIDE NEW WORK SYSTEM	199.99 29.98 29.99 24.99 299.99 1,974.34 7,360.00

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213174	3/10/2016	pc101c DANG, MICHAEL	(Continued)		SEWER	-920.00
					FIRE	-460.00
					RECREATION	-517.50
					BUILDING	-402.50
					SEWER	920.00
					FIRE	460.00
					RECREATION	517.50
					BUILDING	402.50
					DATA PROCESSING SUPPLIES	199.99
					Total :	10,119.27
213175	3/10/2016	da120c DAVID KEANE	03/01/2016STMT		GENERAL ENG.	
					GENERAL ENG.	2,500.00
					GENERAL SANITARY	725.00
					PLAN CHECK	5,275.00
					SANITARY PLAN CHECK	1,125.00
					Total :	9,625.00
213176	3/10/2016	de105c DE FRANCIS, TONI	03/07/2016STMT		MINUTES CLERK	
					MINUTES CLERK	200.00
					Total :	200.00
213177	3/10/2016	ev110c EVANS, REBECCA	R-34903		REFUND OF CLASS #2112 ART	
					REFUND OF CLASS #2112 ART	5.00
					Total :	5.00
213178	3/10/2016	ge120c GEORGE HILLS COMPANY, INC.	INV1010271		MONTHLY LIAB. CLAIMS ADMIN. FE	
					MONTHLY LIAB. CLAIMS ADMIN. FE	626.86
					Total :	626.86
213179	3/10/2016	gh102c GHD INC.	59796		VILLATE AT CORTE MADERA 2016 E	
					VILLATE AT CORTE MADERA 2016 E	10,833.70
					Total :	10,833.70
213180	3/10/2016	gl102c GLOBALSTAR USA	1000000007138977		UTILITIES - TELEPHONE	

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213180	3/10/2016	gl102c GLOBALSTAR USA	(Continued)		UTILITIES - TELEPHONE	45.47
					Total :	45.47
213181	3/10/2016	gr064c GRAINGER (REC.)	9033955957		BUILDING MAINTENANCE SUPPLIE BUILDING MAINTENANCE SUPPLIE	424.80
					Total :	424.80
213182	3/10/2016	ha050c HAGEL SUPPLY COMPANY	350679 350894		JANITORIAL SUPPLIES JANITORIAL SUPPLIES JANITORIAL SUPPLIES JANITORIAL SUPPLIES	183.67 52.99
					Total :	236.66
213183	3/10/2016	he105c HERTZ EQUIPMENT RENTAL	28502623-001		TILLER - REAR TINE - EQUIPMENT TILLER - REAR TINE - EQUIPMENT	73.63
					Total :	73.63
213184	3/10/2016	ho175c HORIZON	1Q063862		IRRIGATION SUPPLIES IRRIGATION SUPPLIES	155.20
					Total :	155.20
213185	3/10/2016	in114c INVOICE PROCESSING DEPT.	1691633040420		BRIDGE TOLL BRIDGE TOLL	7.25
					Total :	7.25
213186	3/10/2016	ir020c IRON MOUNTAIN	MHS0129		RECORD STORAGE RECORD STORAGE	157.00
					Total :	157.00
213187	3/10/2016	ja025c JACKSON'S HARDWARE, INC.	02/29/2016STMT		EQUIP. AND MACHINERY REPLACE EQUIP. AND MACHINERY REPLACE HAND TOOLS AND MINOR EQUIPM MISC. SUPPLIES	91.66 32.72 78.00
					Total :	202.38
213188	3/10/2016	jj101c JIM CORBET'S ACE HARDWARE	02/28/2016STMT		HAND TOOLS & MINOR EQUIPMEN	

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213188	3/10/2016	jj101c JIM CORBET'S ACE HARDWARE	(Continued)		HAND TOOLS & MINOR EQUIPMEN	33.75
					Total :	33.75
213189	3/10/2016	jo024c JONES, TERRY	4062		CONSULTING CONSULTING	585.00
					Total :	585.00
213190	3/10/2016	kb100c KBA DOCUSYS	INV414501		YELLOW TONER - FOR PLANNING YELLOW TONER - FOR PLANNING	12.95
					Total :	12.95
213191	3/10/2016	ma208c MARIN INDEPENDENT JOURNAL	02/29/2016STMT		PLANNING COMMISSION NOTICE C PLANNING COMMISSION NOTICE C	496.80
					Total :	496.80
213192	3/10/2016	ma605c MARIN RESOURCE RECOVERY CENTE	1125203		CONTAMINIATED DRC CONTAMINIATED DRC	110.00
					Total :	110.00
213193	3/10/2016	ma177c MARIN TROPHIES	0998		OFFICE SUPPLIES - NAME PLATE E OFFICE SUPPLIES - NAME PLATE E	24.67
					Total :	24.67
213194	3/10/2016	ma620c MARINSCOPE COM. NEWSPAPERS	G 41301		SUMMER CAMP GUIDE SUMMER CAMP GUIDE	276.00
					Total :	276.00
213195	3/10/2016	oh100c O'HEHIR, JOANNE	NO. 3		74 SONORA 74 SONORA 30 PRINCE ROYAL 11 MADRONO MINTUES CLERK	200.20 200.20 214.50 130.00
			NO. 4		PLANNING COMMISSION MEETING PLANNING COMMISSION MEETING	536.25
					Total :	1,281.15

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213196	3/10/2016	on102c O'NEIL CUSTOM BAGS &	16197		MISC. SUPPLIES MISC. SUPPLIES	1,143.41
					Total :	1,143.41
213197	3/10/2016	pr111c PROTECTION ONE ALARM MON., INC	107792402		UTILITIES - WIRE SYSTEMS UTILITIES - WIRE SYSTEMS	41.81
					Total :	41.81
213198	3/10/2016	re036c RED VALVE COMPANY, INC.	639175		GATES PUMPS & REPAIRS GATES PUMPS & REPAIRS	3,710.82
					Total :	3,710.82
213199	3/10/2016	re024c RESOLVE INSURANCE SYSTEMS	FEBRUARY 2016		COLLECTION AGENCY AMBULANCE COLLECTION AGENCY AMBULANCE	467.33
					Total :	467.33
213200	3/10/2016	sa122c SAN RAFAEL, CITY OF	03/02/2016STMT		RENTAL OF ALBERT PARK RENTAL OF ALBERT PARK	1,848.00
					Total :	1,848.00
213201	3/10/2016	sh100c SHAMROCK MATERIALS, INC. 11735	909558		RIP RAP RIP RAP	706.21
					Total :	706.21
213202	3/10/2016	so063c SONIC.NET, INC.	8432394		TOWN 'DSL' LINE TOWN 'DSL' LINE	500.95
					Total :	500.95
213203	3/10/2016	ta180c TAMALPAIS PAINT & COLOR-TOWN	02/29/2016 DISC 02/29/2016STMT		DISCOUNT TAKEN DISCOUNT TAKEN BUILDING MAINTENANCE SUPPLIE BUILDING MAINTENANCE SUPPLIE	-1.15 115.69
					Total :	114.54
213204	3/10/2016	ta115c TARGETSOLUTIONS	INV00000011605		EDUCATION & TRAINING SERVICE EDUCATION & TRAINING SERVICE	1,959.00

Voucher List
TOWN OF CORTE MADERA

Bank code : bom

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
213204	3/10/2016	ta115c ta115c TARGETSOLUTIONS			(Continued)	Total : 1,959.00
213205	3/10/2016	tr050c TRANSBAY SECURITY SERVICE, INC	62534		MISC. SUPPLIES MISC. SUPPLIES	396.29 Total : 396.29
213206	3/10/2016	va127c VAUGHN, REBECCA	R-35858		RECORDING FEE PAID RECORDING FEE PAID	15.00 Total : 15.00
213207	3/10/2016	wi132c WILLDAN FINANCIAL SVCS.	010-30274		OLD LANDING ROAD SEWER ASSE OLD LANDING ROAD SEWER ASSE	30.98 Total : 30.98
213208	3/10/2016	wo022c WOOD, ETHAN	R-18843		REFUND OF OVERPAYMENT OF DE REFUND OF OVERPAYMENT OF DE	908.00 Total : 908.00
49 Vouchers for bank code : bom						Bank total : 89,335.82
49 Vouchers in this report						Total vouchers : 89,335.82

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**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

REPORT DATE: MARCH 9, 2016
MEETING DATE: MARCH 15, 2016

TO: TOWN MANAGER, MAYOR AND COUNCIL MEMBERS

**FROM: RANDY RIDDLE, TOWN ATTORNEY
JUDITH PROPP, ASSISTANT TOWN ATTORNEY**

**SUBJECT: CONSIDER INTRODUCTION and APPROVAL OF AN AMENDMENT TO
TOWN OF CORTE MADERA MUNICIPAL CODE CHAPTER 9.36.030 –
NOISE ORDINANCE TO RESTRICT THE OPERATION OF GAS
POWERED LEAF BLOWERS**

PURPOSE:

To consider adopting an amendment to the Town of Corte Madera's Noise Ordinance (Town of Corte Madera Municipal Code Chapter 9.36.030) to include restrictions on the operation of gas powered leaf blowers.

STAFF RECOMMENDATION:

Staff recommends that the Town Council, after review of all information and public comment introduce and approve the amendment to Section 9.36.030(e) and Section 9.36.030 (f) of the Town of Corte Madera Municipal Code – Noise Ordinance to add restrictions on the use of gas powered leaf blowers.

TOWN MANAGER'S RECOMMENDATION:

Town Manager supports staff recommendations.

BACKGROUND:

On March 1, 2016 staff presented a draft amendment to the Town's Noise Ordinance (Chapter 9.36.030 of the Corte Madera Municipal Code) to restrict the hours of use of gas

leaf blowers and to require clean up and removal of any debris blown on to public property by a leaf blower for Town Council's consideration.

Town Council provided direction to staff to return with a modification of the noise ordinance to (1) restrict the hours of use for leaf blowers, and (2) require that all substances (leaves, dirt, debris, etc.) blown with a leaf blower are cleaned up and removed from public property so that they do not enter the storm drain system.

FISCAL IMPACT:

The implementation and enforcement of the noise ordinance amendment to restrict the use of leaf blowers will not have an impact on the Town's General Fund.

ENVIRONMENTAL ASSESSMENT

This amendment to the Town Municipal Code does not constitute a project at this time and is not subject to the California Environmental Quality Act (CEQA).

DISCUSSION

Council considered limiting the hours of operation for motorized leaf blowers or alternatively, a ban on motorized leaf blowers at its meeting on August 4, 2015. Based on complaints and calls for service, the Central Marin Police Authority (CMPA) recommended amending the Town's Noise Ordinance (Section 9.36) to limit the hours of operation of motorized leaf blowers similar to the limits adopted by the Town of San Anselmo. The Town of San Anselmo restricts the hours of operation to Monday, Thursday and Saturday from 1:00 p.m. to 4:00 p.m. for a time limit of 30 minutes per property.

On March 1, 2016 Town Council reviewed the proposed amendment limiting the hours of operation of motorized leaf blowers to Monday through Friday from 8:00 a.m. to 5:00 p.m. and on Saturdays and Sundays from 10:00 a.m. to 4:00 p.m. The Town's use of gas powered leaf blowers was expressly exempted from the hours of operation. Additionally, in order to alleviate debris and plant materials from entering into the Town's storm drain system, the Noise Ordinance includes a requirement that any person operating a leaf blower is required to clean up and remove any leaves, dirt or debris blown on to public property or public right-of-way.

A new section for Town Council's consideration is also included that makes a violation of the leaf blower provisions subject to a verbal or written warning or an infraction, subject to the discretion of the CMPA. A copy of Section 9.36.030 with new subsections (e), (f) and (g) is attached showing the proposed changes (Attachment 1).

OPTIONS

1. Introduce and approve an Ordinance amending Section 9.36.030 of the Town of Corte Madera Municipal Code.
2. Reject the proposed amendment to Section 9.36.030 of the Town of Corte Madera Municipal Code.

3. Provide further direction to Staff.

ATTACHMENT

1. Town of Corte Madera Noise Ordinance Section 9.36.030 with proposed leaf blower revisions.

ATTACHMENT 1:

**Town of Corte Madera Noise Ordinance
Section 9.36.030 with proposed leaf blower revisions**

Chapter 9.36 - NOISE

Sections:

9.36.010 - Declaration of policy.

It shall be the policy of the town to prohibit unnecessary, excessive and annoying noises from all sources. At certain levels noises are detrimental to the health, safety and welfare of the citizenry and in the public interest should be systematically proscribed.

(Ord. 668 § 1, 1978)

9.36.020 - Definitions.

Unless the context otherwise clearly indicates, certain words and phrases used in this chapter are defined as follows:

- (1) "Ambient noise" means the all-encompassing noise associated with a given environment, being a composite of sounds from any sources, near and far. For the purpose of this code, ambient noise level is the average over fifteen minutes excluding random or intermittent noises and the alleged offensive noise measured at the location and time of day at which a comparison with an alleged offensive noise is to be made. Averaging may be done by instrumental analysis in accordance with American National Standards S.13-1971, or may be done manually as follows:
 - (A) Observe a sound level meter for five seconds and record the best estimate of central tendency of the indicator needle, and the highest and lowest indications;
 - (B) Repeat the observations as many times as necessary to provide that observations be made at the beginning and at the end of the fifteen-minute averaging period and that there shall be at least as many additional observations as there are decibels between the lowest low indication and the highest high indication;
 - (C) Calculate the arithmetical average of the observed central tendency indications.
- (2) "Decibel" means a unit for measuring the relative loudness of sounds equal approximately to the smallest degree of difference of loudness ordinarily detectable by the human ear whose range includes approximately one hundred thirty decibels on a scale beginning with one for the faintest audible sound.
- (3) "Noise level" means the sound level in decibels dBA measured on the A-weighted scale as defined by the American National Standard Institute specifications S1.41971 or the most recent revision thereof.
- (4) "Noise level measurement." For the purpose of enforcement of the provisions of this chapter, noise level shall be measured on the A-weighted scale with a sound level meter satisfying at least the applicable requirements for Type 1 sound level meters as defined in American National Standard Section 1.4-1971 or the most recent revisions thereof. The meter shall be set for slow response speed, except that for impulse noises or rapidly varying sound levels, fast response speed may be used. Prior to each measurement, the meter shall be verified, and adjusted to ± 0.3 decibel by means of an acoustical calibrator.

For outside measurements the microphone shall be not less than four feet above the ground, at least four and a half feet distant from walls or similar large reflecting surfaces, and shall be protected from the effects of wind, noises and other extraneous sounds by the use of screens, shields or other appropriate devices. For inside measurements, the microphone shall

be at least three feet distant from any wall, and the average sound measurement shall be determined from at least three microphone positions throughout the room.

- (5) "Person" means a person, firm, association, co-partnership, joint venture, corporation, or any entity, public or private.
- (6) "Powered construction equipment" means any tools, machinery or equipment used in connection with construction operations which can be driven by energy in any form other than manpower, including all types of motor vehicles when used in the construction process on any construction site, regardless of whether such construction site be located on-highway or off-highway.
- (7) "Property plan" means the vertical line through the property line which determines the property boundaries in space.
- (8) "Unnecessary, excessive or offensive noise" means, in the absence of specific maximum noise levels, a noise level which exceeds the ambient noise level by 5 dBA or more, when measured at the nearest property line or, in the case of multiple-family residential buildings, when measured anywhere in one dwelling unit with respect to a. noise emanating from another dwelling unit or from common space in the same building.
- (9) "Zoning districts" shall be as defined and described in Title 18 of this code.

(Ord. 668 § 2, 1978)

9.36.030 - Specific maximum noise levels.

- (a) Except as modified in subsections (c) and (d) below, it is unlawful for any person to operate any machinery or equipment, pump, fan, air-conditioning apparatus, or similar mechanical device or any radio receiving set, musical instrument, phonograph, television set, or other similar device in any manner so as to create any noise which would cause the noise level at the property plane of the property from which the noise is emitted to exceed the following values:

TABLE 1

Zoning District	Time	Sound Level dBA
R-1-A, R-1, R-2	10 p.m.—7 a.m.	50
R-1-A, R-1, R-2	7 a.m.—10 p.m.	55
P, C	10 p.m.—7 a.m.	60
P, C	7 a.m.—10 p.m.	70

- (b) If the measurement location is on a boundary between two zoning districts, the lower sound level shall apply.
- (c) The provisions of subsection (a) shall not apply to construction or demolition work performed during the following times: Monday through Fridays from seven a.m. to five p.m.; and Saturdays and Sundays from ten a.m. to five p.m.; provided, that all powered construction equipment is equipped

with intake and exhaust mufflers recommended by the manufacturers thereof; and provided, further, pavement breakers and jackhammers shall also be equipped with acoustical attenuating shields or shrouds recommended by the manufacturers thereof. In lieu of or in the absence of manufacturer's recommendations, the town engineer shall have the authority to prescribe such means of accomplishing maximum noise attenuation as he deems to be in the public interest, considering the available technology and economic feasibility. Additionally, the provisions of subsection (a) shall not apply to motorized landscape equipment (lawn mowers, shears, and similar equipment), excepting gas powered leaf blowers, operated during the following times: Monday through Friday from seven a.m. to five p.m. and Saturdays and Sundays from ten a.m. to five p.m.

- (d) The provisions of subsection (a) shall not apply to any burglar alarm or other emergency signalling device, nor to any standby machinery or equipment necessarily operated in emergency situations.
- (e) It shall be unlawful for any person to operate a gas powered leaf blower within the Town except on Monday through Friday from eight a.m. to five p.m. and on Saturdays and Sundays from ten a.m. to four p.m. This provision shall not apply to on-duty Town staff while on Town property or other public property in the normal course of their duties. The provisions of subsection (a) shall not apply to gas powered leaf blowers.
- (f) It shall be unlawful for any person who operates any leaf blower within the Town to allow any leaves, dirt or any other debris to enter the storm drain system. All leaves, dirt, or any other debris blown on to public property or in the public right-of-way must be cleaned up and removed.
- (g) Violations of Section 9.36.030(e) or (f) regarding leaf blowers shall be subject to an enforcement process that includes, but is not limited to, a verbal or written cease and desist warning. Any violation of subsection (e) or (f) shall constitute an infraction. Each calendar day any such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(Ord. 668 § 3, 1978)

9.36.040 - General noise regulations.

Notwithstanding any other provision of this chapter, and in addition thereto, it is unlawful for any person without justification to make or continue, or cause to permit to be made or continued, any unnecessary, excessive or offensive noise, as defined in Section 9.36.020(8), which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standards which shall be considered in determining whether a violation of this section exists shall include, but not be limited to:

- (1) The level of the noise;
- (2) Whether the nature of the noise is usual or unusual;
- (3) Whether the origin of the noise is natural or unnatural;
- (4) The level of the background noise, if any;
- (5) The proximity of the noise to residential sleeping facilities;
- (6) The nature and zoning of the area within which the noise emanates;
- (7) The density of the inhabitation of the area within which the noise emanates;
- (8) The time of the day or night the noise occurs;
- (9) The duration of the noise; and
- (10) Whether the noise is recurrent, intermittent or constant.

(Ord. 668 § 4, 1978)

9.36.050 - Variances.

Where practical difficulties, unnecessary hardship, or results inconsistent with the purposes of this chapter may result from a strict application of the requirements of this chapter, a variance from such requirements may be granted as provided in Chapter 18.28 of this code.

(Ord. 668 § 8, 1978)

9.36.060 - Violation—Penalty.

A violation of any provisions of this chapter shall constitute a misdemeanor. Each calendar day any such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(Ord. 668 § 5, 1978)

9.36.070 - Violation—Additional remedies.

As an additional remedy, the operation or maintenance of any device, instrument, vehicle or machinery in violation of any provision of this chapter shall be deemed and is declared to be a public nuisance and may be subject to summary abatement, to a restraining order, or to a (temporary or permanent) injunction issued by a court of competent jurisdiction.

(Ord. 668 § 6, 1978)

9.36.080 - Violation—Enforcement by private action.

In addition to the other remedies specified herein, any person affected or whose property is affected by a violation of this chapter, which shall be established according to the standards contained in this chapter, shall have a direct right of action against the violator in any court of competent jurisdiction for the abatement of such violation and/or to recover not to exceed five hundred dollars plus court costs and reasonable attorney fees for each day a violation has occurred, provided such action is commenced not later than sixty days from the date of such violation.

(Ord. 668 § 7, 1978)

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**CORTE MADERA TOWN COUNCIL
STAFF REPORT**

REPORT DATE: MARCH 10, 2016

MEETING DATE: MARCH 15, 2016

TO: TOWN MANAGER, MAYOR AND COUNCIL MEMBERS

FROM: ADAM WOLFF, DIRECTOR OF PLANNING AND BUILDING

SUBJECT: CONSIDERATION OF GENERAL PLAN AMENDMENT TO ADD THE HIGHWAY COMMERCIAL ZONING DISTRICT (C-3) AS AN APPLICABLE ZONING DISTRICT WITHIN THE MIXED-USE COMMERCIAL LAND USE DESIGNATION (PAGE 2-21 OF THE CORTE MADERA 2009 GENERAL PLAN) AND INTRODUCTION OF A ZONING ORDINANCE AMENDMENT TO REMOVE, WITHIN THE HIGHWAY COMMERCIAL ZONING DISTRICT (C-3), *RESIDENTIAL UNITS IN LOCATIONS AND AT DENSITIES DETERMINED BY THE PLANNING COMMISSION TO CONFORM TO THE GENERAL PLAN*, AS A PERMITTED CONDITIONAL USE.

PURPOSE:

The Corte Madera Town Council is conducting a public hearing pursuant to California Government Code Sections 65353 and 65854, and Section 18.36.080 of the Corte Madera Municipal Code, to review information, receive public comments, and consider adoption of proposed amendments to the General Plan and Zoning Ordinance. For General Plan and Zoning Ordinance Amendments, the Town Council receives recommendations from the Planning Commission and makes final decisions on such matters.

STAFF RECOMMENDATION:

Staff recommends that the Town Council, after review of all information and public comment, approve the attached resolution for adoption of the General Plan Amendment (Attachment 1) and introduce the attached draft Ordinance amending Section 18.12.020 of the Zoning Ordinance (Attachment 2).

TOWN MANAGER'S RECOMMENDATION:

Town Manager supports staff recommendations.

FISCAL IMPACT:

The adoption of the proposed General Plan and Zoning Ordinance amendments will not have an impact on the Town's General Fund.

BACKGROUND AND DISCUSSION:

The 2009 Corte Madera General Plan is the Town's guiding long-range policy document related to land use, housing, circulation, resource conservation, etc. The Land Use Element of the 2009 Corte Madera General Plan identified and proposed 15 land use designations intended to define the type, intensity, distribution, and location of land uses in Corte Madera. While the General Plan defines the proposed land uses in the Town, the Town's Zoning Ordinance controls allowable uses and development standards. Pursuant to State Law (California Government Code Section 65860), the Town's Zoning Ordinance and its General Plan must be consistent with each other meaning that the various land uses and development standards authorized by the Zoning Ordinance must be compatible with the objectives, policies, general land uses, and programs specified in the General Plan.

GENERAL PLAN AMENDMENT

The 2009 General Plan changed the land use designation of several commercial properties in Corte Madera from Region-Serving Commercial, Commercial Services, Local Serving Commercial, Office, and Industrial, as defined in Corte Madera's 1989 General Plan (Map 1 of Attachment 3), to Mixed-Use Commercial, a new General Plan land use designation intended to allow both commercial and residential uses (Map 2 of Attachment 3).

The Mixed-Use Commercial land use designation is described on page 2-21 of the 2009 General Plan as follows:

Mixed-Use Commercial:

This designation is intended to support infill activities, and site and building redevelopment of existing neighborhood commercial centers and along commercial corridors. Allowable uses include office, light industrial (non-manufacturing), and commercial services, as well as new housing developments. The designation is intended to encourage a variety of community activities and services to co-exist in close proximity to one-another (such as jobs, housing and services), thereby reducing the need for extensive automobile travel. Reduced parking standards may be allowed when the site is located within .25 mile of a transit stop.

Minimum Lot Size: 20,000 square feet

Floor Area Ratio: Up to .34

Approximate Development Density: From 15.1 to 25.0 dwelling units per gross acre, and up to 31.0 dwelling units per gross acre if meeting State requirements for density bonus

Approximate Population Density: From 33 to 70 persons per gross acre

Applicable Zoning Districts: O (Professional and Administrative Office District); C-1 (Local Shopping District); C-4 (Commercial Service District); M (Light Industrial District); AHMU (Affordable Housing Mixed-Use District); PD (Planned Development Overlay District); BRNH (Baylands Risk Zone and Natural Habitat Overlay District); also, the Town will amend the Zoning Code to include MRX (Mixed Use District)

The list of “Applicable Zoning Districts” identifies existing zoning districts that were deemed to be compatible or consistent with the new Mixed-Use Commercial land use designation. As evidenced above, when setting these applicable, or compatible, zoning districts, the C-3 (Highway Commercial) zoning district was not included, making properties zoned C-3 inconsistent or incompatible with their land use designation and by extension, inconsistent with the General Plan. In fact, the General Plan does not make the C-3 zoning district consistent or compatible with any of the 15 General Plan land use designations identified in the General Plan.

Staff notes that the omission of the C-3 zoning district from the list of applicable zoning districts appears to be an inadvertent editing error given the following:

- Every other zoning district that contains property re-designated to Mixed-Use Commercial in the 2009 General Plan, including commercial property between San Clemente Drive and Paradise Drive (C-4), along Tamalpais Drive (C-1), at Lucky and Fifer avenues (O), and industrial property on Tamal Vista Boulevard (M), is listed as an applicable or compatible zoning district, and staff could not find any evidence in the General Plan or any other related documents suggesting why the C-3 district was intended to be treated differently;
- No General Plan policies or implementation programs recognize an intention to create an inconsistency between the C-3 zoning district and the Mixed-Use Commercial land use designation and furthermore, no policies or implementation programs were contemplated to specifically address the inconsistency issue created by the C-3 zoning district’s omission;
- The General Plan contains four specific implementation programs (LU-1.4.b, LU-1.5.b, LU-1.6.b, and LU-1.7.b) directing the Town to utilize existing zoning districts until such time as the four Community Plans proposed in the General Plan were to be completed, and no mention was made or direction given about how to administer the existing C-3 zoning district given the inconsistency created by adoption of the Mixed-Use Commercial land use designation as written;
- When discussed with former Corte Madera Planning Department staff who were intimately familiar with the drafting of the 2009 General Plan, they commented that the C-3 zoning district was never intended to be omitted from the list of applicable zoning districts in the Mixed-Use Commercial land use designation; and

- Staff has not been able to come up with any plausible rationale for intentionally omitting C-3 from the list of applicable zoning districts in the Mixed-Use Commercial land use designation, let alone omission from all land use designations in the General Plan.

Nonetheless, this omission will hinder the ability of all property owners located within existing C-3 zoning districts from processing applications for design review, changes of uses, signs, or any other development permits otherwise allowed under the existing C-3 district regulations, due to the current lack of consistency between the Zoning Ordinance and General Plan and the consistency findings required to be made for project approval.

In order to resolve the issue created by the omission, the current staff proposal seeks to add the C-3 zoning district back into the list of applicable zoning districts in the 2009 General Plan's Mixed-Use Commercial land use designation, thereby allowing property owners to pursue applications for permits that, if approved, would permit development, use changes, and/or design changes pursuant to the existing C-3 zoning district regulations.

Currently, staff is aware of two pending applications and one anticipated application for properties within the C-3 zoning district that are immediately impacted by the omission of the C-3 zoning district from the list of applicable zoning districts in the Mixed Use Commercial land use designation. The three applications are:

200 Nellen Redevelopment: A proposal to construct a new two-story, 8,400 square foot retail and office building on the site of an existing used-car lot.

Budget Inn Remodel: A proposal to comprehensively rehabilitate the Budget Inn located at 706 Meadowsweet Drive, including new roofs and exterior materials, new rooms and amenity areas, and to make the structures compliant with FEMA regulations.

Denny's Site Tenant Improvements: A proposal to make exterior modifications to the existing building and add signage for a proposed new tenant.

Staff notes that while other applications have been filed by property owners for property currently zoned C-3 since the adoption of the 2009 General Plan, those applications sought changes to either the Zoning Ordinance or General Plan that had the effect of avoiding the consistency issues described here. For example, the Corte Madera Inn site is within the C-3 zoning district, however, the applicant seeks to amend the General Plan and Zoning Ordinance to create a new land use designation and zoning district that would be consistent with each other, if approved.

Furthermore, for properties located in the C-3 zoning district between Madera Boulevard and Wornum Drive, the Tamal Vista Corridor Study and the implementation of its recommendations, is intended to resolve the existing C-3 consistency issues that exist there.

A map showing the location of all currently-zoned C-3 properties can be found on Map 3 of Attachment 3.

ZONING AMENDMENT

In addition to seeking approval for the General Plan Amendment discussed above, staff believes there is also an opportunity at this time to consider amending the C-3 zoning district to enhance the district's compatibility with the objectives, policies and programs of the General Plan.

Since at least 1978, C-3 zoning districts have allowed, as a conditional use, "residential units in locations and at densities determined by the Planning Commission to conform to the General Plan." However, staff has not found any evidence of a conditional use permit granted under this provision. This is likely because all properties zoned C-3, were, prior to 2009, within General Plan land use designations that did not allow residential units and therefore, the conditional use permit itself, as defined, would not appear to be permitted. As such, the conditional use permit for residential units in C-3 zoning districts was effectively dormant for many years.

If not for the omission of the C-3 zoning district from the list of applicable zoning districts in the Mixed-Use Commercial land use designation in the 2009 General Plan as described above, staff notes the conditional use permit allowing in C-3 zoning districts, "residential units in locations and at densities determined by the Planning Commission to conform to the General Plan," would have become a completely viable route toward the development of residential units since the General Plan's Mixed-Use Commercial land use designation explicitly encourages development of residential units. In effect, the dormant conditional use permit would have become activated.

This is contrary in many ways to the objectives, plans and policies in the 2009 General Plan that, while clearly encouraging residential development in commercial areas, including those within C-3 zoning districts, seek to achieve this goal through adoption of a Community Plan or new Mixed-Use zoning district (referred to as a MRX Zoning District). These policies and programs are identified in 2009 General Plan Implementation Programs LU-1.1.b, Policies LU-1.5, LU-1.6, LU-1.7, and their related implementation programs (Attachment 4). The Tamal Vista Corridor Study and the implementation of its recommendations, in staff's view, is an example of the type of process intended to yield the desired mixed-use regulations contemplated by the General Plan. Staff believes allowing property owners to apply for residential development through the conditional use permit available in the C-3 zoning district, circumvents many of the General Plan policies and programs intended to define mixed-use development standards, something that was not anticipated by the drafters of the 2009 General Plan.

This is evidenced by the fact that the General Plan EIR did not contemplate the development of any residential units within the new Mixed-Use Commercial land use designation, but rather explicitly noted that residential development would need to be analyzed with the adoption of the Community Plans. This is further indication that the utilization of the conditional use permit in existing C-3 zoning districts was not contemplated when the new Mixed-Use Commercial land use designation was adopted.

In order to maintain the General Plan's intended policies, programs and processes for achieving mixed-use development within commercial areas currently zoned C-3, staff believes it would be appropriate to remove the conditional use permit allowing "residential units in locations and at densities determined by the Planning Commission to conform to the General Plan," from the list of conditional use permits in Section 18.12.020 of the Zoning Ordinance.

In the future, if property owners requested to construct mixed-use development consistent with their Mixed-Use Commercial land use designation, the Town would likely need to implement the General Plan Community Plans and/or create new MRX Zoning District to define the type of mixed-use development that meets the Town's objectives prior to processing such application. Alternatively, the Town could proactively undertake the planning necessary to define its development goals and regulations for areas within the Mixed-Use Commercial land use designation as intended in the General Plan.

CONCLUSION

The General Plan Amendment and Zoning Ordinance Amendment proposed by staff would effectively restore to properties within the C-3 zoning district the same set of development rights as existed prior to the 2009 adoption of the General Plan. The proposed amendments would be entirely consistent with the General Plan's intentions and would lay the foundation for future studies and potential changes to the C-3 zoning districts, including the allowance of residential uses, anticipated in the General Plan.

More immediately, the changes would allow existing and anticipated applications for permits pursuant to the existing C-3 zoning district regulations to proceed to the Planning Commission for review.

ENVIRONMENTAL ASSESSMENT

The Planning Department recommends that the project before the Planning Commission is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment, and that the proposed General Plan and Zoning Ordinance amendments are within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168.

PLANNING COMMISSION RECOMMENDATION

On February 23, 2016, the Corte Madera Planning Commission held a duly-noticed public hearing on the proposed General Plan and Zoning Ordinance amendments and approved Resolution 16-007, 5-0 in favor for the General Plan Amendment, and Resolution 16-008, 3-2 in favor for the Zoning Ordinance Amendment, recommending that the Town Council adopt the proposed amendments and determine that the actions will not have a significant effect on the environment for the reasons cited above.

The Planning Commission resolutions are included in this staff report in [Attachment 5](#) and the minutes from the February 23, 2016 public hearing are in [Attachment 6](#).

OPTIONS

1. Approve attached resolutions adopting the General Plan Amendment and introducing the Zoning Ordinance Amendment
2. Approve the attached resolution adopting the proposed General Plan Amendment but denying the Zoning Ordinance Amendment, thereby allowing property owners within C-3 districts to apply for conditional use permits for “residential units in locations and at densities determined by the Planning Commission to conform to the General Plan.”
3. Direct staff to prepare resolutions denying the proposed General Plan and Zoning Ordinance Amendments and direct staff to begin to immediately implement Community Plans or new zoning districts that would define mixed-use development standards for those areas with the Mixed-Use Commercial land use designation. This option would require a similar process as presently being undertaken for the Tamal Vista Corridor.

ATTACHMENTS

1. DRAFT RESOLUTION 05/2016 ADOPTING GENERAL PLAN AMENDMENT
2. DRAFT ORDINANCE xxx
3. MAPS 1, 2, AND 3
4. CITED GENERAL PLAN PROGRAMS AND POLICIES
5. PLANNING COMMISSION ADOPTED RESOLUTIONS FROM 2/23/2016 PUBLIC HEARING
6. PLANNING COMMISSION MINUTES FROM 2/23/16 PUBLIC HEARING

ATTACHMENT 1

**DRAFT RESOLUTION 05/2016
ADOPTING GENERAL PLAN AMENDMENT**

RESOLUTION NO. 5/2016

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA
AMENDING THE TOWN OF CORTE MADERA GENERAL PLAN BY ADDING THE
C-3 ZONING DISTRICT TO THE LIST OF APPLICABLE ZONING DISTRICTS
WITHIN THE MIXED-USE COMMERCIAL LAND USE DESIGNATION OF THE
LAND USE ELEMENT**

WHEREAS, on April 21, 2009, the Town Council of the Town of Corte Madera adopted the Update to the Corte Madera General Plan (the “2009 General Plan”); and

WHEREAS, the 2009 General Plan created a new Mixed-Use Commercial land use designation within its Land Use Element; and

WHEREAS, the list of Applicable Zoning Districts related to the Mixed-Use Commercial land use designation, designates those zoning districts that are consistent or compatible with the Mixed-Use Commercial land use designation; and

WHEREAS, the C-3 zoning district was not included in the list of Applicable Zoning Districts in the Mixed-Use Commercial land use designation, nor was it included in the list of Applicable Zoning Districts in any General Plan land use designation; and

WHEREAS, based on review of the 2009 General Plan and related documents, the omission of the C-3 zoning district in the list of Applicable Zoning Districts in the Mixed-Use Commercial land use designation appears to have been inadvertent; and

WHEREAS, pursuant to California Government Code Section 65860, the various land uses and development standards authorized by the Zoning Ordinance must be compatible with the objectives, policies, general land uses, and programs specified in the General Plan; and

WHEREAS, the Corte Madera Planning Department is in receipt of two applications – one for a new retail and office building at 200 Nellen Avenue and another for the comprehensive rehabilitation of the Budget Inn at 706 Meadowsweet Drive – and anticipates the filing of another – for tenant improvements at the former Denny’s site – for permits intended to allow development pursuant to the existing C-3 zoning district regulations; and

WHEREAS, the processing of such applications, including review by the Planning Commission, is hindered by the current lack of consistency between the Zoning Ordinance and General Plan and the consistency findings required to be made for project approval; and

WHEREAS, other properties that are within the C-3 zoning district would face similar challenges if and when applying for any development permits requiring findings of consistency between the 2009 General Plan and Zoning Ordinance; and

WHEREAS, the Planning Department recommends that the General Plan amendment before the Town Council is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment, and that the proposed General Plan Amendment is within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168; and

WHEREAS, on February 12, 2016, public hearing notices were mailed to all property owners within the C-3 zoning district and to all property owners and tenants within 300 feet of properties zoned C-3, was sent via email to all individuals and groups that have registered on the Town's website to receive Planning Commission notices and/or general community news and information, was posted in accordance with Corte Madera Municipal Code Section 1.08.010, and California Government Code Sections 65090 and 65091(a)(1) and 65091(a)(3), and was published in the Marin Independent Journal, a newspaper of local circulation, on February 13, 2016; and

WHEREAS, on February 23, 2016 the Corte Madera Planning Commission held a public hearing on the proposed General Plan Amendment, and heard testimony from the applicant and interested parties; and

WHEREAS, by Resolution No. 16-007, the Planning Commission did recommend the Town Council adopt an amendment to the General Plan to add the C-3 zoning district to the list of Applicable Zoning Districts within the Mixed-Use Commercial land use designation of the Land Use Element; and

WHEREAS, on March 4, 2016, public hearing notices were mailed to all property owners within the C-3 zoning district and to all property owners and tenants within 300 feet of properties zoned C-3, was sent via email to all individuals and groups that have registered on the Town's website to receive Town Council notices and/or general community news and information, was posted in accordance with Corte Madera Municipal Code Section 1.08.010, and California Government Code Sections 65090 and 65091, and was published in the Marin Independent Journal, a newspaper of local circulation, on March 5, 2016; and

WHEREAS, on March 15, 2016 the Corte Madera Town Council held a public hearing on the proposed General Plan Amendment, and heard testimony from the applicant and interested parties, and accepted the recommendation of the Planning Commission, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Corte Madera does hereby find and resolve as follows:

Section 1. Recitals

The foregoing recitals are true and correct and are incorporated into the findings herein.

Section 2. Record

The Record of Proceedings (“Record”) upon which the Town Council bases its decision regarding this General Plan Amendment includes, but is not limited to: (1) all staff report, Town files and records and other documents prepared for and/or submitted to the Planning Commission and Town Council relating to the General Plan Amendment, (2) the 2009 General Plan; (3) the Final Environmental Impact Report (FEIR) for the 2009 General Plan; (4) all documentary and oral evidence received at public hearings or submitted to the Town relating the General Plan Amendment, (5) all matters of common knowledge to the Town Council and the Town, including, but not limited to, Town, State, and federal laws, policies, rules and regulations, reports, records and projections related to development in the Town and surrounding areas.

The location of the custodian of the Record is the Planning Director of the Town of Corte Madera, 300 Tamalpais Drive, Corte Madera, CA 94925.

Section 2. General Plan Consistency

Based on the Record, the Town Council finds that the General Plan Amendment adding the C-3 zoning district to the list of Applicable Zoning Districts in the Mixed-Use Commercial land use designation is internally consistent with the Land Use Element and other Elements in the 2009 General Plan since the C-3 zoning district was originally intended to be listed as an Applicable Zoning District but was inadvertently omitted. As described in Implementation Programs LU-1.5.b, LU-1.6.b, and LU-1.7.b, the 2009 General Plan intended the continuance of existing zoning until the adoption of Community Plans. The proposed amendment would facilitate these implementation programs.

Section 3. Compliance with the California Environmental Quality Act (CEQA)

Based on the Record, the Town Council finds the General Plan Amendment is not subject to CEQA pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment, and that the proposed General Plan Amendment is within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168. The General Plan Amendment continues the range of activities permitted in C-3 zoning districts prior to the adoption of the 2009 General Plan and intended to continue after the adoption of the 2009 General Plan, and which was analyzed in the Program EIR for the 2009 General Plan.

Section 4. Amendment

Based on the foregoing, the Town Council of the Town of Corte Madera hereby adopts the amendment to the General Plan by making the following change to pg. 2-21 of the 2009 General Plan shown in underline:

Mixed-Use Commercial:

This designation is intended to support infill activities, and site and building redevelopment of existing neighborhood commercial centers and along commercial corridors. Allowable uses include office, light industrial (non-manufacturing), and commercial services, as well as new housing developments. The designation is intended to encourage a variety of community activities and services to co-exist in close proximity to one-another (such as jobs, housing and services), thereby reducing the need for extensive automobile travel. Reduced parking standards may be allowed when the site is located within .25 mile of a transit stop.

Minimum Lot Size: 20,000 square feet

Floor Area Ratio: Up to .34

Approximate Development Density: From 15.1 to 25.0 dwelling units per gross acre, and up to 31.0 dwelling units per gross acre if meeting State requirements for density bonus

Approximate Population Density: From 33 to 70 persons per gross acre

Applicable Zoning Districts: O (Professional and Administrative Office District); C-1 (Local Shopping District); C-3 (Highway Commercial); C-4 (Commercial Service District); M (Light Industrial District); AHMU (Affordable Housing Mixed-Use District); PD (Planned Development Overlay District); BRNH (Baylands Risk Zone and Natural Habitat Overlay District); also, the Town will amend the Zoning Code to include MRX (Mixed Use District)

* * * * *

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Town Council of Corte Madera at a regular meeting held on the 15th day of March, 2016, by the following vote, to wit:

AYES: Councilmembers:

NOES: Councilmembers:

ABSTAIN: Councilmembers:

ABSENT: Councilmembers:

Sloan Bailey, Mayor

ATTEST:

Rebecca Vaughn, Town Clerk

ATTACHMENT 2

DRAFT ORDINANCE 9xx

TOWN COUNCIL OF THE TOWN OF CORTE MADERA

ORDINANCE NO. 9xx

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA ADOPTING AMENDMENTS TO CHAPTER 18 OF THE CORTE MADERA MUNICIPAL CODE TO: 1) AMEND SECTION 18.12.020 – PERMITTED AND CONDITIONAL USES IN COMMERCIAL DISTRICTS - TO REMOVE A CONDITIONAL USE FROM THE C-3 ZONING DISTRICT REGULATIONS, ALLOWING RESIDENTIAL UNITS IN LOCATIONS AND AT DENSITIES DETERMINED BY THE PLANNING COMMISSION TO CONFORM TO THE GENERAL PLAN

WHEREAS, on April 21, 2009, the Town Council of the Town of Corte Madera adopted the Update to the Corte Madera General Plan (the “2009 General Plan”); and

WHEREAS, the 2009 General Plan changed the land use designation of properties zoned C-3 from Region-Serving Commercial and Commercial Services to a new Mixed-Use Commercial land use designation; and

WHEREAS, this change introduced General Plan policy encouraging the development of residential uses on property formerly reserved exclusively for commercial uses; and

WHEREAS, the 2009 General Plan sought to introduce mixed-use regulations and standards, allowing for residential uses, through the adoption of Community Plans or through the adoption of a new Mixed-Use zoning district, as detailed in Implementation Program LU-1.1.b and Policies LU-1.5, LU-1.6, and LU-1.7; and

WHEREAS, an existing permitted conditional use in the C-3 zoning district for “residential units in locations and at densities determined by the Planning Commission to conform to the General Plan” would have been effectively activated with the adoption of the 2009 General Plan Mixed-Use Commercial land use designation if not for the inadvertent omission of the C-3 zoning district from the list of “Applicable Zoning Districts” in the General Plan’s Mixed-Use Commercial land use designation; and

WHEREAS, utilization of this existing conditional use permit would circumvent the planning studies and analysis intended to define mixed-use regulations in the areas currently zoned C-3; and

WHEREAS, the Zoning Code is the primary tool used by the Town of Corte Madera to implement the goals, objectives, policies and programs of the Corte Madera General Plan, which is the overall policy document of the Town; and

WHEREAS, the Zoning Ordinance is enacted based on the authority vested in the Town of Corte Madera by the State of California, including but not limited to: the State Constitution; the Planning and Zoning Law (Government Code Section 65000 et seq.); the Subdivision Map Act (the “Map Act” - Government Code Sections 66410 et seq.); and the California Health and Safety Code; and

WHEREAS, the Planning Department recommends that the project before the Planning Commission is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment, and that the proposed General Plan Amendment is within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168; and

WHEREAS, on February 12, 2016, public hearing notices were mailed to all property owners within the C-3 zoning district and to all property owners and tenants within 300 feet of properties zoned C-3, was to all individuals and groups that have registered on the Town’s website to receive Planning Commission notices and/or general community news and information, was posted in accordance with Corte Madera Municipal Code Section 1.08.010, and California Government Code Sections 65090 and 65091, and was published in the Marin Independent Journal, a newspaper of local circulation, on February 13, 2016; and

WHEREAS, on February 23, 2016 the Corte Madera Planning Commission held a public hearing on the proposed Zoning Ordinance Amendment, and heard testimony from the applicant and interested parties; and

WHEREAS, by Resolution No. 16-008, the Planning Commission did recommend the Town Council adopt an amendment to the Zoning Ordinance to 1) amend section 18.12.020 – Permitted and Conditional Uses in Commercial Districts – to remove the conditional use for residential units in locations and at densities determined by the planning commission to conform to the general plan from the list of conditional uses allowed in the C-3 zoning district; and

WHEREAS, on March 4, 2016, public hearing notices were mailed to all property owners within the C-3 zoning district and to all property owners and tenants within 300 feet of properties zoned C-3, was emailed to all individuals and groups that have registered on the Town’s website to receive Town Council notices and/or general community news and information, was posted in accordance with Corte Madera Municipal Code Section 1.08.010, and California Government Code Sections 65090 and 65091, and was published in the Marin Independent Journal, a newspaper of local circulation, on March 5, 2016; and

WHEREAS, on March 15, 2016 the Corte Madera Town Council held a public hearing on the proposed Zoning Ordinance Amendment, and heard testimony from the applicant and interested parties, and accepted the recommendation of the Planning Commission, and

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Record

The Record of Proceedings (“Record”) upon which the Town Council bases its decision regarding Ordinance 9xx includes, but is not limited to: (1) all staff report, Town files and records and other documents prepared for and/or submitted to the Planning Commission and Town Council relating to the Zoning Ordinance Amendment, (2) the 2009 General Plan; (3) the Final Environmental Impact Report (FEIR) for the 2009 General Plan; (4) all documentary and oral evidence received at public hearings or submitted to the Town relating the General Plan Amendment, (5) all matters of common knowledge to the Town Council and the Town, including, but not limited to, Town, State, and federal laws, policies, rules and regulations, reports, records and projections related to development in the Town and surrounding areas.

The location of the custodian of the Record is the Planning Director of the Town of Corte Madera, 300 Tamalpais Drive, Corte Madera, CA 94925.

Section 2. General Plan Consistency

Based on the Record, the Town Council finds that the Zoning Ordinance Amendment removing “residential units in locations and at densities determined by the Planning Commission to conform to the General Plan,” as a conditional use in the C-3 zoning district, is entirely consistent and compatible with the objectives, policies, and programs of the General Plan. The Zoning Ordinance Amendment disallows the circumvention of specific policies and regulations intended to implement the General Plan Mixed-Use Commercial land use designation objectives, including Implementation Program LU-1.1.b and Policies LU-1.5, LU-1.6, and LU-1.7.

Section 3. Compliance with the California Environmental Quality Act (CEQA)

Based on the Record, the Town Council finds the General Plan Amendment is not subject to CEQA pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment and that the proposed General Plan Amendment is within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168. The Zoning Ordinance Amendment removes a conditional use permit that did not have applicability prior to the adoption of the 2009 General Plan due to General Plan policies that did not allow residential uses in C-3 zoning districts, and, as analyzed in the Program EIR for the 2009 General Plan, was not intended to be applicable after the adoption of the 2009 General Plan since residential units were not projected in areas zoned C-3, and furthermore could not have been utilized given the omission of the C-3 zoning district from the list of “Applicable Zoning Districts” in the Mixed-Use Commercial land use designation. Additionally, the removal of the conditional use permit discontinues one process by which residential units could be provided in C-3 zoning districts, but does not foreclose other processes, such as Community Plans or implementation of Mixed Use

zoning districts identified in the General plan that are intended to facilitate mixed-use development, including residential uses, in areas currently zoned C-3.

Section 4. Amendment

The Town Council amends the Corte Madera Municipal Code to delete “Residential units in locations and at densities determined by the Planning Commission to conform the General Plan” as a Conditional Use in the C-3 zoning district as shown with ~~strikethroughs~~ below:

Conditional Uses

	C-1	C-2	C-3	C-4
Residential units in locations and at densities determined by the planning commission to conform to the general plan	X		X	

SECTION 5: Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance.

The Town Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional on their face or as applied.

SECTION 6: Effective Date

This ordinance shall go into effect thirty (30) days after the date of its passage and adoption.

SECTION 7: Posting

The Clerk of the Town shall cause this ordinance to be published and/or posted within fifteen days after its adoption.

* * * * *

PASSED AND ADOPTED by the Town Council on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

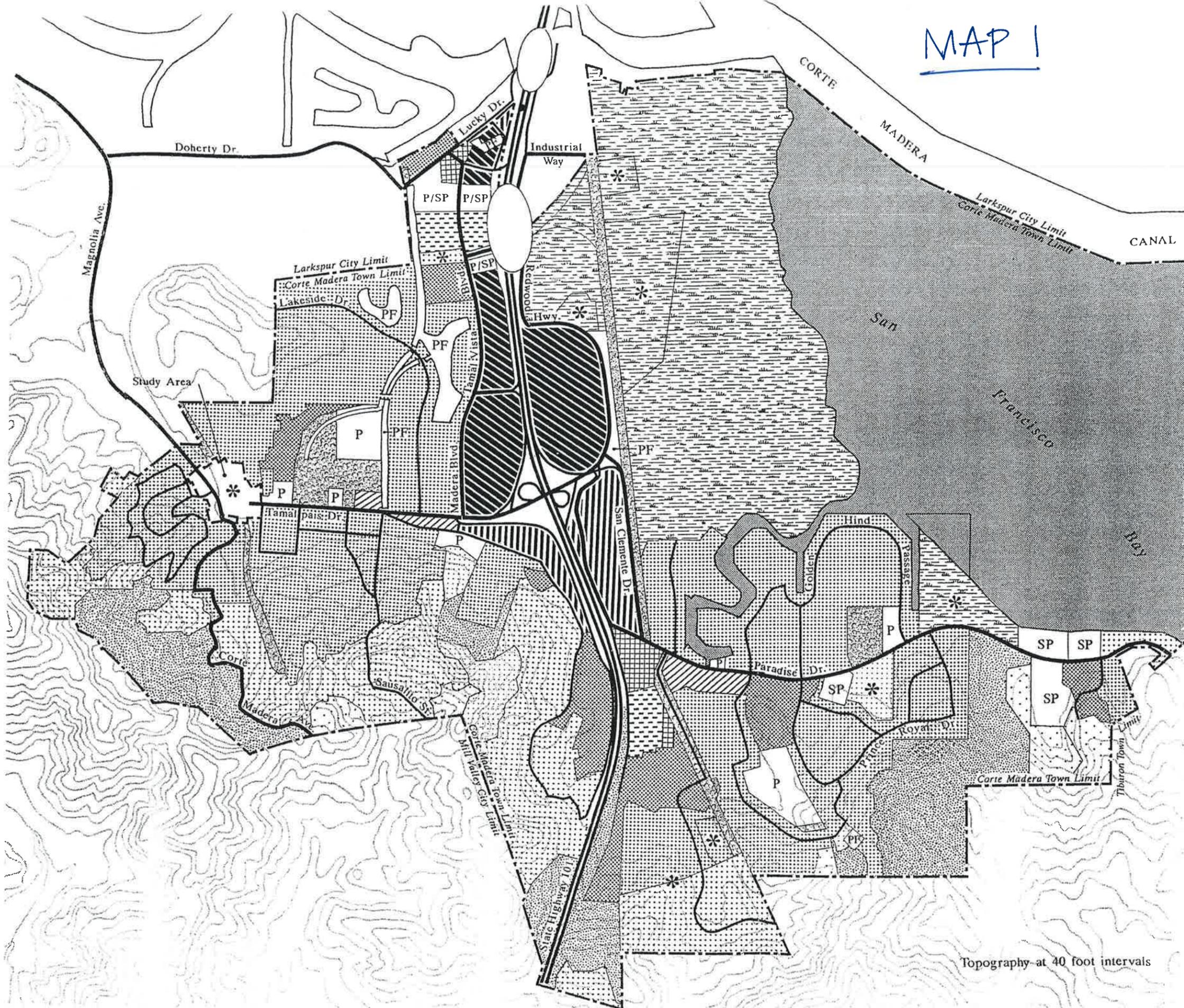
ABSENT:

Sloan Bailey, Mayor

Rebecca Vaugh, Town Clerk

ATTACHMENT 3

MAPS 1, 2, AND 3



- Open Residential
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- Multifamily Residential
- Local-Serving Commercial
- Region-Serving Commercial
- Commercial Services
- Office
- Industrial
- P/SP Public/Semi-Public
- Parks
- PF Public Facilities
- Waterbodies/Waterways and Related Habitat
- Wetlands, Unique Marshland, Related Habitat and Potential Habitat Restoration Areas
- Hillsides, Ridgelines and Related Habitat
- Study Area
- Town Boundary
- Interchange to be designed
- Freeway
- Arterial
- Collector
- * See Specific Sites Policies in Section 2.5

Note: This Diagram should be used only in conjunction with General Plan policies. Land use classifications used are defined in Land Use Element Section 2.1.

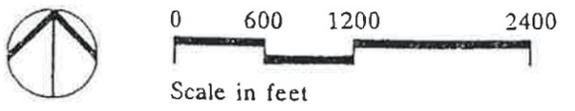


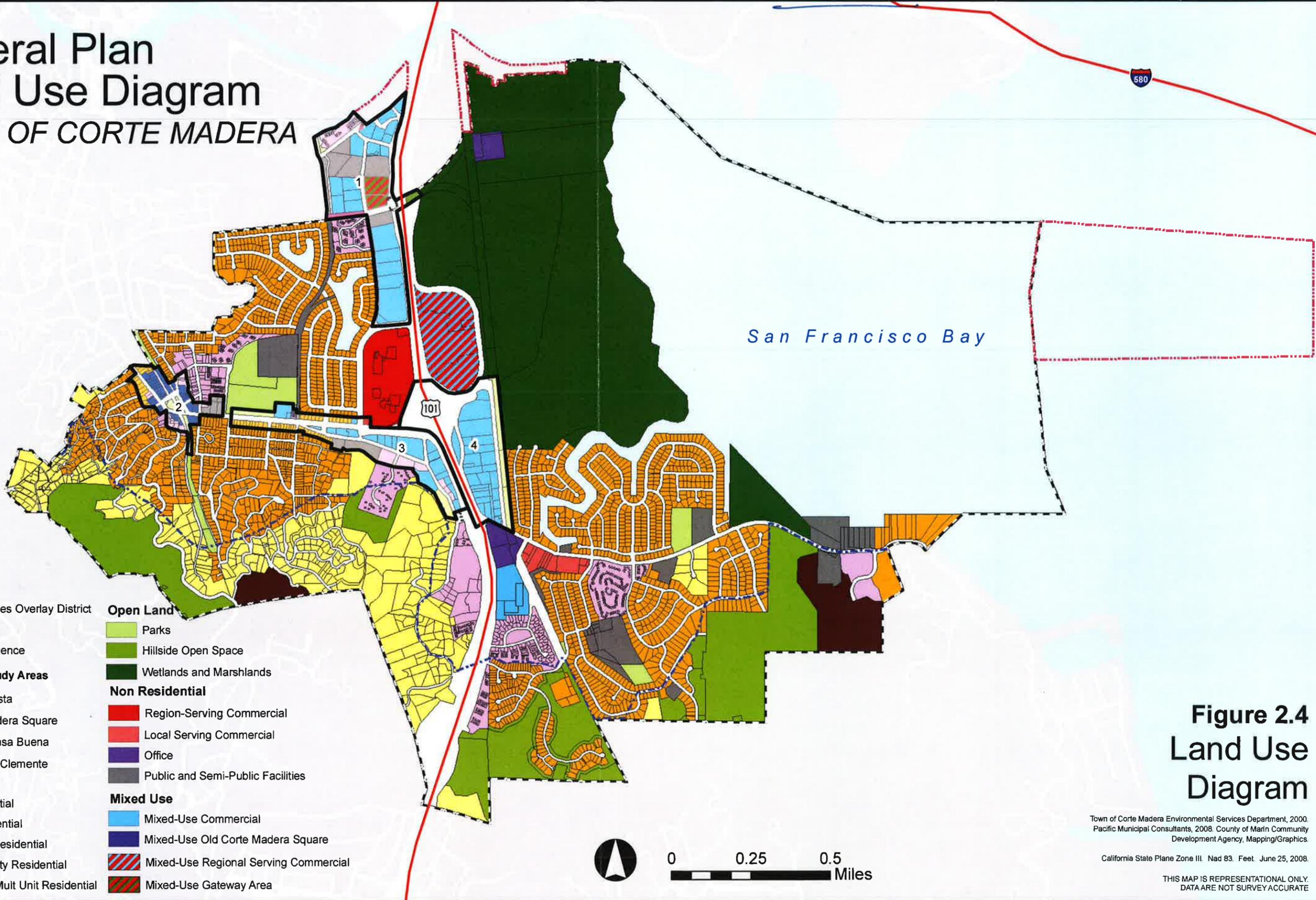
Figure 2
General Plan Diagram

CORTE MADERA GENERAL PLAN

BLAYNEY
DYETT
Urban and Regional Planners

Topography at 40 foot intervals

General Plan Land Use Diagram TOWN OF CORTE MADERA



Legend

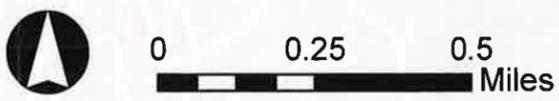
- Scenic Resources Overlay District
- Town Limits
- Sphere of Influence
- Community Plan Study Areas**
- Fifer/Tamal Vista
- Old Corte Madera Square
- Tamal Pais/Casa Buena
- Paradise/San Clemente
- Residential**
- Open Residential
- Hillside Residential
- Low Density Residential
- Medium Density Residential
- High Density Mult Unit Residential
- Open Land**
- Parks
- Hillside Open Space
- Wetlands and Marshlands
- Non Residential**
- Region-Serving Commercial
- Local Serving Commercial
- Office
- Public and Semi-Public Facilities
- Mixed Use**
- Mixed-Use Commercial
- Mixed-Use Old Corte Madera Square
- Mixed-Use Regional Serving Commercial
- Mixed-Use Gateway Area

Figure 2.4 Land Use Diagram

Town of Corte Madera Environmental Services Department, 2000.
 Pacific Municipal Consultants, 2008. County of Marin Community
 Development Agency, Mapping/Graphics.

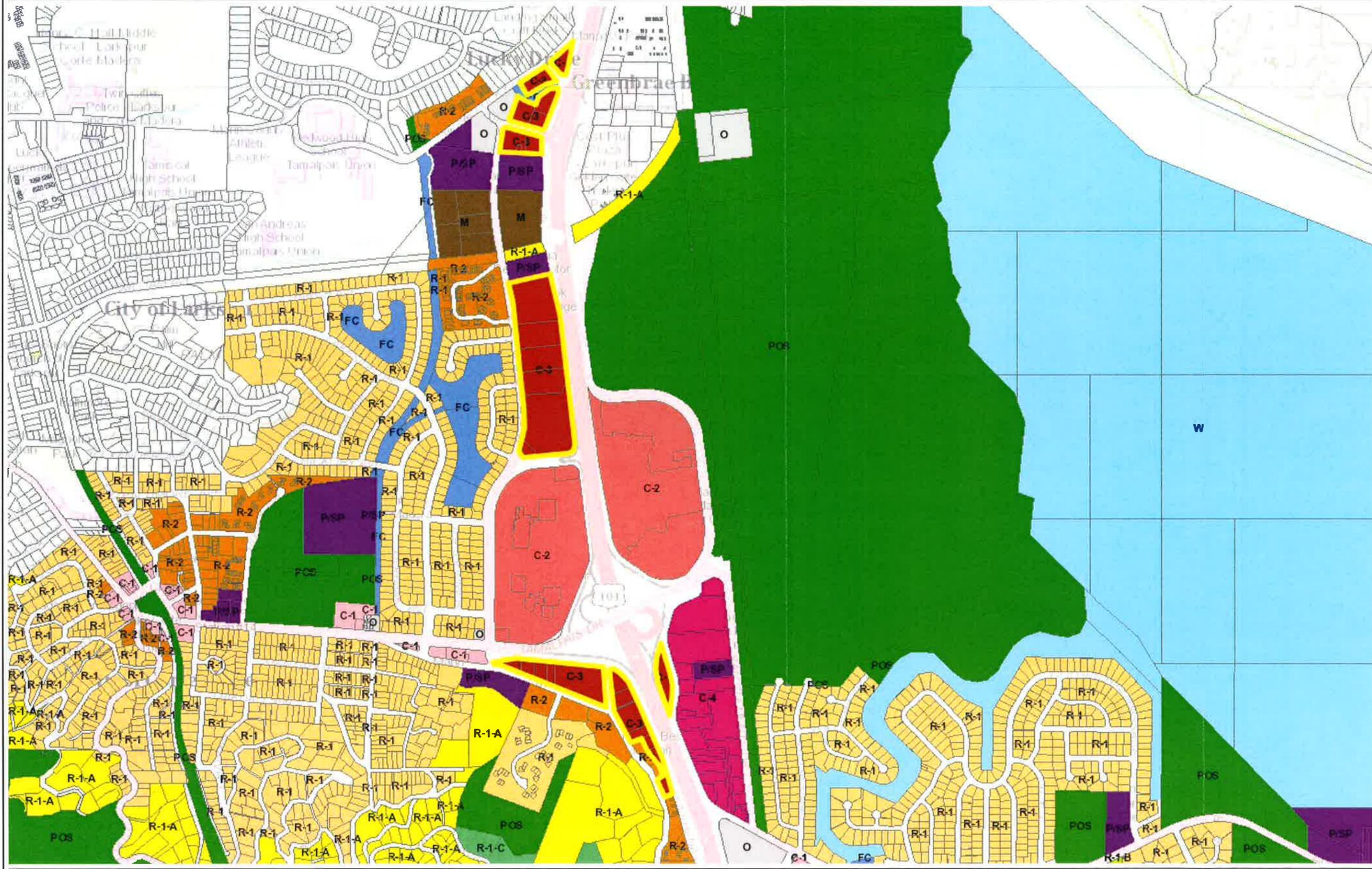
California State Plane Zone III. Nad 83. Feet. June 25, 2008.

THIS MAP IS REPRESENTATIONAL ONLY.
 DATA ARE NOT SURVEY ACCURATE





Parcels within the MUC General Plan Land Use Designations AND Zoned C-3 are shown outlined in yellow



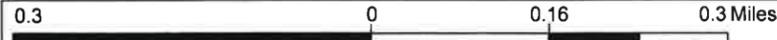
Legend

Parcel Secured

Corte Madera Zoning

R-1-A	Low-Density Residential I
R-1-B	Very-Low-Density Reside
R-1-C	Open Residential District
R-1	Medium-Density Residen
R-2	Low-Density Multiple-Dwe
O	Professional and Adminis
C-1	Local Shopping District
C-2	Regional Shopping Distric
C-3	Highway Commercial Dis
C-4	Commercial Service Distr
M	Light Industrial District
P/SP	Public and Semi-Public F
POS	Parks, Open Space, and I
FC	Flood Control and Drains
W	Waterbodies/Waterways

1: 10,395



NAD_1983_HARN_StatePlane_California_III_FIPS_0403_Feet
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

ATTACHMENT 4

CITED GENERAL PLAN PROGRAMS AND POLICIES

POLICY LU-1.1

Maintain and implement the General Plan Land Use Diagram that describes the distribution and location of land uses prescribed by General Plan policies (see Figure 2.4). Land use designations are generalized groupings of land uses and titles that define a predominant land use type. Land use designations are defined in Section 2.5 of the General Plan. Only allow development that is consistent with the Land Use Diagram and the land use designations. All proposed projects must meet density, floor area ratio, and other standards governing the applicable land use designation.

Implementation Program LU-1.1.b Mixed-Use Zone

Amend the Corte Madera Zoning Ordinance to add a Mixed-Use Zone to implement the Mixed-Use designations, and apply this Zoning to lands so designated on the Land Use Diagram. Corollary changes to parking provisions of the Zoning Ordinance shall also be made to ensure adequate set-aside of parking spaces for residential uses in mixed-use developments.

Responsibility:	Planning and Building Department
Timeframe:	Simultaneous with General Plan adoption
Resources:	General Fund/Staff time

POLICY LU-1.5:

Identify opportunities to achieve desired land uses and physical improvements in the San Clemente Drive/Paradise Drive area.

Policy Intent: The San Clemente Drive/Paradise Drive area, depicted in Figure 2.6, effectively functions as the southern "gateway" point to Bayside Corte Madera from Highway 101. The area currently serves various commercial, office and light industrial uses. The areas along San Clemente and Paradise Drives are included in the 1979 Town-adopted Specific Plan that focuses primarily upon design issues. This area was subsequently considered in the 1999 Draft San Clemente/Paradise Drive Specific Plan to respond to 1989 General Plan policies and the Corte Madera Bayfront Vision Plan. The Draft Specific Plan was not adopted.

The Town is committed to encouraging mixed-use development in the area to more effectively showcase and link the area to adjacent commercial districts and residential neighborhoods. This includes recognition of the Town's commitment to providing opportunities for development of affordable housing. Additionally, the Town wishes to enhance San Clemente Drive with "boulevard" streetscaping. Physically, future development would largely occur as infill (renovations of currently-developed sites), as well as improvements such as pedestrian-oriented plazas, walkways, and circulation spaces.

Implementation Program LU-1.5.a: Prepare Community Plan

Prepare a Community Plan that encompasses lands in and around the San Clemente Drive/Paradise Drive area and which achieves the following objectives:

Development Objectives:

- Develop the San Clemente/Paradise Drive Commercial Area as the gateway to Bayside Corte Madera.
- Allow for the intensity of land use to be relatively intense compared to current uses. Higher floor-area ratios (FARs) may be allowed, compared to existing development within the Community Plan area, and could include substantial redevelopment of existing sites. Higher FARs would be allowed when there is a demonstrated and extraordinary benefit provided to the Town in terms of job creation, exceptional design character, and other criteria established in the Community Plan related to redevelopment of existing sites, and where traffic and other environmental impacts can be mitigated to acceptable levels.
- Integrate existing land uses with infill development where feasible.
- Provide opportunity for development of housing as a means of reducing local-area vehicle trips.
- Provide locations for office and employment activities that are compatible with the district and surrounding residential neighborhoods, and consistent with underlying General Plan objectives for mixed uses.
- Provide sufficient commercial services for adjacent residential neighborhoods.
- Strengthen and upgrade the scenic quality of this area via improved maintenance and intensity of landscaping along the freeway edges, especially at the south and north entrances to the project area.
- Limit the size and height of freeway-oriented signage. Adopt design guidelines to improve the quality of signage in the Community Plan Area and reduce the collective visual clutter of freeway-oriented signs.
- Provide a clear implementation/phasing plan that creates a coherent image for the area upon the phased completion of Community Plan area improvements.

Traffic, Bicycle, and Pedestrian Objectives:

- Widen and redevelop San Clemente Drive as a tree-lined boulevard, with planted median, turning lanes, streetscaping, pedestrian and bicycle paths, while also preserving the functionality of the street as an arterial.
- Develop a central, pedestrian-oriented network of circulation linkages as the focus of the mixed-use district.
- Develop clear circulation linkages within the project boundaries, and access points to Highway 101 and adjacent streets and boulevards. This may include bicycle and pedestrian access across Highway 101 in the vicinity of the Tamalpais Drive interchange.
- Improve circulation within the area by installing medians and limiting the number of driveway encroachments onto San Clemente Drive.
- Develop bicycle linkages to the adjacent residential neighborhoods and to the bicycle lane across San Clemente Drive.
- Provide a high-quality pedestrian environment with wide sidewalks, safe street crossings, street trees, pedestrian plazas, ample site landscaping and pedestrian lighting. This shall include installation of accessible facilities for the disabled.
- Provide pedestrian and bike connections to the adjacent residential neighborhoods and mixed-use districts through enhancement of the Bayside Trail Park and open space system.
- Minimize drive-through, drive-in, and other land uses that generate high traffic volumes.

Responsibility:	Planning and Building Department
Timeframe:	Three Years
Resources:	General Plan Maintenance Fee; General Fund

Implementation Program LU-1.5.b Interim Zoning San Clemente/Paradise Drive Community Plan area

Pending adoption of a Community Plan for the San Clemente/Paradise Drive area, continue to implement the existing zoning in the proposed Community Plan area.

Responsibility:	Planning and Building Department
Timeframe:	On-going
Resources:	Application Fees; General Fund

POLICY LU-1.6:

Identify opportunities to achieve desired land uses and physical improvements in the Fifer Avenue/Tamal Vista Boulevard area.

Policy Intent: The Fifer Avenue/Tamal Vista Boulevard area, depicted in Figure 2.7, currently hosts a range of public facility, commercial service, and multi-family residential uses.

The Town is committed to enhance the scenic character of the area via improved maintenance and intensity of landscaping, as well as to link the existing uses to adjacent mixed-use districts and residential neighborhoods. Additionally, the Town has identified opportunities for high-density, multi-unit residential uses in the area. Future infill development within the area should be considered in parallel with enhancement of opportunities for existing uses.

The area may be impacted through changes to Highway 101 access. Planning and engineering studies conducted for the Highway 101/Sir Francis Drake Boulevard interchange may result in other interchange upgrades and modifications. Presently, the Town of Corte Madera, City of Larkspur and Marin County have agreed to a preliminary design that would create a full diamond interchange at Wornum Drive, and which would remove ramps to Fifer Avenue from the Highway. If such changes occur, they would have significant implications to vehicle access and land use opportunities in the Fifer Avenue/Tamal Vista Boulevard area, and should therefore be carefully considered in any final land use approach considered by the Town.

Implementation Program LU-1.6.a: Prepare Community Plan

Prepare a Community Plan that encompasses lands in and around the Fifer Avenue/Tamal Vista Boulevard area and which achieves the following objectives:

Development Objectives:

- Encourage infill development that is consistent with underlying General Plan objectives for mixed uses.
- Allow for the intensity of land use to be relatively intense compared to current uses. Higher floor-area ratios (FARs) are anticipated compared to existing development within the Community Plan area, and could include substantial redevelopment of existing sites. Higher FARs would be allowed when there is a demonstrated and extraordinary benefit provided to the Town in terms of job creation, exceptional design character, and other criteria established in the Community Plan, and where traffic and other environmental impacts can be mitigated to acceptable levels.
- Provide locations for office and employment activities that are compatible with the area and surrounding residential neighborhoods. Consider provisions for multi-family residential use.
- Upgrade the scenic quality of the area via improved maintenance and intensity of landscaping.

- Limit the size and height of freeway-oriented signage. Adopt design guidelines to improve the quality of signage in the Community Plan Area and reduce the collective visual clutter of freeway-oriented signs.
- Provide a clear implementation/phasing plan that creates a coherent image for the area upon the phased completion of Community Plan area improvements.

Traffic, Bicycle, and Pedestrian Objectives:

- Develop clear circulation linkages and access points to adjacent streets and boulevards, and between developments.
- Develop a central, pedestrian-oriented network of circulation linkages as the focus of the district.
- Develop clear circulation and bicycle linkages to the adjacent residential neighborhoods.
- Provide a high quality pedestrian environment with wide sidewalks, safe street crossings, street trees, pedestrian plazas, ample site landscaping and pedestrian lighting. This shall include installation of accessible facilities for the disabled.
- Improve upon Highway 101/Fifer Avenue vehicle circulation safety patterns.

Responsibility: Planning and Building Department
 Timeframe: Following resolution of the Highway 101 interchange study for Sir Francis Drake Boulevard.
 Resources: General Plan Maintenance Fee; General Fund

Implementation Program LU-1.6.b Interim Zoning Fifer Avenue/Tamal Vista Boulevard Community Plan area

Pending adoption of a Community Plan for the Fifer Avenue/Tamal Vista Boulevard area, continue to implement the existing zoning in the proposed Community Plan area.

Responsibility: Planning and Building Department
 Timeframe: On-going
 Resources: Application Fees; General Fund

POLICY LU-1.7:

Identify opportunities to achieve desired land uses and physical improvements in the Tamalpais Drive/Casa Buena Drive area

Policy Intent: The Tamalpais Drive/Casa Buena Drive area, depicted in Figure 2.8, is an important gateway to the community. The Town Center shopping center is aesthetically attractive and commercially strong, and there is a slow revitalization trend among other commercial properties in the area. However, a number of retail and service buildings in the area are near the end of their economic life and are marginally blighted. Also the area is part of the US 101 Corridor Study of ramps and interchanges from Tamalpais Drive through Sir Francis Drake Boulevard. The Tamalpais Drive/Highway 101 intersection and overpass may be rebuilt as a part of the Corridor study during the life of this General Plan. A Community Plan that includes a program of public improvements and zoning incentives will accelerate the revitalization of this area.

Implementation Program LU-1.7.a: Prepare Community Plan

Prepare a Community Plan that encompasses lands in and around the Tamalpais Drive/Casa Buena Drive area and which achieves the following objectives:

Development Objectives:

- Encourage infill development that is consistent with underlying General Plan objectives for mixed uses.
- Encourage new opportunities for residential development.
- Allow for the intensity of land use to be relatively intense compared to current uses. Higher floor-area ratios (FARs) are anticipated compared to existing development within the Community Plan area, and could include substantial redevelopment of existing sites. Higher FARs would be allowed when there is a demonstrated and extraordinary benefit provided to the Town in terms of job creation, exceptional design character, and other criteria established in the Community Plan, and where traffic and other environmental impacts can be mitigated to acceptable levels.
- Provide locations for office and employment activities that are compatible with the area and surrounding residential neighborhoods.
- Emphasize high quality architectural and landscape design.
- Provide a clear implementation/phasing plan that creates a coherent image for the area upon the phased completion of Community Plan area improvements.

Traffic, Bicycle, and Pedestrian Objectives:

- Develop clear circulation linkages and access points to adjacent streets and boulevards, and between developments.
- Develop clear circulation and bicycle linkages to the adjacent residential neighborhoods.

- Provide a high quality pedestrian environment with wide sidewalks, safe street crossings, street trees, pedestrian plazas, ample site landscaping and pedestrian lighting. This shall include installation of accessible facilities for the disabled.
- Improve upon Highway 101/Tamalpais Drive/Casa Buena Drive vehicle circulation safety patterns.

Responsibility: Planning and Building Department
 Timeframe: Following resolution of the study for the Highway 101/Tamalpais Drive interchange.
 Resources: General Plan Maintenance Fee; General Fund

Implementation Program LU-1.7.b Interim Zoning Tamalpais Drive/Casa Buena Drive Community Plan area

Pending adoption of a Community Plan for the Tamalpais Drive/Casa Buena Drive area, continue to implement the existing zoning in the proposed Community Plan area.

Responsibility: Planning and Building Department
 Timeframe: On-going
 Resources: Application Fees; General Fund

ATTACHMENT 5

**PLANNING COMMISSION ADOPTED RESOLUTIONS
FROM 2/23/2016 PUBLIC HEARING**

BEFORE THE TOWN OF CORTE MADERA PLANNING COMMISSION

<p>In the Matter of: GENERAL PLAN AMENDMENT NO. 16-001 – A recommendation to adopt General Plan Amendment 16-001 to include the C-3 zoning district in the list of applicable zoning districts in the Mixed-Use Commercial land use designation.</p>	<p>Resolution No. <u>16-007</u> Adoption Date: <u>February 23, 2016</u> Appeal Period Ends: <u>N/A</u></p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------

WHEREAS, on April 21, 2009, the Town Council of the Town of Corte Madera adopted the Update to the Corte Madera General Plan (the “2009 General Plan”); and

WHEREAS, the 2009 General Plan created a new Mixed-Use Commercial land use designation within its Land Use Element; and

WHEREAS, the list of “Applicable Zoning Districts” related to the Mixed-Use Commercial land use designation, designates those zoning districts that are consistent or compatible with the Mixed-Use Commercial land use designation; and

WHEREAS, the C-3 zoning district was not included in the list of “Applicable Zoning Districts” in the Mixed-Use Commercial land use designation, nor was it included in the list of “Applicable Zoning Districts” in any General Plan land use designation; and

WHEREAS, based on review of the 2009 General Plan and related documents, the omission of the C-3 zoning district appears to have been inadvertent; and

WHEREAS, pursuant to California Government Code Section 65860, the various land uses and development standards authorized by the Zoning Ordinance must be compatible with the objectives, policies, general land uses, and programs specified in the General Plan; and

WHEREAS, the Corte Madera Planning Department is in receipt of two applications – one for a new retail and office building at 200 Nellen Avenue and another for the comprehensive rehabilitation of the Budget Inn at 706 Meadowsweet Drive – and anticipates the filing of another – for tenant improvements at the former Denny’s site – for permits intended to allow development pursuant to the existing C-3 zoning district regulations; and

WHEREAS, the processing of such applications, including review by the Planning Commission, is hindered by the current lack of consistency between the Zoning Ordinance and General Plan and the consistency findings required to be made for project approval; and

WHEREAS, other properties that are within the C-3 zoning district would face similar challenges if and when applying for any development permits requiring findings of consistency between the 2009 General Plan and Zoning Ordinance; and

WHEREAS, the Planning Department recommends that the project before the Planning Commission is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment, and that the proposed General Plan Amendment is within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168; and

WHEREAS, on February 12, 2016, public hearing notices were mailed to all property owners within the C-3 zoning district and to all property owners and tenants within 300 feet of properties zoned C-3, was to all individuals and groups that have registered on the Town's website to receive Planning Commission notices and/or general community news and information, was posted in accordance with Corte Madera Municipal Code Section 1.08.010, and California Government Code Sections 65090 and 65091(a)(1) and 65091(a)(3), and was published in the Marin Independent Journal, a newspaper of local circulation, on February 13, 2016; and

WHEREAS, on February 23, 2016 the Corte Madera Planning Commission held a public hearing on the proposed General Plan Amendment, and heard testimony from the applicant and interested parties; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the Town of Corte Madera does hereby find and resolve as follows:

Section 1. Record

The Record of Proceedings ("Record") upon which the Planning Commission bases its decision regarding the General Plan Amendment includes, but is not limited to: (1) all staff report, Town files and records and other documents prepared for and/or submitted to the Planning Commission relating to the General Plan Amendment, (2) all documentary and oral evidence received at public hearings or submitted to the Town relating the General Plan Amendment, (3) all matters of common knowledge to the Planning Commission and the Town, including, but not limited to, Town, State, and federal laws, policies, rules and regulations, reports, records and projections related to development in the Town and surrounding areas.

The location of the custodian of the Record is the Planning Director of the Town of Corte Madera, 300 Tamalpais Drive, Corte Madera, CA 94925.

Section 2. Compliance with the California Environmental Quality Act (CEQA)

Based on the Record, the Planning Commission finds the General Plan Amendment is not subject to CEQA pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment, and that the proposed General Plan Amendment is within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168. The General Plan Amendment continues the range of activities permitted in C-3 zoning districts prior to the adoption of the 2009 General Plan and intended to continue after the

adoption of the 2009 General Plan, and which was analyzed in the Program EIR for the 2009 General Plan.

BE IT RESOLVED that the Planning Commission hereby forwards the General Plan Amendment application to the Town Council and recommends that the Town Council adopt the amendment to add the C-3 zoning district to the list of "Applicable Zoning Districts" in the Mixed-Use land use designation within the Land Use Element of the General Plan.

* * * * *

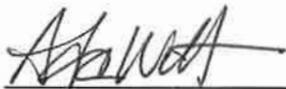
PASSED AND ADOPTED by the Corte Madera Planning Commission on February 23, 2016, by the following vote:

AYES: Chase, Metcalfe, McHugh, McCadden, Caldera

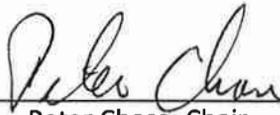
NOES:

ABSTAIN:

ABSENT:



Adam Wolff, Director of Planning and Building



Peter Chase, Chair

BEFORE THE TOWN OF CORTE MADERA PLANNING COMMISSION

<p>In the Matter of: ZONING ORDINANCE AMENDMENT NO. 16-001 – A recommendation to adopt Zoning Ordinance Amendment 16-001 to remove a permitted conditional use, allowing residential units in locations and at densities determined by the Planning Commission to conform to the General Plan, from the C-3 zoning district use regulations.</p>	<p>Resolution No. <u>16-008</u> Recommendation Date: <u>February 23, 2016</u> Appeal Period Ends: <u>N/A</u></p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------

WHEREAS, on April 21, 2009, the Town Council of the Town of Corte Madera adopted the Update to the Corte Madera General Plan (the “2009 General Plan”); and

WHEREAS, the 2009 General Plan changed the land use designation of properties zoned C-3 from Region-Serving Commercial and Commercial Services to a new Mixed-Use Commercial land use designation; and

WHEREAS, this change introduced General Plan policy encouraging the development of residential uses on property formerly reserved exclusively for commercial uses; and

WHEREAS, the 2009 General Plan sought to introduce mixed-use regulations and standards, allowing for residential uses, through the adoption of Community Plans or through the adoption of a new Mixed-Use zoning district, as detailed in Implementation Program LU-1.1.b and Policies LU-1.5, LU-1.6, and LU-1.7; and

WHEREAS, an existing permitted conditional use in the C-3 zoning district for “residential units in locations and at densities determined by the Planning Commission to conform to the General Plan” was effectively activated with the adoption of the 2009 General Plan Mixed-Use Commercial land use designation; and

WHEREAS, utilization of this existing conditional use permit would circumvent the planning studies and analysis intended to define mixed-use regulations in the areas currently zoned C-3; and

WHEREAS, the Planning Department recommends that the project before the Planning Commission is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment, and that the proposed General Plan Amendment is within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168; and

WHEREAS, on February 12, 2016, public hearing notices were mailed to all property owners within the C-3 zoning district and to all property owners and tenants within 300 feet of properties zoned

C-3, was to all individuals and groups that have registered on the Town's website to receive Planning Commission notices and/or general community news and information, was posted in accordance with Corte Madera Municipal Code Section 1.08.010, and California Government Code Sections 65090 and 65091, and was published in the Marin Independent Journal, a newspaper of local circulation, on February 13, 2016; and

WHEREAS, on February 23, 2016 the Corte Madera Planning Commission held a public hearing on the proposed Zoning Ordinance Amendment, and heard testimony from the applicant and interested parties; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the Town of Corte Madera does hereby find and resolve as follows:

Section 1. Record

The Record of Proceedings ("Record") upon which the Planning Commission bases its decision regarding the Zoning Ordinance Amendment includes, but is not limited to: (1) all staff report, Town files and records and other documents prepared for and/or submitted to the Planning Commission relating to the General Plan Amendment, (2) all documentary and oral evidence received at public hearings or submitted to the Town relating the General Plan Amendment, (3) all matters of common knowledge to the Planning Commission and the Town, including, but not limited to, Town, State, and federal laws, policies, rules and regulations, reports, records and projections related to development in the Town and surrounding areas.

The location of the custodian of the Record is the Planning Director of the Town of Corte Madera, 300 Tamalpais Drive, Corte Madera, CA 94925.

Section 2. General Plan Consistency

Based on the Record, the Planning Commission finds that the Zoning Ordinance Amendment removing "residential units in locations and at densities determined by the Planning Commission to conform to the General Plan," as a conditional use in the C-3 zoning district, is entirely consistent and compatible with the objectives, policies, and programs of the General Plan. The Zoning Ordinance Amendment disallows the circumvention of anticipated policies and regulations intended to implement the General Plan Mixed-Use Commercial land use designation objectives.

Section 3. Compliance with the California Environmental Quality Act (CEQA)

Based on the Record, the Planning Commission finds the General Plan Amendment is not subject to CEQA pursuant to Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment and that the proposed General Plan Amendment is within the scope of the Program EIR for the 2009 General Plan, certified by the Town Council on April 21, 2009, and therefore no subsequent EIR is required pursuant to CEQA Guidelines Section 15162 and 15168. The Zoning Ordinance Amendment removes a conditional use permit that had no applicability prior to the adoption of the 2009 General Plan due to General Plan policies that prohibited residential uses in C-3 zoning districts, and, as analyzed in the Program EIR for

the 2009 General Plan, was not intended to be applicable after the adoption of the 2009 General Plan since residential units were not projected in areas zoned C-3, and furthermore could not have been utilized given the omission of the C-3 zoning district from the list of "Applicable Zoning Districts" in the Mixed-Use Commercial land use designation. Additionally, the removal of the conditional use permit discontinues one process by which residential units could be provided in C-3 zoning districts, but does not foreclose other processes, such as Community Plans or implementation of Mixed Use zoning districts identified in the General plan that are intended to facilitate mixed-use development, including residential uses, in areas currently zoned C-3.

Section 4. Amendment

The Planning Commission recommends that Section 18.12.020 of the Corte Madera Municipal Code is amended to delete "Residential units in locations and at densities determined by the Planning Commission to conform the General Plan" as a Conditional Use in the C-3 zoning district as shown with ~~strikethroughs~~ below:

Conditional Uses

	C-1	C-2	C-3	C-4
Residential units in locations and at densities determined by the planning commission to conform to the general plan	X		X	

BE IT RESOLVED that the Planning Commission herby forwards the Zoning Ordinance Amendment application to the Town Council and recommends that the Town Council adopt the amendment to remove "residential units in locations and at densities determined by the planning commission to conform to the general plan," as a conditional use within C-3 zoning districts.

* * * * *

PASSED AND ADOPTED by the Corte Madera Planning Commission on February 23, 2016, by the following vote:

AYES: Chase, Metcalfe, McHugh

NOES: McCadden, Caldera

ABSTAIN:

ABSENT:



Adam Wolff, Director of Planning and Building



Peter Chase, Chair

ATTACHMENT 6

**PLANNING COMMISSION MINUTES
FROM 2/23/16 PUBLIC HEARING**

**DRAFT MINUTES
REGULAR PLANNING COMMISSION MEETING
FEBRUARY 23, 2016
CORTE MADERA TOWN HALL
CORTE MADERA**

COMMISSIONERS PRESENT: Chair Peter Chase
Vice-Chair Phyllis Metcalfe
Commissioner Dan McCadden
Commissioner Tom McHugh
Commissioner Nicolo Caldera

STAFF PRESENT: Adam Wolff, Planning Director
Phil Boyle, Senior Planner
Doug Bush, Assistant Planner
Joanne O’Hehir, Minutes Recorder

1. OPENING:

- A. Call to Order** – The meeting was called to order at 7:30 p.m.
- B. Pledge of Allegiance** – Chair Chase led in the Pledge of Allegiance.
- C. Roll Call** – All the commissioners were present.

2. PUBLIC COMMENT

Sloan Bailey, 34 Mohawk Avenue, Councilmember, said he is making comments solely in his and his family’s personal interest. Mr. Bailey discussed the construction at 30 Mohawk, which he noted is not a discussion item by the Planning Commission and that he is therefore unable to submit his comments. Mr. Bailey said he has strong views about the project and he suggested the project is agenized for a planning commission meeting. He said he can only express his personal views during the public comment period. Mr. Bailey said the house has been torn down to the studs and that all that remains is some of the exterior framing, and he commented on the uncovered parking variance. He said the house has the appearance of multiple dwellings, due to the split driveway, noting that it is unlike any other property in the vicinity.

Mr. Bailey said the neighborhood is frustrated with being unable to comment on a massive reconstruction project, which he said should have been discussed by the Planning Commission. He said the entire dwelling is being renovated with a second unit, on which he commented, and noted that the house is being raised, which will affect the privacy, views and sunlight of neighboring houses. Mr. Bailey discussed the project in relation to the code and said that a hyper technical interpretation of the code is being used in trying to absolve the current owner from the process. He reiterated the problem

of there being no opportunity for the neighborhood to comment on the project and he said that workmen are on site, showering in the garage, which he believes is not permitted. Mr. Bailey discussed his belief that the project should be removed from administrative design review for Planning Commission review.

Lucinda Smith, 46 Alta Way, said she supports Mr. Bailey's comments. She said the project is an eyesore and out-of-character with the neighborhood, and that it appears to consist of two, two-story residences in a neighborhood of single-family residences.

Counselor Propp noted that the item is not included on the agenda and therefore cannot be discussed by staff or the commissioners. She said the project could be agendized for a future meeting.

Mr. Wolff said that staff has been in contact with the neighbors and property owners and that they are trying to resolve a variety of issues and interpretations of the code. He confirmed that staff will schedule the project as a business item discussion at a future hearing.

In response to Commissioner McCadden, Ms. Propp confirmed that the project at 30 Mohawk cannot be discussed and Chair Chase asked that it be agendized for the next meeting.

In response to Vice-Chair Metcalfe, Mr. Wolff confirmed that a second unit is under construction at 30 Mohawk.

3. CONSENT CALENDAR – NONE

4. CONTINUED HEARINGS – NONE

5. NEW HEARINGS

- A. PUBLIC HEARING TO CONSIDER ADOPTION OF A GENERAL PLAN AMENDMENT (GPA 16-001) TO MAKE PROPERTIES WITHIN EXISTING C-3 ZONING DISTRICTS CONSISTENT WITH THEIR EXISTING GENERAL PLAN LAND USE DESIGNATION, AND A ZONING AMENDMENT (ZA 16-001) TO REMOVE RESIDENTIAL USES AS A PERMITTED CONDITIONAL USE, IN C-3 ZONING DISTRICTS; AND DETERMINING THAT THESE ACTIONS ARE EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15061B(3). (Planning Director Adam Wolff).**

Planning Director Wolff presented the staff report. Mr. Wolff explained that the proposed General Plan Amendment and Zoning Amendment are two distinct items and that the purpose of the amendments is to better reflect the intent of the General Plan. Mr. Wolff provided background information on the adoption of the Land Use Element in the 2009 General Plan, when he said that many of the commercial properties in Corte Madera were re-designated. He noted that there was an intention for the Town to conduct

follow up actions to make the zoning changes consistent with the General Plan designations that were adopted in 2009. Mr. Wolff explained that a variety of commercial designations were re-designated to a Mixed-Use Commercial land use designation, which he discussed in relation to the previous General Plan updates. Mr. Wolff said that new uses were included in the 2009 amendments, including residential uses.

He discussed the language in the General Plan relating to Mixed-Use Commercial designations, including the language applicable to zoning districts. Mr. Wolff said it became apparent to staff that the C-3 zoning district was omitted from every list of applicable zoning districts in any land use designation in town. He discussed the areas designated Zone C-3, including the Tamal Vista corridor, and said that records indicate C-3 appears to have been inadvertently excluded from applicable zoning districts. Therefore, the properties zoned C-3 are inconsistent or incompatible with the General Plan land use designations. Mr. Wolff discussed the problems that have resulted in applications for the C-3 zoning district, including the commission's inability to make a required finding that a project in the C-3 zoning district is inconsistent with the General Plan.

Mr. Wolff explained that staff is proposing to add the C-3 Zoning District to the applicable zoning districts, so the properties in that district are consistent with the General Plan. He said that staff is aware of pending applications for projects in the C-3 Zoning District that will be impacted by the omission of the C-3 Zoning District from the list of applicable zoning districts in the Mixed-Use Commercial land use designation, which he discussed.

Mr. Wolff went on to discuss the zoning amendment proposal. He explained that they are seeking to remove the existing Conditional Use Permit application in the C-3 zone that is necessary for applicants applying for residential units in locations and densities determined by the Planning Commission to conform to the General Plan. He said that, prior to 2009, this was a dormant, inapplicable use because prior General Plans did not allow residential uses in that zone. Mr. Wolff said that, if the amendment is approved and the C-3 zoning district is added to the list of applicable districts, applicants can circumvent the intent of the General Plan to allow residential uses in areas that were designated commercial in 2009. Mr. Wolff discussed the process that would be necessary prior to an application for a residential use being considered in the C-3 district if the zoning amendment is not approved. He said it is staff's view that the removal of the CUP would maintain the General Plan's policies, which he discussed.

Mr. Wolff summed up the two recommendations, noting that two separate resolutions have been provided. Mr. Wolff reminded the commissioners that they would be making a recommendation to the Town Council whether or not they should adopt the General Plan Amendment and Zoning Amendment.

Mr. Wolff suggested additional language is added to the first resolution and he noted that the proposed amendments would not affect the ongoing process in the moratorium area on Tamal Vista

Chair Chase commented on the issue being one of housekeeping.

Commissioner McHugh asked staff if they were concerned that the amendments would adversely impact the current applications. In response, Mr. Wolff said that the applicants would be allowed to apply for Design Review approval if the amendments are made. He noted that that the applicants have been noticed and are aware of the discussions and said that they are not applying for residential uses.

Commissioner Caldera suggested that a decision is made on whether to approve the removal of the CUP requirement before considering action on the C-3 district, noting that the General Plan amendment could be affected if a decision is made not to remove the CUP. In response, Mr. Wolff said the intent is to take action simultaneously. He expressed uncertainty that any difference would be made to the outcome, other than a time lapse in the readings by the Town Council.

Chair Chase opened the Public Comment period:

Jane Levinsohn, 32 Tamal Vista, asked how the changes might affect the movie theater site if it is sold at some point in the future should the changes be implemented.

David Kunhardt, Christmas Tree Hill, expressed confusion by the explanation of the reason to remove the CUP from the C-3 zoning district.

Scott Hochstrasser, Land Use Planning Consultant, said he is representing the owner of Market Place. He discussed his confusion about the proposed amendments and noted that a moratorium is in place that affects his client's property. He expressed concern that the C-3 uses do not include uses on his client's property. Mr. Hochstrasser questioned whether it is the right time to make the proposed changes and he asked what the changes mean to the C-3 district and how the use of properties in that district will be affected if the recommended amendments are approved. He recommended the Corridor Study is completed before the General Plan and zoning changes are made.

Dave Corey, Christmas Tree Hill, said he echoes the public comments already made. He said there are important synergies to be achieved by allowing housing in commercial districts, and that he does not support any action that would make it more difficult to allow housing in a commercial district. He expressed confusion by the discussions and said he would support another hearing to gain answers and clarification to questions.

Schultz Jackovitz, applicant for 200 Nellen Avenue, member of the family who own 101, 110 and 150 Nellen Avenue, and 2 Fifer Avenue, said that he and his family are familiar with the C-3 zone. He discussed their application for 200 Nellen, and noted that they are unable to move forward because there is no designation for the zone. He said they

would like to build a new office and retail building and ask that the commissioners approve the General Plan and Zoning amendments so that they can move forward with their project.

Mary Connolly, 51 Chickasaw, said she attended the neighborhood meeting last Saturday and is not confused. Ms. Connolly said the amendments make sense and that the removal of the need for a CUP for residential uses in the C-3 zone allows time to honor the community plans that are being put forth. She said it is fine if it puts the breaks on residences, noting that she will have plenty of new neighbors to meet and welcome when Tam Ridge opens. She asked that the commissioners move forward with staff's proposal.

Chair Chase closed the public comment period.

Mr. Wolff said that the effect of putting the C-3 zoning district back into the list of applicable districts in the General Plan allows property owners in that district to use their properties in ways stipulated by the C-3 zoning regulations, which he discussed, confirming it was an inadvertent omission. Mr. Wolff discussed the conditional uses in the C-3 district and noted that the removal of the CUP for residential uses would not change the intention of the General Plan.

In response to Chair Chase, Mr. Wolff discussed the only change to the Zoning Ordinance, which he said is noted in the staff report.

Commissioner McCadden said that, since the current applications are not for residential uses, he questions the purpose of taking action now. He noted that one of the more significant properties is covered by the moratorium and that the planning and zoning requirements for the area will be flushed out in a relatively short amount of time.

Mr. Wolff discussed the inconsistency between the General Plan, prior to 2009, which did not allow residential uses in these areas, and the language for residential uses that relates to conforming to the General Plan. After 2009, he noted that C-3 was excluded from the General Plan and the right was, again, not conferred to allow residential uses. Mr. Wolff confirmed that it is staff's belief it was not the intention for a mixed use development, which he discussed.

Commissioner McCadden noted that, in addition to support for residential uses, there is also support for prohibiting residential uses in the area. Mr. Wolff discussed staff's belief that there was an intention to allow residential uses through additional policies and analysis. He also noted that a goal in the General Plan's implementation programs is to establish development standards in which residential uses can be combined with commercial uses. Mr. Wolff noted that the General Plan does not address development standards for residential uses in Mixed-Use zones, which he discussed in relation to a conditional use permit.

Vice-Chair Metcalfe stated that, from her review of the General Plan, there is discussion about developing a community plan that has not yet been undertaken, which would provide the necessary structure for residential use in C-3. She said there is no reason not to exclude the conditional use for residential at this time because the community plan has not been developed to define the usage. Vice-Chair Metcalfe noted that tonight's action is a recommendation to the Town Council to take action to ensure the Zoning Ordinance is consistent with the General Plan, which she discussed.

In response, Mr. Wolff confirmed Vice-Chair Metcalfe's understanding is correct in that the proposed General Plan amendment will correct an omission if approved, and that the purpose of the zoning amendment is to ensure there is consistency with the General Plan policies. Mr. Wolff said it was not anticipated that a conditional use would be the route towards mixed-use development in the C-3 zone.

In response to Commissioner Caldera, Mr. Wolff confirmed that the intent of the Zoning Amendment is to remove the CUP for residential use in the C-3 district.

Commissioner McHugh disclosed that he had met with staff on January 26th to discuss the issue in order for him to gain a better understanding as to why they should consider the changes. He confirmed they spoke of nothing more than what has been discussed tonight or is in the staff report. Commissioner McHugh said he believes that staff's rationale for the recommended changes make sense and that the General Plan amendment clearly seems a reasonable determination; that excluding C-3 from the zoning lists was an inadvertent omission. He said that if the C-3 zone applied only to the Tamal Vista corridor, he would see a reason not to make a determination tonight. However, Commissioner McHugh said that the issue applies to other properties with current plans that would be affected and that adding the C-3 zone to the applicable sections of the General Plan makes sense.

Commissioner McHugh commented on the removal of the CUP for residential uses. He said he echoes staff's belief that it is important that consistency is maintained with regard to the purpose and intentions of the changes to the General Plan in 2009. Commissioner McHugh noted that, if the CUP for residential uses is not removed, then a scenario could be created whereby a potential residential area could be created without going through the processes contemplated by the General Plan that would provide the guidelines to do it thoughtfully, Commissioner McHugh said it makes sense to remove the CUP until such time that those processes can be determined. He favors both the recommended changes by staff.

Commissioner McCadden said that he echoes Commissioner McHugh's thoughts on the General Plan amendment but that he would support a continuation of the removal of the CUP until the results of the Corridor Study are to hand. He acknowledged that it made sense under certain circumstances to allow a residential use, but that he is reluctant to remove a residential use only to have it reinstated by another action. Thus, Commissioner McCadden said he would rather leave it in place since the current applicants are not affected by that decision.

Vice-Chair Metcalfe confirmed her agreement with Commissioner McHugh. She said that, per the General Plan, a Community Plan should be developed that addresses residential uses and that, until that time, it is not appropriate to allow a CUP for residential uses and so she supports both action.

Commissioner Caldera said that he favors including the C-3 district in the General Plan amendment but that he does not feel ready to remove the CUP.

Chair Chase commented on the CUP not being well defined in the C-3 district, which he discussed. He noted that residential uses should not be excluded permanently and that there is intent for it to be used effectively. However, Chair Chase believes it is safe to remove the CUP in the knowledge that a definition of a way to create a residential use in the C-3 district will be arrived through staff's efforts and the moratorium.

MOTION: Motioned by Commissioner McHugh, seconded by Vice-Chair Metcalfe, to adopt Resolution No. 16-007 recommending that the Town Council adopt General Plan Amendment No. 16-001 to include the C-3 zoning district in the list of applicable zoning districts in the Mixed-Use Commercial land use designations with the following addition to the Resolution:

"WHEREAS based on the review of the 2009 General Plan and related documents, the omission of the C-3 zoning district appears to have been inadvertent":

AYES: Metcalfe, McHugh, Chase, McCadden, Caldera

In response to David Kunhardt, who requested a point of order, Mr. Wolff confirmed that an apartment complex exists in the C-3 district but that its conformity will not change. Mr. Kunhardt also asked for clarification on whether an extended stay hotel is considered a residential special permit issue, to which Chair Chase replied that he did not believe that is the case.

Commissioner McCadden and Mr. Wolff discussed the consequences of the amendments on existing properties. Mr. Wolff noted that the applications should not be affected and that the action is not retroactive, so no action will be taken on existing non-conforming properties in the C-3 districts.

Commissioner McCadden discussed a scenario whereby a residential property, which already exceeds the FAR, might not successfully apply for a planning project because their property does not conform to the code, which prompted discussion amongst the commissioners. Mr. Wolff noted that residential zones in the C-3 district exist, but that they were not constructed under a CUP. He noted that, if they eliminated some of the units, they would not necessarily have a right to replace them at a future date.

Commissioner McCadden discussed the need to hold off on withdrawing the CUP.

Chair Chase noted that the issues should be resolved with the Tamal Vista Corridor Study and the community plans. Mr. Wolff noted that the General Plan addresses not only a community plan, but also a policy and implementation program for a Mixed-Use commercial district, which he discussed.

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner McHugh, seconded by to adopt Resolution No. 16-008, recommending that the Town Council adopt Zoning Amendment No. 16-001 to remove a permitted conditional use, allowing residential units in locations and at densities determined by the Planning Commission to conform to the General Plan, from the C-3 zoning district regulations:

AYES: Metcalfe, McHugh, Chase

NOES: McCadden, Caldera

In response to Vice-Chair Metcalfe, Mr. Wolff acknowledged a late letter that was submitted and provided to the commissioners, noting that staff hoped some clarification had been provided with the discussions.

6. BUSINESS ITEMS – None

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

A. TENTATIVE AGENDA FOR MARCH 8, 2016 PLANNING COMMISSION MEETING

- i. CONTINUATION OF PUBLIC HEARING TO CONSIDER APPLICATIONS FOR A NEW 185-ROOM DUAL-BRANDED MARRIOTT HOTEL, INCLUDING A 78-ROOM SPRINGHILL SUITES AND A 107-ROOM EXTENDED STAY RESIDENCE INN. APPLICATIONS INCLUDE A PROPOSED GENERAL PLAN AMENDMENT, ZONING ORDINANCE AMENDMENT, NEW PRELIMINARY AND PRECISE PLANS (INCLUDING DESIGN REVIEW), AND A CONDITIONAL USE PERMIT AT 56 MADERA BLVD.

i. Commissioners

Commissioner McHugh reported on the February 16th Town Council meeting he had attended, with particular regard to the Climate Action Plan. He said the the primary concern had been whether or not the goals could be construed as mandatory. Commissioner McHugh noted that the hearing was the first in a multi-step process and that the Climate Action Plan was not adopted. He noted that there was more than one Council member who expressed unease about the document, which he discussed.

Commissioner McHugh reported that Mayor Bailey made a recommendation to implement meetings with community members to discuss areas of concern.

He also reported that that the Town Council will be agendaizing an item on Christmas Tree Hill paths, noting that there had not been any discussion.

ii. Planning Director

Planning Director Wolff reported that that the Christmas Tree Hill paths should be discussed at the next Town Council meeting, in addition to the Climate Action Plan.

Mr. Wolff discussed dates for future meetings, noting that April 12th is inconvenient for some commissioners and the date of March 29th was set.

Vice-Chair Metcalfe said she would like a discussion to take place on junior second units.

In response to Chair Chase, Mr. Wolff said the Town Council seemed amenable to a joint Town Council and Planning Commission meeting.

III. Tentative Agenda for March 8, 2016 Planning Commission Meeting

Senior Planner Boyle confirmed that the item on 516 Chapman has been rescheduled.

B. MINUTES

i. Planning Commission Meeting Minutes of February 9, 2016

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Caldera, to approve the minutes of February 9, 2016:

AYES: Metcalfe, McHugh, Chase, McCadden, Caldera

8. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 9:20 p.m.

Placing an item on the agenda: An item may be placed on the agenda by submitting a request to the Town Clerk or the Town Manager, or their designee, by Tuesday at 5p.m. 21 days prior to the Council meeting during which the item is sought to be considered. If such item requires staff investigation or if it will be considered at a future date in the normal course of business (e.g., planning and budget matters), it may be deferred to a later date with concurrence of the person submitting the item. Staff will accommodate submissions after the deadline whenever practical. (Town Council Rules and Procedures, Section 7.5)



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

www.townofcortemadera.org

DRAFT AGENDA
PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE

**CORTE MADERA TOWN COUNCIL
AND SANITARY DISTRICT NO. 2 BOARD
TOWN HALL COUNCIL CHAMBERS
300 TAMALPAIS DRIVE**

**TUESDAY, APRIL 5, 2016
7:00 P.M.**

CLOSED SESSION

I CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Gravel overflow parking lot on Redwood Highway (north of Nordstrom at The Village at Corte Madera) APN 024-032-19

Agency negotiator: David Bracken

Negotiating parties: Macerich (Garrett Newland and Cecily Barclay)

Under negotiation: Whether, and under what terms, the property could potentially be leased or sold.

II Report Out of Closed Session

OPEN SESSION

1. CALL TO ORDER, SALUTE TO THE FLAG, ROLL CALL

2. PRESENTATION: None

3. OPEN TIME FOR PUBLIC DISCUSSION

Please confine your comments during this portion of the agenda to matters not already on this agenda. Speakers will be limited to three (3) minutes unless otherwise specified by the Mayor or the Presiding Officer.

The public will be given an opportunity to speak on each agenda item at the time it is called. The Council may discuss and/or take action regarding any or all of the items listed below. Once the public comment portion of any item on this agenda has been closed by the Council, no further comment from the public will be permitted unless authorized by the Mayor or the council and if so authorized, said additional public comment shall be limited to the provision of information not previously provided to the Council or as otherwise limited by order of the Mayor or Council.

4. COUNCIL AND TOWN MANAGER REPORTS

- Town Manager Report
- Director of Planning & Building Report on Tamal Vista East Corridor Study
- Council Reports

5. CONSENT CALENDAR

The purpose of the Consent Calendar is to group items together which are routine or have been discussed previously and do not require further discussion. They will be approved by a single motion. Any member of the Town Council, Town Staff, or the Public may request removal of an item for discussion. Rescheduling of the item(s) will be at the discretion of the Mayor and Town Council

5.I SANITARY DISTRICT ITEMS

- 5.I.i Consideration of Approval of the Plans and Specifications and Authorization to Bid - Paradise West Sewer Improvements
(Report from Nisha Patel, Senior Civil Engineer)

5.II TOWN ITEMS

- 5.II.i Waive Further Reading and Authorize Introduction and/or Adoption of Ordinances by Title Only. (Standard procedural action – no backup information provided)
- 5.II.ii Second Reading and Possible Action to Adopt a Zoning Amendment (ZA 16-001) to Remove Residential Uses As A Permitted Conditional Use, in C-3 Zoning Districts; and Determination That These Actions Are Exempt From CEQA Pursuant to CEQA Guidelines Section 15061(B)(3).
(Report from Adam Wolff, Director of Planning and Building)
- 5.II.iii Approval of the Plans and Specifications and Authorization to Bid- Mariner Cove and Marina Village Storm Drainage Improvements
(Report from Kelly Crowe, Associate Civil Engineer)
- 5.II.iv Resolution to Authorize the Town Manager to Sign a Revised Joint Exercise of Powers Agreement (JPA) Between the Town of Corte Madera and the County of Marin and Other Member Municipalities Comprising the Marin County Major Crimes Task Force (MCTF)
(Report from Todd Cusimano, Police Chief)
- 5.II.v Approval of Production Services Agreement with Community Media Center of Marin – Marin Telecommunications Agency to Provide Professional Video Production Support for Cablecasting of Town Council Meetings
(Report from Rebecca Vaughn, Town Clerk)
- 5.II.vi Receive and File Investment Transactions Monthly Report
(Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer)

- 5.II.vii Approve Warrants and Payroll for the Period / /16 through / /16:
Warrant Check Numbers through , Payroll Check Numbers through
, Payroll Direct Deposit Numbers through , Payroll Wire Transfer
Numbers through , and Wire Transfer of / / .
(Report from George T. Warman, Jr., Director of Administrative Services/Town
Treasurer)

6. PUBLIC HEARINGS:

- 6.I Introduction of Proposed Flood Plain Ordinance Revisions
(Report from Kelly Crowe, Associate Civil Engineer)

7. BUSINESS ITEMS

- 7.I Second Reading and Possible Action to Adopt an Ordinance to Amend the Town of Corte Madera Municipal Code, Modifying Chapter 9.36 – Noise to Restrict the Operation of Leaf Blowers; and Determination that these Actions are Exempt from CEQA Pursuant to CEQA Guidelines Section 15061(B).
(Report from Town Attorney Randy Riddle and Assistant Town Attorney Judith Propp)
- 7.II Consideration and Possible Action to Approve Additional Locations for Display of Centennial Banners (Title to be Determined)
(Report from Adam Wolff, Director of Planning and Building)
- 7.III Consideration and Possible Action to Approve “Off the Grid” Event in Corte Madera Town Park (Title to be Determined)
(Report from Mario Fiorentini, Director of Recreation and Leisure Services)
- 7.IV Review of Draft April 19, 2016 Town Council Agenda
- 7.V Approval of Minutes of April 5, 2016 Town Council Meeting

8. ADJOURNMENT

TOWN COUNCIL STAFF REPORTS ARE USUALLY AVAILABLE BY 5:00 P.M., FRIDAY PRIOR TO THE COUNCIL MEETING, AND MAY BE OBTAINED AT THE CORTE MADERA TOWN HALL, OR BY CALLING 927-5050. AGENDA ITEMS ARE AVAILABLE FOR REVIEW AT CORTE MADERA LIBRARY, FIRE STATION 13 (5600 PARADISE DRIVE) AND THE TOWN HALL. IF YOU CHALLENGE THE ACTION OF THE TOWN COUNCIL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS AGENDA, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE TOWN CLERK, AT OR PRIOR TO THE PUBLIC HEARING.

Any member of the public may request placement of an item on the agenda by submitting a request to the Town Clerk. The public is encouraged to contact the Town Manager at 415-927-5050 for assistance on any item between Council meetings.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at 415-927-5086. For auxiliary aids or services or other reasonable accommodations to be provided by the Town at or before the meeting please notify the Town Clerk at least 3 business days (the Thursday before the meeting) in advance of the meeting date. If the town does not receive timely notification of your reasonable request, the town may not be able to make the necessary arrangements by the time of the meeting.

DRAFT

1 DRAFT

2
3 MINUTES OF MARCH 1, 2016

4
5 REGULAR MEETING
6 OF THE
7 CORTE MADERA TOWN COUNCIL
8

9 Mayor Bailey called the Regular Meeting to order in the Town Hall of the Town of Corte
10 Madera on March 1, 2016 at 7:30 p.m.

11
12 **1. ROLL CALL:**

13
14 Councilmembers Present: Mayor Bailey, Vice Mayor Furst and Councilmembers Andrews,
15 Condon and Lappert

16
17 Councilmembers Absent: None

18
19 Staff Present: Town Manager/Town Engineer David Bracken
20 Director of Planning and Building Adam Wolff
21 Assistant Town Attorney Judith Propp
22 Police Chief Todd Cusimano, CMPA
23 Captain Michael Norton, CMPA
24 Town Clerk/Assistant to the Town Manager Rebecca Vaughn
25

26 **SALUTE TO THE FLAG:** Mayor Bailey led in the Pledge of Allegiance.
27

28 **2. PRESENTATION**

- 29 2.1 Central Marin Police Authority 2015 Calls for Service and Traffic Report
30 Presentation by Capt. Michael Norton and Lt. Hamid Khalili, Central Marin
31 Police Authority
32

33 Captain Michael Norton gave a PowerPoint presentation highlighting CMPA's 2015 calls for
34 service and traffic report which covers the three jurisdictions of San Anselmo, Corte
35 Madera and Larkspur. He explained calls for service include everything police do and the
36 top two areas are the Village and Town Center. They also get called for service at the high
37 schools and other shopping centers. A large bulk of their work is traffic enforcement and
38 stops, extra patrol and foot patrol and response to medical aid and alarms.
39

40 He presented a chart for CMPA calls for service, stating there are slightly less in Corte
41 Madera, but the numbers increase for report-writing in Corte Madera due to the shopping
42 centers and the Town's proximity to the highway and off-ramps.
43

44 Captain Norton then presented the following breakdown:
45

- 46
 - The bulk of calls for service occur between 7AM and midnight.

7.II

- 1 • Higher numbers for calls for service relate to enforcement and report writing at the
- 2 shopping centers, restaurants and areas near the highway on and off-ramps.
- 3 • Part 1 crimes are serious felonies and Part 2 crimes are everything else.
- 4 • There were no homicides in Corte Madera, but there were some rape crimes,
- 5 robberies, residential burglaries, commercial burglaries, vehicle thefts, general
- 6 thefts, DUI's and drug violations, fraud and identity theft.
- 7 • Corte Madera's reports increased from residents coming in the station and reporting
- 8 a crime.
- 9 • Top 7 offenses in Corte Madera are auto burglaries, incident reports, commercial
- 10 burglary, shoplifting, mental commitments, psychiatrics and grand theft.
- 11

12 Regarding traffic citations and collisions, Captain Norton presented the most cited
13 locations, stating that off of Tamalpais and off of Tamal Vista there are 8 side streets that an
14 officer might be called out; however, they are spread out evenly which he reviewed. He
15 stated police do not do a lot of parking enforcement in Corte Madera, other than
16 handicapped parking enforcements as compared to Larkspur and San Anselmo because
17 there are no meters and zoning is different.

18
19 CMPA staffing has remained the same size but has reorganized staff a bit to focus on
20 enforcement and have received a statewide grant for enforcement. Regarding collisions, the
21 main area these occur are in parking lots.

22
23 He concluded by presenting the various collisions which include 242 hit and runs with no
24 injury, city street accident names exchange such as fender benders, accident no injuries and
25 accident injuries, private property names exchange, and DUI accidents, DUI accident with
26 injury and hit and run with injury. He said traffic collisions are evenly spread between the 3
27 cities and the bulk of these occur during the day.

28
29 Vice Mayor Furst thanked Captain Norton and said she was astounded that more than 30%
30 of collisions are hit and runs. She asked what occurs if the perpetrator is found.

31
32 Captain Norton said they can handle it as a crime or with elderly drivers, they might not be
33 aware that they hit a car. In this instance they would exchange names and do a re-
34 evaluation of a driver's test but they would try to help the other party get whole again if the
35 perpetrator is found.

36
37 Mayor Bailey asked how numbers compared to last year's statistics.

38
39 Captain Norton said two years ago they had 103 calls per day on average and last year they
40 had 102 calls for service. Some of their traffic enforcement numbers decreased a bit, but
41 they are rising given staffing changes in the division which has made them stronger. They
42 hope through this that collision numbers go down.

43
44 Mayor Bailey opened the public comment period.
45

1 PATI STOLIAR, Casa Buena Drive, said there is a perception that the crime rate is higher in
2 some of the areas where affordable rental units are located and she asked if this is shown in
3 statistics.

4
5 Captain Norton said their numbers do not distinguish between affordable versus market
6 rate units. Their numbers show that the crime rate is higher along major arteries, whether
7 it is Highway 101 or Sir Francis Drake Boulevard.

8
9 BOB BUNDY, Golden Hind Passage, asked how many vagrancy, disorderly conduct and
10 public drunkenness crimes are related to homelessness. He also asked if this turns into a
11 revolving door syndrome wherein the County intervenes and provides services.

12
13 Captain Norton said the County has been effective in providing services and officers are
14 aware of those services. Like any crime, whether it is drug addiction, DUI or public
15 drunkenness, there are some people who turn their lives around as well as always some
16 with repetitiveness. There are also some middle and upper class people who also get
17 arrested for the same crimes. When possible, police steer them toward resources.

18
19 Mayor Bailey thanked Captain Norton for his presentation and asked Councilmember
20 Lappert to provide a brief fact regarding Corte Madera.

21
22 Councilmember Lappert said the Council is talking about efficiencies, possibly merging
23 their paramedic and fire services, and he reviewed the history of this in Corte Madera. He
24 read that in 1907 a prediction was made that Corte Madera would not incorporate,
25 preferring to wait for the day when all Marin communities would form a single city. In fact,
26 the Corte Madera Improvement Society put together and adopted a unanimously approved
27 resolution in 1914 where Larkspur, Corte Madera and Kentfield should join and become
28 one city. The resolution was passed in 1907 but never went anywhere. But, here Corte
29 Madera is talking about the same thing 109 years later.

30
31 **3. OPEN TIME FOR PUBLIC DISCUSSION**

32
33 BOB BUNDY, Golden Hind Passage, said he attended the neighborhood disaster
34 preparedness event last Saturday where the Fire Department and paramedics talked about
35 a cardiac arrest they responded to that morning. He spoke about how defibrillators have
36 made a big difference in paramedic care. He received word that the victim was a good
37 friend of his and went to Marin General Hospital, was in an induced coma for 36 hours, was
38 brought out of it, spoke to his family and him and appears to be making a remarkably good
39 recovery. He recognized the Fire Department paramedics for their great care and
40 congratulated the Town for looking into sharing of services and consolidation and asked
41 the Town to publicize this so the public can weigh in and provide feedback.

42
43 Councilmember Lappert stated that his paramedic son, Andrew Lappert, was involved in
44 saving his life, stating that the Corte Madera Paramedic Department has the highest success
45 rate of any jurisdiction in Marin County. Additionally, the Council and public should receive
46 news about the Fire Department in the next week.

47

1 JIM BITTER, Mill Valley, thanked the Council for running for office and said on February
2 16th the Council considered the Climate Action Plan, and it would be helpful to tell residents
3 what this is. He suggested the Council search for Agenda 21 and said there are funding ties
4 close to Marin whereby the Marin Climate Energy Partnership gets some of their funding
5 from ICLEI.

6
7 Mayor Bailey indicated that the Climate Action Plan is on the Council's Consent Calendar
8 tonight but allowed Mr. Bitter to proceed with his comments.

9
10 Mr. Bitter continued stating that Councils really do not know the costs of implementing
11 such a plan, has little time to address it, and suggested they know more given the Council
12 approved a project like the Tamal Vista project.

13
14 KEITH HAGUE, Willow Avenue, said he and his wife moved to Corte Madera one year ago
15 and live along the train tracks and bike path. About one week ago he put up a fence to
16 protect his family the skunks, deer, raccoons, rats, dogs running into their yard and other
17 animals. He learned the fence is not completely on his property line, although it appeared
18 to him that a precedent had been set along the path. He said the fence he installed is very
19 respectful of the bike path. The slope he is on is very steep and the fence is where the slope
20 begins to drop off. He thought it was a good idea to install it for public safety purposes and
21 hopes to be able to come to some compromise.

22 23 **4. COUNCIL AND TOWN MANAGER REPORTS**

24 25 - Town Manager Report

26
27 Town Manager Bracken gave the following report:

- 28
29 • He had previously attempted to work with Caltrans regarding runoff that comes off
30 of the freeway at 1421 Casa Buena Drive which became an issue when they applied
31 for their subdivision permit. He announced that Senior Engineer Patel spoke with
32 Caltrans and today they programmed a repair and were out surveying with results
33 for construction planned for next summer.
- 34 • The Bicycle and Pedestrian Plan is out for public viewing. It will be posted on the
35 Town's website and the deadline to receive comments on it is April 1, 2016.
- 36 • A major project is coming up on Tamalpais Drive in the summertime which will
37 include handicapped ramps, paving, slurry seal, rapid flashing beacons, enhanced
38 crosswalks, accessible improvements to curbs, and reflective striping. In response to
39 Vice Mayor Furst regarding room for bicyclists, Mr. Bracken said they will review
40 this as well as parking along the area when striping is undertaken.
- 41 • The Town has two new Firefighter Paramedic employees; Reserve Robert Craft and
42 Mark Layman.
- 43 • The Parks and Recreation Commission met last Monday and are reviewing rules and
44 regulations for the Skate Park. The Town has had some minor confrontational issues
45 there between older and younger skaters, and the department is looking at posting
46 new rules and signage.

- 1 • Regarding Tam Ridge Residence, Ledcor Construction has been removed from the
2 site and has withdrawn from the building permits as a building contractor of record.
3 A replacement contractor has not been determined due to the legal process with a
4 surety bond. Once that is resolved, the new contractor will be declared and brought
5 on to formally apply and take over building permits. The partners are actively
6 working to get this resolved and get the new contractor on board. In the meantime,
7 construction work is on hold. However, the developers are aggressively installing
8 temporary weather resistant measures to keep structures dry.
- 9 • In response to Mayor Bailey, Mr. Bracken said the Tamal Ridge Residence project is
10 approximately 85% to 90% complete.
- 11 • Regarding the fence installation on the railroad right-of-way, he will be in touch
12 with Mr. Hague and thanked him for his comments.
- 13 • In follow-up to the Mayor's request last meeting, Mr. Bracken displayed curb
14 ponding maps and provided the following update:
 - 15 ○ Curb ponding in Mariner Cove occurs because the subdivision was never
16 properly constructed or had proper grades.
 - 17 ○ There is insufficient storm drainage, sea level rise, and ponding is also due to
18 settlement.
 - 19 ○ Fixing them is a major task. In 2007 the Town conducted a drainage and
20 flood control study that produced these maps and plans to fix it. It broke
21 Mariner Cove up into 7 different tributary areas for drainage and each would
22 need a pump station and storm drain improvements.
 - 23 ○ One area was fixed on the end of Golden Hind near the Cove School which
24 costs \$1 million.
 - 25 ○ Another major improvement needed is a flood wall around San Clemente
26 Creek which will cost about \$20 million.

27
28 Mayor Bailey said he had asked that these maps be brought forward to highlight what the
29 Town has done, how funds have been spent and he thanked Mr. Bracken for the report.

- 30
31 - Director of Planning & Building Report on Tamal Vista East Corridor Study

32
33 Director of Planning & Building Adam Wolff gave the following report:
34

- 35 • Two additional outreach meetings were held at Book Passage with local residents of
36 Chickasaw, Council Crest and Tamal Vista Boulevard. Good comments came out of
37 the meetings and staff is in the process of gathering information and reporting back.
- 38 • On April 6th a workshop will be held at the Community Center at 6PM.
- 39 • He met with the Beautification Committee on February 24th which was a briefing
40 and chance for informal feedback and comments.
- 41 • For anyone wanting to be added to the Tamal Vista Corridor Study email list, he
42 asked that they email him at Awolff@tcmmail.org. Staff will prepare for a larger
43 workshop and will keep the Council informed of updates.
- 44 • In response to Mayor Bailey, the Town is on track to have options presented before
45 the moratorium expires.
- 46
47 - Council Reports

1
2 Councilmember Condon gave the following report:

- 3
4 • She reported on Chamber of Commerce activities:
- 5 ○ She attended the Chamber of Commerce Board meeting today.
 - 6 ○ She reminded everybody that on March 30th the State of the Town Luncheon
 - 7 will be held at the Best Western. She asked people to contact the Chamber of
 - 8 Commerce at www.cortemadera.org or contact Julie at 924-0441.
 - 9 ○ In April the Chamber of Commerce will be holding its annual fundraising
 - 10 auction and it is open to anybody.
- 11 • The Centennial Committee has been working hard to get all of the activities in line.
- 12 She asked people to calendar June 10-11-12 which is the Centennial Weekend 100.
- 13 There are activities for all ages starting Friday evening through Sunday.
- 14 • The Central Marin Police Authority is partnering with Age-Friendly Corte Madera.
- 15 They will go live with the *Are You Okay?* Program. Anyone 60 or over can get a daily
- 16 call. After a third call without any answer, police will come to the house to check on
- 17 seniors.
- 18 • CMPA has also offered their conference rooms to provide programs for seniors, are
- 19 willing to provide an 11-passenger van to pick up seniors to the program, with the
- 20 end goal to end isolation for seniors and those living alone.

21
22 • Councilmembers Andrews and Lappert and Vice Mayor Furst had no reports.

23 •
24 Mayor Bailey gave the following report:

- 25
- 26 • He attended a merger study input meeting on the merger between ABAG and MTC
 - 27 held immediately before the MCCMC meeting last week:
 - 28 ○ The idea is to propose and solicit input on a merge between local housing
 - 29 and transportation planning agencies. The topic has been controversial and
 - 30 the MCCMC meeting was fairly emotional and members pointed out their
 - 31 local needs should be taken into account.
 - 32 ○ A survey was distributed which is due on March 6th, and the Town was
 - 33 solicited to express an opinion from those who want to do the merger and
 - 34 those who are very much against it. After the meeting, he will send out
 - 35 information on the survey.
 - 36 ○ A follow-up meeting will be held on March 14 in Novato.
- 37 • He attended the MCCMC Legislative Committee:
- 38 ○ He learned that the last day for new bills in California was February 19, 2016.
 - 39 ○ Brief reports were given by representatives including aides for
 - 40 Assemblymember Marc Levine and for Senator Mike McGuire, and when they
 - 41 are finalized, he will report back.
 - 42 ○ Senator McGuire's priorities included dealing with the marijuana tax issues
 - 43 and Assemblymember Levine's priorities included issues dealing with the
 - 44 CalPERS portfolio and investment and state infrastructure issues.
- 45 • He attended the Marin Clean Energy meeting on February 18, 2016:
- 46 ○ New member Sashi McEntee from the City of Mill Valley was sworn in.
 - 47 ○ All rates for MCE customers will remain the same for 2016, but the actual
 - 48 amount on the bill customers pay on the bill will slightly increase.

- One charge paid to MCE is to have purchased power which is from renewables. Part of the bill is for transmission of that electricity from purchased plants into homes and PG&E handles that part of it. PG&E then publishes those combined bills all at once.
- The PG&E and MCE portions fluctuate slightly, but the additional surcharge is called the Power Charge Indifference Adjustment (PCIA) which is PG&E's way of capturing lost revenue from customers moving to CCAs. This charge went from \$4.50 to \$10.00 this year as well as increased PG&E rates.

5. CONSENT CALENDAR

Councilmember Andrews requested removal of Item 5.II.

5.I. Waive Further Reading and Authorize Introduction and/or Adoption of Ordinances by Title Only. (Standard procedural action – no backup information provided)

5.III. Receive and File Investment Transactions Report for Month of November, 2015

(Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer)

5.IV. Receive and File Investment Transactions Report for Month of December, 2015

(Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer)

5.V. Acceptance of Annual Statement of Investment Policy

(Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer)

5.VI. Approve Warrants and Payroll for the Period 2/12/16 through 2/25/16: Warrant Check Numbers 213036 through 213105 Payroll Check Numbers 5131 through 5140, Payroll Direct Deposit Numbers 28874 through 28986, Payroll Wire Transfer Numbers 1970 through 1977 and Wire Transfer of 3/01/16.

(Report from George T. Warman, Jr., Director of Administrative Services/Town Treasurer)

MOTION: Moved by Lappert, seconded by Condon, and approved unanimously by the following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes: None)

To approve the Consent Calendar Items 5.I, 5.III, 5.IV, 5.V and 5.VI

Item Removed from the Consent Calendar:

1
2 SHERYL LONGINATTI, Tamal Vista Boulevard, said she thinks Councilmember Andrew's
3 comments are good information but it is like looking at the elephant and holding the tail
4 and not seeing the bigger picture. What people are really talking about are GHG emissions
5 which have numerous impacts on the environment including ocean acidification which are
6 changes the pH in the ocean which will change the entire food chain. She thinks the Town
7 should look at this more in a broad sense.

8
9 DAVID KUNHARDT, Hill Path, said he received a preview of the slides displayed and spent
10 the last half hour at the Town of Yountville where they continued their Climate Action Plan
11 and enhanced it, adding several new steps including some actual solar projects. He said he
12 was very confused about why one would show 1991 and 1992 United Nations information
13 and data because so much has changed over the last 25 years.

14
15 When jumping to the end point of the slides and advice, he completely agrees. It reminds
16 him of what Governor Brown is doing now with other states and jurisdictions where he is
17 taking the phrase "Climate Change" and setting it aside. The Governor wants to talk about
18 the things people can do and talk about clean air, asthma, electrification of vehicles and
19 getting rid of bad health effects. The reason that the UN focuses on things that are caused
20 by humans is because these are things people can do something about and sea level rise is
21 something people can do something about. It will rise thanks to additional carbon in the
22 atmosphere which is directly caused by human activity and people will not slow it down or
23 stop it.

24
25 He offered that at the next Lions Club Meeting on March 10th at 7:30 p.m. there will be a
26 representative of Measure AA to discuss the \$12 parcel tax to make funding available for
27 wetlands restoration in the Bay. Secondly, the Environmental Forum of Marin will hold a
28 session at 7:00 p.m. on March 23rd on progress of renewable energy. He will be moderating,
29 and there will be a physicist and a representation from the Post Carbon Institute to talk
30 about real facts, progress, frustration and what can and cannot be done with renewable
31 energy.

32
33 BOB BUNDY said if this is true it will make his job easier on the Flood Control Board.
34 Following the precautionary principle, he asked what if scientists are right and the fact that
35 CO2 increases in the atmosphere where they are over 400 parts per million which has
36 never been seen before. They have done core ice samples through ice age periods and CO2
37 levels do not seem to reflect the warming trend. This seems to be something man-made. He
38 suggested people should try to do something about their CO2 emissions. Additionally, they
39 are dealing with coal, gas and oil industries which will run out at some point. They have
40 found ways to extract more with fracking which may or may not have environmental
41 consequences, but this will run out at some point and alternative energy sources will be
42 needed and will most likely be renewables.

43
44 He suggested adhering to some of the recommendations and hedging their bets going
45 forward. Also, part of the problems involving Enron shorting the system and causing power
46 blackouts was so they could make huge profits.

47

1 JIM BITTER, Mill Valley, said the Climate Action Plan is an important item and thinks
2 residents of Corte Madera should have access to all information of the Marin Climate
3 Energy Partnership. The Town is contracting with Ms. O'Rourke to prepare the plan and at
4 the last meeting Councilmember Condon voiced concern with the language in the plan. She
5 was concerned that the Town would be held liable for compliance. He suggested the
6 Council tell the public what costs will be incurred based on the plan and he asked the
7 Council to continue the item to another evening and notice it.

8
9 Vice Mayor Furst said she appreciates that each Councilmember comes to issues with their
10 own points of view. She thanked Mr. Bitter for putting together the slide show to explain
11 his views; however, it is difficult for her to take some of this information seriously because
12 she does not understand the sources. She suggested there may be times when the Council
13 can provide its own slide shows, but she would like these put together by staff.

14
15 Also, if there are concerns regarding definitions of climate change or global warming she
16 thinks it would be appropriate to ask staff to research it and arrive at what the appropriate
17 definition is. She also thinks that she and Mr. Bitter differ greatly in points of view
18 regarding climate change. She believes in the consensus of the overwhelming majority of
19 scientists around the world, but regardless of Mr. Bitter's personal point, the document is a
20 toolbox. It is a list of many things the Town, businesses and residents can do and projects
21 they can undertake to lessen their carbon footprint.

22
23 She appreciates that Councilmember Andrews recognizes this is a series of tools for the
24 Town they might consider in the future, and this is how she is looking at it. Mr. Bitter also
25 spoke about costs and how the Town is undertaking a huge burden. What the Town is
26 undertaking is adopting a document that provides many ideas. The Town is not obligated to
27 pass all of the policies which were discussed at the previous Council meeting. The Council
28 requested language to be added which is included in the final document tonight. The
29 language makes it clear that the Town is under no obligation to adopt all of the policies
30 included in the plan. The fiscal impacts are zero except for staff time which is minimal given
31 that the Climate Partnership has covered much of the cost for preparing the document.
32 Therefore, she thinks the plan is cost-efficient with many great ideas the Town can use.

33
34 She added that some of the things not included are future solar capabilities or a micro-grid,
35 and possibly they will be included in future revised plans given growth in technologies and
36 needs. Therefore, she thanked staff for making the changes to the document as the Council
37 requested at the prior meeting and voiced her support for adoption of the plan.

38
39 Councilmember Andrews said the definition on the last page is the one used at the Paris
40 Conference. He said they refer to the United Nations Framework Convention on Climate
41 Change which was put together in 1992. When talking about climate change, it is a term of
42 art and it only means man-made caused climate variations. When the Town is publishing
43 documents about climate change it should make it clear in the document that this is what
44 they mean.

45
46 He noted that in 1816 they had a "year without summer" due to a volcano eruption in
47 Indonesia which caused famine in parts of Europe. Just prior to the Ice Age, it is believed

1 that 3 or 4 volcanos erupted which caused the Ice Age. When asking the average person if
2 they have an Ice Age whether that is climate change, they would say yes. By the plan's
3 definition it would not be considered climate change and he thinks if the Town is
4 publishing documents it should be very clear to say it is only man-made climate change.

5
6 Councilmember Andrews suggested that wherever in the document it states "climate
7 change" it should be changed to "man-made climate change" because otherwise it is false
8 and misleading.

9
10 Councilmember Lappert asked that the Town not tax staff with putting together reports for
11 presentations and he thinks any Councilmember should have the opportunity to voice their
12 concerns.

13
14 Councilmember Condon said she appreciates the information. She also has an aversion
15 when hiring consultants but feels that the resolution with its insert about "the document is
16 not intended to create specific or enforceable obligations by the Town" makes it such that it
17 will not come back to bite the Town; that there are very good suggestions in the plan and
18 for the most part, constituents are prudent about the use as opposed to the waste of
19 energy. Therefore, she can see adopting the resolution and approving the plan because it
20 provides a toolbox and also it is not something the Town will be bound to.

21
22 She said the trend today is to promote awareness of climate change and there has been a
23 lot of talk in Sacramento that this component might be made into a requirement of a
24 General Plan, so she believes the Town is one step ahead.

25
26 Vice Mayor Furst said her point is that she did not want staff to create PowerPoint
27 presentations, but there are certain issues where staff is in a better position to research
28 and come to a conclusion about such as using a 1992 term or a California term to what is
29 more appropriate.

30
31 Mayor Bailey pointed out that as stated at the last meeting, this is an aspirational document
32 and staff clarified in writing that it is not intended to create a specific and forceful
33 obligation to the Town but it is a reference tool for possible future actions. He believes that
34 the mission is to set up the Town for future generations, and there are many ways to
35 accomplish things in the plan.

36
37 He thinks that the plan asks whether the Town agrees it ought to conserve resources, be
38 sensible about water quality, be careful about polluting the environment, recycle, conserve
39 energy, and he believes these are all things the Town should do. It is also strong to send a
40 message to children that they believe these things. He agrees that to help affect things is
41 incrementally, steadily and consistently. He suggested that Councilmembers refuse to
42 participate but try to help in a concrete way to voice what the problem is.

43
44 At the last meeting Mayor Bailey said he explicitly asked Councilmembers to find out what
45 bothered them in the document and to suggest alternate language. He is now hearing that
46 they think there is a problem with a specific term but do not know how to change it. He is
47 not persuaded that the word "climate change" from a 1992 study is the same one being

1 used here or intended in the same fashion. Words are taken in their plain and ordinary
2 meaning which means that absent a defined term within the body of the document, it is not
3 so defined. It is meant in an ordinary course of way. He would have wanted a page and line
4 number be identified but in the absence of doing so it comes down being responsible to do
5 what can be done. What the Council can do now is to show support for the plan and
6 suggested a motion.

7
8 Councilmember Lappert said he will vote to oppose the plan because if he sees something
9 wrong he does something right. He said he just does not want something overreaching by a
10 higher government authority that imposes on small communities like Corte Madera with
11 unfunded mandates that wind up costing the Town money. They are solely used as a
12 vehicle for their power grab. He thinks all people should be good citizens and not waste and
13 pollute. He simply does not want someone requiring the Town to count carbons and
14 making the Town pay someone to create and revise a plan.

15
16 Mayor Bailey said he largely does not disagree with Councilmember Lappert's comments;
17 however, the Town periodically seeks to get funding through grants. He does not mind his
18 tax dollars used to reduce flooding in town and the way he makes a strong case to get that
19 money directed to help citizens is that the Council has checked the boxes to do those things
20 which the people who award the funding are fond of and does not believe the Town has the
21 resources on its own to forestall the flooding in East Corte Madera which is \$27 million.

22
23 MOTION: Moved by Furst, seconded by Condon, and approved unanimously by the
24 following vote: 3-0-2 (Ayes: Condon, Furst and Bailey; Noes: Lappert;
25 Abstain: Andrews)

26
27 To adopt Resolution 03-2016 approving adoption of the Final 2016 Climate
28 Action Plan

29
30 **6. PUBLIC HEARINGS - None**

31
32 **7. BUSINESS ITEMS**

33
34 7.1 Consideration and Possible Action to Approve Amendments to Adopted
35 Town Budget for Fiscal Year 2015-2016
36 (Report from George T. Warman, Jr., Director of Administrative
37 Services/Town Treasurer)

38
39 Director of Administrative Services/Town Treasurer George T. Warman, Jr., stated the item
40 is a routine action where the Town Council considers revenue adjustments. The County
41 informs staff about the property tax roll the end of October and normally there is an
42 adjustment in what is provided. There are 8-10 categories of property taxes current and
43 secured which is somewhere between 85% and 9% of the roll. This is the one that tends to
44 see the increase. The others, except for the supplemental roll are essentially unchanged
45 year to year. The supplemental roll can fluctuate depending on real estate sales.

46
47 The sales tax override does not look like it needs an adjustment. This adjustment to the

1 main sales tax is primarily the result of automobile sales. Very little of the sale tax override
2 is related to auto sales. Transient Occupancy Taxes (TOT) is up primarily because of
3 improvements in the travel industry. The other items are not predictable at the time the
4 budget is enacted. In this case there are state-mandated cost reimbursements that are
5 monies due to the Town 12 to 13 years ago.

6
7 State fire reimbursements are unpredictable and this year it looks like the Town will have
8 one of the highest amounts they have had. At the end, revenue came in as a reimbursement
9 related to the housing litigation and the Town has been able to sell some of its replaced
10 vehicles and equipment.

11
12 The park in-lieu adjustment is related to a subdivision that occurred. The sewer fund
13 revenue adjustment is property taxes when they already discussed. The settlement of the
14 Panogatacos litigation resulted in the Town receiving \$1.5 million back which allows the
15 Town to reinstate some postponed sewer projects which are in the list.

16
17 Most of the General Fund expenditures are JPAs and at the time the budget is put together,
18 the JPA budgets are generally not finalized. The one this year that has been finalized is
19 Marin Emergency Radio Authority (MERA). There is also an adjustment involving legal
20 services, the fire disaster overtime is related to the revenue source he just discussed.
21 Building activity is up requiring the Town to use the contractual building inspection service
22 more than was anticipated. The Chamber of Commerce adjustment is related to the
23 increase in the TOT tax where the Chamber automatically receives 2% of the tax.

24
25 The Town had two appraisals done not directly anticipated when the budget was put
26 together. One involves the re-finance of the Park Madera Bonds. The other is associated
27 with litigation which was an appraisal on the gravel lot.

28
29 There was an omission in the budget involving state disability access fees which is actually
30 a mandated cost put on the Town that self-funds itself. The Reilly Subdivision park in-lieu
31 funds are proposed to be budgeted and lastly, there is money being reinstated and
32 proposed to be moved up from FY 2016/17 which is the Paradise West Sewer
33 improvement which was postponed one year because of the Panogatacos litigation. As was
34 indicated, that settlement enables the Town to move that project back up.

35
36 Lastly, the budget adjustments approved to date are attached. Most had to do with
37 compensation increases when the budget was put together while negotiations were
38 underway. Mr. Warman said he was available for questions.

39
40 Vice Mayor Furst referred to the State Fire reimbursements, there are revenues and
41 expenses. She said she thought those both were accounted for in the salary line item, but
42 she asked if these were actually in revenues. Mr. Warman replied that the revenue amount
43 is a gross amount that includes reimbursements for overtime, a reimbursement for vehicle
44 usage, as well as an administrative overhead reimbursement. This is why the revenue
45 number is higher than the expense number. When this amount is accrued, the overtime
46 charged to fire suppression and emergency medical services, when the reimbursements
47 come back it is reversed out and put under Fire Disaster overtime. At the end of the year,

1 those end up being budgeted 100%. Otherwise it distorts the actual performance of the
2 Fire budget.

3
4 Vice Mayor Furst referred to Transfer to Park Madera Center, there is \$10,300 for the
5 gravel lot appraisal, and she asked why this was under Park Madera. Mr. Warman said the
6 appraisals done in the past that had to do with Park Madera Center were there, as the same
7 appraiser did it. There were several reasons for him putting it there but one reason was
8 land banking. It was felt that if there is something that comes in as a result of the gravel lot
9 discussions, it might make sense to use that additional money to reduce the deficit in that
10 fund. In any event, the money is coming from the General Fund. It is not going to increase
11 the deficit in that fund because it must come from the General Fund.

12
13 Vice Mayor Furst asked which item was the Reilly Subdivision. Mr. Warman said this is
14 above Marin Joe's where there was an isolated lot. The purchaser of the lot was able to
15 achieve access through somebody's property, but all neighbors were concerned about it.
16 Mr. Wolff clarified this occurred in 2007.

17
18 Mayor Bailey opened the public comment period.

19
20 BOB BUNDY, Golden Hind Passage, said he did not realize the Town was paying \$25,000 to
21 help kids from Corte Madera to Reed School. This gets back to the redistricting issue
22 brought up many times and he completely agrees with.

23
24 Councilmember Lappert noted that Councilmembers from Tiburon and Belvedere had
25 come before the Council requesting funding for the Yellow School Bus Challenge 2.0, and
26 this is not a permanent allocation.

27
28 MOTION: Moved by Condon, seconded by Furst, and approved unanimously by the
29 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
30 None)

31
32 To approve amendments to the Adopted Town Budget for Fiscal Year 2015-
33 2016

34
35 7.II Consider Providing Additional Direction For Amendments to the Town of
36 Corte Madera Municipal Code Chapter 9.36 – Noise to Clarify Noise
37 Regulations and Enforcement
38 (Report from Randy Riddle, Town Attorney, and Judith Propp, Assistant
39 Town Attorney)

40
41 Assistant Town Attorney Judith Propp said last August the Central Marin Police Authority
42 (CMPA) came to the Council with recommendations regarding the noise ordinance. They
43 pointed out that it is outdated, difficult to enforce, there is evidence that there have been no
44 citations issued by CMPA for a significant period of time and the purpose of bringing the
45 staff report back to the Council was to clarify discussion points that were held last August,
46 get more direction and work with CMPA and the Planning and Building Department and
47 bring this back as quickly as possible with an updated noise ordinance.

1
2 Ms. Propp pointed out that at the August meeting the Town Council gave staff direction to
3 amend the noise ordinance regarding leaf blowers, particularly under Section 9.36.030
4 with new language at subsection e and subsection f. In the Council packet she provided a
5 red-lined version and suggested review to confirm this is what the Council wanted.

6
7 She said the other recommendation by CMPA was to jettison those portions of the
8 ordinance that were unenforceable regarding general noise and the definitions as pointed
9 out previously by Captain Norton. Her recommendation tonight is to walk the Council
10 through some types of enforcement tools. There were questions when this matter was
11 previously discussed regarding Penal Code Section 415 and she attempted to provide more
12 information in the staff report concerning that and they also tried to provide some
13 additional information about some administrative processes through the administrative
14 citation process or the abatement warrant.

15
16 The idea tonight would be to receive priorities from the Council and the community about
17 what type of general noise issues the Council thinks are important so they can work with
18 the Police Authority and Town staff and return with a workable and enforceable noise
19 ordinance.

20
21 Councilmember Condon asked how the Town includes such noises as dogs barking all the
22 time or if there are loud parties where police are called.

23
24 Ms. Propp said when the noise ordinance was drafted in 1978 part of the update would be
25 to clearly define what noise is and how it is measured. There is a maximum noise level and
26 this may be for barking dogs, lawnmowers, parties, etc., and then they are defaulted to
27 Section 040 on the general noise regulations that basically states anything over the noise
28 level chart is not allowed. That is where the police need more clarity and discretion so it is
29 not so absolute. She said it did not seem this was what the prior Council had intended, but
30 staff needs some clarification on that.

31
32 Ms. Propp said tonight they would want to hear from the Council what they would want to
33 regulate, such as barking dogs, amplified sounds, complaints coming into the town for
34 parties or social events, and those types of things. There are more current noise ordinances
35 available from other jurisdictions and they want to work with the Police Authority to
36 determine what they believe is an enforceable mechanism and some consistency with other
37 cities they represent as well so there is some economy of scale for the enforcement they do
38 here as well as in the other jurisdictions.

39
40 Mayor Bailey said this was his question and he had expected the Chief to answer this. He
41 had understood it was one of the most persuasive reasons why the Council should amend
42 and change the ordinance was to make it consistent with other jurisdictions under the
43 CMPA for uniformity of enforcement. He would have thought in the drafting, counsel would
44 have already considered what it is in San Anselmo and Larkspur.

45
46 Ms. Propp said they have done some preliminary research on that, although again, their
47 noise ordinances are a bit more current in the 1980's but not much more than that. The

1 thought was not only to come back with a chart that shows exactly the issues they regulate
2 but also to focus and clarify on items that are enforceable and those which police think
3 cannot be enforced in Corte Madera.

4
5 Mayor Bailey said those sorts of recommendations are very important to know and while it
6 does not hurt to hold a meeting, this feels very premature to him because he does not know
7 what the options are or what is recommended. He suggested for the next meeting having
8 what the Chief is recommending as being appropriate and, secondly, to identify what
9 options other towns have considered and either have accepted or rejected. He relies a lot
10 on what the experts think is important and then they can amend and modify.

11
12 Councilmember Lappert said the problem with trying to enforce noise ordinance is that
13 some towns are very sensitive to noise problems, and most often it is driven by few people.
14 This will be found no matter where one goes. He recommended not getting too wordy on
15 the matter.

16
17 Vice Mayor Furst said it might be that they have two or three really loud people or
18 machinery in town. She said considering that none of the three jurisdictions in CMTA have
19 a noise ordinance that is fully enforceable, she asked whether this would be more
20 appropriate to bring up at the Marin Managers Meetings and ask whether any of the other
21 cities have an enforceable ordinance.

22
23 Mr. Bracken said he would be happy to do this. He thinks that in reflecting on
24 Councilmember Lappert's comments the noise ordinance is a difficult ordinance. He
25 suggested searching "noise levels" on the Internet and one will find many different charts
26 comparing various decibel levels. In comparing to what the Town has for allowable noise
27 levels, at certain times of the day, a person can violate the noise ordinance simply by
28 talking loudly. He did not believe it has been addressed recently by any city and can look
29 beyond Marin County. He suggested continuing the process and getting something
30 definitive back to the Council by the end of April.

31
32 Councilmember Andrews asked if ordinances are different in each jurisdiction for leaf
33 blowers. He also asked how to make it easy to explain to landscapers the rules on hours
34 and noise levels so it is consistent between jurisdictions.

35
36 Captain Norton noted that currently the Town of San Anselmo has specific times they allow
37 leaf blowers. They provide landscapers with a handout and the police put them on record as
38 being warned and occasionally they must issue a citation.

39
40 In terms of uniformity, Captain Norton said police want to make all ordinances uniform to
41 enforce. However, in working in three different towns and attending Council meetings,
42 each city is a bit different and unique in its values and citizenry. Police can work with that
43 as it is something they expect of officers, and while it is sometimes challenging because it
44 might take them longer, they are able to do distinguish the differences of each town.

45
46 Chief Todd Cusimano pointed out that they have a barking dog ordinance which is similar
47 to the other cities and towns as well as uniformity with their social host ordinance and loud

1 party complaints. They would usually provide warnings and if there is a need to return they
2 would use 415 of the Penal Code. This is his 'hammer' to shut down a loud party or loud
3 music. The ordinances were written in the late 1970's and they are unclear and difficult to
4 discern.

5
6 He noted that a conversation between two people is at about a 55/60 decibel level and he
7 wants the ordinance to be clear. They have looked at many ordinances in the county and
8 Bay Area and it is something that everybody has struggled with. He said they have been
9 talking about leaf blowers for 3 years and for every one complaint, he has received 15
10 phone calls from people on the other side asking how it is fair to cite someone working in 6
11 different communities working under 6 different ordinances.

12
13 When they brought this to the Council previously, their intent was not to change the
14 ordinance so they can continue what they think should happen, the Council was not
15 prepared for this issue. Just thinking about the process, he suggested police step back and
16 he would be happy to continue to have Captain Norton to represent police, but hold a
17 workshop with the community and the Council to revisit the ordinance and focus on certain
18 areas, have some talking points, pros and cons, feedback from the community and from
19 staff, and decision points for the Council when they return. He thinks there is no boiler
20 plate to review, as Larkspur and San Anselmo have the same issues.

21
22 Mayor Bailey asked if it was the Chief and Captain Norton's opinion that it is not helpful or
23 they do not need the ordinance. Chief Cusimano said he thinks they need clarity in the
24 ordinance. While the Town Attorney did not agree, outside of mechanical noise police
25 already have tools to handle noise. Therefore, if they are not going to ban two-stroke
26 engines, lawnmowers or leaf blowers, much of the ordinance's content is not necessary.

27
28 Captain Norton further discussed pros and cons about having a noise ordinance, and said
29 one exception is construction demolition. When discussing whether or not landscaping
30 would be considered under this he thinks it should be clarified, as if anyone did any
31 landscaping at any time, they most likely were in violation of the noise ordinance
32 regardless of the time of day simply because it went above the level and there was no
33 exception.

34
35 Mr. Bracken added that when he reads the noise ordinance it was originally geared toward
36 construction which comprised of the majority of complaints. It morphed into other things
37 and it is more enforceable for construction than anything else. He thinks the Town needs to
38 know what is a noise and how does one violate it, and what is the process for enforcing it.

39
40 Mayor Bailey opened the public comment period.

41
42 JANE LEVINSOHN, Tamal Vista, suggested the Council first invest in earplugs and said leaf
43 blowers will never go away, as nobody can afford to pay a gardener to hand sweep
44 properties. She thinks it is up to the individual homeowner, with the exception of
45 construction noise, to make a complaint. She experienced a dog barking for several hours a
46 few weeks ago and it got to the point where she could no longer stand it. Consistent barking
47 is terribly annoying and she called police and they took care of it. Therefore, she suggested

1 much of this should be left up to an individual to make a complaint or deal with it. Many
2 problems are solvable with the exception of construction noise.

3
4 BOB BUNDY, Golden Hind Passage, said for every one person who is vocal about
5 complaining about leaf blowers, there are 10 others that are bothered by it and wonder
6 what these things really accomplish when someone is walking down the street with
7 earplugs on. He would be in favor of banning two cycle, gas-powered leaf blowers and
8 weed eaters in Corte Madera which is probably the goal. This also fits into the Climate
9 Action Plan to try and reduce CO2 emissions, particularly the pollution associated with 2-
10 cycle motors. He would not extend this to chainsaws as they are very efficient for what they
11 do and are much less frequent.

12
13 The reason leaf blowers and weed eaters could be eliminated now where difficult 10-15
14 years ago is lithium powered batteries out now for power equipment. Many of his tools are
15 run by batteries or electric 110-volt leaf blowers, which are of high quality. He would see
16 this as something that should be consistent throughout all three jurisdictions and this
17 should be the goal. It could be that timing could be such to allow commercial landscapers to
18 use up the equipment they have and purchase newer lithium powered units.

19
20 PETER HENSEL, Willow Avenue, distributed a draft of the Larkspur noise ordinance to the
21 Council which was adopted in 2015 so much of what has been said is not true. Their
22 ordinance is modern and addresses issues. The sections of the noise ordinance dealing with
23 noises made by people are useless. Powered equipment is something used by people, as
24 well as noises made by people, and he thinks some people simply do not care.

25
26 He referred to page 1 of the Larkspur's ordinance under Section F, Fixed Noise Source,
27 Stationary Device, and said he would add, "...or Facility that creates sounds while fixed or
28 motionless, including but not limited to machinery equipment, pumps, fans, compressors."
29 He has lived next to neighbors for 44 years and until 2013 there was never a problem. He is
30 a patient person willing to talk and live and let live, but when screeches and yelling for 2
31 hours starts hitting 80 decibels it can drive a person nuts.

32
33 He said his neighbor's pool was not correctly located in the middle of the lot, but placed
34 intentionally closer to neighbors. Police have done nothing and he has now been denied
35 service even though the Town Manager suggested he continue to contact police. He
36 suggested police live around a pool where kids yell at 2 hours at a time and not just once
37 but varying groups coming and going. It is like a public pool in a private residential area. He
38 has asked that it just be regulated, is not anti-kid, and there needs to be tools to make
39 neighbor civil.

40
41 Mayor Bailey said the Council received a thoughtful letter from Karl Spurzem who lists a
42 variety of arguments and counterpoints relating to the leaf blower component of the
43 ordinance. He was very much in support that he would like a ban on all types of leaf
44 blowers and his letter is available to the public, discusses significant air pollution and noise
45 pollution impacts, high winds in Corte Madera not making it sensible, dust and debris and
46 concludes that how he believes that the CMPA have more important things to do than
47 respond to noise complaints.

1
2 Mayor Bailey closed the public comment period and returned discussion to the Council.
3

4 Councilmember Lappert said in his experience as a law enforcement officer, the major
5 things police respond to are traffic, dogs barking, and crime. Originally the intent of the
6 noise discussion was leaf blowers and noise from machinery. He suggested stepping back,
7 getting groups together to talk and as he said before, he thinks they will all come down to
8 leaf blower complaints and all are being driven by one person. He cautioned the Council to
9 get too technical on something that can be addressed by an officer. He thinks the Town
10 should scrap the entire idea to have a noise ordinance, as it does not work.

11
12 Mayor Bailey asked if a police officer has the authority in the absence of an ordinance to
13 opine on what is and is not okay.

14
15 Councilmember Lappert said they must determine whether the person is doing something
16 malicious or to disrupt the peace, is it happening at a certain time of day or people living
17 which creates noise. Trying to regulate all of this causes more confusion. He said if he gets
18 called to a noise complaint at 11:30 p.m. on Christmas Tree Hill and there are adults having
19 a good time, the doors and windows are open with noise spilling outside to next door, 99%
20 of the time they close the doors and quiet down and the problem is gone. He personally
21 does not think the ordinance needs to be crafted in such a way to cover all possibilities.

22
23 Councilmember Condon said she thinks it is worth looking at the City of Larkspur's
24 ordinance for the sake of consistency in enforcement. She thinks that especially with
25 outdoor noise, she personally thinks it is a bit too much governance to ban leaf blowers.
26 Something operating on a battery or electricity will not be as effective. She thinks it would
27 be helpful to have something in place that reflects common sense and also they need to
28 create a situation to protect their constituency without going overboard.

29
30 Vice Mayor Furst said she agrees with Councilmember Condon and said she is not ready to
31 ban leaf blowers or gas leaf blowers. She would like people to use electric or battery-
32 operated tools, but she was not sure it is practical. She would guess there might be issues
33 for professional landscapers to have the ability to recharge their units throughout the day
34 and get all of the work done. She appreciates the new language that was inserted; however,
35 the Council will have to do something because currently what they have is not workable.
36 She has not looked at Larkspur's ordinance which is long and complicated, and she would
37 like it simpler; however, she was not sure "simple" will give police what they need to be
38 able to enforce an ordinance. Therefore, she thinks the Council simply does not have
39 enough information.

40
41 Vice Mayor Furst said she appreciates Councilmember Lappert's comments and agrees that
42 99% of the time neighbors will respond positively; however, there are people that are not
43 good neighbors. Councilmember Lappert said this is what 415 of the Penal Code is all
44 about.

45
46 Vice Mayor Furst said she did not know the particulars with Mr. Hensel's neighbors and the
47 swimming pool, but she questioned at what point something was needed because kids are

1 being too loud. Therefore, she thinks she is not getting enough information to know if
2 something needs to be implemented or to rely on 415 of the Penal Code.

3
4 Councilmember Andrews said he shares comments and would like whatever the Council
5 does to be in harmony with other jurisdictions. In thinking about it from the landscaper's
6 standpoint, he suggested leaf blowers not be allowed to operate during certain hours and
7 that this be clear to them.

8
9 In terms of a particular facility that generates a lot of noise, he questioned whether this
10 should be moved to the nuisance section of the ordinance where a facility can be shut
11 down, given it is generating consistent noise.

12
13 Mr. Bracken said he has considered this and said nuisance abatement is not an easy process
14 and the Town has several it is working with now. It takes no less than 6 to 8 months to
15 abate. Abating noise from a pool is difficult and most abatement processes involve debris
16 and junk seen on property and involves court orders.

17
18 Ms. Propp said what makes a nuisance abatement work and how the code is set up is each
19 section of the Municipal Code deems a certain activity as a public nuisance and then it
20 allows the Town to start the abatement process. Therefore, the Council would still have to
21 craft language in some sort of noise regulation or ordinance that would deem a particular
22 activity as a public nuisance if someone does "x, y or z" and clearly define it. They could
23 then refer it to an administrative or court process for abatement, but police cannot just
24 decide it is a nuisance and refer it to the Town for prosecution. It must be defined first as
25 part of the Code.

26
27 Mayor Baily stated he feels strongly it would be good to have something consistent with the
28 other jurisdictions. It is surprising this is not possible and he thought the Town could
29 follow along with what others have done. Secondly, he does not have particularly strong
30 opinions on leaf blowers but he is approached regularly at CYO basketball, at school events,
31 at the Lion's Club, at church and social gatherings in the last week or two with people
32 wanting to know when the Town is going to do something about the leaf blowers in town.

33
34 Vice Mayor Furst asked if those approaching Mayor Bailey all live in one neighborhood, and
35 Mayor Bailey said no. He said he likes that there is some effort about limiting the use of leaf
36 blowers during certain hours to provide peace to those opposed to them.

37
38 Councilmember Lappert asked how the Council feels about holding a workshop. Mayor
39 Bailey said he thinks this is a lot of work. Chief Cusimano said they are not experts on this,
40 and he said if the Town outlaws leaf blowers it will have to restrict Town employees from
41 using them. Therefore, the language needs to be fixed in a way that either restricts all gas-
42 powered two-stroke engines or not.

43
44 Vice Mayor Furst said she did not want the Chief to hold a workshop. She suggested doing a
45 survey monkey and invite people to provide input. They can track it by IP address and this
46 way people cannot game the system. She thinks input is needed and asked if staff could do
47 this and see if there is another ordinance outside of Marin. Mr. Bracken said staff will

1 develop a Survey Monkey questionnaire and determine what other jurisdictions have noise
2 ordinances outside of Marin.

3
4 Chief Cusimano noted that the City of Larkspur's ordinance is workable, but one core issue
5 is still the issue with leaf blowers and two-stroke engines. The same issue is there. There
6 are some things they handle regarding the mechanical issue of noise which they can look at.
7 Mr. Bracken stated he is meeting with the Larkspur City Manager tomorrow and he will
8 bring this up and was surprised they adopted a new ordinance.

9
10 Councilmember Lappert said he vehemently opposes any kind of ordinance that places the
11 normal course of living at odds with law enforcement, which means their skate park, the
12 park, swimming pools, and other recreational areas. This is about mechanical things. While
13 he feels sorry for Mr. Hensel about the noise from the neighbor's pool, he guessed that he
14 did not hear it when he was not home all the time.

15
16 Councilmember Condon referred to the first and second page under definitions of the
17 ordinance and the top of 3.3-6, which refers to Ordinance 697 and it has the 1983 date. Ms.
18 Propp said it is her understanding that in January they looked at one small update to the
19 ordinance, but the entire ordinance has not been revamped so it does date back to the
20 1980's. She said she is hearing similar comments to what they heard last August. She asked
21 for some direction about whether the poll on Survey Monkey looks at just mechanical or
22 both mechanical and non-mechanical. She has heard a lot tonight about the distinction
23 between motorized and non-motorized.

24
25 Mayor Bailey asked if the question should be limited to mechanical only. Vice Mayor Furst
26 said yes, with the caveat that many things are covered under other sections of the
27 ordinance such as loud parties, dogs barking, and they can be questioned as to what other
28 type of noise related items covered.

29
30 Councilmember Condon said in going over what is before the Council with the two
31 additions of "e" and "f", she asked if the Council was still considering this, taking action or
32 providing direction because these relate to mechanical things and she thought it was very
33 good.

34
35 Mayor Bailey said he agrees, but he thinks they are spinning their wheels at this point.
36 Personally he likes the language as it currently appears; that it begins to address the leaf
37 blower issue. However, the Council does not have sufficient information to know how to
38 handle any other changes. He is cautious about whether this is something the Council needs
39 to be addressing at all. He was one of the people pushing to have it on the agenda because
40 the leaf blower issue is a big problem, but he is hearing from police that it is not really a
41 problem and is reluctant to go into changes other than to address the leaf blowers.

42
43 Councilmember Condon said the Council has hashed through this in the past. Mayor Bailey
44 thought they were going to connect it and mirror it to the other ordinances of the other
45 jurisdictions, but apparently no one has updated their ordinance and if feels the Council is
46 making a lot of work for something they may not need to be doing. Councilmember Lappert
47 agreed.

1
2 Chief Cusimano said from the previous meeting, they included specific timeframes where
3 leaf blowers can be used during the day. All changes recommended are in the ordinance
4 and he suggested working with the Town Attorney to clarify the exceptions for other two-
5 stroke engines to make sure there is no ambiguity and then they could return to Council for
6 an amendment.

7
8 Mayor Bailey suggested continuing it to one more hearing and asked not to implement the
9 survey.

10
11 Vice Mayor Furst asked the Town Clerk to advertise it specifically on *NextDoor.com* so
12 those concerned can attend.

13
14 MOTION: Moved by Lappert, seconded by Andrews, and approved unanimously by the
15 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
16 None)

17
18 To continue the public hearing to the next Town Council meeting on March
19 15, 2016

20
21 7.III Receive and Discuss Public Comment on Current and Historic Use of Laurel
22 Lane in Christmas Tree Hill Area (This Item is Related to a Building Permit
23 Application at 210 Morningside Drive)
24 (Report from David Bracken, Town Manager)
25

26 Town Manager Bracken said staff is not asking for action on the item. It is mainly to receive
27 Council and public input. The issue relates to the historical use of Laurel Lane in Christmas
28 Tree Hill area and whether the public has access rights to that lane. There are three
29 common ways for a town to acquire right-of-way easements for a lane, trail or path which
30 is basically through a subdivision map. There is an owner's statement on the map which he
31 displayed and in reading halfway down on the map, the owner hereby offers for dedication
32 for public use, public streets or highways areas designated as "A" on the map. This is an
33 example of how it is offered.

34
35 Mr. Bracken said also on a subdivision map, there will be a Town Clerk statement. After the
36 item is heard and adopted by resolution of the town, they will say whether or not they
37 accept the offer of dedication noted in the owner's statement. Here the Town said yes, they
38 accept that offer. Those streets then became public streets.

39
40 Mr. Bracken said another way for a Town to accept or acquire a street would be by a grant
41 deed of right-of-way or easement or a document that gets approved by a Council by
42 resolution and then is recorded by the County. For example, typically it would be accepted
43 on the map and sometimes he would see where the Council would reject the offer which
44 was done on the Madera del Presidio subdivision. It was rejected to avoid any liabilities
45 during construction and then accepted by a separate deed after construction was
46 completed.
47

1 He displayed the map for upper Christmas Tree Hill which is a subdivision of everything
2 above Morningside. He has highlighted Laurel Lane and on the map will be streets, lanes,
3 trails, Spring Trail and these are all strips of land and subdivided lots. The interesting thing
4 about everything above Morningside Drive is that this was in 1913 and before the Town
5 was incorporated.

6
7 Mayor Bailey pointed out Lot 70 and said this parcel has no access to anything and he
8 asked if this was the current condition. Mr. Bracken said it is not the current condition but
9 the way it was. The land used to be one big parcel and then it was subdivided where there
10 were two landlocked parcels; 70 and 69. This is entirely a guess, but he thinks Laurel Lane
11 was put there not for access by the general public but for access to those two lots.

12
13 Councilmember Andrews asked if physically one could walk on any of the yellow area. Mr.
14 Bracken said some of it can be walked on, but generally no. He and Kevin Kramer tried to
15 walk it. Laurel Lane ties into Spring Trail and then Spring Trail goes up to Summit Avenue.
16 He and Kevin Kramer started on Summit Avenue. They slid and then he pointed to a deer
17 trail along the ravine.

18
19 He displayed the owner's statement on the subdivision map which was approved by the
20 County. Interestingly, they state yes, they own this land and consent to the making and
21 recording thereof, and that the owner does not dedicate to public use any portion of said
22 tract of land. Therefore, based on this map, there are no right-of-ways on Christmas Tree
23 Hill.

24
25 In getting back to the third way a town can acquire rights-of-way that would be by common
26 law or implied dedication. In other words, if the public uses land for more than 5 years by
27 implied dedication not stated on a map or in a grant deed, it becomes public access or can
28 be used by the public.

29
30 Getting back to Councilmember Andrews' question, he has no indication from what he can
31 see that it has been used by the general public, certainly not for a period of 5 years where
32 there is a defined path there. There are no improvements on it and the Town has never
33 improved anything on Laurel Lane or on Spring Trail.

34
35 Therefore, with that said, the Town is here to find out if the public has used this trail and it
36 would be good to open it up to public comment to find that out.

37
38 Vice Mayor Furst referred back to the map and compared it to Marin Map and said it was
39 difficult to read the map. In looking at the bottom of Laurel Lane it makes a Y. The leg
40 shown at the left goes down to Morningside. In looking at the old lots, 69, 70, 71, and half of
41 72 and 73 are there, she believes that was 208 Morningside. Mr. Bracken said the numbers
42 do not reflect the street address, but are block numbers. She said she believed the
43 homeowner used the long Y and used blocks 69, 70 and part of 72 and 73 took Laurel Lane
44 from Morningside, and Mr. Wolff confirmed. She asked if any other sections were used.

45
46 Mr. Bracken said he was not sure those were used, and he thinks the Town needs to
47 distinguish between specific lots and the general public here and to define whether or not

1 the general public has the right to use that lane. Again, he has walked it, sees no indication
2 it has been used in the past by the general public, and he could answer any questions.

3
4 Mr. Bracken said he attached a staff report from the Planning Department which was
5 presented to the Planning Commission and it involves a remodel on 2010 Morningside or
6 block numbers 61 and 62. The owner of the property wants to encroach in the area of
7 Laurel Lane and they filed a quiet title action to obtain possession of that property from the
8 Doherty Company. Therefore, if this is a public access lane, then the Town should not allow
9 the owners to do that and if it is not, then they have a right to file the quiet title action and
10 enjoy that property.

11
12 Mayor Bailey opened the public comment period.

13
14 JORDAN SILVER, 210 Morningside Drive, clarified that there is very few houses that are
15 around Laurel Lane, so this really only affects his property. Lots 70 and 69, as well as 59
16 and 58 comprise of 208 Morningside and half of Lot 72. Therefore, there are a set of steps
17 on Lot 69 and that owner was not using Laurel Lane to access his house or Lots 58 and 59
18 to his house. He submitted a letter and said three families who are long-time Corte Madera
19 families and got together and purchased 208 Morningside after having discussions with
20 current Town staff a couple of years ago. They demolished the house on 208 Morningside
21 which was highly dilapidated, a fire hazard and had branches through the house, dirt floors,
22 possums living in it and it was a mess. The entire lot was a tremendous fire hazard. The
23 person living there was probably mentally ill and had never maintained the lot. Separating
24 210 Morningside from 208 Morningside is Laurel Lane which looks a lot bigger here than it
25 is. Their plan was to demolish the house and divide 208 Morningside into 3 chunks so that
26 the sizes of their yards would increase, but this involves quieting title on Laurel Lane in
27 order to make that connection.

28
29 The key thing he wanted to point out, and he displayed a photo, is that he would like to
30 testify for the record in the 5 years he has lived there on the hill is that he never saw any
31 member of the public use Laurel Lane. It was impassable and a fire hazard. The fact that the
32 lanes were not dedicated for public use puts them in a tough position because they live next
33 to 6 foot strips of land that are overgrown. No one is using them. The Town will not
34 maintain them. They tried to get the fire department to cut the brush on that land and they
35 will not do it because it is not a town maintained trail. Therefore, it puts homeowners in
36 danger of living next to fire hazards that no one is using and they want to connect the lots
37 together which has positive benefits for the neighbors.

38
39 He said Spring Trail borders the other side of their property which is a Town-maintained
40 path and a very viable passage up from Redwood and Summit down to Morningside,
41 whereas Laurel Lane was a short jog that terminated above into Spring Trail. Laurel Lane,
42 even if someone cleared it, was a short connector trail and not the complete route from
43 Summit, Redwood and down to Morningside.

44
45 He reiterated for the record that the Silver family has proposed a donation of private funds
46 to the Town to do stone steps, a guard rail or whatever the Town might want to do on its
47 maintained trail to make a nice, complete fire egress from Summit, Redwood and down to

1 Morningside which would put that area into a much better position than it ever was. He
2 said if there were ever a fire, one would get trapped and the area is impassable, and he
3 asked for the Council's support.

4
5 Mayor Bailey asked Mr. Silver to point out where his property and neighbors' property was
6 located, which Mr. Silver pointed out, which he said starts out at 68 and goes all the way
7 down to 60. He surrounding 208 are the Bentleys and the Browns which he both pointed
8 to.

9
10 BRIAN BROWN, 9 Summit, said he lives very near the strip of land known as Laurel Lane
11 and he is in complete agreement with Mr. Kunhardt's letter who wrote a very good brief
12 about the technical aspects of the meeting here and the issue of quiet title and whether or
13 not to intervene or not. He thinks his description that it is a vestibular piece of property is
14 the correct term for it.

15
16 He said other paths have a real purpose and they have morphed into their very good high
17 use and those are on the list which the Council is familiar with. He can personally testify
18 that this particular piece of land has not been used by members of the public and that the
19 methodology of the quiet title is the way this should be looked at by the Town because it is
20 in service of a larger issue which the Council is not formally looking at, but it is their master
21 plan for the dissolution of that landlocked piece of land, and Laurel Lane is in the way of it.
22 He therefore supports the Town's non-intervention in their legal process with the County
23 at this time and they are almost through with that process.

24
25 JOHN BENTLEY, 204 Morningside Drive, said he has lived in their house for 28 years. The
26 person living at 208 Morningside Drive which they tore down inherited that house and
27 property from his mother. They lived in that area when his mother lived there and she
28 never maintained it. The yellow part was the way she and her son got to the house. They
29 would walk up and down it and they had a family name on a sign. Both of them would have
30 chased out anybody that walked up the stairs and he can attest to this for 28 years albeit an
31 occasional guest of the last occupant of the house. He said he did not even know a house
32 was there, but he knew there was a trail there because he is a member of the Christmas
33 Tree Hill Association where they would look at the maps to bring to the public's attention
34 about why it was great to live up there, and it was not until he acquired the property that
35 he actually walked up there and saw the area was impassable.

36
37 Mayor Bailey said he read some astonishing notes about the original Christmas Tree
38 Hilldwellers Associations' efforts with the fire department to map the steps and he asked
39 and confirmed that Mr. Bentley was part of this effort and this was not the sort of thing
40 they were mapping when they did that. Mr. Bentley said no; there were so many small
41 passes up there but they were not well-maintained and they wanted to bring attention to
42 those living on Christmas Tree Hill that they were a way of escaping in the case of a fire.

43
44 Mayor Bailey thanked Mr. Bentley for answering the question because it was suggested to
45 the Council that some of these trails, although not used, could be very valuable in the event
46 of an emergency and what Mr. Bentley is saying is that this is not one of them. Mr. Bentley
47 said knowing that people knew there were other trails possibly there, they could have

1 gotten trapped. The intention was to let them know the ones existing and to maintain those
2 so there would be no confusion. Laurel Lane was never even discussed and as he said, he
3 did not even know where it was.

4
5 DAVID KUNHARDT, Hill Path, said that for over 19 years he was on a path that was
6 fortunately publicly dedicated in the 1890s, but as he has been on the Hilldwellers
7 Association for 18 years he is one who has fought for more public access, more
8 continuation of trails because this is the best way to get exercise. The cut off trails like
9 Golden Stairs are publicly maintained. The next watershed over is Old South Trail which is
10 not a trail but he and some friends have improved them and it is a great walking way, but
11 not a good exit way in an emergency, and this was his first concern. If this were anything
12 like a lane, it is not. If it were anything like a pathway, it is not. If it were possible to go
13 down into there without falling then he would say the Town should be concerned about
14 marking it and using it as they did with a couple of trails up above this with small markers.
15 He would say it is incredibly generous that Mr. Silver has suggested improving that south
16 trail because this is really the creek bed, and he would not suggest doing this because at the
17 top of it is uncomfortably and dangerously steep to get down into the ravine that is filled
18 with water at the bottom. So it is an inappropriate thing to entice people into.

19
20 Mr. Kunhardt said therefore, as someone who would never want to give up a public trail,
21 this does not belong to the public, never did, is not usable and better yet, their plan is very
22 creative and what more people on the hill might be thinking about doing which is
23 enhancing with private uses those left-over vestibular pieces.

24
25 LOUISE BROWN, 9 Summit, said she and her husband Brian have lived in their house for 13
26 years and knows Marin trails well. When they first moved there, after attending a
27 community meeting with the fire department, the Fire Chief said in talking about open hills
28 fires, it is not a question of if but when. They went home that night and she said she wants
29 to know how to get out of their area. They had a young son at the time then and she made a
30 point of walking the neighborhood and finding out where the lanes were, where passable
31 ways were to get out if streets got jammed and there was a fire. She knows Jean Bean Path,
32 Portola Lane, Golden Stairs and Hill Path, and she takes those routinely because she is
33 exercising or exploring. Never once did she realize there was this supposed lane right
34 around the corner from them. It was completely overgrown. They had never seen anyone
35 take it and it is not a path one would find and want to explore to get from one street to
36 another. There are many places that are well developed to provide people with access
37 points and they are just trying to take advantage of an opportunity to do something good
38 for the overall hill, which is to lessen the density and give people an opportunity to use the
39 paths they should use that are safe for passage.

40
41 Mayor Bailey returned discussion to the Council.

42
43 Councilmember Lappert commented that he is disappointed that it took this long to resolve
44 this issue. He said the neighbors are working together to get something done and he
45 questioned why this is becoming an issue.

46

1 Vice Mayor Furst said she appreciates all of staff's efforts to research the history of it and
2 whether it was ever conveyed to the Town. She appreciates the outreach to Christmas Tree
3 Hill to get some input from other residents which was exactly what was needed. She feels
4 there is a good understanding of the history, the use or lack thereof and she does not
5 believe the Town had a few months ago.

6
7 She said it is the Town's responsibility to exercise due diligence and to know what it is the
8 Council is considering. Until input is received from those living on Christmas Tree Hill that
9 have lived here and understand it, including Mr. Kunhardt who has been a board member
10 of the Hilldwellers Association, as well as the history indicating that it was not turned over
11 by the Doherty Company to the Town was helpful.

12
13 Councilmember Condon said she also appreciates the time and effort that staff took
14 because it is important to know that even though the path was deemed never to be used,
15 there was also input against granting it, so she thinks because of staff's efforts and
16 attorneys as well, she thinks it was imperative to provide the opportunity to make a good
17 decision and not just a guess.

18
19 Councilmember Andrews thanked staff for their research as well as the homeowners for
20 doing their search. The best analogy he could come to is that if this were a stock certificate
21 or bank account, it would be declared abandoned property and sheeted off to the
22 government long ago. Since it is a strip of land, the Town needs to find someone to take
23 care of it and he thinks there are some volunteers.

24
25 Councilmember Lappert noted there are also code compliance issues which are what
26 triggered this thing and things that were built outside the scope of permitting, so he
27 understands this is the Town's job. However, he just remembers a time when a decision
28 could have been made much quicker and he hopes the Council is not traveling down a goat
29 trail and turning over every possible rock on some private property owner's dime because
30 of the Council's inability to make a decision as something as simple as this.

31
32 Mayor Bailey thanked all speakers and noted there is no action to be taken tonight. He
33 asked if staff would be presented with some action in the future such as making a
34 declaration.

35
36 Ms. Propp stated the Council will be taking this matter up in a separate issue in Closed
37 Session and then depending upon the decision, staff will report out accordingly.

38
39 7.IV Review of Draft March 15, 2016 Town Council Agenda

40
41 Mayor Bailey stated there are two items that should be considered putting on in the future.
42 He asked if the Council should start talking about shared services. Councilmember Lappert
43 said the Council will soon receive information over the next few weeks and all information
44 will be given to make decisions regarding shared services and keeping people advised.

45
46 Mayor Bailey stated the bike path issue is not before the Council; however, he occasionally
47 receives complaints about the Alto Tunnel. This is not urgent and he suggested not

1 agendizing that.

2

3 Mr. Bracken noted that the Town does plan on bringing this to the Council in the middle of
4 April. The concern was that items sometimes get etched in stone and if it is removed, there
5 needs to be a reason for removing it. He will try not to agendize something unless staff is
6 certain that information can be gathered and a staff report written. At the next meeting, the
7 Council will see the bike path on the future agenda list which will be approval of the master
8 plan.

9

10 Mayor Bailey asked and confirmed that the noise ordinance will be continued to the next
11 meeting. Mr. Bracken said he will not be in attendance at the next Council meeting.

12

13 Councilmember Condon asked to revisit the sign ordinance because there have been more
14 banners added with different sizes from what is contained in the resolution, but she said
15 there is no urgency.

16

17 Councilmember Andrews asked to discuss traffic on northern Tamal Vista as a priority and
18 what will be done about traffic around Tam Ridge Residences. He has received several
19 letters from people complaining about the traffic as well as a letter included in the
20 comments for the Corte Madera Inn rebuild.

21

22 Councilmember Lappert said once the Town knows who the new contractor is Mr. Wolff or
23 Mr. Bracken will be updating the Council. Councilmember Andrews said he would like to fix
24 traffic before the project comes on line and involve other jurisdictions contributing to
25 traffic in that area.

26

27 Mr. Bracken stated Corte Madera and Larkspur have a subcommittee to address this but
28 they have not met in a while and Councilmember Lappert is a member. He will bring this
29 issue up with the City Manager tomorrow.

30

31 Vice Mayor Furst said during her reports, she has repeatedly referenced the plan the Joint
32 Traffic Task Force between Corte Madera and Larkspur have come up with that they have
33 not received funding for during the last two transportation grant rounds through TAM.
34 There just is no money and it will cost a lot more than what the Town is getting from
35 McFarlane.

36

37 Councilmember Condon suggested the Town going directly to the state to get the funding.
38 Vice Mayor Furst stated the Town applied to ATF and to State ATF, but did not receive
39 funds. She thinks it might not be a bad idea to address at some point but possibly when
40 discussing the management plan they can also talk about the transportation plan. This also
41 is affected by the high school and there might be a Safe Routes to School discussion as well.

42

43 Vice Mayor Furst suggested Councilmember Andrews discuss a more specific idea with the
44 Town Manager and thereafter discuss this with Mayor Bailey.

45

46 7.V Approval of Minutes of February 16, 2016 Town Council Meeting

47

1 Vice Mayor Furst requested the following revisions:

- 2 • Page 15, Line 12: “The goals are good overall but wrong when looking at how it
3 affects a small town such as Corte Madera.”
- 4 • Page 15, Line 21: “The Town is already addressing flooding and over the years has
5 invested \$40 million in flood control measures.”
- 6 • Page 15, end of Line 21: “The Town used to be the go-to place for newscasters
7 during big flooding events prior to the investment we made in flood control which
8 eliminated nearly all of the significant flooding problems.”

9
10 Mayor Bailey stated he found a typographical error in the Climate Action Plan which
11 appears in his minutes on page 17, line 2. The word “forceful” should be replaced with
12 “enforceable”. That same typographical error appears in the introduction to the Climate
13 Action Plan, where it should state “specific and enforceable...”

14
15 MOTION: Moved by Furst, seconded by Condon, and approved unanimously by the
16 following vote: 5-0 (Ayes: Andrews, Condon, Furst, Lappert and Bailey; Noes:
17 None)

18
19 To approve the minutes of February 16, 2016 Town Council meeting, as
20 amended

21
22 The Town Council convened to Closed Session at 11:05 p.m.

23
24 **8. CLOSED SESSION**

25
26 **8.I CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

27 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section
28 54956.9:

29 Number of potential cases: One

30
31 **8.II CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

32 Property: Gravel overflow parking lot on Redwood Highway (north of
33 Nordstrom at The Village at Corte Madera) APN 024-032-19

34 Agency negotiator: David Bracken

35 Negotiating parties: Macerich (Garrett Newland and Cecily Barclay)

36 Under negotiation: Whether, and under what terms, the property could
37 potentially be leased or sold.

38
39 **OPEN SESSION**

40
41 The Town Council reconvened its regular meeting at 11:46 p.m.

42
43 **8.III Report Out of Closed Session:**

44 The Report Out of Closed Session will be provided at the beginning of the
45 next regular Town Council meeting, scheduled for March 15, 2016.

46
47 **9. ADJOURNMENT**

- 1
- 2 The meeting was adjourned at 11:46 p.m. to the next regular Town Council meeting on
- 3 March 15, 2016 at Town Hall Council Chambers.